

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 24 JANUARY 2023
63 MT BARKER ROAD STIRLING**

In Attendance

Presiding Member: Mayor Jan-Claire Wisdom

Members:

Councillor Kirrilee Boyd
Councillor Adrian Cheater
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	A/Chief Executive Officer
Peter Bice	Director Infrastructure & Operations
Natalie Armstrong (electronic)	Director Development & Regulatory Services
Rebecca Shepherd	A/Director Community Capacity
Karen Cummings	Manager Property Services
Deryn Atkinson	Manager Development Services
James Szabo	Senior Strategic & Policy Planner
Lynne Griffiths	Community & Cultural Development Officer
Steven Watson	Governance & Risk Coordinator
Kira-Marie Laverty	Corporate Planning & Performance 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 Kurna 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.

Mayor _____ 14 February 2023

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3. Apology

Nil

3.1 Leave of Absence

Moved Cr Pauline Gill

S/- Cr Mark Osterstock

1/23

1. That a Leave of Absence from all duties of office be granted to Mayor Jan-Claire Wisdom from 2 March to 9 March 2023.
2. That any committee, panel or advisory group membership currently held by Mayor Jan-Claire Wisdom be undertaken by the Deputy during the leave of absence.

Carried Unanimously

3.2 Absent

Nil

4. MINUTES OF PREVIOUS MEETINGS

4.1 Council Meeting – 20 December 2022

Moved Cr Malcolm Herrmann

S/- Cr Chris Grant

2/23

That the minutes of the Ordinary Council meeting held on 20 December 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 Material Conflict of Interest, Cr Adrian Cheater - Item 11.2 First Nations use of Surplus Land

Under Section 75C of the *Local Government Act 1999* Cr Adrian Cheater disclosed a Material (section 75) Conflict of Interest in Item 11.2 First Nations use of Surplus Land, the nature of which is as follows:

- I undertake consulting work for relevant First Nations Groups relating to access and usage of referenced surplus lands.

Cr Adrian Cheater intends to leave the Chamber when this item is discussed.

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5.2 General Conflict of Interest, Cr Mark Osterstock - Item 11.1 Aldgate Main Street Amenity Upgrade Stage 2

Under Section 75B of the *Local Government Act 1999* Cr Mark Osterstock disclosed a General (section 74) Conflict of Interest in Item 11.1 Aldgate Main Street Amenity Upgrade Stage 2, the nature of which is as follows:

- I reside in Aldgate along with 3,361 other AHC residents (sourced from 2016 Australian census).

Cr Mark Osterstock intends to stay in the Meeting when this item is discussed.

5.3 General Conflict of Interest, Cr Melanie Selway - Item 12.2 Nomination for Premier's Climate Change Council

Under Section 75B of the *Local Government Act 1999* Cr Melanie Selway disclosed a General (section 74) Conflict of Interest in Item 12.2 Nomination for Premier's Climate Change Council, the nature of which is as follows:

- Due to my employment with a Member of Parliament, the advice given by the Premier's Climate Change council may be considered in my work and thus there may be a perception that I have a conflict.

Cr Melanie Selway intends to leave the Meeting when this item is discussed.

5.4 Material Conflict of Interest, Cr Leith Mudge - Item 12.2 Nomination for Premier's Climate Change Council

Under Section 75C of the *Local Government Act 1999* Cr Leith Mudge disclosed a Material (section 75) Conflict of Interest in Item 12.2 Nomination for Premier's Climate Change Council, the nature of which is as follows:

- I intend to nominate for this role. If nominated by Council and eventually selected by the Minister, a sitting fee is applicable which would be a direct material benefit.

Cr Leith Mudge intends to leave the Meeting when this item is discussed.

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5.5 General Conflict of Interest, Cr Leith Mudge - Item 12.4 Request to Waive Land Management Agreement Requirement for Building Setback at 9 Woodland Way Teringie

Under Section 75B of the *Local Government Act 1999* Cr Leith Mudge disclosed a General (section 74) Conflict of Interest in Item 12.4 Request to Waive Land Management Agreement Requirement for Building Setback at 9 Woodland Way Teringie, the nature of which is as follows:

- This item relates to a matter that is likely to come before the Council Assessment panel (CAP). As a member of CAP I am not able to participate in public discussion of a matter that may come before it prior to it being considered.

Cr Leith Mudge intends to leave the Meeting when this item is discussed.

