

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 29 NOVEMBER 2022
63 MT BARKER ROAD STIRLING**

In Attendance

Presiding Member: Mayor Jan-Claire Wisdom

Members:

Councillor Nathan Daniell
Councillor Pauline Gill
Councillor Chris Grant
Councillor Malcolm Herrmann
Councillor Lucy Huxter
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin
Councillor Louise Pascale
Councillor Melanie Selwood

In Attendance:

David Waters	Chief Executive Officer
Terry Crackett	Director Corporate Services
Peter Bice	Director Infrastructure & Operations
Natalie Armstrong	Director Development & Regulatory Services
Lachlan Miller	Executive Manager Governance & Performance
Karen Cummings	Manager Property Services
Steven Watson	Governance & Risk Coordinator
Pam Williams	Minute Secretary

1. COMMENCEMENT

The meeting commenced at 6.30pm.

2. OPENING STATEMENT

Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kaurna people. They are Custodians of this ancient and beautiful land and so we pay our respects to Elders past, present and emerging. We will care for this country together by ensuring the decisions we make will be guided by the principle that we should never decrease our children's ability to live on this land.

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3. Apology

Cr Adrian Cheater
Cr Kirrilee Boyd

3.1 Leave of Absence – Cr Malcolm Herrmann

Moved Cr Mark Osterstock
S/- Cr Nathan Daniell

289/22

- 1 That a Leave of Absence from all duties of office be granted to:
 - Cr Malcolm Herrmann from 16 December to 22 December 2022
- 2 That any committee, panel or advisory group membership currently held by Cr Malcolm Herrmann be undertaken by the Deputy during the leave of absence.

Carried unanimously

3.1.1 Leave of Absence – Cr Louise Pascale

Moved Cr Pauline Gill
S/- Cr Leith Mudge

290/22

1. That a Leave of Absence from all duties of office be granted to:
 - Cr Louise Pascale from 19 December to 6 January 2023
2. That any committee, panel or advisory group membership currently held by Cr Louise Pascale be undertaken by the Deputy during the leave of absence.

Carried unanimously

3.2 Absent

Nil

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4. MINUTES OF PREVIOUS MEETINGS

4.1 Council Meeting – 25 October 2022

Moved Cr Malcolm Herrmann

S/- Cr Kirsty Parkin

291/22

That the minutes of the Ordinary Council meeting held on 25 October 2022 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried unanimously

5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

5.1 General Conflict of Interest, Mayor Jan-Claire Wisdom Item 12.10 S43 Subsidiary Membership Southern & Hills Local Government Association

Under Section 75B of the *Local Government Act 1999*, Mayor Jan-Claire Wisdom declared a General Conflict of Interest in Item 12.10 the nature of which is as follows:

- I may gain a benefit or disbenefit depending on the decision

Mayor Jan-Claire Wisdom intends to Leave the Chamber when this item is discussed.

5.2 Material Conflict of Interest, Cr Mark Osterstock, Item 12.6 Boundary Change Committee Council Member and Presiding Member Appointment

Under Section 75C of the *Local Government Act 1999* Cr Mark Osterstock disclosed a Material Conflict of Interest in Item 12.6 the nature of which is as follows:

- I may directly gain a benefit or suffer a loss of a pecuniary nature

Cr Mark Osterstock intends to Leave the Chamber when this item is discussed.

5.3 Material Conflict of Interest, Cr Melanie Selwood Item 12.4, Audit Committee Membership Council Member and Presiding Member Appointment

Under Section 75C of the *Local Government Act 1999* Cr Melanie Selwood disclosed a Material Conflict of Interest in Item 12.4 the nature of which is as follows:

- Material Conflict to nominate for a prescribed committee

Cr Melanie Selwood intends to Leave the Chamber when this item is discussed.

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5.4 Material Conflict of Interest, Cr Nathan Daniell Item 12.2, Deputy Mayor Position Creation and Appointment and Item 12.11 Appointment of Council Member and Deputy Council Member to the Council Assessment Panel

Under Section 75 of the *Local Government Act 1999* Cr Nathan Daniell disclosed a Material Conflict of Interest in Item 12.2 and Item 12.11 the nature of which is as follows:

- For 12.2, I may directly gain a benefit or suffer a loss of a pecuniary nature
- For 12.11, due to a sitting fee I may gain a pecuniary benefit or loss depending on the outcome

Cr Nathan Daniell intends to Leave the Chamber when these items are discussed.

5.5 Material Conflict of Interest, Cr Leith Mudge, Item 12.11 Appointment of Council Member & Deputy Council Member to the Council Assessment Panel

Under Section 75 of the *Local Government Act 1999* Cr Leith Mudge disclosed a Material Conflict of Interest in Item 12.11 the nature of which is as follows:

- I will be running to be appointed to this panel and would experience a material gain if elected as the appointee receives a sitting fee

Cr Leith Mudge intends to Leave the Chamber when this item is discussed.

