



## 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 9 May 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.

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



## ORDINARY COUNCIL MEETING

**AGENDA FOR MEETING**  
**Tuesday 9 May 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

- Mayor Jan-Claire Wisdom 14 August – 24 September 2023, approved by Council 11 April 2023
- Cr Leith Mudge 17 June – 25 June 2023, approved by Council 26 April 2023.
- Cr Pauline Gill 6 May – 28 May 2023, approved by Council 26 April 2023

3.3. Absent

**4. MINUTES OF PREVIOUS MEETINGS**

Council Meeting – 26 April 2023

*That the minutes of the ordinary meeting held on 26 April 2023 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  
Nil
- 7.2. Questions Lying on the Table  
Nil

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

- 8.1. Petitions
- 8.1.1. Sealing of Croft Road Lenswood

- 1. *That the petition signed by 285 signatories requesting the sealing of Croft Road Lenswood from Coldstore Road to at least the Fox Creek Bike car park be received and noted.*
- 2. *That the CEO advise the principal signatory of the Council's noting of the petition and that the Council has applied for Special Local Roads Program funding for 50% of the cost of sealing the road and that the remaining 50% is included in the Council's Draft Capital Works Budget for 2023-24.*

- 8.2. Deputations  
Nil

- 8.3. Public Forum

**9. PRESENTATIONS (by exception)**

- 9.1.1. Department of Environment & Water, Tim Groves re Burning on Private (Council) Lands Program

**10. QUESTIONS ON NOTICE**

- 10.1. Adelaide & Rural Settlement Landscapes World Heritage Report (Cr Kirsty Parkin)
- 10.2. Beautification of Mount Torrens (Cr Malcolm Herrmann)

**11. MOTIONS ON NOTICE**

- 11.1. East Waste Kerbside Audit (Cr Lucy Huxter)

- 1. *The release of East Waste's kerbside audit for 2022*
- 2. *Its performance across the Council region in relation to diversion from landfill, green waste and recycling management*
- 3. *Its role in influencing a shift in behavioural change of residents to help improve proper waste disposal within households*

**12. ADMINISTRATION REPORTS – DECISION ITEMS**

12.1. Burning on Private (Council) Lands program

1. *That the report be received and noted.*
2. *To endorse the investigation of additional Council sites under the DEW Burning on Private Lands Program.*

12.2. Library Opening Hours

1. *That the report be received and noted.*
2. *With an effective date of 1 July 2023, to adopt the Final Proposal – Libraries Opening Hours, as contained in Appendix 1.*
3. *That the Chief Executive Officer be authorised to make any (minor) changes to library opening hours provided they do not increase or decrease the total weekly staffed opening hours at each library branch.*
4. *That nothing in this resolution derogates from the Chief Executive Officer's ability to change library opening hours from time to time for operational reasons.*

12.3. Building Upgrade Finance

1. *That the report be received and noted.*
2. *To undertake a two year pilot program of Environmental Upgrade Agreements, nominally commencing 1 July 2023.*
3. *To appoint Sustainable Australia Fund, trading as Better Building Finance, to work collaboratively with Council to establish, administer and support the delivery of Environmental Upgrade Agreements.*
4. *To delegate the power to the Chief Executive Officer to:*
  - a. *finalise the commencement date for the pilot program*
  - b. *enter into an Environmental Upgrade Agreement on behalf of Council and*
  - c. *declare and levy an environmental upgrade charge.*
5. *To report back to Council on the outcomes of the two year pilot by 30 June 2025.*

12.4. Revocation of Community Land – Bridgewater Retirement Village

1. *That the report be received and noted.*
2. *That the Community Land classification over the land comprised in Certificate of Title Volume 5488 Folio 788 being Allotment 220 in filed plan 8131, known as the Bridgewater Retirement Village, be revoked.*