5.6 General Conflict of Interest, Cr Nathan Daniell - Item 12.4 Request to Waive Land Management Agreement Requirement for Building Setback at 9 Woodland Way Teringie

Under Section 75B of the *Local Government Act 1999* Cr Nathan Daniell disclosed a General (section 74) Conflict of Interest in Item 12.4 Request to Waive Land Management Agreement Requirement for Building Setback at 9 Woodland Way Teringie, the nature of which is as follows:

- This item relates to a matter that is likely to come before the Council Assessment panel (CAP). As a deputy member of CAP I am not able to participate in public discussion of a matter that may come before it prior to it being considered.

Cr Nathan Daniell intends to leave the Meeting when this item is discussed.

6. PRESIDING MEMBER'S OPENING REMARKS

Mayor Jan-Claire Wisdom acknowledged the passing of Kristina Vonow of Lobethal and expressed her regret at the loss of a dedicated member of the community.

The Mayor commented that the 2023 Santos Tour Down Under, which is one of the biggest events on the tourism calendar, was very successful.

The Mayor noted that there were some road closure issues which will be reviewed with the State Government to improve future events.

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7. QUESTIONS ADJOURNED/LYING ON THE TABLE

7.1 Questions Adjourned (from 27 September 2022)

7.1.1 Options to reduce traffic congestion and improve child safety adjacent to Bridgewater Primary School

Moved Cr John Kemp
S/- Cr Pauline Gill

A traffic study covering the local area surrounding Bridgewater Primary School be conducted to consider traffic congestion arising from the school's own enrolment pressures and assessing the performance of the existing one-way zones, as well as pedestrian movements to and from the school. A report be presented to Council on the results of the traffic study with concepts and costings for any recommended treatment identified that could then be considered as part of a future Annual Business Plan and Budget.

	Lost
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Moved Cr Leith Mudge
S/- Cr Malcolm Herrmann

3/23

Council resolves:

- 1. That the report be received and noted.**
- 2. That following the completion of the Child Care development, and in liaison with the Department for Education, Council Staff undertake a Traffic Monitoring Study of the local road network in the vicinity of Bridgewater Primary School including Lezayre Avenue, Morella Grove, Trenouth Street and Shannon Road.**
- 3. That a report be brought back to Council within 6 months of the opening of the Childcare Centre.**

	Carried
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7.2 Questions Lying on the Table

Nil

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8. PETITIONS/DEPUTATIONS/PUBLIC FORUM

8.1 Petitions

Nil

8.2 Deputations

Nil

8.3 Public Forum

Nil

9. PRESENTATIONS

Nil

10. QUESTIONS ON NOTICE

Nil

11. MOTIONS ON NOTICE

Cr Mark Osterstock declared a General Conflict of Interest at Agenda Item 5 'Declaration of Interest by members of the council' in relation to Item 11.1.

Cr Mark Osterstock intends to remain in the meeting and vote.

Cr Kirrilee Boyd declared a General Conflict of Interest at Agenda Item 5 'Declaration of Interest by members of the council' in relation to Item 11.1. as she resides in Aldgate and can make a fair decision in the public interest.

Cr Kirrilee Boyd intends to remain in the meeting and vote.

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11.1 Aldgate Main Street Amenity Upgrade – Stage 2

Moved Cr Mark Osterstock
S/- Cr Nathan Daniell

4/23

1. A report be prepared for Council’s consideration on the feasibility (including costings) of:
 - a. Refurbishing (high pressure cleaning, realignment, reseating and replacement where necessary) the paved footpath on the western side of Mount Barker Road, from Euston Road to Kingsland Road (landscaping, plantings, bin replacement, street furniture replacement, signage replacement), consistent with that of the recently completed Aldgate Main Street Amenity Upgrade – Stage 1.
 - b. Maintenance (including yet not limited to, landscaping, plantings, signage replacement) of the Aldgate roundabout, consistent with that of the Stirling roundabout.
 - c. Refurbishment (high pressure cleaning and sealing of the limestone supporting structures, including yet not limited to, replacement landscaping, plantings and signage) of the Aldgate Railway Bridge and its approaches.
2. That the funding source for these works will be the Local Roads and Community Infrastructure Program (Phase 4), and where possible, and within existing budgetary parameters and commitments, the use of in-house staff for these proposed works, as opposed to external contractor/s.
3. That the subject report be presented to Council for consideration in March 2023, or earlier, depending on the Local Roads and Community Infrastructure Program (Phase 4) requirements and guidelines.
4. That the report also includes a strategic priority list of potential Main Street/Town Centre upgrades and the merits of implementing a Plan (including financial implications) to undertake upgrades aligned with the priority list.

