



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 8 August 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 black ink, appearing to read 'GG', is positioned above the name of the Chief Executive Officer.

Greg Georgopoulos
Chief Executive Officer



ORDINARY COUNCIL MEETING

AGENDA FOR MEETING
Tuesday 8 August 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 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.

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 – 25 July 2023

That the minutes of the ordinary meeting held on 25 July 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. PRESIDING MEMBER'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
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. Proposed OTR Development Heathfield (Cr Mark Osterstock)

12. ADMINISTRATION REPORTS – DECISION ITEMS

- 12.1. Mt Lofty Golf Resort Stirling

1. *That the report be received and noted.*
2. *To delegate to the CEO and Mayor to lodge a submission in response to the Development Report including a letter of response to the State Planning Commission/Department for Trade and Investment outlining the comments of Council and Council Assessment Panel, with a copy of the staff planning report (Appendix 1) in relation to the Mount Lofty Golf Resort by 16 August 2023, with the Council submission to highlight its and its communities concerns regarding the following in particular:*
 - a. *Golflinks Road is not considered suitable as the main traffic entrance to the development site given the increased number of vehicles, size of vehicles, current sightlines and current road width which is limited by topography and native vegetation, as well as the risks to all persons in the event of evacuation for a fire or other reason and pedestrians/cyclists. Noting that the Council has commissioned an independent traffic study/assessment which will be provided to the State Planning Commission as soon as it is received.*
 - b. *Loss of significant amount of native vegetation without inclusion of a revegetation plan that looks to increase native vegetation plantings on the site.*
 - c. *Stormwater management of additional water into Cox Creek which is already above capacity during rain events.*
 - d. *Wastewater disposal may not be viable in Council's CWMS system without significant upgrades to the infrastructure.*
 - e. *Proposal to subdivide the land to separate out the golf course & club, accommodation building and Perfumery/function centre to enable lease arrangements.*

- f. Existing gazettal notice registered on the title that prohibits land division to ensure protection of the open space.*
- g. Visual amenity of the local residents with the scale of the buildings and separate pods, particular concerns about light spill at night.*
3. *To authorise the CEO to make any changes to the staff planning report (Appendix 1) as may be required prior to the date of lodgement.*

12.2. Road Closures Young Drivers Awareness Course 2023-24

1. *That the report be received and noted.*
2. *To, pursuant to Section 33(1) of the Road Traffic Act 1961 and Clause G of the Instrument of General Approval of the Minister dated 22 August 2013:*
 - a. Declare that the Driver Education Program that is to take place on Newman Road, Charleston is an event to which Section 33 of the Road Traffic Act 1961 applies.*
 - b. Make an order directing that a section of Newman Road, Charleston, between Five Lanes Road and Lewis Road, be closed to traffic for the period between 9.00am and 6.00pm on Wednesday 11 October 2023, and 9.00am and 6.00pm Wednesday 24 April 2024.*
 - c. Make an order directing that persons taking part in the event be exempt from the duty to observe the Australian Road Rules Rule 238 (Pedestrians travelling along a road).*
 - d. To make an order directing that all vehicles except emergency and participant vehicles and local residents living at the named section of Newman Road, be excluded from the closed section of road for the period of the closure.*

12.3. CEO appointment to Southern and Hills LGA

1. *That the report be received and noted.*
2. *With an effective date of 8 August 2023, to revoke the appointment of David Waters and appoint Greg Georgopoulos to the board of Southern and Hills Local Government Association as the Council's employee or elected member nominee.*

12.4. Appointment to Adelaide Hills Reconciliation Working Group

1. *That Cr be appointed to the Reconciliation Working Group for the term 9 August 2023 to 28 February 2025.*
2. *That Cr be appointed as Proxy to the Reconciliation Working Group for the term 9 August 2023 to 28 February 2025.*

12.5. 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 – 26 July 2023

That the minutes of the CAP meeting held on 26 July 2023 as supplied, be received and noted.

17.2. Audit Committee

Nil

17.3. CEO Performance Review Panel – 27 July 2023

That the minutes of the CEO Performance Review Panel meeting held on 27 July 2023 as supplied, be received and noted.

17.4. Boundary Change Committee

Nil

18. CONFIDENTIAL ITEMS

18.1. Confidential Item – Country Cabinet

19. NEXT MEETING

Tuesday 22 August 2023, 6.30pm, 63 Mt Barker Road, Stirling

20. CLOSE MEETING



Council Meeting & Workshops 2023

DATE	TYPE	LOCATION	MINUTE TAKER
AUGUST 2023			
Wed 9 August	CAP	Stirling	Karen Savage
Tues 15 August	Professional Development	Stirling	N/A
Sat 19 August	Workshop	Woodside	N/A
Mon 21 August	Audit Committee	Stirling	TBA
Tues 25 August	Council	Stirling	Pam Williams
SEPTEMBER 2023			
Mon 4 September	Workshop	Woodside	N/A
Tues 12 September	Council	Stirling	Pam Williams
Wed 13 September	CAP	Stirling	Karen Savage
Tues 19 September	Professional Development	Stirling	N/A
Tues 26 September	Council	Stirling	TBA
Thur 28 September	CEOPRP	Stirling	
OCTOBER 2023			
Tues 3 October	Workshop (moved due to public holiday)	Woodside	N/A
Tues 10 October	Council	Stirling	TBA
Wed 11 October	CAP	Stirling	Karen Savage
Mon 16 October	Audit Committee	Stirling	TBA
Tues 17 October	Professional Development	Stirling	N/A
Tues 24 October	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

Audit Committee

Special Council

Boundary Change Committee

CEO Performance Review Panel

Other: _____

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)

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:

(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

For full details, see Code of Practice for Meeting Procedures on 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

For full details, see Code of Practice for Meeting Procedures on 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.

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)

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:

(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

For full details, see Code of Practice for Meeting Procedures on 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

For full details, see Code of Practice for Meeting Procedures on 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.

Item 4 Minutes of Council

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 25 JULY 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 Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin
Councillor Louise Pascale
Councillor Melanie Selwood

In Attendance:

Greg Georgopoulos	Chief Executive Officer
Terry Crackett	Director Corporate Services
Peter Bice	Director Infrastructure & Operations
Natalie Armstrong	Director Development & Regulatory Services
David Waters	Director Community Capacity
Karen Cummings	Manager Property Services
Melissa Grimes	Consultant - Governance
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.

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 25 JULY 2023
63 MT BARKER ROAD STIRLING**

3. Apology

Cr Lucy Huxter

3.1 Leave of Absence

Mayor Jan-Claire Wisdom 14 August – 24 September 2023, approved at Council 11 April 2023.

3.2 Absent

Nil

4. MINUTES OF PREVIOUS MEETINGS**4.1 Council Meeting – 11 July 2023**

Moved Cr Kirsty Parkin

S/- Cr Chris Grant

193/23

That the minutes of the Ordinary Council meeting held on 11 July 2023 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

Nil

6. PRESIDING MEMBER'S OPENING REMARKS

Mayor Jan-Claire Wisdom welcomed Adelaide Hills Council's new CEO, Greg Georgopoulos, and wished him every success in his role over the coming years.

7. QUESTIONS ADJOURNED/LYING ON THE TABLE**7.1 Questions Adjourned**

Nil

7.2 Questions Lying on the Table

Nil

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 25 JULY 2023
63 MT BARKER ROAD STIRLING**

8. PETITIONS/DEPUTATIONS/PUBLIC FORUM

8.1 Petitions

Nil

8.2 Deputations

8.2.1 Mylor Oval Management Committee Inc – Stephen Richards

8.3 Public Forum

Christina Garden re Australia Day change of date

Rhiannon North re Australia Day change of date and solar farm at Birdwood

9. PRESENTATIONS

9.1 Adelaide Hills Tourism 2023 – 2024 Annual Business Plan – Martin Radcliffe & Tania Jarman

7.17pm Cr Kirrilee Boyd left the Chamber

7.20pm Cr Kirrilee Boyd returned to the Chamber

7.23pm Cr Leith Mudge left the Chamber

7.23pm Cr Mark Osterstock left the Chamber

7.24pm Cr Leith Mudge returned to the Chamber

7.25pm Cr Mark Osterstock returned to the Chamber

Public Forum resumed – Zeffa re Australia Day change of date

10. QUESTIONS ON NOTICE

10.1 Old Netball Courts Wright Road Stirling – Cr Kirsty Parkin

Can Council have an update on the sale of the old Stirling Comets Netball Courts on the corner of Wright Road Stirling?

Officer Response

The old Stirling Comets netball courts are located on the corner of Wright Road and Old Mount Barker Road, Stirling with a street address of 43 Old Mount Barker Road Stirling. The land is described as allotment 11 in File Plan 158057. The total area of the land is approximately 2,200 sqm in size. An aerial photo of the land is provided as **Appendix 1**.

The courts at Wright Road, Stirling were the home of the Stirling Comets Netball Club, and were also used as overflow for the Crafers Tennis Club. Following a condition audit of all courts in the Council region in 2017, the Wright Road courts were considered unsafe, and the cost for remediation significant when considered against the strategic value of the site. At that point in time, the Netball Club had also reached capacity at that site and the land parcel provided no space for expansion.

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 25 JULY 2023
63 MT BARKER ROAD STIRLING**

It was acknowledged at the time of audit that the ‘home and away’ nature of both netball and tennis in that region of the Hills was important, and that Council would explore options for a new home base for the Stirling Comets Netball Club. While several options were explored, the courts at Heathfield High School were deemed the most suitable and the most strategic option for relocation.

Importantly the above-mentioned audit, previous workshops with Council, and Council’s most recent Sport and Recreation Strategy have also highlighted that there is an oversupply of courts in the Council region, and the need to consider a more strategic approach to court provision and club locations. As an example Council’s most recent Sport and Recreation Strategy suggest an industry benchmark for tennis courts of 1 court per 1,875 of total population, whereas based on the 128 tennis courts in the Council region, the ratio at Adelaide Hills Council is at present approximately 1 court per 313 residents.

Given the need to progress a more strategic approach, Council staff have been reviewing the current facilities, site function and supporting upgrades at the following court sites over the past few years:

- Crafers
- Melville Reserve, Upper Sturt
- Stonehenge Reserve, Stirling
- Atkinson Reserve, Piccadilly
- Heathfield
- Bridgewater
- Aldgate
- Mylor

Information gathered from each review is currently being considered by staff and will form the basis of a workshop presentation and subsequent report for Council that is due towards the end of 2023. At this time the potential sale of the Wright Road site will be considered in a strategic context that will take into account the availability of other relevant land parcels and facilities.

By way of update in relation to the Stirling Comets Netball Club a considerable amount of work has been undertaken over the past four years to establish their new home at Heathfield. Importantly Council has partnered with the Department for Education, Heathfield High School and the Stirling Comets Netball Club to upgrade the courts and provide associated club amenities at the High School site. Stage 1 works (courts, lighting, toilets and access to the Heathfield Oval / Courts) were completed in May 2022. Stage 2 works (canteen, storage & access) are due for completion in July 2023. The Stirling Comets Netball Club, in partnership with the High School are also in the process of planning the construction of a shelter structure at the site. This addition will make the site incredibly functional for netball and tennis and home for the Netball Club.

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 25 JULY 2023
63 MT BARKER ROAD STIRLING**

In addition, the Crafers Tennis Club have utilised the courts for overflow matches in the 22/23 tennis season and will be able to do so in the future. Council and the Department for Education have entered into a unique joint use agreement (JUA) for future use and asset management of the Heathfield High School site, which, in addition to other benefits provides tenure for the Netball Club at that site. Maintenance and upgrade obligations via this JUA for the Netball Club will reflect obligations that other clubs utilising Council land have; making it a fair and equitable approach for the Netball Club.

11. MOTIONS ON NOTICE

11.1 Use of Fireworks in Adelaide Hills Council area

Moved Cr Pauline Gill
S/- Cr Louise Pascale

I move that the CEO prepares a report for Council to be presented at the 26 September 2023 Ordinary Council Meeting on the use of fireworks within the Adelaide Hills Council area including, but not limited to, the following considerations:

1. potential impacts of conventional fireworks on wildlife, domestic pets, human health and pollution of soil and water
2. the comparative cost and impacts of conventional fireworks against alternatives such as silent fireworks, drone light shows and laser shows
3. options for consideration regarding the future use of fireworks in the AHC area.

LOST

DIVISION

Cr Pauline Gill called for a division.

The Mayor set aside the ruling.

In the affirmative (4)
Councillors Boyd, Gill, Pascale, Selwood

In the negative (7)
Councillors Herrmann, Cheater, Grant, Parkin, Mudge, Daniell, Osterstock

On the basis of the results of the division, the Mayor declared the motion LOST.

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 25 JULY 2023
63 MT BARKER ROAD STIRLING**

11.1.1 Short Adjournment

**Moved Cr Adrian Cheater
S/- Cr Chris Grant**

194/23

8:25pm That the Council meeting adjourn for a 10-minute comfort break.

Carried Unanimously

8.35pm The Council meeting resumed

With Leave of the Meeting, Item 12.1 was brought forward on the Agenda

12.1 Proposed Date Change Citizenship and Award Ceremonies

**Moved Cr Melanie Selwood
S/- Cr Nathan Daniell**

1. That the report be received and noted;
2. To not conduct Citizenship Ceremonies, confer awards or support events on 26 January from this date onwards in recognition of the difficulties of the 26 January for First Nations Peoples; and
3. That the CEO find alternative dates and opportunities in consultation with local groups for award and citizenship ceremonies (acknowledging that a Citizenship Ceremony must still be conducted within 3 days either side of 26 January).

AMENDMENT

**Moved Cr Malcolm Herrmann
S/- Cr Mark Osterstock**

2. To not conduct Citizenship Ceremonies, confer or support events on 26 January from this date onwards in recognition of the difficulties of the 26 January for First Nations Peoples; and
3. That the CEO find alternative dates and opportunities in consultation with local groups for citizenship ceremonies (acknowledging that a Citizenship Ceremony must still be conducted within 3 days either side of 26 January).

The Amendment was put and Lost

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 25 JULY 2023
63 MT BARKER ROAD STIRLING**

9.03pm Cr Kirsty Parkin left the Chamber

9.05pm Cr Kirsty Parkin returned to the Chamber

Moved Cr Melanie Selwood

S/- Cr Nathan Daniell

195/23

1. That the report be received and noted;
2. To not conduct Citizenship Ceremonies, confer awards or support events on 26 January from this date onwards in recognition of the difficulties of the 26 January for First Nations Peoples; and
3. That the CEO find alternative dates and opportunities in consultation with local groups for award and citizenship ceremonies (acknowledging that a Citizenship Ceremony must still be conducted within 3 days either side of 26 January).