5.6 General Conflict of Interest, Cr Lucy Huxter, Item 12.7, S43 Subsidiary Membership East Waste and 12.8 S43 Subsidiary Membership Adelaide Hills Region Waste Management Authority

Under Section 75B of the *Local Government Act 1999* Cr Lucy Huxter disclosed a General Conflict of Interest in Item 12.7 and Item 12.8 the nature of which is as follows:

- Nomination for East Waste Board – no pecuniary or material benefit
- Nomination for AHRWMA Board – no pecuniary or material benefit

Cr Lucy Huxter intends to Leave the Chamber when these items are discussed.

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5.7 General Conflict of Interest, Cr Kirsty Parkin Item 12.5, CEO Performance Review Panel Membership Council Member and Presiding Member Appointment, Item 12.6 Boundary Change Committee Council Member and Presiding Member Appointment and item 12.10 S43 Subsidiary Membership Southern & Hills Local Government Association

Under Section 75B of the *Local Government Act 1999* Cr Kirsty Parkin disclosed a General Conflict of Interest in Item 12.5, Item 12.6 and Item 12.10 the nature of which is as follows:

- I intend to nominate for CEO PRP membership
- I have nominated to join this Committee
- I have nominated as Deputy Board member for the SHLGA

Cr Kirsty Parkin intends to Leave the Chamber when these items are discussed.

5.8 Material Conflict of Interest, Cr Chris Grant Item 12.5, Material, CEO Performance Review Panel Membership Council Member and Presiding Member Appointment

Under Section 75C of the *Local Government Act 1999* Cr Chris Grant disclosed a Material Conflict of Interest in Item 12.5 the nature of which is as follows:

- I am nominating for the position of Presiding member of the CEO PRP which, if successful, would provide a material benefit to me

Cr Chris Grant intends to Leave the Chamber when this item is discussed.

5.9 General Conflict of Interest, Cr Pauline Gill Item 12.7 S43 Subsidiary Membership East Waste, Item 12.8, S43 Subsidiary Membership Adelaide Hills Region Waste Management Authority, Item 12.10 S43 Subsidiary Membership Southern & Hills Local Government Association

Under Section 75B of the *Local Government Act 1999* Cr Pauline Gill disclosed a General Conflict of Interest in Items 12.7, 12.8 and 12.10 the nature of which is as follows:

- I may gain a benefit or suffer a loss

Cr Pauline Gill intends to Leave the Chamber when these items are discussed.

5.10 Material Conflict of Interest, Cr Pauline Gill 12.11 Appointment of Council Member & Deputy Council Member to the Council Assessment Panel

Under Section 75C of the *Local Government Act 1999* Cr Pauline Gill disclosed a Material Conflict of Interest in Item 12.11 the nature of which is as follows:

- I may gain a benefit or suffer a loss

Cr Pauline Gill intends to Leave the Chamber when this item is discussed.

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5.11 Material Conflict of Interest, Cr Malcolm Herrmann Item 12.4, Audit Committee Membership Council Member and Presiding Member Appointment

Under Section 75C of the *Local Government Act 1999* Cr Malcolm Herrmann disclosed a Material Conflict of Interest in Item 12.4 the nature of which is as follows:

- Should I be appointed as Presiding Member, this is a remunerated position

Cr Malcolm Herrmann intends to Leave the Chamber when this item is discussed.

5.12 General Conflict of Interest, Cr Malcolm Herrmann Item 12.9, S43 Subsidiary Membership Gawler River Floodplain Management Authority

Under Section 75B of the *Local Government Act 1999* Cr Malcolm Herrmann disclosed a General Conflict of Interest in Item 12.9 the nature of which is as follows:

- Indirect – no pecuniary benefit

Cr Malcolm Herrmann intends to Leave the Chamber when this item is discussed.

5.13 Material Conflict of Interest, Mayor Jan-Claire Wisdom Item 12.12, Policy Review – Council Member Allowances and Support Policy

Under Section 75C of the *Local Government Act 1999* Mayor Jan-Claire Wisdom disclosed a Material Conflict of Interest in Item 12.12 the nature of which is as follows:

- Direct pecuniary benefit as differential payments to Mayor

Mayor Jan-Claire Wisdom intends to Leave the Chamber when this item is discussed.

6. PRESIDING MEMBER'S OPENING REMARKS

Mayor Jan-Claire Wisdom welcomed the 2022 – 2026 Council Members and the attendees in the gallery.

Mayor Wisdom advised that the new President for LGASA is Mayor Dean Johnson of the District Council of Kimba.

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6.1 Thank you to former Council Member John Kemp

Moved Mayor Jan-Claire Wisdom
S/- Cr Pauline Gill

292/22

That Council thanks former Council Member John Kemp for his dedication as an Elected Member, and for having a positive and meaningful impact on the Adelaide Hills Council and our communities.