Carried

Cr Osterstock and Cr Boyd voted “for” the motion. The majority of persons who were entitled to vote at the meeting voted in favour of the motion.

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DIVISION

Cr Mark Osterstock called for a division.

The Mayor set aside the ruling.

In the affirmative (10)

Councillors Herrmann, Boyd, Cheater, Parkin, Huxter, Mudge, Pascale, Daniell, Selwood, Osterstock

In the negative (2)

Councillors Gill, Grant

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

11.2 First Nations use of Surplus Land

Cr Adrian Cheater declared a Material Conflict of Interest at Agenda Item 5, 'Declaration of Interest by Members of the Council' in relation to Item 11.2.

7.17pm Cr Adrian Cheater left the Meeting.

Moved Cr Leith Mudge

S/- Cr Kirrilee Boyd

1. The CEO investigates options for providing preference to traditional custodians and other Aboriginal and Torres Strait Islander stakeholders who live, work or have a strong connection to the Adelaide Hills, to purchase, lease or use vacant land that is:
 - a. owned by Council; or
 - b. crown land under the care and control of Council,that is surplus to Council's needs.
2. The Adelaide Hills Reconciliation Working Group (AHRWG), traditional custodians and other Aboriginal and Torres Strait Islander stakeholders who live, work or have a strong connection to the Adelaide Hills be consulted as part of this investigation.
3. The outcomes of the investigation be discussed at a workshop and a report including recommended changes to relevant policy be presented to Council for consideration not later than 30 June 2023.

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AMENDMENT (red text)

Moved Cr Mark Osterstock
S/- Cr Louise Pascale

1. That the CEO investigates ~~options~~ the feasibility, including yet not limited to the implications for Council, of providing preference to traditional custodians and other Aboriginal and Torres Strait Islander stakeholders who live, work or have a strong connection to the Adelaide Hills, to purchase, lease or use vacant land, at no cost to Council, that is:
 - a. owned by Council; or
 - b. crown land under the care and control of Council, that is surplus to Council's needs.
2. That the Adelaide Hills Reconciliation Working Group (AHRWG), traditional custodians and other Aboriginal and Torres Strait Islander stakeholders who live, work or have a strong connection to the Adelaide Hills be consulted, initially, as part of this investigation.
3. That the outcomes of the investigation be discussed at a workshop and a report including recommended changes to relevant policy be presented to Council for consideration ~~netno~~ later than 30 June 2023.

The Amendment was put and Carried

MOTION AS AMENDED

Moved Cr Leith Mudge
S/- Cr Kirrilee Boyd

5/23

1. That the CEO investigates the feasibility, including yet not limited to the implications for Council, of providing preference to traditional custodians and other Aboriginal and Torres Strait Islander stakeholders who live, work or have a strong connection to the Adelaide Hills, to purchase, lease or use vacant land, at no cost to Council, that is:
 - a. owned by Council; or
 - b. crown land under the care and control of Council, that is surplus to Council's needs.

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2. **The Adelaide Hills Reconciliation Working Group (AHRWG), traditional custodians and other Aboriginal and Torres Strait Islander stakeholders who live, work or have a strong connection to the Adelaide Hills be consulted as part of this investigation.**
3. **The outcomes of the investigation be discussed at a workshop and a report including recommended changes to relevant policy be presented to Council for consideration not later than 30 June 2023.**

Carried Unanimously

7.49pm Cr Adrian Cheater returned to the Meeting.

11.2.1 Short Adjournment

**Moved Cr Pauline Gill
S/- Cr Chris Grant**

6/23

That the Council meeting adjourns for a short break at 7.50pm.

Carried Unanimously

7.57pm The Council meeting resumed

11.3 First Nations and Australia Day

Moved Cr Melanie Selwood
S/- Cr Chris Grant

That Council

1. Reaffirms its commitment to being an inclusive council that respects First Nations culture and values
2. Acknowledges the 26th of January is a day of mourning for many First Nations people
3. Requests the Chief Executive Officer prepares a report for Council's consideration on the proposal to move citizenship ceremonies, award ceremonies and related events to a date other than 26 January from 2024 onwards.