Carried

11.2 Road Safety Analysis Lobethal

Moved Cr Malcolm Herrmann

S/- Cr Pauline Gill

196/23

I move that:

1. The Chief Executive Officer arranges for staff to undertake an in-house road safety assessment into speeding and increased road use on Ridge Road and Mill Road, Lobethal, both of which are becoming used as a thoroughfare for road users attempting to avoid traffic on Main Street.
2. If the outcomes of the road safety assessment deem it necessary, that options to discourage road users from choosing these roads instead of the Main Street and combat speeding be explored using an external professional (including but not limited to the installation/construction of chicanes, speed bumps or additional signage).
3. The Chief Executive engages with the Department for Education and Child Development regarding increased road usage and speeding vehicles on Mill Road, which affects all traffic and pedestrians to and from the primary school.
4. A report be prepared detailing the outcomes of this assessment for Council's consideration at the ordinary meeting scheduled for 24 October 2023.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 25 JULY 2023
63 MT BARKER ROAD STIRLING**

11.3 Proposed renaming of portion of suburb of Rostrevor to “Morialta”

Moved Cr Louise Pascale
S/- Cr Leith Mudge

197/23

That the CEO prepares a report on the viability and feasibility of changing the name of that portion of the suburb of Rostrevor that is located within the Adelaide Hills Council district to Morialta and for that report to be delivered to Council by 30 September 2023.

Carried Unanimously

12. OFFICER REPORTS – DECISION ITEMS

12.1 Proposed Date Change Citizenship and Award Ceremonies

This item was considered earlier in the agenda.

12.2 Revocation of Community Land – Closed Roads off Lenger Road Mt Torrens and Nicholls Road Norton Summit

Moved Cr Malcolm Herrmann
S/- Cr Leith Mudge

198/23

Council resolves:

1. That the report be received and noted.
2. That the Community Land classification over the land comprised in Certificate of Title Volume 6261 Folio 496 being for Allotment 10 in Filed Plan No. 257096 be revoked.
3. That the Community Land classification over the land comprised in Certificate of Title Volume 6261 Folio 497 being for Pieces 1 and 2 in Filed Plan No. 257220 be revoked.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 25 JULY 2023
63 MT BARKER ROAD STIRLING**

12.3 CEO Approval to Act

**Moved Cr Nathan Daniell
S/- Cr Chris Grant**

199/23

Council resolves

- 1. That the report be received and noted.**
- 2. To acknowledge the disclosure of interests contained in this report and to authorise the Chief Executive Officer (designate), Mr Greg Georgopoulos, to act in the course of his official duties in relation to the following matters/entities:**
 - a. Preparation and endorsement of the Council's suite of Human Resource Policies including the Employee Behavioural Standards.**

Carried Unanimously

13. OFFICER REPORTS - INFORMATION ITEMS

Nil

14. QUESTIONS WITHOUT NOTICE

Cr Mark Osterstock – microphone issues
Cr Louise Pascale – microphone issues and streaming services

15. MOTIONS WITHOUT NOTICE

Having taken into account the Guiding Principles, the Mayor accepted the following Motion Without Notice.

9.41pm Cr Pauline Gill left the Chamber
9.44pm Cr Pauline Gill returned to the Chamber

9.43pm Cr Louise Pascale left the Chamber

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 25 JULY 2023
63 MT BARKER ROAD STIRLING**

15.1 Stormwater Management Mill Road & Pioneer Avenue Lobethal

Moved Cr Malcolm Herrmann
S/- Cr Melanie Selwood

200/23

In addition to the scope of issues identified in resolution 11.2 Road Safety Analysis Ridge Road and Mill Road Lobethal 25 July 2023, the investigation be extended to include stormwater management at the intersection of Mill Road and Pioneer Avenue Lobethal.

Carried Unanimously

16. REPORTS

16.1 Council Member Function or Activity on the Business of Council

9.45pm Cr Louise Pascale returned to the Chamber

Cr Malcolm Herrmann

- 6 August, Mt Barker Police re Neighbourhood Watch, Gumeracha

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

Nil

16.3 CEO Report

Greg Georgopoulos, CEO, advised Council of his activities since commencing work on 17 July 2023, including getting to know the organisation, its functions and goals. A ninety-day plan will be discussed with Council at an upcoming Workshop.

17. REPORTS OF COMMITTEES

17.1 Council Assessment Panel – 12 July 2023

Moved Cr Leith Mudge
S/- Cr Kirsty Parkin

201/23

That the minutes of the Council Assessment Panel meeting held on 12 July 2023 as distributed, be received and noted.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 25 JULY 2023
63 MT BARKER ROAD STIRLING**

17.2 Audit Committee

Nil

17.3 CEO Performance Review Panel – 6 July 2023

Moved Cr Chris Grant

S/- Cr Kirsty Parkin

202/23

That the minutes of the CEO Performance Review Panel meeting held on 6 July 2023 as distributed, be received and noted.

Carried Unanimously

17.4 Boundary Change Committee

Nil

17.4.1 Extension of Meeting Time

Moved Cr Mark Osterstock

S/- Cr Leith Mudge

203/23

That the Council meeting be extended to 10.30pm.

Carried

9.51pm Cr Pauline Gill and Cr Louise Pascale left the Chamber and did not return.

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 25 JULY 2023
63 MT BARKER ROAD STIRLING**

18. CONFIDENTIAL ITEMS

18.1 Confidential Item – Exclusion of the Public

Moved Cr Mark Osterstock
S/- Cr Adrian Cheater

204/23

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

- Chief Executive Officer, Greg Georgopoulos
- Director Community Capacity, David Waters
- Director Development & Regulatory Services, Natalie Armstrong
- Director Infrastructure & Operations, Peter Bice
- Director Corporate Services, Terry Crackett
- Governance Support, Melissa Grimes
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 18.1: (Confidential Item) 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:

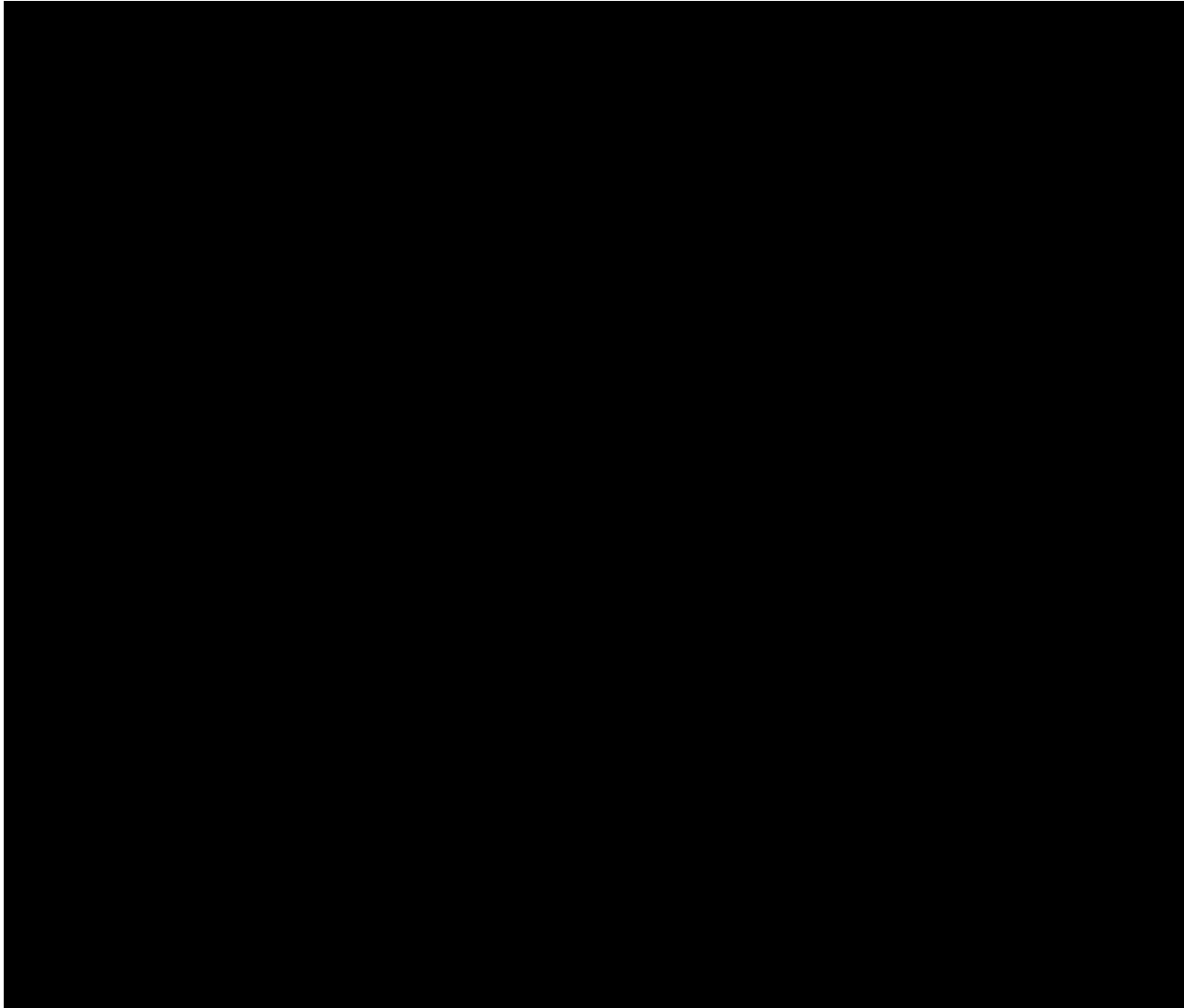
Section 90(3)(j) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which:

- (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
- (ii) would, on balance, be contrary to the public interest.

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

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 25 JULY 2023
63 MT BARKER ROAD STIRLING**



**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 25 JULY 2023
63 MT BARKER ROAD STIRLING**

18.1.3 Confidential Item – Duration of Confidentiality

Moved Cr Leith Mudge
S/- Cr Chris Grant

207/23

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)(j) 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 NB:
Report	Until the announcement has been made, but not longer than 30 June 2024
Related Attachments	Until the announcement has been made, but not longer than 30 June 2024
Minutes	Until the announcement has been made, but not longer than 30 June 2024

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 8 August 2023 from 6.30pm at 63 Mt Barker Road, Stirling.

20. CLOSE MEETING

The meeting closed at 10.30pm.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 8 August 2023
AGENDA BUSINESS ITEM**

Item: 11.1 Motion on Notice

Originating from: Cr Mark Osterstock

Subject: Proposed OTR Development at Heathfield

1. MOTION

I move that:

1. Council endorses the recent decision of the Council Assessment Panel [CAP] in relation to DA 21031284, Proposed OTR Development at Heathfield [the applicant] dated the 26th day of July 2023. [Appendix 1]
2. Council confirms, that in the event that the applicant for DA 21031284 appeals the CAP's refusal, and notwithstanding the Council's obligations under section 83(1)(h)(ii) of the Planning, Development and Infrastructure Act 2016, the Council is supportive of the CAP and its decision-making process in this matter.
3. Further, the Council extends its encouragement to the Assessment Manager, in her role in assisting and supporting the CAP, under section 87 of the PDI Act, and by extension, if necessary, in defending the CAP's refusal of the subject application to the fullest extent possible.

2. BACKGROUND

PC Infrastructure Pty Ltd lodged a development application (PlanSA Application ID: 21031284) on 1 February 2022 for 160 Longwood Road Heathfield (CT6003/528) with the following description noted on PlanSA:

24 hour retail fuel outlet with associated canopy, car cleaning & dog wash facilities, 70,000L underground fuel storage tank, pylon advertising sign (maximum height 7m), combined fence & retaining walls (maximum height 4.8m), retaining walls (maximum height 3.25m), car-parking & landscaping

The application was considered by the Council Assessment Panel at its meeting held on 26 July 2023 where it resolved;

- 1) Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is seriously at variance with the provisions of the Planning and Design Code; and

- 2) Development Application Number 21031284 by PC Infrastructure Pty Ltd for 24 hour retail fuel outlet with associated canopy, car cleaning & dog wash facilities, 70,000L underground fuel storage tank, pylon advertising sign (maximum height 7m), combined fence & retaining wall (maximum height 6m), internal acoustic fencing (maximum height 3m), retaining walls (maximum height 3.25m), car parking & landscaping at 160 Longwood Road, Heathfield is REFUSED Planning Consent for the following reasons:

Rural Neighbourhood Zone

Desired Outcome 1:

The proposal is for a commercial development that is not considered to enhance rural residential amenity.

Performance Outcome 1.1:

The proposal is not considered to be a complementary ancillary non-residential use and it is not compatible with a spacious and peaceful lifestyle.

Performance Outcome 1.2:

The proposal is not considered to be of a scale and type that maintains residential amenity.

Performance Outcome 1.3:

The proposal is not considered to be sited and designed to complement the residential character and amenity of the neighbourhood.

Performance Outcome 1.4:

The proposal is not for any of the listed anticipated non-residential development types in the Zone.

Performance Outcome 3.1:

The setback of the proposed control/shop building to Longwood Road is not consistent with the existing streetscape on the southern side of Longwood Road.

Performance Outcome 4.1:

The setback of the automatic car wash building to the Scott Creek Road boundary does not maintain a pattern of separation between building walls and public thoroughfares.

Performance Outcome 5.1:

The setback of the shop/control building to the western side boundary is not considered to minimise impacts on the adjoining residential property.

Adelaide Hills Subzone

Desired Outcome 1 and Performance Outcome 1.1:

The proposal is not for additional residential or tourist accommodation. It is not considered to embrace the values of retaining mature vegetation particularly as it relates to roadside vegetation. The proposal is not for an accommodation option, and it is not considered to complement residential character.

Overlays

Mount Lofty Ranges Water Supply Catchment (Area 2) Overlay

Performance Outcome 4.1:

The proposal is not considered to minimise the need to modify landscapes and natural features with regard to the filling of land and road verge vegetation modification.

General Development Policies

Advertisements

Desired Outcome 1:

The proposed freestanding pylon advertisement is not considered to be appropriate to the residential context of the locality and former freestanding sign on the land.

Design

Desired Outcome DO1:

The proposal is not considered to be contextual as the building design and siting does not respond well to the slope of the land or character of the immediate area.

Performance Outcome 3.1:

The proposal does not incorporate soft landscaping and tree planting that enhances the appearance of land and streetscapes.

