



## ORDINARY COUNCIL MEETING

### NOTICE OF MEETING

To: 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

Notice is given pursuant to the provisions under Section 83 of the *Local Government Act 1999* that the next meeting of the Council will be held on:

**Tuesday 24 January 2023**  
**6.30pm**  
**63 Mt Barker Road Stirling**

A copy of the Agenda for this meeting is supplied under Section 83 of the Act.

Meetings of the Council are open to the public and members of the community are welcome to attend. Public notice of the Agenda for this meeting is supplied under Section 84 of the Act.

A handwritten signature in blue ink, appearing to read 'David Waters', with a long horizontal flourish extending to the right.

**David Waters**  
**Chief Executive Officer**



## ORDINARY COUNCIL MEETING

**AGENDA FOR MEETING**  
**Tuesday 24 January 2023**  
**6.30pm**  
**63 Mt Barker Road Stirling**

### ORDER OF BUSINESS

**1. COMMENCEMENT**

**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.

**3. APOLOGIES/LEAVE OF ABSENCE**

- 3.1. Apology  
Apologies were received from .....
- 3.2. Leave of Absence
- 3.3. Absent

**4. MINUTES OF PREVIOUS MEETINGS**

Council Meeting – 20 December 2022

*That the minutes of the ordinary meeting held on 20 December 2022 as supplied, be confirmed as an accurate record of the proceedings of that meeting.*

**5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL**

**6. MAYOR'S OPENING REMARKS**

**7. QUESTIONS ADJOURNED/LYING ON THE TABLE**

7.1. Questions Adjourned

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

*Note: debate on the adjourned motion must recommence prior to any other motions being moved.*

Adjourned motion from 27 September 2022:

**11.1.1 Options to reduce traffic congestion Bridgewater Primary School – Traffic Study**

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 treatments identified that could then be considered as part of a future Annual Business Plan and Budget.

**Formal Motion**

Moved Cr Malcolm Herrmann  
S/- Cr Leith Mudge

253/22

**That item 11.1.1, Options to reduce traffic congestion Bridgewater Primary School – Traffic Study, be adjourned until the January 2023 meeting of Council.**

<b>Carried</b>
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Council Members who have spoken to the motion prior to the adjournment: Cr John Kemp and Cr Pauline Gill.

- 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 will assess the need for a Traffic Monitoring Study of the local road network in the vicinity of Bridgewater Primary School*

7.2. Questions Lying on the Table  
Nil

**8. PETITIONS / DEPUTATIONS / PUBLIC FORUM**

8.1. Petitions  
Nil

8.2. Deputations  
Nil

8.3. Public Forum

**9. PRESENTATIONS (by exception)**

Nil

**10. QUESTIONS ON NOTICE**

Nil

**11. MOTIONS ON NOTICE**

11.1. Aldgate Main Street Amenity Upgrade – Stage 2 – Cr Mark Osterstock

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.*

11.2. First Nations use of Surplus Land – Cr Leith Mudge

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.*

11.3. First Nations and Australia Day – Cr Melanie Selwood

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 to prepare a report for Council's consideration on the proposal to move citizenship ceremonies, award ceremonies and related events to a date other than Australia Day from 2024 onwards*

**12. ADMINISTRATION REPORTS – DECISION ITEMS**

12.1. Adelaide Hills Reconciliation Working Group - AHC Representative

Decision 1

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.*

Decision 2

1. *That \_\_\_\_\_ be appointed to the Reconciliation Working Group for the term 28 February 2023 to 28 February 2025*

12.2. Nomination for Premier's Climate Change Council

Decision 1

1. *That the report be received and noted.*
2. *To determine that the method of selecting a Council Member 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.*

Decision 2

1. *To nominate \_\_\_\_\_ for the Premier's Climate Change Council and authorise the Chief Executive Officer to lodge the completed nomination form to the Local Government Association.*

12.3. Submission to the Expert Panel Planning System Implementation Review

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.*

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

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 land owner'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 land owner.*

12.5. 37 Yanagin Road Greenhill – Revocation of Community land classification and land swap with Yanagin Reserve

1. *That the report be received and noted.*
2. *That Council commence 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.*

12.6. Status Report – Council Resolutions Update

*Refer to Agenda Item*

**13. ADMINISTRATION REPORTS – INFORMATION ITEMS**

Nil

**14. QUESTIONS WITHOUT NOTICE**

**15. MOTIONS WITHOUT NOTICE**

**16. REPORTS**

- 16.1. Council Member Function or Activity on the Business of Council
- 16.2. Reports of Members/Officers as Council Representatives on External Organisations
- 16.3. CEO Report

**17. REPORTS OF COMMITTEES**

- 17.1. Council Assessment Panel – 14 December 2022  
*That the minutes of the CAP meeting held on 14 December 2022 as supplied, be received and noted.*
- 17.2. Audit Committee  
*Nil*
- 17.3. CEO Performance Review Panel  
*Nil*
- 17.4. Boundary Change Committee  
*Nil*

**18. CONFIDENTIAL ITEMS**

- 18.1. Appointment to Adelaide Hills Region Waste Management Authority Audit & Risk Committee