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AMENDMENT 1 (red text)

The Mover with the consent of the Seconder sought and was granted leave of the meeting to vary the motion to replace the word "Ratepayers" with "Residents" in the amended paragraph below.

Moved Cr Lucy Huxter
S/- Cr Pauline Gill

1. Reaffirms its commitment to being an inclusive council that respects First Nations culture and values
2. Acknowledges the 26th of January is considered a day of mourning for many First Nations people
3. Notes that, in December 2022, the Federal Government updated the Australian Citizenship Ceremonies Code allowing councils to hold Australia Day Citizenship Ceremonies on another date but expecting that councils continue to conduct ceremonies on January 26;
4. Requests the Chief Executive Officer initiate a community survey to residents to determine the interest from residents on the possibility of moving citizenship ceremonies, award ceremonies and related events to a date other than the 26th of January from 2024 onwards
5. Following the results of the survey, and dependent on the level of support from the community, requests the Chief Executive to prepare a report for Council's consideration on the proposal, which includes, but is not limited to, costings and legislative requirements, to then enable Council to make a fully informed decision.

The Amendment was put and Lost

AMENDMENT 2 (red text)

Moved Cr Adrian Cheater
S/- Cr Mark Osterstock

1. Reaffirms its commitment to being an inclusive council that respects First Nations culture and values
2. Acknowledges the 26th of January is a day of mourning for many First Nations people
3. Acknowledges the celebration of attaining citizenship and other community achievements as highly valuable.
4. Exclude the of January 26th as a selectable date for citizenship and award ceremonies from 2024 onwards.

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5. Requests the Chief Executive Officer to prepare a report in consultation with the Adelaide Hills Council Reconciliation Work Group, relevant local Aboriginal groups and local community for Council's consideration on ~~the proposal to move alternative dates for citizenship and awards ceremonies and related events to a date other than Australia Day~~ from 2024 onwards.

The Amendment was put and Lost

Moved Cr Melanie Selwood
S/- Cr Chris Grant

7/23

That Council

1. **Reaffirms its commitment to being an inclusive council that respects First Nations culture and values**
2. **Acknowledges the 26th of January is a day of mourning for many First Nations people**
3. **Requests the Chief Executive Officer prepares a report for Council's consideration on the proposal to move citizenship ceremonies, award ceremonies and related events to a date other than 26 January from 2024 onwards.**

Carried Unanimously

11.3.1 Personal Statement – Cr Mark Osterstock

Leave of the Meeting was sought and granted to Cr Mark Osterstock for the purposes of making a Personal Statement.

Cr Mark Osterstock advised Council that in relation to Item 11.1:

“In closing the debate I questioned some council members’ contributions. I withdraw those comments and apologise to Council.”

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12. OFFICER REPORTS – DECISION ITEMS

12.1 Adelaide Hills Reconciliation Working Group, AHC Representative

Moved Cr Nathan Daniell

S/- Cr Mark Osterstock

8/23

1. That the report be received and noted.
2. That the Reconciliation Update – January 2023, as contained in *Appendix 2*, be received and noted.
3. To continue to be a member of the Adelaide Hills Reconciliation Working Group under the current Terms of Reference, as contained in *Appendix 1*.
4. To determine that the method of selecting the Adelaide Hills Reconciliation Working Group Member to be by an indicative vote to determine the preferred person for the Elected Member position utilising the process set out in this Agenda report.
5. 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 Adelaide Hills Reconciliation Working Group Member role and for the meeting to resume once the results of the indicative vote have been declared.

Carried Unanimously

9.13pm The Council meeting adjourned

9.28pm The Council meeting resumed

12.1.1 Adelaide Hills Reconciliation Working Group, AHC Representative - Appointment

Moved Cr Chris Grant

S/- Cr Leith Mudge

9/23

1. That Cr Adrian Cheater be appointed to the Reconciliation Working Group for the term 28 February 2023 to 28 February 2025.
2. That Cr Kirrilee Boyd be appointed as Proxy to the Reconciliation Working Group for the term 28 February 2023 to 28 February 2025.

Carried Unanimously

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12.2 Nomination for Premier’s Climate Change Council – Method of Selection

Cr Melanie Selway declared a General Conflict of Interest at Agenda Item 5, ‘Declaration of Interest by Members of the Council’ in relation to Item 12.2.

9.30pm Cr Melanie Selway left the Meeting.