Carried Unanimously

7. QUESTIONS ADJOURNED/LYING ON THE TABLE

7.1 Questions Adjourned

7.1.1 Options to reduce traffic congestion Bridgewater Primary School – Traffic Study

To be considered by Council in January 2023

7.2 Questions Lying on the Table

Nil

Leave of the meeting was granted to move the Public Forum forward on the agenda

7.3 Public Forum

Jan Verrall & Denise Elland re fire water tank, Upper Hermitage

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8. PETITIONS/DEPUTATIONS/PUBLIC FORUM**8.1 Petitions****8.1.1 Water Storage Tank Upper Hermitage**

Moved Cr Malcolm Herrmann

S/- Cr Kirsty Parkin

293/22

Council resolves:

- 1. That the petition signed by 204 signatories requesting permission to place a tank on Council land be received and noted.**
- 2. To note that the Administration will continue to liaise with the head petitioners and the CFS and will provide a status report to Council no later than the March 2023 Ordinary Council meeting.**
- 3. That the CEO advise the principal signatory of the Council's noting of the petition and of any resolutions relating to the matter.**

Carried Unanimously

8.2 Deputations

Nil

9. PRESENTATIONS

Nil

10. QUESTIONS ON NOTICE**10.1 Property Losses from Bushfires (Cr Pauline Gill)**

- 1. Could the breakdown of property losses from Sampson Flat, Cudlee Creek and Cherry Gardens bush fires be provided, with numbers of loses broken down into the following;**
 - Number of township properties lost
 - Number of primary production (including orchards, livestock, berry, viticulture etc) properties lost
 - Number of commercial/industrial properties lost

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- Number of life style/hobby farms (properties that are not township or are not commercial use, e.g. owner does not make a living off the land) lost
2. Could the same be provided for properties damaged, e.g. outbuildings lost or other infrastructure that is not the main residence.
 3. Can a ratio be provided for each category of those property categories in the fire scars, against numbers damaged and numbers destroyed, e.g. 1:5 would be one house destroyed in every five houses.

OFFICER'S RESPONSE – Natalie Armstrong, Director Development & Regulatory Services

As has been identified in the background, portion of the sought data is difficult to obtain. In relation to the information sought and the objectives, the following is provided:

Identify the number of properties

Collation of the numbers of destroyed and damaged buildings, whether they be residences or outbuildings, was undertaken by the CFS and subsequently the Department of Premier & Cabinet in their disaster recovery role.

Information published by the State Government in the months following the 2019 Cudlee Creek indicate that 98 homes were destroyed, 56 additional homes suffered damage, 542 non-residential buildings (sheds, outbuildings, etc) were damaged or destroyed and 325 vehicles were damaged or destroyed.

The Administration has not been able to identify any data sets that contain data of property losses that is broken down into township, primary production, commercial and hobby farms.

The Council does not maintain data of the total number of houses and improvements in the Council area however this information can possibly be obtained from the Valuer-General's Department and Council can filter to seek to get close to the information sought however it will not be able to provide accurate data of the ratio of total dwellings and outbuildings in the fire scar area versus the dwellings and outbuildings that were lost or damaged.

Any collated information provided will reflect the current use of the property so there may be some discrepancies in the data if land use has changed.

This work can be undertaken by Council staff however it will be resource intensive, therefore allocation of resources will need to occur around existing business as usual responsibilities or other priorities will need to be deferred.

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Understand the ownership turnover rate

There is no data available to identify the turnover rate in ownership in the respective areas. Whilst it is feasible to collate this data, it will be required to be sourced individually for each property within the requested areas and as such would require a significant resource allocation to undertake which is unbudgeted. Again, although Council is advised of change of ownership of properties in the district for rating purposes, it is not the agency responsible for holding property ownership and turnover data.

Create an education package that is interactive and inclusive

The CFS has developed a number of education packages for businesses and residents in fire prone areas. As the agency which leads fire response, it is appropriate that they are the agency delivering education programs in relation to bushfire preparedness and bushfire survival, particularly as education for lifestyle/hobby farms properties is not exclusive to the Adelaide Hills Council area.

In summary, given the significant resource requirement to provide the requested information, it is recommended that further discussions occur with Council staff, and subsequently the CFS, to identify where (if any) there are gaps in the CFS's education programs for lifestyle/hobby farm properties. Council may choose to take an advocacy role in this space to encourage the CFS to address any actual or perceived gaps in their education program.

11. MOTIONS ON NOTICE

11.1 Speed Limit on North-East Road, Inglewood

**Moved Cr Malcolm Herrmann
S/- Cr Leith Mudge**

294/22

That the Acting CEO requests the Chief Executive, Department of Infrastructure and Transport, to investigate the reduction of the 80kph speed limit on the Adelaide side of North East Road, Inglewood to past the intersection of Range Road South and North East Road Houghton to the existing 60kph limit sign.