Performance Outcome 3.2:

The proposal does not maximise the use of locally indigenous plant species in soft landscaping and tree planting.

Performance Outcome 8:1:

The proposal does not minimise the need for filling of land so as to limit disturbance to natural topography.

Performance Outcome 9.1:

The fill concrete sleeper retaining walls on the Scott Creek Road boundary are considered to impact on visual amenity from the public realm. The fill concrete sleeper retaining walls on the western side and rear boundaries are considered to impact the amenity of the adjoining residential land. Additionally, the proposed fencing height will unreasonably impact upon the visual amenity of the locality.

Performance Outcome 9.2:

The fill retaining walls on the Scott Creek Road boundary are not landscaped on the low side.

Interface Between Land Uses

Desired Outcome 1:

The proposal is not considered to be located and designed to mitigate adverse effects on neighbouring and proximate land uses. A retail fuel outlet is not a desired type of land use in the Rural Neighbourhood Zone.

Performance Outcome 1.2:

The proposal is not considered to be designed to minimise adverse impacts. Waste storage and the fuel re-filling location is proposed adjacent to an adjoining residential use. The proposal includes 3m high internal Colorbond fencing and a maximum 6m high combined fence & retaining wall structure along the shared boundaries with adjoining residential sites.

Performance Outcome 2.1:

The proposal is for a non-residential development type with unlimited hours of operation adjoining existing residential uses in a Zone that is primarily intended to be for residential development. Commercial non-residential development in the Zone is intended to be complementary uses such as tourist accommodation and small-scale shops, offices and consulting rooms.

Transport, Access and Parking

Desired Outcome 1:

The proposal does not contribute to a safe transport system. Minimum driver sightlines are not achievable at all access points, an access point to Longwood Road is within a prohibited access zone per AS/NZS2890.1:2004 and the design/location of the fuel pumps presents a potential crash risk.

Performance Outcome 2.1:

The sightlines at all crossovers cannot be maintained or enhanced to ensure safety for all road users.

Performance Outcome 3.1:

An access point to Longwood Road is not safe and convenient as it is within a prohibited access zone per AS/NZS2890.1:2004.

Performance Outcome 3.9:

The proposal is not designed to ensure vehicle circulation between the control/shop building and car wash and dog wash activity areas occurs within the site without the need to use public roads.

3. OFFICER’S RESPONSE, Melissa Grimes Governance Assistance

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 1 A functional BUILT ENVIRONMENT

Objective B2 Preserve and enhance the unique character of the Hills for current and future generations

Priority B2.3 Proactively work with developers to ensure that built form complements or enhances existing local character whilst preserving the character and amenity of our towns, historic buildings and scenic environment

Goal 5 A Progressive ORGANISATION

Objective O4 We actively represent our community

Priority O4.3 Advocate to, and exert influence with, our stakeholders on behalf of our community to promote the needs and ambitions of the region

➤ Legal Implications

The Development Application was assessed under the relevant provisions of the *Planning, Development and Infrastructure Act 2016 (PDI Act)*.

The AHC Council Assessment Panel (CAP) was the decision authority.

➤ Risk Management Implications

By endorsing CAP’s decision, it will assist in mitigating the risk of:

Council Members not being representative of community sentiment regarding the potential character and amenity impact of developments occurring within the Council area leading to a loss of community confidence.

Inherent Risk	Residual Risk	Target Risk
High (4C)	Low (2D)	Low

➤ Financial and Resource Implications

The financial implications associated with defending a potential appeal in the Environment, Resource and Development Court may involve legal fees. The Development & Regulatory Services department has provisions for legal fees within its 2023/2024 budget.

➤ Customer Service and Community/Cultural Implications

It is a reasonable expectation that the community regards the Council as having a significant interest in the character and amenity of the district and advocating where appropriate in relation to the development of the Council area.

➤ **Sustainability Implications**

Not directly applicable.

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Not Applicable

External Agencies: PlanSA website

Community: Not Applicable

4. ANALYSIS

This is reinforcing Council's resolved position to not support this development and to defend the decision of CAP in the event of an appeal by the applicants in the Environment, Resource and Development Court.

5. APPENDIX

1. Council Assessment Panel Minutes 26 July 2023

Appendix 1
CAP Minutes 26 July 2023

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL SPECIAL MEETING
WEDNESDAY 26 JULY 2023
ALDGATE VILLAGE WELL, 54 STRATHALBYN ROAD, ALDGATE
AND LIVESTREAM**

[Please Note: These minutes are unconfirmed until 9 August 2023]

- 8.1 **Development Application 21031284 by PC Infrastructure Pty Ltd for 24 hour retail fuel outlet with associated canopy, car cleaning & dog wash facilities, 70,000L underground fuel storage tank, pylon advertising sign (maximum height 7m), combined fence & retaining wall (maximum height 6m), internal acoustic fencing (maximum height 3m), retaining walls (maximum height 3.25m), car parking & landscaping at 160 Longwood Road, Heathfield**

8.1.1 **Representations**

The following representors addressed the Panel as indicated, and answered questions from the Panel:

Name of Representor	Address of Representor	Nominated Speaker
Adelaide Hills Council	Mount Barker Road, Stirling	Victoria Shute Kelledy Jones
Yazan Akeel	5 Scott Creek Road, Heathfield	Did Not Attend
Peter & Elaine Anderson	41 Sheoak Road, Crafers West	Did Not Attend
Catherine Baylis	169 Longwood Road, Heathfield	Did Not Attend
Jamie Booth	32 Heather Road, Stirling	Did Not Attend
Kevin Brogan	PO Box 677, Mylor	Kevin Brogan
Gerard Faber	16 Kiaka Lane, Scott Creek	Did Not Attend
Phillipa Fox	17 Walker Avenue, Heathfield	Did Not Attend
Glenice & Don Gare	15 Victoria Street, Hahndorf	Did Not Attend
Justin Gare	8 Brick Kiln Road, Heathfield	Justin Gare
Chris Grant	88 Mawson Road, Forest Range	Chris Grant
Mark Harrington	PO Box 63, Hahndorf	Did Not Attend
Rhys Harrington Downie	35 Heathfield Road, Heathfield	Rhys Harrington Downie
Sallie Harrington Downie	35 Heathfield Road, Heathfield	Did Not Attend
Mark Hergott	164 Longwood Road, Heathfield	George Hergott
John Hill	118 Piccadilly Road, Crafers	John Hill
Corin Kersten	PO Box 113, Upper Sturt	Did Not Attend
Bill Kierns	3 Scott Creek Road, Heathfield	Bill Kierns
Jordan Kierns	29 Leader Street, Rosewater	Did Not Attend
Graeme Laheen	4 Scott Creek Road, Heathfield	Graeme Laheen

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL SPECIAL MEETING
WEDNESDAY 26 JULY 2023
ALDGATE VILLAGE WELL, 54 STRATHALBYN ROAD, ALDGATE
AND LIVESTREAM**

[Please Note: These minutes are unconfirmed until 9 August 2023]

Sarah Matthews	43 Walker Avenue, Heathfield	Sarah Matthews
Graham Nathan	17 Learmonth Court, Ironbank	Justin Gare
Sally Owen	11 Erica Road, Heathfield	Sally Owen
Dr Jasmin Packer	17 Learmonth Court, Ironbank	Justin Gare
Roy Page	99 Longwood Road, Heathfield	Did Not Attend – former Principal of Heathfield High School
George Petrakis	158 Longwood Road, Heathfield	George Petrakis
Kristin Phillips	8 Brick Kiln Road, Heathfield	Kristin Phillips
Byron Riessen	91 Longwood Road, Heathfield	Did Not Attend
Heathfield High School Governing Council	99 Longwood Road, Heathfield	Danielle Grant-Cross
Allye Sinclair	PO Box 113, Upper Sturt	Did Not Attend
Ruth Taylor-Hull	118A Longwood Road, Heathfield	Ruth Taylor-Hull
Daniel Trotta	156 Longwood Road, Heathfield	Irena Trotta
Irena Trotta	156 Longwood Road, Heathfield	Irena Trotta
Robert Tuddenham	2 Silverwood Drive, Heathfield	Robert Tuddenham (Bob)
Maya Ueda	Erica Road, Heathfield	Did Not Attend
Cing Wardleworth	16 Walker Avenue, Heathfield	Did Not Attend
Maxine Wilson	9 Keithley Road, Heathfield	Did Not Attend

7:52pm The meeting was adjourned for a short break

8:04pm The meeting resumed

The applicant's representatives, Tim Beazley (Peregrine Corporation), Chris Turnbull (Sonus) and Ian Bishop (formerly with Stantec) addressed the Panel, and answered questions from the Panel.

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL SPECIAL MEETING
WEDNESDAY 26 JULY 2023
ALDGATE VILLAGE WELL, 54 STRATHALBYN ROAD, ALDGATE
AND LIVESTREAM**

[Please Note: These minutes are unconfirmed until 9 August 2023]

8.1.2 Decision of Panel

Moved	Leith Mudge	Carried
S/-	Ross Bateup	(12)

The Council Assessment Panel resolved that:

- 1) Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is seriously at variance with the provisions of the Planning and Design Code; and
- 2) Development Application Number 21031284 by PC Infrastructure Pty Ltd for 24 hour retail fuel outlet with associated canopy, car cleaning & dog wash facilities, 70,000L underground fuel storage tank, pylon advertising sign (maximum height 7m), combined fence & retaining wall (maximum height 6m), internal acoustic fencing (maximum height 3m), retaining walls (maximum height 3.25m), car parking & landscaping at 160 Longwood Road, Heathfield is REFUSED Planning Consent for the following reasons:

Rural Neighbourhood Zone

Desired Outcome 1:

The proposal is for a commercial development that is not considered to enhance rural residential amenity.

Performance Outcome 1.1:

The proposal is not considered to be a complementary ancillary non-residential use and it is not compatible with a spacious and peaceful lifestyle.

Performance Outcome 1.2:

The proposal is not considered to be of a scale and type that maintains residential amenity.

Performance Outcome 1.3:

The proposal is not considered to be sited and designed to complement the residential character and amenity of the neighbourhood.

Performance Outcome 1.4:

The proposal is not for any of the listed anticipated non-residential development types in the Zone.

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL SPECIAL MEETING
WEDNESDAY 26 JULY 2023
ALDGATE VILLAGE WELL, 54 STRATHALBYN ROAD, ALDGATE
AND LIVESTREAM**

[Please Note: These minutes are unconfirmed until 9 August 2023]

Performance Outcome 3.1:

The setback of the proposed control/shop building to Longwood Road is not consistent with the existing streetscape on the southern side of Longwood Road.

Performance Outcome 4.1:

The setback of the automatic car wash building to the Scott Creek Road boundary does not maintain a pattern of separation between building walls and public thoroughfares.

Performance Outcome 5.1:

The setback of the shop/control building to the western side boundary is not considered to minimise impacts on the adjoining residential property.

Adelaide Hills Subzone

Desired Outcome 1 and Performance Outcome 1.1:

The proposal is not for additional residential or tourist accommodation. It is not considered to embrace the values of retaining mature vegetation particularly as it relates to roadside vegetation. The proposal is not for an accommodation option, and it is not considered to complement residential character.

Overlays

Mount Lofty Ranges Water Supply Catchment (Area 2) Overlay

Performance Outcome 4.1:

The proposal is not considered to minimise the need to modify landscapes and natural features with regard to the filling of land and road verge vegetation modification.

General Development Policies

Advertisements

Desired Outcome 1:

The proposed freestanding pylon advertisement is not considered to be appropriate to the residential context of the locality and former freestanding sign on the land.

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL SPECIAL MEETING
WEDNESDAY 26 JULY 2023
ALDGATE VILLAGE WELL, 54 STRATHALBYN ROAD, ALDGATE
AND LIVESTREAM**

[Please Note: These minutes are unconfirmed until 9 August 2023]

Design

Desired Outcome DO1:

The proposal is not considered to be contextual as the building design and siting does not respond well to the slope of the land or character of the immediate area.

Performance Outcome 3.1:

The proposal does not incorporate soft landscaping and tree planting that enhances the appearance of land and streetscapes.

Performance Outcome 3.2:

The proposal does not maximise the use of locally indigenous plant species in soft landscaping and tree planting.

Performance Outcome 8:1:

The proposal does not minimise the need for filling of land so as to limit disturbance to natural topography.

Performance Outcome 9.1:

The fill concrete sleeper retaining walls on the Scott Creek Road boundary are considered to impact on visual amenity from the public realm. The fill concrete sleeper retaining walls on the western side and rear boundaries are considered to impact the amenity of the adjoining residential land. Additionally, the proposed fencing height will unreasonably impact upon the visual amenity of the locality.

Performance Outcome 9.2:

The fill retaining walls on the Scott Creek Road boundary are not landscaped on the low side.

Interface Between Land Uses

Desired Outcome 1:

The proposal is not considered to be located and designed to mitigate adverse effects on neighbouring and proximate land uses. A retail fuel outlet is not a desired type of land use in the Rural Neighbourhood Zone.

Performance Outcome 1.2:

The proposal is not considered to be designed to minimise adverse impacts. Waste storage and the fuel re-filling location is proposed adjacent to an adjoining residential use. The proposal includes 3m high internal Colorbond

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL SPECIAL MEETING
WEDNESDAY 26 JULY 2023
ALDGATE VILLAGE WELL, 54 STRATHALBYN ROAD, ALDGATE
AND LIVESTREAM**

[Please Note: These minutes are unconfirmed until 9 August 2023]

fencing and a maximum 6m high combined fence & retaining wall structure along the shared boundaries with adjoining residential sites.

Performance Outcome 2.1:

The proposal is for a non-residential development type with unlimited hours of operation adjoining existing residential uses in a Zone that is primarily intended to be for residential development. Commercial non-residential development in the Zone is intended to be complementary uses such as tourist accommodation and small-scale shops, offices and consulting rooms.

Transport, Access and Parking

Desired Outcome 1:

The proposal does not contribute to a safe transport system. Minimum driver sightlines are not achievable at all access points, an access point to Longwood Road is within a prohibited access zone per AS/NZS2890.1:2004 and the design/location of the fuel pumps presents a potential crash risk.

Performance Outcome 2.1:

The sightlines at all crossovers cannot be maintained or enhanced to ensure safety for all road users.

Performance Outcome 3.1:

An access point to Longwood Road is not safe and convenient as it is within a prohibited access zone per AS/NZS2890.1:2004.