Moved Cr Nathan Daniell

S/- Cr Chris Grant

10/23

Council resolves:

- 1. That the report be received and noted.**
- 2. To determine that the method of selecting Council Members to be nominated for the Premier’s Climate Change Council 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 person for nomination for the Premier’s Climate Change Council and for the meeting to resume once the results of the indicative vote have been declared.**

Carried Unanimously

9.32pm The Council meeting adjourned

9.49pm The Council meeting resumed with Cr Melanie Selway in attendance.

12.2.1 Nomination for Premier’s Climate Change Council

Cr Leith Mudge, Cr Adrian Cheater and Cr Kirrilee Boyd 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 as a sitting fee is applicable to this position.

9.51pm Cr Leith Mudge, Cr Adrian Cheater and Cr Kirrilee Boyd left the Meeting.

Moved Cr Mark Osterstock

S/- Cr Kirsty Parkin

11/23

Council resolves to nominate Cr Adrian Cheater & Cr Leith Mudge for the Premier’s Climate Change Council and authorises the Chief Executive Officer to lodge the completed nomination form to the Local Government Association by COB Friday 10 February 2023.

Carried Unanimously

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9.52pm Cr Leith Mudge, Cr Adrian Cheater and Cr Kirrilee Boyd returned to the Meeting.

12.2.2 Extension of Meeting Time

**Moved Cr Leith Mudge
S/- Cr Mark Osterstock**

11/23

That Council extends the meeting by 30 minutes to 10.30pm.

Carried

9.57pm Cr Mark Osterstock left the Meeting

9.59pm Cr Mark Osterstock returned to the Meeting

12.3 Submission to the Expert Panel Planning System Implementation Review

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

12/23

Council resolves:

- 1. That the report be received and noted.**
- 2. To approve the Adelaide Hills Council submission on the Expert Panel Planning Implementation Review as contained in Appendices 1 & 2.**
- 3. That the Acting Chief Executive Officer be authorised to make any additional non-substantive technical additions and minor editorial amendments to the submission prior to lodgement with the State Planning Commission no later than 30 January 2023.**

Carried Unanimously

10.08pm Cr Pauline Gill left the Meeting and did not return

12.4 Request to Waive Land Management Agreement requirement for Building Setback at 9 Woodland Way Teringie

Cr Leith Mudge and 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 12.4 as they are member and deputy member of the Council Assessment Panel.

10.09pm Cr Leith Mudge and Cr Nathan Daniell left the Meeting.

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Moved Cr Lucy Huxter
S/- Cr Malcolm Herrmann

Council resolves:

1. That the report be received and noted.
2. That pursuant to clause 9.2 of the Land Management Agreement registered on Certificate of Title Volume 5391 Folio 572, known as 9 Woodland Way Teringie, Council agrees to the waiver of the landowner's obligations in relation to clause 2 for building setbacks, subject to the Council Assessment Panel granting Planning Consent to Development Application 22022313 for the two-storey dwelling addition.
3. The Acting Chief Executive Officer be authorised to provide written communication of Council's agreement to the waiver of Land Management Agreement obligations above to the landowner.

LOST

Moved Cr Malcolm Herrmann
S/- Cr Lucy Huxter

13/23

1. That the report be received and noted.
2. That pursuant to clause 9.2 of the Land Management Agreement registered on Certificate of Title Volume 5391 Folio 572, known as 9 Woodland Way Teringie, Council does not agree to the waiver of the landowner's obligations in relation to clause 2 for building setbacks, subject to the Council Assessment Panel granting Planning Consent to Development Application 22022313 for the two-storey dwelling addition.
3. The Acting Chief Executive Officer be authorised to provide written communication of Council's refusal of the waiver of Land Management Agreement obligations above to the landowner.

Carried Unanimously

10.24pm Cr Leith Mudge & Cr Nathan Daniell returned to the Meeting

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12.5 37 Yanagin Road Greenhill – Revocation of Community Land Classification and Land Swap with Yanagin Reserve

Moved Cr Malcolm Herrmann
S/- Cr Chris Grant

14/23

Council resolves:

1. That the report be received and noted.
2. That Council commences a revocation of community land process for the land identified in Appendix 2 including consultation in accordance with Council's Public Consultation Policy and the *Local Government Act 1999* with the intention of undertaking a land swap with the owners of 37 Yanagin Road, Greenhill, together with varying the existing Heritage Agreement over Yanagin Reserve.
3. That a report be brought back to Council following completion of the Community Consultation process.