Carried

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DIVISION

Cr Mark Osterstock called for a division.

The Mayor set aside the ruling.

In the affirmative (9)

Councillors Daniell, Grant, Herrmann, Huxter, Mudge, Osterstock, Parkin, Pascale, Selwood

In the negative (1)

Councillor Gill

On the basis of the results of the division, the Mayor declared the motion **Carried**

12. OFFICER REPORTS – DECISION ITEMS**12.1 Time and Place of Meetings**

Moved Cr Mark Osterstock

S/- Cr Lucy Huxter

295/22

Council resolves that:

1. The report be received and noted.
2. Commencing 2022 until 28 February 2024, Ordinary Council Meetings will be held at 63 Mt Barker Road, Stirling and are scheduled to commence at 6.30pm on the second and fourth Tuesday of the month, except for:
 - December 2022 (Tuesday 20 December 2022)
 - January 2023 (Tuesday 24 January 2023)
 - December 2023 (Tuesday 19 December 2023)
 - January 2024 (Tuesday 23 January 2024)
3. The Chief Executive Officer be authorised to adjust the Ordinary Council Meeting schedule, including time and place of the meeting, where matters necessitate a change such as a meeting date occurring on a public holiday, catastrophic fire danger day or other valid reason.
4. Commencing 2022 until 28 February 2024, times and venues for Special Council Meetings, requested in accordance with the legislative provisions, are to be determined by the Chief Executive Officer.

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5. Commencing 2022 until 28 February 2024, Information or Briefing Sessions are scheduled as follows:
 - a. Workshops scheduled ordinarily at 6.30pm on the first Monday of each month, held at 36 Nairne Road, Woodside, except for January.
 - b. Professional Development Sessions scheduled ordinarily at 6.30pm on the third Tuesday of each month, held at 63 Mt Barker Road, Stirling, except for December and January.
6. The Chief Executive Officer be authorised to schedule additional Information or Briefing sessions where workload dictates, or adjust the Information or Briefing Sessions schedule, including time and place of the sessions, where matters necessitate a change such as an Information of Briefing session date occurring on a public holiday, catastrophic fire danger day or other valid reason.
7. The Chief Executive Officer is authorised to adjust any Policy which is impacted by the setting of the Time and Place of Meetings.
8. The Chief Executive Officer will evaluate, in consultation with Council, and present a report on the success, or otherwise, on the aforementioned (Time and Place of Meetings), to be presented to Council for consideration by no later than the first meeting in February 2024.

Carried

12.2 Deputy Mayor Position Creation

Moved Cr Malcolm Herrmann
S/- Cr Mark Osterstock

296/22

Council resolves:

1. That the report be received and noted.
2. To create the position of Deputy Mayor.
3. To determine that the method of selecting the Deputy Mayor be by an indicative vote to determine the preferred person utilising the process set out in this Agenda report.

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4. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred person for the Deputy Mayor's role and for the meeting to resume once the results of the indicative vote have been declared.

Carried

7.35pm The Council meeting adjourned

7.36pm The Council meeting resumed

7.36pm Cr Nathan Daniell declared a Material Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.2.1 and left the Chamber.

12.2.1 Deputy Mayor Position Appointment

Moved Cr Pauline Gill

S/- Cr Chris Grant

297/22

Council resolves to appoint Cr Nathan Daniell to the position of Deputy Mayor for a 12 month term to commence 30 November 2022 and conclude on 30 November 2023.

Carried Unanimously

7.39pm Cr Nathan Daniell returned to the Chamber

12.3 Annual Report Adoption

Moved Cr Malcolm Herrmann

S/- Cr Chris Grant

298/22

Council resolves:

1. That the report be received and noted.
2. The 2021-22 Annual Report, as contained in Appendix 1, be adopted.
3. That the Acting Chief Executive Officer be authorised to make minor content, formatting or design changes necessary for publication purposes.

Carried Unanimously

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**12.4 Audit Committee Membership – Council Member and Presiding Member Appointment
Method of Voting**

Moved Cr Mark Osterstock

S/- Cr Chris Grant

299/22

Council resolves:

1. That the report be received and noted
2. To retain the Audit Committee Terms of Reference, as contained in Appendix 1.
3. To determine that the method of selecting the Audit Committee Members to be by an indicative vote to determine the preferred persons for the two Council Member positions utilising the process set out in this Agenda report.
4. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred persons for the Audit Committee Member roles and for the meeting to resume once the results of the indicative vote have been declared.