- 12.5. Policy - Review of Cemetery Operating Policy & Memorials within Council Cemeteries
1. *That the report be received and noted.*
  2. *With an effective date of 16 May 2023, to revoke the 20 December 2022 Cemetery Operating Policy and to adopt the 9 May 2023 Cemetery Operating Policy as per Appendix 1.*
  3. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 9 May 2023 Cemetery Operating Policy as per Appendix 1 prior to the date of effect.*
  4. *With an effective date of 16 May 2023, to revoke the 23 November 2021 Memorials within Cemeteries Cemeteries Policy and to adopt the 9 May 2023 Memorials within Council Cemeteries Cemeteries Policy as per Appendix 2.*
  5. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 9 May 2023 Memorials within Council Cemeteries Cemeteries Policy as per Appendix 2 prior to date of effect.*
- 12.6. Draft Annual Business Plan for Consultation
1. *That the report be received and noted.*
  2. *To endorse the draft Annual Business Plan 2023-24 (ABP), as contained in Appendix 1 for community consultation in accordance with Section 123 of the Local Government Act 1999.*
  3. *That the CEO be authorised to:*
    - a. *Make any formatting, nomenclature or other minor changes to the ABP prior to being released for public consultation and*
    - b. *Determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of applicable legislation and Council's Public Consultation Policy.*
- 12.7. Strategic Plan Engagement Strategy
1. *That the report be received and noted.*
  2. *To endorse the draft Strategic Plan – engagement strategy, as contained in Appendix 1 to guide the development of the Strategic Plan*
- 12.8. Attendance at National General Assembly, Canberra
1. *That the report be received and noted.*
  2. *To approve Mayor Jan-Claire Wisdom's physical attendance in a representative capacity at the National General Assembly of Local Government in Canberra in June 2023 and coverage of related costs estimated at \$4,200 in accordance with the Council Member Training and Development Policy.*
  3. *To approve Cr..... attendance in a development capacity at the National General Assembly of Local Government in Canberra in June 2023 and coverage of related costs estimated at \$4,200 in accordance with the Council Member Training and Development Policy.*
- 12.9. Status Report – Council Resolutions Update
- Refer to Agenda*

**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  
*Nil*

17.2. Audit Committee  
*Nil*

17.3. CEO Performance Review Panel  
*Nil*

17.4. Boundary Change Committee  
*Nil*

**18. CONFIDENTIAL ITEMS**

18.1. Sale of Retirement Village

**19. NEXT MEETING**

Tuesday 23 May 2023, 6.30pm, 63 Mt Barker Road, Stirling

**20. CLOSE MEETING**

## Council Meeting & Workshops 2023

DATE	TYPE	LOCATION	MINUTE TAKER
<b>MAY 2023</b>			
Wed 10 May	CAP	Stirling	Karen Savage
Mon 15 May	Audit	Stirling	TBA
Tues 16 May	Professional Development	Stirling	N/A
Tues 23 May	Council	Stirling	Pam Williams
<b>JUNE 2023</b>			
Mon 5 June	Workshop	Woodside	N/A
Tues 13 June	Council	Stirling	Pam Williams
Wed 14 June	CAP	Stirling	Karen Savage
Mon 19 June	Special Audit	Stirling	TBA
Tues 20 June	Professional Development	Stirling	N/A
Tues 27 June	Council	Stirling	Pam Williams
<b>JULY 2023</b>			
Mon 3 July	Workshop	Woodside	N/A
Tues 11 July	Council	Stirling	Pam Williams
Wed 12 July	CAP	Stirling	Karen Savage
Tues 18 July	Professional Development	Stirling	N/A
Tues 25 July	Council	Stirling	Pam Williams
<b>AUGUST 2023</b>			
Mon 7 August	Workshop	Woodside	N/A
Tues 8 August	Council	Stirling	Pam Williams
Wed 9 August	CAP	Stirling	Karen Savage
Tues 15 August	Professional Development	Stirling	TBA
Mon 21 August	Audit	Stirling	TBA
Tues 22 August	Council	Stirling	TBA

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

# 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.