Performance Outcome 3.9:

The proposal is not designed to ensure vehicle circulation between the control/shop building and car wash and dog wash activity areas occurs within the site without the need to use public roads.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 8 August 2023
AGENDA BUSINESS ITEM**

Item:	12.1
Responsible Officer:	Deryn Atkinson Manager Development Services Development & Regulatory Services
Subject:	Stirling Golf Course Redevelopment by Mount Lofty Golf Estate Pty Ltd 35 Golflinks Road Stirling (declared as a Major Development and described as Mount Lofty Golf Resort)
For:	Decision

SUMMARY

This report provides details of the development proposal by Mount Lofty Golf Estate Pty Ltd to redevelop the Stirling Golf Course as the Mount Lofty Golf Resort. The proposal includes the following elements:

- a) the construction of tourist accommodation in a new hotel building and private retreats (pods);
- b) new clubhouse facility and pro-shop, administration areas and change rooms;
- c) retention and improvements to the 18-hole golf course;
- d) conservation works and adaptive reuse of a local heritage place to accommodate a multipurpose café, retail and function space;
- e) car parking in the order of 200 spaces in two parking areas;
- f) tree removal (including native vegetation) and associated landscaping; and
- g) subdivision of the one allotment into 3 allotments

The Minister of Planning declared the development to one that was to be assessed under the Major Development Assessment Pathway on 17 December 2020. The Minister's delegate has advised Council that a Development Report (DR) has been prepared and released for public comment from 5 July 2023 to 16 August 2023. Adelaide Hills Council, as the Council in which the development is proposed has been invited to provide comment on the DR in the assessment process. A planning report (refer **Appendix 1**) has been prepared about the proposal following consultation with relevant internal departments with recommended comments for the consideration of the elected Council before a formal response to the Minister of Planning is prepared by the CEO.

The main concerns about the redevelopment is the inadequacy of the current form of Golflinks Road and the intersection of Golflinks and Carey Gully Roads to manage traffic and pedestrian movement associated with the proposed resort in a safe manner and the impact of traffic movement will have on the amenity of the locality for local residents. There is a need to assess the potential impact of infrastructure upgrades, service provision upgrades and construction access associated with the development on roadside vegetation health and sustainability. Infrastructure upgrades may include the need for road widening, verge treatment, intersection works and upgrades to the existing access and egress for the Golf Course Resort, underground trenching for new service provisioning and construction access for heavy machinery, should the development be approved. Other concerns relate to the existing waste system capacity to manage the additional loads from the development and the level of native vegetation clearance required for the scale of the development to manage bushfire risk in a high risk bushfire prone area, and construction impacts upon residents along Golflinks Road.

Land division also forms part of the proposal for purposes of tenure and commercial lease arrangements. There are concerns that the sub-division is for purposes of selling the land rather than lease arrangements and the potential for this to be contrary to the existing Proclamation under s61 of the former *Planning and Development Act 1967*. It is understood that there is a separate statutory process for varying or revoking Proclamations and this would only occur if the proposal is granted Planning Consent.

The development will be assessed by the State Planning Commission against the development guidelines established and the Development Report has been prepared in response to these. At this stage the proposal is in the consultative phase and once all feedback is received, the applicant will respond with a Response Document before it is submitted to the State Planning Commission for a recommendation to the Minister for Planning. The Minister for Planning is the final decision authority for major development. The Minister for Planning is the decision authority for applications to vary or revoke Proclamations restricting further land division, as part of separate statutory processes that involve Cabinet and Executive Council deliberations.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted.**
- 2. To delegate to the CEO and Mayor to lodge a submission in response to the Development Report including a letter of response to the State Planning Commission/Department for Trade and Investment outlining the comments of Council and Council Assessment Panel, with a copy of the staff planning report (*Appendix 1*) in relation to the Mount Lofty Golf Resort by 16 August 2023, with the Council submission to highlight its and its communities concerns regarding the following in particular:**
 - a. Golflinks Road is not considered suitable as the main traffic entrance to the development site given the increased number of vehicles, size of vehicles, current sightlines and current road width which is limited by topography and native vegetation, as well as the risks to all persons in the event of evacuation for a fire or other reason and pedestrians/cyclists. Noting that the Council has commissioned an independent traffic study/assessment which will be provided to the State Planning Commission as soon as it is received.**
 - b. Loss of significant amount of native vegetation without inclusion of a revegetation plan that looks to increase native vegetation plantings on the site.**
 - c. Stormwater management of additional water into Cox Creek which is already above capacity during rain events.**
 - d. Wastewater disposal may not be viable in Council's CWMS system without significant upgrades to the infrastructure.**
 - e. Proposal to subdivide the land to separate out the golf course & club, accommodation building and Perfumery/function centre to enable lease arrangements.**
 - f. Existing gazettal notice registered on the title that prohibits land division to ensure protection of the open space.**
 - g. Visual amenity of the local residents with the scale of the buildings and separate pods, particular concerns about light spill at night.**
- 3. To authorise the CEO to make any changes to the staff planning report (*Appendix 1*) as may be required prior to the date of lodgement.**

1. BACKGROUND

Subject Land

The 39.9 hectare site at 35 Golflinks Road Stirling currently features an 18-hole golf course with associated Stirling Golf Club facilities and car parking and a five room motel. The site also includes a local heritage listed place described as the cottage and previously used as the Scent Factory. Cox Creek runs west to east through the middle of the property. Additionally, the allotment accommodates a large dam and a dense cover of native vegetation. Part of the allotment, along with the unmade Davenport Road also forms part of the Heysen Trail.

The site has multiple road frontages which include Old Carey Gully Road, Golflinks Road, Range View Drive as well as the unmade Davenport Road, all of which are under care and control of the Council. The primary access to the site is gained via the eastern portion of Golflinks Road near the intersection with Hoylake Avenue.

Zoning/Overlays

Recreation Zone (currently as identified in the Planning and Design Code).

Public Purpose Zone and Recreation and Sports Area (previous zoning in the Adelaide Hills Council Development Plan).

High risk bushfire prone area.

Environment Food Protection Area (land division for residential purposes not permitted by legislation).

Development Proposal

The development project by Mount Lofty Golf Estate Pty Ltd proposes construction of a 5 level tourist accommodation (hotel) building comprising 56 hotel suites, 15 two bedroom serviced apartments, 15 three bedroom serviced apartments and 2 penthouse serviced apartments, 17 private retreats (pods), 5 level golf course and guest facilities building (ancillary bar, gymnasium, multipurpose function rooms, restaurant, café and wellness centre), together with associated car parking, landscaping, subdivision of land (1 into 3), tree and native vegetation removal & retention of the 18-hole golf course with improvements.

A more detailed breakdown of the proposal includes:

- Construction of tourist accommodation (hotel) building ranging between 3 and 5 storeys in height and comprising 56 hotel suites, 15 two-bedroom serviced apartments, 15 three bedroom serviced apartments and 2 penthouse serviced apartments with back-of-house, plant storage and maintenance areas, function room, restaurant and external terrace, sports bar, gallery, café and wellness centre and associated car parking.
- 17 private retreats (pods) and 1 back of house service pod.
- Adaptive reuse of the Local Heritage Perfumery building as a retail, café and multipurpose function space.
- Construction of golf course facility building ranging between 2 and 5 storey in height and comprising function facilities, cart storage and clubhouse, pro-shop, administrative area, gym and change rooms and associated car parking.
- Two large on-site car parking areas incorporated within the two buildings to provide a combined 200 parking spaces.
- Retention of the 18-hole golf course with improvements and reconfigurations.
- Stormwater detention basin, creek, and lake restoration activities.
- Construction of entry wall and new entry signage at the existing Golflinks Road entry.

- Subdivision of existing allotment 53 of 39.9 hectares into 3 allotments for the development lease/operation arrangements as follows.
 - Proposed allotment 531 of 38.4 hectares will contain the 18-hole golf course.
 - Proposed allotment 532 of 9924m² will contain the tourist accommodation building and pods.
 - Proposed allotment 533 of 5056m² will contain the golf club and associated facilities.
 - Subdivision is proposed to occur as a very last stage of the proposal once all the construction work has been completed.
- Native Vegetation removal.

Major Development Declaration and Process

The Minister for Planning and Local Government declared that the proposed development was to be assessed as a Major Development pursuant to Section 46 of the *Development Act 1993* on 17 December 2020. Major development due to their nature, scale and extent of the potential impacts have economic, social or environmental importance to South Australia and follow a major development/environmental impact assessed pathway. Major developments are assessed against a bespoke set of development guidelines which are developed based on the expected impacts for, and endorsed by the State Planning Commission. The development will be assessed by the State Planning Commission against the development guidelines established. The Development Report for the Project has been prepared by the Applicant in response to the Development Guidelines (refer Appendix 3. The State Planning Commission will assess the development in its final form and make a recommendation to the Minister of Planning. The Minister for Planning is the final decision authority for this development.

Currently the development assessment is in the consultative phase and the development proposal has been released for public consultation and for comment by Council and State agencies. Council has been provided with the opportunity to provide a response.

Council Assessment Panel

A copy of the staff planning report and the Development Report for the Mount Lofty Golf Resort with appendices will also be presented the CAP at its meeting on 9 August 2023, as an information report. Comments of the CAP members will be sent as a separate letter to the State Planning Commission should the CAP wish to express a view on the major development as part of the public consultation process..

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 1	A Functional Built Environment
Objective B2	Preserve and enhance the unique character of the Hills for current and future generations
Priority 2.3	Proactively work with developers to ensure that built form complements or enhances existing local character whilst preserving the character and amenity of our towns, historic buildings and scenic environment

Council via its strategies, policies and development assessment functions has a key role to play in preserving and enhancing the character and amenity of the Adelaide Hills.

➤ Legal Implications

The then Minister for Planning and Local Government declared that the proposed development was to be assessed as a Major Development pursuant to Section 46 of the *Development Act 1993* on 17 December 2020.

The major development pathway is reserved for major projects of economic, social or environmental importance to the State. The applicant is required to prepare a detailed impact assessment in the form of a Development Report (DR). The DR must consider and respond to assessment guidelines prepared for and endorsed by, the State Planning Commission for this specific development. These guidelines are bespoke but have regard to the previous Development Plan and the Planning and Design Code for the Zone. The development is assessed against the development guidelines.

Pursuant to Section 46D(5)(a) of the *Development Act* and Regulation 63E(b) of the *Development Regulations 2008* the development proposal has been referred to Council for the opportunity to provide comment by 16 August 2023. State Agencies, including SA Water, the EPA, CFS, and the Native Vegetation Council and also the Government Architect and Council are referral bodies invited to comment on the proposal.

➤ Risk Management Implications

A key component of major development assessment is preparation of a detailed impact assessment by the applicant, in the form of a Development Report (DR). This DR needs to respond to the assessment guidelines endorsed by the State Planning Commission.

A lot of research and time is invested in the preparation of the assessment guidelines by State Planning to address the expected environmental, social and economic effects of the proposed development. Referral to the local Council and State agencies is undertaken simultaneously with public consultation for the community to allow formal comment from Council on development.

Not all information required by Council to appropriately assess the impact of the development is included in the Development Report and therefore the Council's ability to fully assess the impacts of the development is limited to the information currently available.

The submission detailing the information that has not been clarified or provided and concerns raised by both Council Elected Members and Administration and the Community will assist in mitigating the risk of:

Insufficient information provided to Council to enable a thorough understanding of infrastructure and community impacts leading to an inappropriate form of development that does not adequately provide for required infrastructure and results in poor outcomes for both the Council and its Community.

Inherent Risk	Residual Risk	Target Risk
Extreme (3A)	Medium (3C)	Low

To address this the major development process requires the Applicant to prepare a Response Document on matters arising from the public notification, Council and State agencies. This Response Document may result in amendments to the proposal. The Response Document becomes publicly available and Council will be advised when this occurs. There is no further public consultation opportunity in the process but State Planning do have some discretion on whether consultation should be repeated where a proposal is considered to have been significantly varied.

The process that a major development is required to address is the most rigorous level of development assessment in South Australia and this process provides an existing control to the risk that the development addresses the expected impacts. Council, State agencies and the community providing comment and formal feedback on the development proposal assists State Planning, the State Planning Commission and ultimately the Minister of Planning, in gathering further information on all of the effects of the proposed development. Following the consultative phase the Applicant is able to make amendments to the development to address the responses received and to consider further management plans to assist in mitigating the risk of impacts from the proposed development.

➤ **Financial and Resource Implications**

The review of the Development Report and preparation of the staff report is managed within existing resources across the organisation.

The costs of preparing expert reports for a major development project is borne by the Applicant.

Should the project be approved, unless an agreement exists with the Applicant, Council may be pressured to undertake vegetation management and upgrades along Golflinks Road to address community concerns which is unbudgeted.

➤ **Customer Service and Community/Cultural Implications**

The public consultation and public meetings were conducted by representatives of the Planning and Land Use Services team of State Planning. The public meetings were held on 25 July 2023 and well attended by the community.

The Development Report includes a cultural heritage management plan framework to address the impacts of the development construction on the cultural heritage of First Nations People.

The construction management plan will detail how risks will be managed and the controls that will be implemented during construction.

➤ **Sustainability Implications**

Economic Impact was a requirement of the guidelines developed for this development. This analysis was undertaken by BDO who have the experience and expertise to undertake the economic impact analysis. The report indicates a positive economic impact both during construction and once operational however, Council's Manager Economic Development notes that a cost benefit analysis would have been a better process to understand the development more holistically.

The Major Project Guidelines require a Social Impact Report to be prepared and included in the Development Report. A separate Social Impact Report has not been prepared, rather social impacts have been included throughout the report. This methodology has created angst with the community as they have not been able to clearly see the social impacts of the proposed development.

The Development Report includes a Landscape Plan, Tree Impact Assessment, Environmental Heritage Impact Assessment, Ecological Flora and Fauna Assessment, Environmental Noise Assessment, Construction Environmental Management Plan, Stormwater Management Plan, Native Vegetation Clearance Data Report, and Integrated Water Management Plan which talk to the very complex and considerable impacts on the environment as a result of the proposed development. Despite the provided reports, there remains concern about the impact of the proposed development on native vegetation, native fauna and stormwater quality and management.