Carried Unanimously

7.44pm The Council meeting adjourned

7.46pm The Council meeting resumed

7.46pm Cr Malcolm Herrmann declared a Material Conflict of interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.4.1 and left the Chamber

7.46pm Cr Melanie Selwood declared a Material Conflict of interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.4.1 and left the Chamber

12.4.1 Audit Committee Membership – Council Member and Presiding Member Appointment

Moved Mark Osterstock

S/- Cr Nathan Daniell

300/22

1. To appoint Cr Malcolm Herrmann and Cr Melanie Selwood as members of the Audit Committee for a 12 month term to commence 30 November 2022 and conclude on 30 November 2023 (inclusive).
2. To appoint Cr Malcolm Herrmann to the position of Audit Committee Presiding Member for a 12 month term to commence 30 November 2022 and conclude on 30 November 2023 (inclusive).

Carried Unanimously

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7.48pm Cr Malcolm Herrmann & Cr Melanie Selwood returned to the Chamber

12.5 CEO PRP Membership - Council Member and Presiding Member Appointment Method of Voting

**Moved Cr Nathan Daniell
S/- Cr Kirsty Parkin**

301/22

That Council resolves:

- 1. That the report be received and noted**
- 2. To retain the Chief Executive Officer Performance Review Panel for the term of the Council with the Terms of Reference, as contained in Appendix 1.**
- 3. To determine that the method of selecting the Chief Executive Officer Performance Review Panel Members to be by an indicative vote to determine the preferred persons for the two Council Member positions utilising the process set out in this Agenda report.**
- 4. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred persons for the Chief Executive Officer Performance Review Panel Member roles and for the meeting to resume once the results of the indicative vote have been declared.**

Carried Unanimously

7.50pm The Council Meeting adjourned

7.53pm The Council meeting resumed.

7.51pm Cr Chris Grant declared a Material Conflict of interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.5.1 and left the Chamber

7.52pm Cr Parkin declared a General Conflict of interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.5.1 and left the Chamber

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12.6 CEO PRP Membership - Council Member and Presiding Member Appointment

Moved Cr Mark Osterstock

S/- Cr Leith Mudge

302/22

1. To appoint two Council Members, Cr Chris Grant and Cr Kirsty Parkin, as members of the Chief Executive Officer Performance Review Panel for a 12 month term to commence 30 November 2022 and conclude on 30 November 2023 (inclusive).
2. To appoint Cr Chris Grant to the position of Chief Executive Officer Performance Review Panel Presiding Member for a 12 month term to commence 30 November 2022 and conclude on 30 November 2023 (inclusive).

Carried Unanimously

7.55pm Cr Chris Grant & Cr Kirsty Parkin returned to the Chamber

**12.7 Boundary Change Committee - Council Member and Presiding Member Appointment
Method of Voting and Terms of Reference**

Moved Cr Mark Osterstock

S/- Cr Leith Mudge

303/22

That Council resolves:

1. That the report be received and noted
2. To retain the Boundary Change Committee for the term of the Council with the Terms of Reference, as contained in Appendix 1, with the following amendment:
 - 2.1 (3.1) insert:
 - 3.1.2.3 Risk and Risk management associated with any potential boundary change.
 - 3.1.2.4 Financial and other budgetary considerations associated with any potential boundary change.
 - 3.1.2.5 Other matters as the Committee may determine.
3. To determine that the method of selecting the Boundary Change Committee Members to be by an indicative vote to determine the preferred persons for the (four) Council Member positions utilising the process set out in this Agenda report.
4. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred persons for the Boundary Change Committee Member roles and for the meeting to resume once the results of the indicative vote have been declared.

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7.59pm The Council Meeting adjourned

8.01pm The Council Meeting resumed

8.02pm Cr Mark Osterstock declared a Material Conflict of interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.7.1 and left the Chamber

8.02pm Cr Leith Mudge declared a General Conflict of interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.7.1 and left the Chamber

8.02pm Cr Kirsty Parkin declared a General Conflict of interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.7.1 and left the Chamber

12.7.1 Boundary Change Committee - Council Member and Presiding Member Appointment

Moved Cr Malcolm Herrmann

S/- Cr Nathan Daniell

304/22

1. To appoint Council Members Cr Leith Mudge, Cr Mark Osterstock and Cr Kirsty Parkin as members of the Boundary Change Committee for a 36 month term to commence 30 November 2022 and conclude on 30 November 2025 (inclusive).
2. To appoint Cr Mark Osterstock to the position of Boundary Change Committee Presiding Member for a 12 month term to commence 30 November 2022 and conclude on 30 November 2023 (inclusive).

carried

8.05pm Cr Mark Osterstock, Cr Leith Mudge & Cr Kirsty Parkin returned to the Chamber

12.8 S43 Subsidiary Membership – East Waste, Method of Voting

Moved Cr Kirsty Parkin

S/- Cr Chris Grant

305/22

Council resolves:

1. That the report be received and noted.
2. To determine that the method of selecting the Eastern Waste Management Authority Board Members to be by an indicative vote to determine the preferred persons for the relevant positions utilising the process set out in this Agenda report.

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3. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred persons for the Eastern Waste Management Authority Board Member roles and for the meeting to resume once the results of the indicative voting for the Board Member roles have been declared.