Carried Unanimously

12.5.1 Adjournment of Council Meeting to 6 February 2023

Moved Cr Nathan Daniell
S/- Cr Malcolm Herrmann

15/23

Council resolves to adjourn the meeting with resumption to occur at 6.30pm Monday 6 February at 36 Nairne Road Woodside.

Carried Unanimously

The Council meeting adjourned at 10.30pm on Tuesday 24 January 2023.

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The Council meeting resumed at 6.33pm on Monday 6 February 2023 at 36 Nairne Road Woodside with the following members present in the meeting:

Mayor Jan-Claire Wisdom
Councillor Kirrilee Boyd
Councillor Adrian Cheater
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	A/Chief Executive Officer
Peter Bice	Director Infrastructure & Operations
Natalie Armstrong	Director Development & Regulatory Services
Rebecca Shepherd	A/Director Community Capacity
Lachlan Miller	Executive Manager Governance and Performance
Kira-Marie Laverty	Corporate Planning & Performance Coordinator
Steven Watson	Governance & Risk Coordinator Minute Taker

12.6 Status Report – Council Resolutions Update

Moved Cr Malcolm Herrmann

S/- Cr Chris Grant

16/23

Council resolves:

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

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Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI
23/08/2022	Ordinary Council	227/22	Acting and Substantive Chief Executive Officer Recruitment – Acting CEO Selection Panel - Confidential item	Nil
25/10/2022	Ordinary Council	276/22	Electricity Tender Post 2022	Nil
25/10/2022	Ordinary Council	278/22	Service Review Brief - Development Services	Nil
29/11/2022	Ordinary Council	294/22	MON Speed Limit on North-East Road Inglewood	Nil
29/11/2022	Ordinary Council	298/22	Annual Report Adoption	Nil
29/11/2022	Ordinary Council	316/22	12.12.1 Appointment of Council Member & Deputy Council Member to the Council Assessment Panel	Material - Cr Leith Mudge Material - Cr Nathan Daniell
20/12/2022	Ordinary Council	292/22	2022-23 Budget Review 1	Nil

Carried Unanimously

13. OFFICER REPORTS - INFORMATION ITEMS

Nil

14. QUESTIONS WITHOUT NOTICE

Moved Cr Malcom Herrmann
S/- Cr Leith Mudge

17/23

That the questions and answers are recorded in the Minutes.

Carried Unanimously

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1. What tangible progress has been made to securing the commencement of the Amy Gillett Bikeway?

Response from Mr Peter Bice, Director Infrastructure and Operations

High level meetings with the Council and State Government administration have progressed positively, and a number of strategies to secure additional funding to address the shortfall are being pursued.

2. Have council and DIT staff come to an agreement on the commencement of the Blackspot funded project designed to improve safety at the intersection of Warren, Martin Hill and Lucky Hit Roads, Forreston?

Response from Mr Peter Bice, Director Infrastructure and Operations

Council and DIT have not come to an agreement on the commencement of the subject blackspot project. Council has tendered the Martin Hill/ Warren/ Lucky Hit Roads project based on the design criteria set by DIT, which included the renewal of pavement on Warren Rd. Unfortunately, all tenders came in well above budget, with the closest acceptable tender being significantly above budget. We have asked the preferred tenderer to re-quote based on a reduced design criteria, one which does not renew the pavement on Warren Rd, but just focuses on the road safety aspects of the project. Although this yielded some savings, the quote is still considerably above available budget. Additionally, DIT have indicated reluctance to approve this revised design. This is creating further delays, as it is not possible to finalise the required land acquisition until the above matters are resolved.

Planned next steps are to approach Federal Blackspot and advise them of the tender result, and to seek additional funding.