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

Council departments: Open Space & Arboriculture, Engineering, Community Wastewater Management, Sport & Recreation, Economic Development, Community & Cultural Development, & Local Heritage

Council Committees: Not Applicable

Council Workshops: Update provided Council Workshop 11 July 2023

Advisory Groups: N/A

External Agencies: Native Vegetation Council

Community: The Development Report (DR) was released for public comment from 5 July 2023 to 16 August 2023 and two public meetings conducted by PLUS were held on Tuesday 25 July 2023

➤ **Additional Analysis**

At the time the proposal was declared Major Development, the Adelaide Hills Council Development Plan was in effect. This has now been superseded by the Planning and Design Code. The site has existing use rights as a golf course, clubrooms and tourist accommodation (motel). The Recreation and Sport Policy Area of the Public Purpose Zone in the Development Plan excluded tourist accommodation as an envisaged use. Envisaged uses were those for public and private recreational activities and policies sought development of a high standard of design that preserved native fauna habitats. The building heights envisaged were a maximum height of 10m. The Public Purpose Zone sought development that was sensitive to the natural environment, that was sited unobtrusively and which was available for public use or of social benefit to the community otherwise. Landscaping was considered to be an important aspect of development. The project exceeded guidelines in the Development Plan and land division for the commercial lease arrangements would have been a non-complying form of development.

The Adelaide Hills Council Development Plan has now been replaced with the Planning and Design Code. The land is now located within the Recreation Zone. The intent of the Zone is very similar to that of the Development Plan, and a range of accessible recreational facilities and associated uses are envisaged. The range of elements in the Mount Lofty Golf Resort are commonly associated with golf course developments and broadly accord with the Desired Outcome for the Zone, as the development proposes to retain and upgrade the 18-hole golf course. The adaptive reuse of the former Perfumery building as a local heritage place as a multipurpose café and function space also accords with the concept of being ancillary to the primary purpose of a recreational facility. On balance it is considered that the uses in this proposal are an expansion of the existing uses at a large scale. They will provide an integrated recreational and commercial facility for the community and visitors to the region but there are expected impacts of a development of large scale, which are exacerbated in the high bushfire prone environment of the locality.

The built form has generous set-backs from boundaries and the new multi-storey buildings are nestled within the allotment and clustered primarily in the area where the existing clubrooms and associated facilities are located. The structures are proposed to be well separated from all allotment boundaries with the setback from Golflinks Road in the order of 180m. Whilst numerically the buildings appear large in bulk and scale, they will not present significant visual impacts from public realm or any of the neighbouring properties. Additionally, the proposed tourist pods and café within the Local Heritage Place are of a small scale and will have no visibility from outside of the site. Considering the levels of the land where the buildings are proposed relative to Golflinks Road, the distance of the buildings from the boundaries and vegetation cover, the overall bulk and scale of the buildings will present minimal visual amenity impacts for the locality. However the local heritage adviser has recommended that some aspects of the proposed works to the perfumery building should be reviewed and amended.

The main concerns about the redevelopment is the inadequacy of the current form of Golflinks Road and the intersection of Golflinks and Carey Gully Roads to manage traffic and pedestrian movement associated with the proposed resort in a safe manner and the impact of traffic movement will have on the amenity of the locality for local residents. There is a need for Council to assess the potential impact of infrastructure upgrades, service provision

upgrades and construction access associated with the development on pedestrian safety, roadside vegetation health and sustainability. Should the development be approved, infrastructure upgrades may include the need for road widening, verge treatment, intersection works and upgrades to the existing access and egress for the Golf Resort, underground trenching for new service provisioning and construction access for heavy machinery. It is understood that general construction worker access and heavy vehicle access is intended to be from Old Carey Gully Road. Council staff have commissioned an independent traffic study/assessment which will be provided to State Planning for their consideration as soon as it is received.

Council's Civil Services team consider the offsite works would necessitate negotiation of an Infrastructure Agreement with bonding to be entered into.

Furthermore, it is considered there is a gap in the tree assessment reports which only consider the impact upon on-site vegetation. There is general concern with the level of native vegetation clearance required for this scale of development in a high bushfire prone environment. This environment also means there are additional impacts for evacuation of tourist facilities on high bushfire risk days. As the site is likely to have high usage during the bushfire season it is recommended that the Applicant give further consideration to the appropriateness of Golflinks Road in the bushfire survival plan if there continues to be no upgrade of the road as part of the proposal.

Should any work outside of the site be proposed that impacts Golflinks or Old Carey Gully Roads a shared path is considered important to allow for safe and unrestricted shared travel for pedestrians and cyclists. Alternatively, the developer might consider the use of their land for community access (shared use path) should road widening not allow for additional pedestrian/cycle infrastructure. This would also benefit the broader trail linkages that exist within the locality (the Heysen Trail & Pioneer Women's Trail) and provide connection to Mount George Conservation Park. Such linkages could be an added attraction of the resort as a destination in the Adelaide Hills.

Other concerns relate to the existing waste system capacity to manage the additional loads from the development. The Response Document is expected to address this once the comments of SA Water are received as part of the current consultation phase.

There are concerns that the sub-division is for purposes of selling the land rather than lease arrangements and the potential for this to be contrary to the existing Proclamation under s61 of the former *Planning and Development Act 1967*. *It is understood that there is a separate statutory process for varying or revoking Proclamations and this would only occur if the proposal is granted Planning Consent.*

Council consider there are a number of conditions that need to be included should the development be granted Planning Consent. These recommended conditions are included in the Planning report from Council staff, in **Appendix 1**.

➤ **Conclusion**

Despite the benefits of such a proposal, Council is concerned of the lack of clarity supplied in the assessment documents. Further details allowing Council staff to review matters including but not limited to road upgrades, waste management and biodiversity impact would have been beneficial in order for staff to provide more informed comments.

In particular, Golflinks Road is currently a minor local road which is suited to the current intensity of the golf course. Council hold substantial concerns regarding increased traffic flows on Golflinks Road and hold the view that significant upgrades are required to this road should the development proceed. Upgrades to this road need to be reviewed including impacts that a road upgrade will have to vegetation on the road verge and impacts to Community Wastewater Management System infrastructure.

The extent of vegetation removal, details of off-site public road upgrades, waste management and impact upon the existing Community Wastewater Management System are serious concerns that require further investigation.

Council should include in its response the request for an opportunity to engage further with the State Planning Commission after the release of the Response Document from the Applicant in due course.

3. APPENDICES

- (1) Planning Report & Council Local Heritage Referral Response
- (2) Development Report - Mount Lofty Golf Resort Project
- (3) Appendix A of Development Report - Guidelines
- (4) Appendix B of Development Report – Detail survey
- (5) Appendix C of Development Report – Plan of subdivision
- (6) Appendix D of Development Report – Architectural drawings
- (7) Appendix E of Development Report – Landscape plan
- (8) Appendix F of Development Report – Economic analysis
- (9) Appendix G of Development Report – Tree impact assessment
- (10) Appendix H of Development Report – Sustainability strategy report
- (11) Appendix I of Development Report – Traffic and access impact statement
- (12) Appendix J of Development Report – Waste management and minimisation plan
- (13) Appendix K of Development Report – Geotechnical investigations
- (14) Appendix L of Development Report – Design Statement
- (15) Appendix M of Development Report – Environmental heritage impact assessment report
- (16) Appendix N of Development Report – Cultural heritage management plan framework
- (17) Appendix O of Development Report – Ecological flora and fauna assessment
- (18) Appendix P of Development Report – Hazard management plan
- (19) Appendix Q of Development Report – Bushfire survival plan
- (20) Appendix R of Development Report – Environmental noise assessment report
- (21) Appendix S of Development Report – Services infrastructure summary
- (22) Appendix T of Development Report – Construction environmental management plan
- (23) Appendix U of Development Report – Stormwater management plan
- (24) Appendix V of Development Report – Bushfire attack level (BAL) assessment
- (25) Appendix W of Development Report – Letters of support
- (26) Appendix X of Development Report – Operational environment management plan
- (27) Appendix Y of Development Report – Bushfire management strategy
- (28) Appendix Z of Development Report – Native vegetation clearance data report

- (29) Appendix AA of Development Report – Renders of the proposed development
- (30) Appendix BB of Development Report – Heritage impact statement
- (31) Appendix CC of Development Report – Certificate of title
- (32) Appendix DD of Development Report – Integrated water management plan
- (33) Appendix EE of Development Report – Perfumery landscape plans
- (34) Appendix FF of Development Report – Perfumery detail survey

Appendix 1

*Planning Report & Council Local Heritage Referral
Response*

Appendix 2

Development Report Mount Lofty Golf Resort Project

Appendix 3

Appendix A of Development Report – Development Guidelines

Appendix 4

Appendix B of Development Report – Detail survey

Appendix 5

*Appendix C of Development Report – Plan of
Division*

Appendix 6

Appendix D of Development Report – Architectural Drawings

Appendix 5

*Appendix C of Development Report – Plan of
Division*

Appendix 7

Appendix E of Development Report – Landscape Plan

Appendix 8

Appendix F of Development Report – Economic analysis

Appendix 9

Appendix G of Development Report – Tree impact assessment

Appendix 10

*Appendix H of Development Report – Sustainability
strategy report*

Appendix 11

Appendix I of Development Report – Traffic and access impact statement

Appendix 12

Appendix J of Development Report – Waste management and minimisation plan

Appendix 13

Appendix K of Development Report – Geotechnical investigations

Appendix 14

Appendix L of Development Report – Design Statement

Appendix 15

*Appendix M of Development Report –
Environmental heritage impact assessment report*

Appendix 16

Appendix N of Development Report – Cultural heritage management plan framework

Appendix 17

*Appendix O of Development Report – Ecological
flora and fauna assessment*

Appendix 18

*Appendix P of Development Report – Hazard
management plan*

Appendix 19

*Appendix Q of Development Report – Bushfire
Survival Plan*

Appendix 20

*Appendix R of Development Report –
Environmental noise assessment report*

Appendix 21

*Appendix S of Development Report – Services
infrastructure summary*

Appendix 22

*Appendix T of Development Report – Construction
environmental management plan*

Appendix 23

*Appendix U of Development Report – Stormwater
management plan*

Appendix 24

*Appendix V of Development Report – Bushfire
attack level (BAL) assessment*

Appendix 25

Appendix W of Development Report – Letters of support

Appendix 26

*Appendix X of Development Report – Operational
environment management plan*

Appendix 27

*Appendix Y of Development Report – Bushfire
management strategy*

Appendix 28

*Appendix Z of Development Report – Native
vegetation clearance data report*

Appendix 29

*Appendix AA of Development Report – Renders of
the proposed development*

Appendix 30

*Appendix BB of Development Report – Heritage
impact statement*

Appendix 31

Appendix CC of Development Report – Certificate of Title

Appendix 32

*Appendix DD of Development Report – Integrated
water management plan*

Appendix 33

*Appendix EE of Development Report – Perfumery
landscape plans*

Appendix 34

*Appendix FF of Development Report – Perfumery
detail survey*

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 8 August 2023
AGENDA BUSINESS ITEM**

Item: 12.2

Responsible Officer: Rebecca Shepherd
Manager Community Development
Community Capacity

Subject: Youth School Holiday Program Driver Education - Proposed
Temporary Road Closures

For: Decision

SUMMARY

This report seeks Council to make an order for temporary road closures to facilitate a Young Driver Education Program on Wednesday 11 October 2023, and Wednesday 24 April 2024. A formal road closure order needs to be made for the closure to occur.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
 2. To, pursuant to Section 33(1) of the *Road Traffic Act 1961* and Clause G of the Instrument of General Approval of the Minister dated 22 August 2013:
 - a. Declare that the Driver Education Program that is to take place on Newman Road, Charleston is an event to which Section 33 of the *Road Traffic Act 1961* applies.
 - b. Make an order directing that a section of Newman Road, Charleston, between Five Lanes Road and Lewis Road, be closed to traffic for the period between 9.00am and 6.00pm on Wednesday 11 October 2023, and 9.00am and 6.00pm Wednesday 24 April 2024.
 - c. Make an order directing that persons taking part in the event be exempt from the duty to observe the Australian Road Rules Rule 238 (Pedestrians travelling along a road).
 - d. To make an order directing that all vehicles except emergency and participant vehicles and local residents living at the named section of Newman Road, be excluded from the closed section of road for the period of the closure.
-

1. BACKGROUND

The ability of young drivers to transport themselves safely throughout the district is an essential element to their transition into a productive adulthood as it enables them to access education, employment and social events.

The Drivers Awareness Courses are designed to complement the skills and understanding required of young drivers to obtain their Probationary License, and to increase young drivers' understanding of inherent risks, and to increase their abilities to make safer and better decisions when taking part in traffic.

In the period of 2007 to date, Council's Youth Development Program has facilitated two days of Driver Awareness training per year. Response has been very positive and consistent requests for its continuation and expressions of interest from community members have been received since.

This report seeks approval for temporary road closures for driver training days in the October 2023 and April 2024 school holidays.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal Community Wellbeing

Objective C.1 A community for everyone – that is inclusive, welcoming and accessible

Priority C1.3 Make the district more accessible and welcoming for all with a focus on youth participation, positive ageing, disability inclusion and multiculturalism.

Young people transporting themselves safely through the district is essential to their ability to participate in education, employment and their community.

Goal Community Wellbeing

Objective C2 A connected, engaged and supported community

Priority C2.3 Facilitate opportunities for our youth to develop skills, build resilience and be actively involved in and connected to their community.

The program educates young drivers on how to adopt a defensive style of driving, thus improving safety on roads in the district.

By providing courses such as these and general youth development activities, Council develops a relationship with youth in the district and the general community that goes beyond the services traditionally provided by Council and helps create an awareness of further opportunities to participate and interact with Council.

Goal Community Wellbeing

Objective C3 A community that grows together

Priority C3.1 Provide and support programs and services that encourage and enhance personal growth, lifelong learning and professional development.

In addition to promoting defensive driving, the program also educates participants about the capacities and limitations of the human body and mind in relation to driving. In doing so, young drivers learn about strategies that help put them in the best position, both physically and mentally, to be safe road users.

Youth Action Plan 2021 – 2024

Theme 2 Connection and Inclusion

Action 4.3 Continue to deliver Drivers Awareness Courses aimed at improving safety for young road users

➤ **Legal Implications**

Section 33 of the *Road Traffic Act 1961* gives “the Minister” powers to make road closure orders. That power has been delegated to councils in respect to local roads.

➤ **Risk Management Implications**

The requested road closure will assist in mitigating the risk of:

Driver safety education exercises on an open public road leading to accidents and subsequent legal and reputational consequences to Council.

Inherent Risk	Residual Risk	Target Risk
Extreme (5C)	Low (1E)	Low (1E)

This is an existing control.

The Australian Driving Institute is sufficiently insured for public liability (\$20 million) and professional indemnity (\$10 million) and has a Risk Management Plan in place.

➤ **Financial and Resource Implications**

The course provider, the Australian Driving Institute, charges \$150 per participant, with a maximum of 15 participants per course day.