Carried Unanimously

8.09pm The Council Meeting adjourned

8.20pm The Council Meeting resumed

8.21pm Cr Lucy Huxter declared a General Conflict of interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.8.1 and left the Chamber

12.8.1 S43 Subsidiary Membership – East Waste

Moved Cr Nathan Daniell

S/- Cr Pauline Gill

306/22

1. That in relation to the Eastern Waste Management Authority Board:
 - a. To appoint Cr Lucy Huxter to the Board Member position for a term to commence from 30 November 2022 and conclude on 29 November 2025 (inclusive)
 - b. To appoint Peter Bice, Director Infrastructure & Operations, to the Deputy Board Member position for a term to commence from 30 November 2022 and conclude on 29 November 2025 (inclusive)
2. To authorise the Chief Executive Officer to lodge all required documentation to give effect to Council's resolutions regarding Eastern Waste Management Authority Board Membership.

Carried Unanimously

8.22pm Cr Lucy Huxter returned to Chamber

8.27pm Cr Lucy Huxter declared a General Conflict of interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.9 and left the Chamber

8.29pm Cr Lucy Huxter returned to the Chamber

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12.9 S43 Subsidiary Membership – Adelaide Hills Region Waste Management Authority

Moved Cr Pauline Gill
S/- Cr Leith Mudge

Council resolves:

1. That the report be received and noted.
2. To note that John McArthur's term of appointment (Res: 146/22) as the Adelaide Hills Region Waste Management Authority Board Member continues until 14 June 2024 (inclusive).
3. To determine that the method of selecting the Adelaide Hills Region Waste Management Authority Deputy Board Member to be by an indicative vote to determine the preferred persons for the relevant positions utilising the process set out in this Agenda report.
4. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred persons for the Adelaide Hills Region Waste Management Authority Deputy Board Member role and for the meeting to resume once the results of the indicative voting for the Deputy Board Member role has been declared.

Lost

12.9.1 S43 Subsidiary Membership – Adelaide Hills Region Waste Management Authority Method of Voting

Moved Cr Chris Grant
S/- Cr Mark Osterstock

307/22

1. That the report be received and noted.
2. To determine that the method of selecting the Adelaide Hills Region Waste Management Authority Board Member and Deputy Board Member to be by an indicative vote to determine the preferred persons for the relevant positions utilising the process set out in this Agenda report.
3. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred persons for the Adelaide Hills Region Waste Management Authority Board Member and Deputy Board Member roles and for the meeting to resume once the results of the indicative voting for the Board Member roles have been declared

Carried Unanimously

**ADELAIDE HILLS COUNCIL
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63 MT BARKER ROAD STIRLING**

8.38pm The Council Meeting adjourned

8.48pm The Council Meeting resumed

8.48pm Cr Lucy Huxter declared a General Conflict of interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.9 and left the Chamber

12.9.2 S43 Subsidiary Membership – Adelaide Hills Region Waste Management Authority

Moved Cr Chris Grant

S/- Cr Mark Osterstock

308/22

1. **That in relation to the Adelaide Hills Region Waste Management Authority Board:**
 - a. **To appoint Cr Lucy Huxter to the Board Member position for a term to commence from 30 November 2022 and conclude on 29 November 2024 (inclusive)**
 - b. **To appoint John McArthur to the Deputy Board Member position for a term to commence from 30 November 2022 and conclude on 29 November 2024 (inclusive)**
2. **To authorise the Chief Executive Officer to lodge all required documentation to give effect to Council's resolutions regarding Adelaide Hills Region Waste Management Authority Board Membership.**

Carried Unanimously

8.48pm Cr Lucy Huxter returned to the Chamber

12.9.3 Short Adjournment

Moved Cr Malcolm Herrmann

S/- Cr Mark Osterstock

309/22

Council resolves to take a short break at 8.48pm.

Carried Unanimously

9.01pm The Council meeting resumed

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12.10 S43 Subsidiary Membership – Gawler River Floodplain Management Authority Method of Voting

**Moved Cr Leith Mudge
S/- Cr Chris Grant**

310/22

Council resolves:

- 1. That the report be received and noted.**
- 2. To note that the Chief Executive Officer has nominated Ashley Curtis, Manager Civil Services, to the Board Member (Chief Executive Officer) position.**
- 3. To determine that the method of selecting the Gawler River Floodplain Management Authority Board Member and Deputy Board Members to be by an indicative vote to determine the preferred persons for the relevant positions utilising the process set out in this Agenda report.**
- 4. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred persons for the Gawler River Floodplain Management Authority Board Member roles and for the meeting to resume once the results of the indicative voting for the Board Member roles have been declared.**

Carried Unanimously

9.03pm the Council Meeting adjourned
9.04pm The Council Meeting resumed

9.04pm Cr Malcolm Herrmann declared a General Conflict of interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.10.1 and left the Chamber

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12.10.1 S43 Subsidiary Membership – Gawler River Floodplain Management Authority

Moved Cr Mark Osterstock
S/- Cr Lucy Huxter

311/22

1. That in relation to the Gawler River Floodplain Management Authority Board:
 - a. To appoint Cr Malcolm Herrmann to the Board Member position for a term to commence from 30 November 2022 and conclude on 29 November 2024 (inclusive)
 - b. To appoint Natalie Armstrong to the Deputy Board Member position for a term to commence from 30 November 2022 and conclude on 29 November 2024 (inclusive)
2. To authorise the Chief Executive Officer to lodge all required documentation to give effect to Council's resolutions regarding Gawler River Floodplain Management Authority Board Membership.