**19. NEXT MEETING**

Tuesday 14 February 2023, 6.30pm, 63 Mt Barker Road, Stirling

**20. CLOSE MEETING**



## Council Meeting & Workshops 2023

DATE	TYPE	LOCATION	MINUTE TAKER
<b>FEBRUARY 2023</b>			
Mon 6 February	Workshop	Woodside	N/A
Wed 8 February	CAP	Stirling	Karen Savage
Tues 14 February	Council	Stirling	Pam Williams
Mon 20 February	Audit	Stirling	TBA
Tues 21 February	Professional Development	Stirling	N/A
Tues 28 February	Council	Stirling	Pam Williams
<b>MARCH 2023</b>			
Mon 6 March	Workshop	Woodside	N/A
Wed 8 March	CAP	Stirling	Karen Savage
Tues 14 March	Council	Stirling	Pam Williams
Tues 21 March	Professional Development	Stirling	N/A
Tues 28 March	Council	Stirling	Pam Williams
<b>APRIL 2023</b>			
Mon 3 April	Workshop	Woodside	N/A
Tues 11 April	Council	Stirling	Pam Williams
Wed 12 April	CAP	Stirling	Karen Savage
Mon 17 April	Audit	Stirling	TBA
Tues 18 April	Professional Development	Stirling	N/A
Wed 26 April *moved from ANZAC Day	Council	Stirling	Pam Williams

*Meetings are subject to change, please check agendas for times and venues. All meetings (except Council Member Professional Development) are open to the public.*

## Community Forums 2023

**6.00 for 6.30pm**

*(dates and venues to be confirmed)*

DATE	LOCATION



# Conflict of Interest Disclosure Form

**CONFLICTS MUST BE DECLARED VERBALLY DURING MEETINGS**

Date: \_\_\_\_\_

**Meeting Name (please tick one)**

- |                              |                          |                           |                          |
|------------------------------|--------------------------|---------------------------|--------------------------|
| Ordinary Council             | <input type="checkbox"/> | Audit Committee           | <input type="checkbox"/> |
| Special Council              | <input type="checkbox"/> | Boundary Change Committee | <input type="checkbox"/> |
| CEO Performance Review Panel | <input type="checkbox"/> | Other: _____              | <input type="checkbox"/> |

**Item No**                      **Item Name:**  
 \_\_\_\_\_

(Only one conflict of interest entry per form)

I, Mayor / Cr \_\_\_\_\_ have identified a conflict of interest as:

**GENERAL**

**MATERIAL**

**GENERAL**

In considering a General Conflict of Interest (COI), an impartial, fair-minded person might consider that the Council Member’s private interests might result in the Member acting in a manner that is contrary to their public duty.

**MATERIAL**

In considering a Material Conflict of Interest (COI), a member of a council has a material conflict of interest in a matter to be discussed at a meeting of the council if a class of persons as defined in s75(1)(a-l) in the Act would gain a benefit, or suffer a loss, (whether directly or indirectly and whether of a personal or pecuniary nature) depending on the outcome of the consideration of the matter at the meeting.

**The nature of my conflict of interest is as follows:**

(Describe the nature of the interest, including whether the interest is direct or indirect and personal or pecuniary)

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**I intend to deal with my conflict of interest in the following transparent and accountable way:**

- I intend to **stay** in the meeting (please complete details below)
- I intend to **stay** in the meeting as exempt under s75A (please complete details below)
- I intend to **leave** the meeting (*mandatory if you intend to declare a Material conflict of interest*)

**The reason I intend to stay in the meeting and consider this matter is as follows:**

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(This section must be completed and ensure sufficient detail is recorded of the specific circumstances of your interest.)

**Office use only: Council Member voted FOR / AGAINST the motion.**

## 8. DEPUTATIONS

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*For full details, see Code of Practice for Meeting Procedures on [www.ahc.sa.gov.au](http://www.ahc.sa.gov.au)*

1. A request to make a deputation should be made by submitting a Deputation Request Form, (available on Council's website and at Service and Community Centres) to the CEO seven clear days prior to the Council meeting for inclusion in the agenda.
2. Each deputation is to be no longer than ten (10) minutes, excluding questions from Members.
3. Deputations will be limited to a maximum of two per meeting.
4. In determining whether a deputation is allowed, the following considerations will be taken into account:
  - the number of deputations that have already been granted for the meeting
  - the subject matter of the proposed deputation
  - relevance to the Council agenda nominated – and if not, relevance to the Council's powers or purpose
  - the integrity of the request (i.e. whether it is considered to be frivolous and/or vexatious)
  - the size and extent of the agenda for the particular meeting and
  - the number of times the deputee has addressed Council (either in a deputation or public forum) on the subject matter or a similar subject matter.

### 8.3 PUBLIC FORUM

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*For full details, see Code of Practice for Meeting Procedures on [www.ahc.sa.gov.au](http://www.ahc.sa.gov.au)*

1. The public may be permitted to address or ask questions of the Council on a relevant and/or timely topic.
2. The Presiding Member will determine if an answer is to be provided.
3. People wishing to speak in the public forum must advise the Presiding Member of their intention at the beginning of this section of the meeting.
4. Each presentation in the Public Forum is to be no longer than five (5) minutes (including questions), except with leave from the Council.
5. The total time allocation for the Public Forum will be ten (10) minutes, except with leave from the Council.
6. If a large number of presentations have been requested, with leave from the Council, the time allocation of five (5) minutes may be reduced.
7. Any comments that may amount to a criticism of individual Council Members or staff must not be made. As identified in the Deputation Conduct section above, the normal laws of defamation will apply to statements made during the Public Forum.
8. Members may ask questions of all persons appearing relating to the subject of their presentation.