A donation has been received from Maxima for \$30 per participant. Through its Youth Development budget, the Council will subsidise \$50 per participant. The remaining \$70 will be charged to the participant. This reduced fee of \$70 is only available to young drivers who live, work or are being educated in the Adelaide Hills Council area.

The course is also open to young drivers who cannot satisfy these criteria, but they will be required to pay \$120 (i.e., the full fee minus the contribution from Maxima). At first registration, prospective participants are made aware of these provisions, as well as their fee.

Costs payable to the course provider, the Australian Driving Institute, less fees received from participants, will be accommodated from existing Youth Development budgets.

Cognizant of increasing cost of living pressures on residents, further avenues for sponsorship and co-funding will continue to be explored to ensure continued affordability of our courses.

➤ **Customer Service and Community/Cultural Implications**

Consistent with programs organised by Council’s Community Centres and Libraries, bookings will be managed using the online events booking service Eventbrite. This has proved to minimise the impact of the Drivers Awareness Courses on Customer Service staff as compared to the process prior to 2019.

All queries from participants will be answered by the Community Development Officer Youth & Recreation.

➤ **Sustainability Implications**

Not applicable.

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

Council Committees: Not applicable

Council Workshops: Not applicable

Advisory Groups: Not applicable

External Agencies: Not applicable

Community: The Council’s Driver Awareness Courses have been running twice a year for fifteen years and has been much appreciated by the participants and their families. The courses have attracted only positive comments from residents. Residents at the relevant stretch of road will receive a letter advising them of the road closure, and that they will still have use of the road for access and egress. Exercises will be paused to allow them passage.

➤ **Additional Analysis**

For 2023-24 two days of young driver awareness training have been planned, for Wednesday 11 October 2023 and Wednesday 24 April 2024.

The course requires participants to hold their Learner’s Permit, Probationary Licence or have less than 5 years of experience. The course will provide a comprehensive 8-hour day of instruction encompassing both theory and practical training. The aim of the course is to produce drivers who are more aware of their abilities and can set safe limits while improving their capability to self-assess and, therefore, be more aware of the need to continually evaluate their driving standards on all public roads.

For this event a stretch of public road needs to be closed so the practical driver training can be done in a safe environment without endangering any other road users. The suggested road to be closed is a section of Newman Road, Charleston, between Five Lanes Road and Lewis Road. **Appendix 1** contains a Location Map with proposed closed section marked between A & B. Over the years, this location has proven to not significantly affect regular traffic. It also has the additional benefit of being in easy reach of the Charleston Community Hall which is used for theoretical components of the day.

Local residents living on this stretch of road will still have use of the road as exercises will be paused to allow them passage. Residents will receive direct notification of the closure and advanced warning signs will be put in place three weeks leading up to the event.

Council will undertake traffic management during the road closure, in accordance with Australian Standard AS1742.3 and relevant DPTI Field Guides.

Furthermore, in accordance with Section 33(1) of the *Road Traffic Act 1961* and Clause G of the Instrument of General Approval of the Minister dated 22 August 2013:

- The Commissioner of Highways will be notified at least two weeks prior to the date of the event (G.6); and
- The SA Metropolitan Fire Service, SA Country Fire Service, SA State Emergency Service, the SA Ambulance Service and the Public Transport Services Division of the Department of Planning, Transport and Infrastructure ("DPTI") as appropriate, will be notified at least two weeks prior to the date of the event (G.7).

The course days will be publicised on Council's website, in schools and school newsletters, through email distribution lists and via the Adelaide Hills Council Youth Leadership Facebook and Instagram pages. Advertisements will also be run in local newspapers.

The driver awareness courses have consistently received much interest from residents, thanks to 'word-of-mouth' from participants of previous sessions and notes in school newsletters. For the next planned date in October many expressions of interest have been received.

Very positive responses have been received from parents of participants; many parents have come back with younger siblings, and in some cases even booked in their young drivers for a repeat session.

Furthermore, participants of the Adelaide Hills Youth Leadership Program have expressed concern for young driver safety and are supportive of the program.

3. OPTIONS

Council has the following options:

- I. To approve the road closure for the requested dates and location (Recommended).

The Council may resolve whether or not to approve the requested road closure for this event for the dates and site as proposed. Should it approve the closures as proposed, the event can proceed as planned and young drivers in the district can avail themselves of the opportunity presented.

- II. Not to approve the road closure for the requested dates and location (Not Recommended).

Should the Council not approve the closures, it will be necessary to find an alternative site or date for the event or cancel the event. As the program has been run successfully commencing October 2007, there is a community expectation that the course be held in the October 2023 and April 2024 School Holidays, evidenced by the enquiries received.

It should be noted this site has been chosen as the most suitable site in the Council area for this program, due to the close proximity of a sufficiently long enough, reasonably flat and straight stretch of road that is not a main thoroughfare (for practical exercises), and a hall or other room available for the theory sessions.

In light of the options and consequences provided, and the resultant level of risk remaining after mitigations, both in terms of safety risks for participants and corporate risks, including meeting Community expectations, it is recommended that Council approve the road closure for the dates requested.

4. APPENDIX

- (1) Location Map with proposed closed section marked between A & B

Appendix 1

*Road Closures Young Drivers Awareness
Course 2023-24 – Location Map*

Attachment 1: Road closures Young Drivers Awareness Course 2023-24

Location Map with proposed closed section marked between A & B



LEGEND
 ←→ Extent of Road Closure

Version of Aerial Photography:
 Aerial Photo is 10cm resolution, as of Dec 2018.
 Accuracy: The Land Parcels & Property Layer are usually within +/- 2m from the fence position. Although in rural areas such as Cherryville they can be +/- 25m.
 Aerial Photo is generally +/- 80cm accuracy, and is 10cm resolution. (10cm pixel size).

DISCLAIMER
 Aerial imagery was provided under the Copyright Act 1969, as part of the agreement by any person without prior written permission obtained from the Adelaide Hills Council. Requests and/or notices concerning copyright matters and rights should be directed to the Chief Executive Officer, The Adelaide Hills Council, PO Box 44, Woodside SA 5204. The Adelaide Hills Council, its employees and its agents do not warrant or make any representation regarding the use, or results of use, of the information contained herein in its construction, accuracy or otherwise, in particular, it should be noted that the accuracy of property boundaries when displayed over aerial photography must be considered to be accurate, and it is the user's responsibility to ensure that the information is to use the services of a licensed surveyor or other professional to verify the accuracy of the information and to ensure compliance with all applicable laws and regulations. The information is not to be used for any other purpose.

SCALE
 1:
 7,500



Adelaide Hills
 COUNCIL

Navigation and utility icons: a document icon, a printer icon, a refresh icon, a zoom in icon, a zoom out icon, a page number '1 / 1', and a share icon.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 8 August 2023
AGENDA BUSINESS ITEM**

Item: 12.3

Responsible Officer: Melissa Grimes
Governance Coordinator
Directorate

Subject: Appointment to Southern and Hills Local Government Association

For: Decision

SUMMARY

The purpose of this report is to seek Council's decision on the appointment of an employee of Council to the board of the Southern and Hills Local Government Association.

RECOMMENDATION

Council resolves:

1. That the report be received and noted.
2. With an effective date of 8 August 2023, to revoke the appointment of David Waters and appoint Greg Georgopoulos to the board of Southern and Hills Local Government Association as the Council's employee or elected member nominee.

1. BACKGROUND

Southern and Hills Local Government Association (SHLGA) is a regional subsidiary with the following constituent councils: Mount Barker District Council, City of Victor Harbor, District Council of Yankalilla, Adelaide Hills Council, Alexandrina Council and Kangaroo Island Council.

SHLGA operates under a Charter, the full version of which is contained in **Appendix 1**. Clause 5.1 describes the appointment of members of the board as indicated in the excerpt below.

5.1 Membership of the Board

- 5.1.1 Each of the Constituent Councils will appoint two persons to the Board, one of whom must be an Elected Member of the Constituent Council and the other of whom may be an Elected Member or an employee of the Constituent Council.
- 5.1.2 Each of the Constituent Councils may appoint one Deputy Board Member for each of that Constituent Council's Board Members. A Deputy Board Member may attend Board Meetings in the place of the Board Member for whom they are deputy, whenever that Board Member is absent.
- 5.1.3 If a Board Member and their Deputy Board Member are unable to attend a Board meeting, the relevant Constituent Council may appoint through its Mayor and CEO a representative with voting powers to attend that Board meeting (and such person will be considered to be a Board Member for the purposes of that meeting).
- 5.1.4 The Board may appoint observers to the Board. Such observers will not be entitled to vote at meetings.
- 5.1.5 Board members shall not be entitled to receive a sitting fee.
- 5.1.6 Subject to any requirement or limitations imposed under the Act or any other law, the Board may pay expenses to Board Members on terms and conditions determined by the Board.
- 5.1.7 A formal notification signed by the chief executive officer of the appointing Constituent Council will be sufficient evidence of appointment to the Board.

By convention, member councils typically appoint their Mayor to the Elected Member position and their Chief Executive Officer to the other position which may be an Elected Member or an employee. It follows that another Elected Member is typically appointed as Deputy Board Member for the Mayor and another employee is typically appointed as Deputy Board Member for the Chief Executive Officer. Observing this convention, i.e. one Elected Member and one employee, ensures both 'chamber' and 'administration' perspectives are brought to Board meetings from each of the member councils.

At its meeting held on 27 September 2023, the Council appointed incoming Acting Chief Executive Officer, David Waters, to the employee position on SHLGA. At that time, there was no defined end date adopted for his appointment, although it expired by default, along with all other SHLGA Board Members, at the conclusion of the periodic council elections in November 2023. His membership was subsequently restored, along with that of Mayor Wisdom's, by resolution of the Council when all Board appointments were considered on 29 November 2023 following the elections.

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

The appointment term was defined as “the conclusion of the 2022-26 council term.”

Despite the commencement of a new Chief Executive Officer, as an ongoing employee Mr Waters' appointment remains current. Should the Council wish to follow the usual convention of having its Chief Executive Officer appointed to SHLGA, it is necessary to revoke the appointment of Mr Waters and appoint Greg Georgopoulos.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 5 A Progressive Organisation

Objective O1 We have the right people with the right knowledge and skills in the right jobs and they are supported and developed

Priority O1.4 Continue to support all staff through training, mentoring, coaching and development to enable the achievement of organisational and community goals

Objective O5 We are accountable, informed, and make decisions in the best interests of the whole community

Priority O5.1 Enhance governance structures and systems to prudently adapt to changing circumstances and meet our legislative obligations

➤ **Legal Implications**

There are no legal implications associated with the appointment of a particular person to the SHLGA Board per se. It is however, necessary for the Council to make appointments in accordance with the Charter, which is established in accordance with legislation for the creation of regional subsidiaries.

➤ **Risk Management Implications**

The appointment of qualified and experienced representatives to the regional subsidiaries and the appropriate management of interests will assist in mitigating the risk of:

Poor governance practices occur which lead to a loss of stakeholder (i.e. customer and regulator) confidence and/or legislative breaches.

Inherent Risk	Residual Risk	Target Risk
Extreme (5C)	Low (3E)	Low (3E)

Note that there are many other controls that assist in mitigating this risk and the recommendations contained in this report involve the renewal of current controls.

➤ **Financial and Resource Implications**

Not applicable.

➤ **Customer Service and Community/Cultural Implications**

Not applicable.

➤ **Sustainability Implications**

Not applicable.

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

Council Committees: Not applicable.

Council Workshops: Not applicable.

Advisory Groups: Not applicable.

External Agencies: Not applicable.

Community: Not applicable.

➤ **Additional Analysis**

Adelaide Hills Council has typically followed the convention of appointing its Mayor and Chief Executive Officer to the board of SHLGA. This approach appears to have served both SHLGA and the Council well and, as such, the recommendation in this report provides for the new Chief Executive Officer to be appointed.

In regards to a period of appointment, it is not necessary for the Council to define an end date, so long as it is the Council's intention for the Chief Executive Officer's appointment to be ongoing.

The Charter provides that a member of the SHLGA Board ceases to be a member at the conclusion of the next periodic council election or if the appointment is revoked by the appointing council or if the appointee ceased to be a council member or employee.

3. OPTIONS

Council has the following options:

- I. To appoint the Chief Executive Officer, Greg Georgopoulos, to the board of SHLGA (Recommended)
- II. To appoint another employee or Council Member to the board of SHLGA (Not Recommended)

4. APPENDIX

- (1) Southern and Hills Local Government Association Charter

Appendix 1

*Southern and Hills Local Government Association
Charter*

CHARTER

OF THE

SOUTHERN & HILLS

LOCAL GOVERNMENT ASSOCIATION (REGIONAL

SUBSIDIARY)

Under the provisions of the Local Government Act 1999.

SOUTHERN & HILLS LOCAL GOVERNMENT ASSOCIATION

LOCAL GOVERNMENT ACT 1999

CHARTER

1. INTRODUCTION

1.1 Name

The name of the subsidiary is the Southern & Hills Local Government Association (referred to as 'the Subsidiary' in this Charter).

1.2 Definitions

'absolute majority' means a majority of the whole number of the Board Members;

'Act' means the *Local Government Act 1999* and includes all regulations made thereunder;

'Affiliate' has the meaning given by clauses 11.10 to 11.14. (inclusive);

'Board Member' means at any time a member of the Board and, where the context so admits, includes a Deputy Board Member;

'Board' means the board of management of the Subsidiary;

'Budget' means a budget that conforms to Clause 25 of Schedule 2 to the Act and last adopted by the Board;

'Business Plan' means a business plan that conforms to Clause 24 of Schedule 2 to the Act and last adopted by the Board;

'Constituent Council' means the Councils listed in clause 1.4, minus any such Council which ceases to be a Constituent Council and plus any Council which becomes a Constituent Council in accordance with clause 11;

'Council' means a council as constituted under the Act;

'Deputy Board Member' means at any time a person appointed and holding office as a Deputy to a Board Member;

'Deputy President' means the person elected as Deputy President of the Board;

'Elected Member' means a Mayor, Chairperson or Councillor of a Council;

'Financial year' means a year beginning on 1 July in each year and ending on 30 June of the following year;

'LGA' means the Local Government Association of South Australia.