Carried Unanimously

9.05pm Cr Malcolm Herrmann returned to the Chamber

12.11 S43 Subsidiary Membership – Southern & Hills Local Government Association Method of Voting

Moved Cr Chris Grant
S/- Cr Kirsty Parkin

312/22

Council resolves:

1. That the report be received and noted.
2. To determine that the method of selecting the Southern & Hills Local Government Association Board Members to be by an indicative vote to determine the preferred persons for the relevant positions utilising the process set out in this Agenda report.
3. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred persons for the Southern & Hills Local Government Association Board Member roles and for the meeting to resume once the results of the indicative voting for the Board Member roles have been declared.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
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9.07pm The Council Meeting adjourned

9.10pm The Council Meeting resumed

9.10pm Mayor Jan-Claire Wisdom declared a General Conflict of interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.11.1 and left the Chamber. Deputy Mayor Nathan Daniell took the Chair.

9.11pm Cr Kirsty Parkin declared a General Conflict of interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.11.1 and left the Chamber.

12.11.1 S43 Subsidiary Membership – Southern & Hills Local Government Association

Moved Cr Chris Grant

S/- Cr Malcolm Herrmann

313/22

- 1. That in relation to the Southern & Hills Local Government Association Board:**
 - a. To appoint Mayor Jan-Claire Wisdom to the (Elected Member) Board Member position for a term to commence from 30 November 2022 and conclude at the conclusion of the 2022-26 council term**
 - b. To appoint David Waters, Acting CEO, to the (Elected Member or Employee) Board Member position for a term to commence from 30 November 2022 and conclude at the conclusion of the 2022-26 council term**
 - c. To appoint Cr Kirsty Parkin to the (Elected Member) Deputy Board Member position for a term to commence from 30 November 2022 and conclude at the conclusion of the 2022-26 council term**
 - d. To appoint Natalie Armstrong to the (Elected Member or Employee) Board Member position for a term to commence from 30 November 2022 and conclude at the conclusion of the 2022-26 council term**
- 2. To authorise the Chief Executive Officer to lodge all required documentation to give effect to Council's resolutions regarding Southern & Hills Local Government Association.**

Carried Unanimously

9.12pm Mayor Jan-Claire Wisdom returned to the Chamber and resumed the Chair

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12.12 Appointment of Council Member & Deputy Council Member to the Council Assessment Panel Method of Voting

Moved Cr Malcolm Herrmann

S/- Cr Chris Grant

314/22

Council resolves:

- 1. That the report be received and noted.**
- 2. That the method of selecting the Council Member and Deputy Council Member to be appointed to the Council Assessment Panel be by an indicative vote utilising the process set out in this Agenda report.**
- 3. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred persons for the Council Assessment Panel Council Member and Deputy Council Member roles and for the meeting to resume once the results of the indicative vote have been declared.**

Carried unanimously

9.14pm The Council Meeting adjourned

9.22pm The Council Meeting resumed

9.23pm Cr Leith Mudge declared a Material Conflict of interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.12.1 and left the Chamber

9.23pm Cr Nathan Daniell declared a Material Conflict of interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.12.1 and left the Chamber

12.12.1 Appointment of Council Member & Deputy Council Member to the Council Assessment Panel

Moved Cr Chris Grant

S/- Cr Lucy Huxter

315/22

Council resolves to appoint Cr Leith Mudge as the Council Member and Cr Nathan Daniell as Deputy Council Member of the Council Assessment Panel for a term of two years to commence 30 November 2022 and conclude on 29 November 2024.

Carried Unanimously

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9.24pm Cr Leith Mudge & Cr Nathan Daniell returned to the Chamber

9.26pm Mayor Jan-Claire Wisdom declared a Material Conflict of interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.13 and left the Chamber. Deputy Mayor Nathan Daniell took the Chair.

12.13 Policy Review – Council Member Allowances and Support Policy

Moved Cr Chris Grant
S/- Cr Malcolm Herrmann

316/22

Council resolves:

1. That the report be received and noted
2. That the allowances payable under s76 of the *Local Government Act 1999* will be paid monthly in arrears.
3. With an effective date of 30 November 2022, to revoke the 22 September 2020 *Council Member Allowances and Support Policy* and to adopt the draft 29 November 2022 *Council Member Allowances and Support Policy*, as contained in Appendix 3.
4. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the draft 29 November 2022 *Council Member Allowances and Support Policy* as per Appendix 3 prior to the date of effect.