15. MOTIONS WITHOUT NOTICE

Nil

16. REPORTS

16.1 Council Member Function or Activity on the Business of Council

Mayor Jan-Claire Wisdom

- 5 January, Funeral of Kristina Vonow, Lobethal
- 12 January, Community Meeting re Gumeracha Hospital Emergency/out of hours medical services, Gumeracha
- 16 January, Tour Down Under duties, Birdwood
- 16 January, Tour Down Under duties, Uraidla
- 19 January, CEO Selection Panel meeting, Stirling
- 19 January, Australia Day Awards ceremony, Government House, Adelaide
- 22 January, Tour Down Under duties, Mt Lofty

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Cr Melanie Selwood

- 22 January, Santos Tour Down Under Finish at Mt Lofty

Cr Pauline Gill

- 12 January, Gumeracha Soldiers Memorial Hospital, Community Forum, Emergency Dept proposal
- 12 January, Woodside Recreation Ground special meeting, presentation from Council on Community and Recreation Funding Framework

Cr Malcolm Herrmann

- 5 February, Funeral Late Kristina Vonow (wife of former councillor Lynton Vonow), Lobethal

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

Cr Malcolm Herrmann

- 20 January 2023, GRFMA Chairperson Review Panel, North Adelaide

16.3 CEO Report

David Waters, CEO, provided Council with a verbal Corporate Update, available via www.ahc.sa.gov.au, including:

- Council Members Information or Briefing Session – LTFP Workshop Saturday 8.45am at 63 Mt Barker Road Stirling.
- Gumeracha Hospital Emergency Department – Limited Hours Service
- Council Members Information or Briefing Session – Update on the Amy Gillett Bikeway, Monday 6 February 2023.

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17. REPORTS OF COMMITTEES

17.1 Council Assessment Panel – 14 December 2022

Moved Cr Leith Mudge
S/- Cr Nathan Daniell

18/23

That the minutes of the Council Assessment Panel meeting 14 December 2022 as distributed, be received and noted.

Carried Unanimously

17.2 Audit Committee

Nil

17.3 CEO Performance Review Panel

Nil

17.4 Boundary Change Committee

Nil

18. CONFIDENTIAL ITEMS

RELEASED 21 MARCH 2023

18.1 Appointment of Audit & Risk Committee Independent Members to the Adelaide Hills Region Waste Management Authority – Exclusion of the Public

Moved Cr Kirrilee Boyd
S/- Cr Chris Grant

19/23

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except:

- Acting Chief Executive Officer, David Waters
- Acting Director Community Capacity, Rebecca Shepherd
- Director Corporate Services, Terry Crackett
- Director Development & Regulatory Services, Natalie Armstrong
- Director Infrastructure & Operations, Peter Bice
- Executive Manager Governance and Performance, Lachlan Miller

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– **Governance & Risk Coordinator, Steven Watson**

be excluded from attendance at the meeting for Agenda Item 18.1: Appointment of Audit & Risk Committee Independent Members to the Adelaide Hills Region Waste Management Authority (AHRWMA) in confidence.

The Council is satisfied that it is necessary that the public, with the exception of Council staff in attendance as specified above, be excluded to enable Council to consider the report at the meeting on the following grounds:

Section 90(3)(a) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of people who expressed interest in membership of the AHRWMA Audit and Risk Committee in that details included in their resumes be discussed.

Accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

Carried Unanimously

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RELEASED 21 MARCH 2023

18.1.1 Appointment of Audit & Risk Committee Independent Members to the Adelaide Hills Region Waste Management Authority – Confidential Item

**Moved Cr Lucy Huxter
S/- Cr Leith Mudge**

20/23

Council resolves:

- 1. That the report be received and noted**
- 2. To endorse the following for appointment to the Adelaide Hills Region Waste Management Authority Audit & Risk Committee:**
 - a. Rebecca Wilson**
 - b. Marina Wagner**
 - c. Elizabeth Williams**

Carried Unanimously

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RELEASED 21 MARCH 2023

18.1.2 Appointment of Audit & Risk Committee Independent Members to the Adelaide Hills Region Waste Management Authority – Duration of Confidentiality

Moved Cr Chris Grant

S/- Cr Kirsty Parkin

21/23

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing Council's decision(s) in this matter in the performance of the duties and responsibilities of office, Council, having considered Agenda Item 18.1 in confidence under sections 90(2) and 90(3)(a) of the *Local Government Act 1999*, resolves that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* to retain the Items in confidence as detailed in the Duration of Confidentiality Table below:

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released
Report	30 June 2023
Related Attachments	Nil
Minutes	30 June 2023
Other (presentation, documents, or similar)	Nil

Pursuant to section 91(9)(c) of the *Local Government Act 1999*, the Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.

Carried Unanimously

19. NEXT ORDINARY MEETING

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 14 February 2023 from 6.30pm at 63 Mt Barker Road, Stirling.

20. CLOSE MEETING

The meeting closed at 6.44pm.