'Minister' means the Minister for the time being responsible for the administration of the Act;

'President' means the person elected as President of the Board and includes a person authorised by this Charter to act in place of the President;

'Principal Officer' means at any time the person appointed and holding office as Principal Officer of the Subsidiary under clause 8.1.1 (which office may be given a different title by resolution of the Board) and includes a person acting in that position;

'Subsidiary' means the Southern & Hills Local Government Association constituted under this Charter;

1.3 Interpretation

In this Charter, unless the context otherwise requires:

- 1.3.1 the term 'person' shall include a body corporate;
- 1.3.2 the singular includes the plural and vice versa;
- 1.3.3 a reference to the masculine includes the feminine and vice versa;
- 1.3.4 the headings to the Charter are for convenience only and do not form part of the Charter;
- 1.3.5 references to clauses are to clauses of the Charter.

1.4 Constituent Councils

At the time of the adoption of this Charter (as most recently amended), the Constituent Councils of the Subsidiary are:

- 1.4.1 Mount Barker District Council;
- 1.4.2 City of Victor Harbor;
- 1.4.3 District Council of Yankalilla;
- 1.4.4 Adelaide Hills Council;
- 1.4.5 Alexandrina Council;
- 1.4.6 Kangaroo Island Council

1.5 Establishment

- 1.5.1 The Subsidiary is established by the Constituent Councils as a regional subsidiary pursuant to Section 43 and Schedule 2 of the Act.
- 1.5.2 this Charter governs the affairs of the Subsidiary.

1.6 Approvals and directions by two thirds of Constituent Councils

- 1.6.1 In any case where the Act or this Charter refers to the 'Constituent Councils' granting any approval or consent, or making any request, or taking any other step, it will be sufficient if two thirds of the Constituent Councils (rounding up to the nearest whole number) take such step by resolution expressed in the same or similar terms. The Constituent Councils agree that the taking of any such step by two thirds of Constituent Councils will constitute the taking of that step on behalf of all Constituent Councils. The step is deemed to be taken at the time that there are resolutions in effect from two thirds of Constituent Councils for the taking of such step.
- 1.6.2 Clause 1.6.1 is subject to any contrary requirement expressed in this Charter, the Act, or any other law.
- 1.6.3 The Constituent Councils may issue directions to the Subsidiary by resolution of two thirds of the Constituent Councils (rounding up to the nearest whole number) expressed in the same or similar terms. The Constituent Councils agree that the issuing of a direction by two thirds of Constituent Councils will constitute the issuing of a direction on behalf of all Constituent Councils.
- 1.6.4 Whenever a Constituent Council resolves to take any step under this Charter or the Act, or to issue any direction to the Subsidiary, the chief executive officer of that Constituent Council must ensure that a copy of that resolution is provided to the Principal Officer as soon as practicable.

1.7 Local Government Act 1999

- 1.7.1 This Charter must be read in conjunction with the Act.
- 1.7.2 The Subsidiary must conduct its affairs in accordance with the Act and this Charter.
- 1.7.3 In the event of any inconsistency between the Act and this Charter, the Act prevails to the extent of the inconsistency.

1.8 Objects and Purposes

The objects and purposes of the Subsidiary are:

- 1.8.1 to work collaboratively with the LGA for the benefit of Constituent Councils and Affiliates;
- 1.8.2 to encourage, promote, protect and foster an efficient and effective autonomous, democratic system of local government elected by and responsible to local communities;
- 1.8.3 to identify available resources within the region of Constituent Councils and Affiliates and to co-ordinate or assist in co-ordinating the management of these resources for the betterment of the region's community;

- 1.8.4 to encourage, assist, seek out, determine, assess and respond to the needs and aspirations of the region's constituents;
- 1.8.5 to develop, encourage, promote, foster and maintain consultation and co-operation between local government authorities, State and Commonwealth Governments and their instrumentalities;
- 1.8.6 to develop, encourage, promote, foster and maintain the financial and economic well-being and advancement of the region and if desirable for such purpose to undertake, establish, acquire, conduct or dispose of any business, enterprise, undertaking or venture which in the opinion of the Subsidiary is necessary, desirable or convenient;
- 1.8.7 to effectively liaise and work with the State and Commonwealth Governments and their instrumentalities on a regional basis for the general enhancement of the region;
- 1.8.8 to act as a forum for discussion and consideration of matters relating to the powers, functions and duties of the Constituent Councils and Affiliates under the Act and other statutory provisions in relation to the region.

2. POWER AND FUNCTIONS

- 2.1 The Subsidiary will have all the powers of a natural person, including the following powers (in addition to and without prejudice to any other powers herein expressed or implied or by virtue of any other legislation applicable):
 - 2.1.1 to subscribe to, become a member of and/or co-operate with any other association or organisation whose objects are altogether or in part similar or complementary to those of the Subsidiary and on such terms as the Subsidiary deems appropriate;
 - 2.1.2 to enter into any arrangements with any government or authority that are incidental or conducive to the attainment of the objects and the exercise of the powers of the Subsidiary;
 - 2.1.3 to appoint, employ, remunerate, manage, dismiss, remove or suspend employees, contractors and advisors;
 - 2.1.4 to raise revenue through subscriptions collected from Constituent Councils and Affiliates;
 - 2.1.5 to open, close and maintain bank accounts;
 - 2.1.6 to apply for grants from government authorities and to seek sponsorship from business enterprises;
 - 2.1.7 to print or publish any newspapers, periodicals, books, leaflets, treatises, websites or other writing that the Subsidiary may think desirable for the promotion of its objects;

- 2.1.8 to acquire, deal with and dispose of assets including real and personal property (wherever situated) and rights in relation to real and personal property;
- 2.1.9 to enter into any kind of contract or arrangement;
- 2.1.10 to invest any of the funds of the Subsidiary in any investment, provided that the Subsidiary must avoid investments that are speculative or hazardous in nature;
- 2.1.11 to establish committees for the following purposes:
 - 2.1.11.1 inquiring into and reporting on any matter within the terms of reference determined by the Board;
 - 2.1.11.2 exercising, performing and discharging delegated powers, functions or duties;
 - 2.1.11.3 investigating opportunities for resource sharing within the region and implementing strategies to take advantage of any such opportunities;
- 2.1.12 to determine the terms of reference and membership of any committee which the Subsidiary may establish (and members of any committee shall hold office at the pleasure of the Subsidiary);
- 2.1.13 to delegate or (where permitted) subdelegate any function or duty in accordance with the Act;
- 2.1.14 to commence and maintain legal proceedings of any nature;
- 2.1.15 to do anything else necessary or convenient for, or incidental to, the exercise, performance or discharge of its powers, functions or duties;
- 2.1.16 to exercise or perform any functions, powers or duties delegated to the Subsidiary by a Constituent Council;
- 2.1.17 to carry out any lawful direction of the Constituent Councils.

3. SOURCE OF REVENUE

- 3.1 The sources of revenue of the subsidiary include:
 - 3.1.1 subscriptions to be applied equitably to Constituent Councils under such terms and conditions determined by the Board (and the Constituent Councils agree to pay such subscriptions);
 - 3.1.2 service charges for services to Constituent Councils under such terms and conditions determined by the Board;
 - 3.1.3 grants from government authorities and the LGA;
 - 3.1.4 sponsorship from business enterprises;

- 3.1.5 interest from the investment of funds;
- 3.1.6 loan funds or overdrafts on such conditions as the Subsidiary sees fit for the purposes of the Subsidiary, provided that:
 - 3.1.6.1 a proposal for borrowing by the Subsidiary must be provided to each Constituent Council;
 - 3.1.6.2 the proposal to borrow must be approved by the Constituent Councils in writing before it can be considered by the Board;
 - 3.1.6.3 a decision to borrow must be approved by an absolute majority of the Board.
- 3.2 Each Constituent Council shall be liable to contribute funds to the Subsidiary each financial year in accordance with the amount specified in the Budget adopted by the Subsidiary for that year (including a revised Budget). Any unpaid amounts may be recovered by the Subsidiary from a Constituent Council as a debt.

4. THE BOARD ROLE AND FUNCTION

- 4.1 The Board is responsible for the administration of the affairs of the Subsidiary.
- 4.2 The functions of the Board include the following:
 - 4.2.1 the formulation of strategic plans and strategies aimed at improving the activities of the Subsidiary;
 - 4.2.2 providing input and policy direction to the Subsidiary;
 - 4.2.3 appointing and managing (including suspending and removing) the Principal Officer;
 - 4.2.4 ensuring that ethical behaviour and integrity is followed in all activities undertaken by the Subsidiary;
 - 4.2.5 subject to this Charter, ensuring that the activities of the Subsidiary are undertaken in an open and transparent manner;
 - 4.2.6 assisting in the development of Business Plans;
 - 4.2.7 exercising the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons;
 - 4.2.8 ensuring, insofar as it is practicable, that the Subsidiary observes the objectives set out in this Charter, that information provided to the Constituent Councils is accurate and that Constituent Councils are kept informed of the solvency of the Subsidiary as well as any material developments which may

affect the operating capacity and financial affairs of the Subsidiary.

5. MEMBERSHIP

5.1 Membership of the Board

- 5.1.1 Each of the Constituent Councils will appoint two persons to the Board, one of whom must be an Elected Member of the Constituent Council and the other of whom may be an Elected Member or an employee of the Constituent Council.
- 5.1.2 Each of the Constituent Councils may appoint one Deputy Board Member for each of that Constituent Council's Board Members. A Deputy Board Member may attend Board Meetings in the place of the Board Member for whom they are deputy, whenever that Board Member is absent.
- 5.1.3 If a Board Member and their Deputy Board Member are unable to attend a Board meeting, the relevant Constituent Council may appoint through its Mayor and CEO a representative with voting powers to attend that Board meeting (and such person will be considered to be a Board Member for the purposes of that meeting).
- 5.1.4 The Board may appoint observers to the Board. Such observers will not be entitled to vote at meetings.
- 5.1.5 Board members shall not be entitled to receive a sitting fee.
- 5.1.6 Subject to any requirement or limitations imposed under the Act or any other law, the Board may pay expenses to Board Members on terms and conditions determined by the Board.
- 5.1.7 A formal notification signed by the chief executive officer of the appointing Constituent Council will be sufficient evidence of appointment to the Board.

5.2 Term of Office – The Board

- 5.2.1 A Board member shall be appointed for a term expiring at the conclusion of the next periodic Local Government Election (for the Constituent Council which appointed them) following their appointment.
- 5.2.2 the Board may by a two-thirds majority vote of the members present (excluding the member subject to this Clause) make a recommendation to the relevant Constituent Council requesting that the Constituent Council terminate the appointment of a Board Member in the event of:
 - 5.2.2.1 any behaviour of the Board Member which in the opinion of the Board amounts to impropriety;

- 5.2.2.2 serious neglect of duty in attending to the responsibilities of a Board Member;
 - 5.2.2.3 breach of fiduciary duty to the Subsidiary or the Constituent Council(s);
 - 5.2.2.4 breach of the duty of confidentiality to the Subsidiary or the Constituent Council(s);
 - 5.2.2.5 breach of the conflict of interest provisions of the Act; or
 - 5.2.2.6 any other behaviour that may, in the opinion of the Board, discredit the Subsidiary or the Constituent Councils.
- 5.2.3 if the Constituent Council affected does not accept the recommendation of the Board in relation to the termination of the appointment of the member concerned then the matter is able to be dealt with in accordance with Clause 9;
- 5.2.4 The appointment of a Board Member shall terminate prior to the expiry of the term described in clause 5.2.1 in any of the following circumstances:
- 5.2.4.1 upon the death of the Board Member;
 - 5.2.4.2 upon the Board Member ceasing to be an Elected Member or employee (as the case may be) of the Council which appointed the Board Member;
 - 5.2.4.3 upon the Board Member's appointment being revoked by the Council which appointed the Board Member;
 - 5.2.4.4 upon the Board Member resigning his/her position as Board Member by notice in writing to the Principal Officer;
 - 5.2.4.5 upon the occurrence of any of the other circumstances described in clause 20(3) of Schedule 2 to the Act.
- 5.2.5 Where a vacancy occurs in the office of Board Member, the Constituent Council which appointed the person occupying that office may appoint a replacement Board Member by whatever method the Constituent Council sees fit, for the balance of the term of office.
- 5.2.6 Nothing in this Charter prevents a person from being appointed to any number of consecutive or non-consecutive terms as Board Member.

5.3 Propriety of members of the Board

- 5.3.1 The principles regarding conflict of interest prescribed in the Act extend to the Subsidiary and Board Members as if the Subsidiary were a Council and as if Board Members were Elected Members.
- 5.3.2 The Board Members will not be required to comply with Division 2 of Part 4 of Chapter 5 (Register of Interests) of the Act.
- 5.3.3 Board Members will at all times act in accordance with their statutory duties including duties honesty and the exercise of reasonable care and diligence with respect to the Board as required by Clauses 23 and 34 of Schedule 2 of the Act.

6. OFFICES OF THE BOARD

- 6.1 The Board shall, at the first meeting of the Subsidiary following the conclusion of local government periodic elections for all Constituent Councils:
 - 6.1.1 appoint a Board Member as President, who shall be the chairperson of the Board;
 - 6.1.2 appoint a different Board Member as Deputy President, who shall be the deputy chairperson of the Board.
- 6.2 A Board Member appointed as President or Deputy President will hold such office for a term of two years.
- 6.3 At the next meeting of the Board after the expiry of two years from the conclusion of local government periodic elections for all Constituent Councils, the Board shall again:
 - 6.3.1 appoint a Board Member as President, who shall be the chairperson of the Board;
 - 6.3.2 appoint a different Board Member as Deputy President, who shall be the deputy chairperson of the Board.
- 6.4 Where there is more than one nomination for the position of President or Deputy President under this clause, there will be an election decided by ballot in a manner determined by the Board.
- 6.5 Nothing in this Charter prevents a Board Member from being appointed to any number of consecutive or non-consecutive terms as President or Deputy President. In the event that:
 - 6.5.1 the President resigns in writing (addressed to the Principal Officer) from that office or ceases to be a Board Member for any reason whatsoever, the Deputy President will be appointed to the role of President for the balance of the term of office and the Board Members will appoint a different Board Member to hold

the office of Deputy President for the balance of the term of office ;

- 6.5.2 the Deputy President resigns in writing (addressed to the Principal Officer) from that office or ceases to be a Board Member for any reason whatsoever, the Board Members will appoint a different Board Member to hold the office of Deputy President for the balance of the term of office;
- 6.5.3 both the President and Deputy President resign in writing (addressed to the Principal Officer) from office and/or cease to be a Board Member for any reason whatsoever, the Board Members will appoint different Board Members to hold the offices of President and Deputy President for the balance of the term of office.

7. PROCEEDINGS OF THE BOARD

7.1 General power to determine procedures

The Board may determine its own meeting procedures which must be fair and contribute to free and open decision making, provided such procedures are consistent with the Act and the provisions of this Charter.