Carried Unanimously

9.27pm Mayor Jan-Claire Wisdom returned to the Chamber and resumed the Chair.

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12.14 Legislative Change – Member Integrity & Behaviour

Moved Cr Mark Osterstock
S/- Cr Kirsty Parkin

317/22

Council resolves:

1. That the report be received and noted.
2. To note the Member Integrity and Behaviour provisions of the *Local Government Act 1999* that came into effect on 17 November 2022.
3. To note the Behavioural Management Policy, as contained in Appendix 6, which has been set by the Minister for Local Government and will have effect until Council adopts a replacement policy.

Carried Unanimously

12.15 Status Report – Council Resolutions Update

Moved Cr Nathan Daniell
S/- Cr Leith Mudge

318/22

Council resolves:

1. That the report be received and noted
2. The following completed items be removed from the Action List:

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI
22/06/2021	Ordinary Council	117/21	Mobile Library Replacement	Nil
28/06/2022	Ordinary Council	168/22	Santos Tour Down Under Event Opportunity - Confidential	Nil
28/06/2022	Ordinary Council	176/22	Fabrik Tender & Contract - Duration of Confidentiality	Nil
26/07/2022	Ordinary Council	181/22	Support for Road closures 2022 Adelaide Hills Rally	Nil

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26/07/2022	Ordinary Council	184/22	S221 Permit CFS Last Refuge Signage within Council	Nil
27/09/2022	Ordinary Council	256/22	Regional Public Health & Wellbeing Plan	Nil
25/10/2022	Ordinary Council	272/22	Petition - Speed Limit & Drainage, Charleston	Nil
25/10/2022	Ordinary Council	274/22	2021-22 General Purpose Financial Statements	Nil
25/10/2022	Ordinary Council	275/22	2021-22 End of Year Financial Report	Nil

Carried Unanimously

13. OFFICER REPORTS - INFORMATION ITEMS

Nil

14. QUESTIONS WITHOUT NOTICE

Cr Malcolm Herrmann – Amy Gillett Bikeway, Black Spot Warren & Martin Hill Roads

15. MOTIONS WITHOUT NOTICE

Nil

16. REPORTS

16.1 Council Member Function or Activity on the Business of Council

Mayor Jan-Claire Wisdom

- 27-28 October, LGA SA Conference and AGM, Adelaide
- 31 October, Small Business Breakfast, Hahndorf
- November, SA Tourism Awards, Adelaide
- November, Relay for Life launch, Balhannah
- November, Uraidla Agricultural Show, Uraidla
- 8 November, meeting with CEO Stirling Hospital
- 11 November, Remembrance Day, Heathfield High School
- 11 November, Remembrance Day, Stirling RSL
- 22 November, Elected Member Undertaking of Office, Stirling
- 26 November, Council Induction Day, Stirling
- 27 November, Lobethal Museum launch, Lobethal

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Cr Malcolm Herrmann

- 5 November, Cancer Council – Relay for Life, Balhannah
- 7 November, Neighbourhood Watch, Gumeracha
- 11 November, Remembrance Day – Memorial Service, Birdwood
- 13 November, Remembrance Day Memorial service (Norton), Lobethal
- 19 November, Opening SA Ambulance Centre, Birdwood
- 24 November, opening of Cricket Nets, Woodside
- 25 November, Graduation and Presentation night- High School, Oakbank
- 27 November, Book Launch, Archives and Historical Museum, Lobethal

Cr Pauline Gill

- 11 November, Remembrance Day, Birdwood

16.2 Reports of Members as Council/Committee Representatives on External Organisations

Cr Malcolm Herrmann

- 28 November, GRFMA Audit Committee via Teams

16.3 CEO Report

David Waters, CEO, provided Council with a verbal update.

- Assistance to Renmark Paringa Council with flood issues
- DIT public engagement re passenger transport to Mt Barker & Hills region and Productivity & Road Safety package

17. REPORTS OF COMMITTEES

17.1 Council Assessment Panel – 9 November 2022

Moved Cr Leith Mudge

S/- Cr Nathan Daniell

319/22

That the minutes of the Council Assessment Panel meeting held on 9 November 2022 as distributed, be received and noted.

Carried Unanimously

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17.2 Audit Committee

Nil

17.3 CEO Performance Review Panel

Nil

17.4 Boundary Change Committee

Nil

18. CONFIDENTIAL ITEMS

Nil

19. NEXT ORDINARY MEETING

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 20 December 2022 from 6.30pm at 63 Mt Barker Road, Stirling.

20. CLOSE MEETING

The meeting closed at 9.44pm.