7.2 Chairing of meetings

- 7.2.1 The President, when present at a meeting of the Board, will chair the meeting.
- 7.2.2 If the President is absent from a meeting of the Board, the Deputy President will chair the meeting for so long as the President remains absent.
- 7.2.3 If both the President and Deputy President are absent from a meeting, the Board Members present will appoint one of their number (by any means determined by the Board) to chair the meeting for so long as the President and Deputy President remain absent. The Principal Officer will preside for the purposes of determining this question.

7.3 Quorum

- 7.3.1 A quorum of the Board is half of the total number of Board Members (ignoring any fraction) plus 1.
- 7.3.2 No meeting of the Board will commence until a quorum of members is present and no formal transaction of business may continue unless there is a quorum of members present.
- 7.3.3 If at any time during a meeting of the Board there is no quorum the Board Members may decide to continue informal discussions and any outstanding business shall be deferred until a quorum is again obtained, or to a future meeting. The meeting will be

adjourned to a place and time to be determined by the person chairing the meeting.

7.4 Telecommunications

- 7.4.1 For the purpose of this Clause the contemporary linking together by telephone, audio-visual or other instantaneous means (“telecommunications meeting”) of a number of the Board Members is deemed to constitute a meeting of the Board, provided that there is collectively a quorum and provided that notice of the meeting is given to all Board Members in accordance with this Charter.
- 7.4.2 Each of the Board Members taking part in the telecommunications meeting must at all times during the meeting be able to hear and be heard by each of the Board Members present. At the commencement of a telecommunications meeting, each Board Member must announce his/her presence to all of the Board Members taking part in the meeting.
- 7.4.3 A Board Member must not leave a telecommunications meeting by disconnecting his/her audio-visual or other communication equipment, unless that Board Member has previously notified the chairperson of the meeting.

7.5 Voting

Subject only to any specific requirement of this Charter, all matters for decision at a meeting of the Board will be decided by a simple majority of the members present and entitled to vote on the matter. Board Members are entitled only to a deliberative vote. Board Members may not vote by proxy.

7.6 No Casting Vote

In the event of equality of votes, the chair will not have a casting vote and the matter will be deemed to have lapsed and may at some later time be reconsidered.

7.7 Timing and calling of Meetings

- 7.7.1 The Board will endeavour to meet at least four times per year, at times and places to be determined the Board.
- 7.7.2 The Principal Officer (or, if there is no Principal Officer, the chief executive officers of the Constituent Councils) will determine the time and place of the first meeting of the Board after the conclusion of local government periodic elections for all Constituent Councils (which will not be until at least two thirds of the Constituent Councils have appointed Board Members).
- 7.7.3 A special meeting of the Board may be called by the Principal Officer at any time at the request of the President (or in the President’s absence, the Deputy President), or at the request of two thirds of the Board Members (rounding up to the nearest

whole number), provided that any request will be in writing addressed to the Principal Officer and will be accompanied by an agenda and any written reports or other material to be considered at the meeting (and if an agenda is not provided, the request is of no effect).

7.8 Notice of Meetings

Notice of all meetings will be given to Board Members and to the public in a manner determined by the Board (or, in the absence of any determination by the Board, in a manner determined by the Principal Officer).

7.9 Public Access

- 7.9.1 Meetings of the Board will be open to the public unless the Board resolves to exclude the public (on whatever basis the Board sees fit).
- 7.9.2 Part 3 of Chapter 6 of the Act does not extend to the Subsidiary.
- 7.9.3 The Subsidiary will not exclude observers appointed by any Constituent Council under clause 21(8) of Schedule 2 to the Act.

7.10 Confidentiality

- 7.10.1 where the Board has considered any information or a matter in the absence of the public, all documents (including reports and minutes) relating to that matter will not be made available to the public unless the Board specifically resolves that any document(s) be made public.
- 7.10.2 all Board Members must at all times keep confidential all documents and any information provided to them on a confidential basis.

7.11 Minutes

- 7.11.1 The Board must ensure that accurate written minutes of its proceedings are kept and are produced for verification at the subsequent meeting of the Board.
- 7.11.2 The Principal Officer will ensure that all minutes, and any documents or reports supplied to the Board for consideration at a meeting of the Board, are available for inspection by members of the public at the principal office of the subsidiary or on a website determined by the Principal Officer unless the document or report is confidential in nature or the Board or the Principal Officer considers there is other good reason that the report should not be made available to the public.

7.12 Circular resolution

The Board may determine procedures by which a resolution may be made without a meeting of the Board, in accordance with and subject to clause 21(6) of Schedule 2 to the Act.

8. ADMINISTRATION

8.1 Principal Officer

- 8.1.1 There will be a Principal Officer of the Subsidiary appointed by the Board on such terms and conditions as may be determined by the Board.
- 8.1.2 The Principal Officer may, but need not, be an employee of the Subsidiary.
- 8.1.3 The Principal Officer:
 - 8.1.3.1 is responsible for the appointing, employing, remunerating, managing, dismissing, removing or suspending subordinate employees of the Subsidiary (on behalf of the Subsidiary);
 - 8.1.3.2 is responsible for determining the conditions of employment and organisational structure with respect to subordinate employees;
 - 8.1.3.3 will give effect to the principles of human resource management generally applicable within the local government industry;
 - 8.1.3.4 will ensure that the policies and lawful decisions of the Board are implemented in a timely manner;
 - 8.1.3.5 is responsible for the efficient and effective day-to-day management of the operations and affairs of the Subsidiary;
 - 8.1.3.6 shall cause records to be kept of all activities and financial affairs of the Subsidiary in accordance with this Charter;
 - 8.1.3.7 shall provide advice and reports to the Board on the exercise and performance of the Subsidiary's powers and functions;
 - 8.1.3.8 may on behalf of the Subsidiary engage any professional advisors or other contractors to provide any services which are necessary or convenient to assist in the exercise or fulfilment of the powers, functions or duties of the Principal Officer and/or the Subsidiary.

- 8.1.4 The Principal Officer has such powers, functions and duties prescribed by this Clause and such additional, powers, functions and duties as may be determined by the Board from time to time to ensure the efficient and effective management of the operations and affairs of the Subsidiary.
- 8.1.5 In any case where the Subsidiary delegates a power, function or duty to the Principal Officer under clause 36 of Schedule 2 to the Act, such delegation includes (unless the Subsidiary expressly determines to the contrary) the power for the Principal Officer to subdelegate that power, function or duty to any of the persons or bodies listed in clause 36 of Schedule 2 to the Act.

8.2 The Business Plan

- 8.2.1 The Subsidiary shall have a rolling Business Plan in respect of the forthcoming four years.
- 8.2.2 The Business Plan must:
 - 8.2.2.1 state the services to be provided by the Subsidiary;
 - 8.2.2.2 identify how the Subsidiary intends to manage service delivery;
 - 8.2.2.3 identify the performance targets which the Subsidiary is to pursue;
 - 8.2.2.4 provide a statement of financial and other resources and internal processes that will be required to achieve the performance targets and purposes of the Subsidiary; and
 - 8.2.2.5 specify the performance measures that are to be used to monitor and assess performance against targets.
- 8.2.3 Prior to setting the draft budget each year, the Subsidiary must review the Business Plan in conjunction with the Constituent Councils;
- 8.2.4 The Board shall:
 - 8.2.4.1 compare the Business Plan against performance targets at least twice every Financial Year;
 - 8.2.4.2 review the contents of the Business Plan annually; and
 - 8.2.4.3 undertake reasonable consultation with the Constituent Councils prior to adopting or amending the Business Plan.

8.3 Budget

- 8.3.1 The Subsidiary must prepare and adopt an annual Budget for the forthcoming financial year. The Budget must:
- 8.3.1.1 deal with each principal activity of the Subsidiary on a separate basis;
 - 8.3.1.2 be consistent with and account for activities and circumstances referred to in the Subsidiary's Business Plan;
 - 8.3.1.3 identify the amount of surplus (deficit) brought forward from the previous year;
 - 8.3.1.4 identify the amount of subscriptions to be made by each Constituent Council;
 - 8.3.1.5 be submitted in draft form to each Constituent Council before 30 April for information of its proposed contribution for the ensuing year;
 - 8.3.1.6 be adopted by the Subsidiary after 31 May but before 31 July.
- 8.3.2 The adoption of the budget requires a two-thirds majority of the Board Members present.
- 8.3.3 The Subsidiary must provide a copy of its budget to each Constituent Council within five business days after adoption.
- 8.3.4 The Subsidiary must review its budget in accordance with the *Local Government (Financial Management) Regulations 2011*.
- 8.3.5 The Subsidiary must submit to each Constituent Council for approval any proposed amendment to the Budget. Any amendment to the Budget will not be approved unless it is approved by all Constituent Councils which would be required to contribute more funds under the proposed amended budget than they would under the Budget as originally adopted for that year (as well as there needing to be a two-thirds majority of Constituent Councils approving the amendment as per clause 1.6.1).
- 8.3.6 The Subsidiary may incur spending in accordance with clauses 25(4) and (5) of Schedule 2 to the Act.

8.4 Accounting

The Subsidiary must ensure that its accounting records, accounts and financial statements are prepared and maintained in accordance with all relevant Australian Accounting Standards and the *Local Government (Financial Management) Regulations 2011*.

8.5 Financial Management

- 8.5.1 The Subsidiary shall maintain an operations bank account and such other accounts as it may determine from time to time.
- 8.5.2 The Principal Officer shall cause adequate and proper books of account to be kept in relation to all affairs of the Subsidiary;
- 8.5.3 the financial year for the Subsidiary is from 1 July to 30 June;
- 8.5.4 the Subsidiary shall appoint no less than two Board Members, the Principal Officer, the President and Deputy President as authorised operators of the bank accounts. A minimum of two authorised operators must be required to sign cheques and deal with the bank account;
- 8.5.5 any payments made by Electronic Funds Transfer must be made in accordance with procedures set by the Board and approved by the Auditor;
- 8.5.6 the Subsidiary may distribute to the Constituent Councils (in equitable proportions determined by the Subsidiary) any surplus revenue as determined by the Board, having regard to estimated future expenditure that the Business Plan or Budget envisages in any financial year;
- 8.5.7 the Principal Officer must act prudently in the handling of all financial transactions for the Subsidiary and must provide quarterly financial and corporate reports to the Board and, if requested, the Constituent Councils.

8.6 Audit

- 8.6.1 the Subsidiary must appoint an Auditor in accordance with the *Local Government (Financial Management) Regulations 2011*.
- 8.6.2 the Subsidiary is exempt from the requirement to establish an audit committee. However, should the Subsidiary become not so exempt, an audit committee will be appointed in accordance with the *Local Government (Financial Management) Regulations 2011*.

8.7 Reports & Information

- 8.7.1 the Subsidiary must submit its annual report on its work and operations including its audited financial statements, to each Constituent Council before 30 September;
- 8.7.2 the Board shall report at any other time at the written request of a Constituent Council on matters being undertaken by the Subsidiary. Any such report shall be provided to all Constituent Councils.

8.8 Common Seal

- 8.8.1 The Subsidiary will have a common seal which may be affixed to documents requiring execution under common seal and its affixation must be witnessed by the President and one other Board Member (or, if the President is not available, any two Board Members).
- 8.8.2 The common seal must not be affixed to a document except to give effect to a resolution of the Board. The Principal Officer will maintain a register which records the resolutions of the Board giving authority to affix the common seal and details of the documents to which the common seal has been affixed with particulars of the persons who witnessed the fixing of the seal and the date.
- 8.8.3 The Board may by instrument under common seal authorise a person to execute documents on behalf of the Subsidiary. The Principal Officer will maintain a register of such resolutions and details of any documents executed in this way, together with particulars of the person executing the document.
- 8.8.4 The common seal shall be kept in the custody of the Principal Officer or such other person as the Board may from time to time decide.

8.9 Indemnity Schemes

The subsidiary shall register with the Local Government Mutual Liability scheme and Local Government Workers compensation scheme where applicable and comply with the rules of those schemes.

9. DISPUTES

In the event of any dispute or difference between one or more Constituent Councils and/or the Subsidiary concerning the operations or affairs of the Subsidiary, the following process will apply:

- 9.1 a Constituent Council will serve a notice of dispute on the Subsidiary with a contemporaneous copy being served on all other Constituent Councils.
- 9.2 the Constituent Councils will attempt to settle the dispute or difference by negotiating in good faith;
- 9.3 if good faith negotiations do not settle the dispute or difference within one month of the dispute arising, then the dispute shall be referred to an expert for determination. The expert shall be a person with the skills and expertise necessary to resolve the dispute and shall be nominated by the President of the LGA. The expert is an expert and not an arbitrator. The expert's determination shall be final and binding on the Constituent Councils. The costs of the expert will be apportioned and payable in accordance with the expert's determination;

- 9.4 if the dispute is unable to be resolved by the expert within six months of the dispute arising, then any Constituent Council may request the Minister to wind up the Subsidiary (and such request will be taken to be a request made on behalf of the Constituent Councils for the purposes of clause 33(1)(a) to Schedule 2 to the Act); and
- 9.5 notwithstanding the existence of a dispute or difference, the Constituent Councils will continue to meet any and all of their obligations to the Subsidiary including all obligations arising under this Charter.

10. ALTERATION TO THE CHARTER

- 10.1 The Constituent Councils may amend this Charter at any time in accordance with clause 1.6.1. The amended Charter must be ratified at the next meeting of the Board after a unanimous resolution of the Constituent Councils have resolved to adopt the amended Charter. The amended Charter comes into effect upon ratification by the Board (or a later time if all of the Constituent Councils resolve that the amended Charter shall come into effect at such later time).
- 10.2 Before the Constituent Councils vote on a proposal to alter this Charter they will take into account any recommendations of the Board.
- 10.3 The Principal Officer must, on behalf of the Constituent Councils, ensure that:
- 10.3.1 the amended Charter is published on a website (or websites) determined by the chief executive officers of the Constituent Councils;
 - 10.3.2 a copy of the amended Charter is provided to the Minister; and
 - 10.3.3 a notice of the fact of the amendment and a website address at which the amended Charter is available for inspection is published in the Gazette.

11. CONSTITUENT COUNCILS

Addition of a Constituent Council

- 11.1 A Council which is not a Constituent Council may write to the President seeking to become a Constituent Council.
- 11.2 If a Council writes to the President under clause 11.1, the Board will consider whether the Council should be admitted as a Constituent Council and will communicate its views to the Constituent Councils.
- 11.3 A Council will not be admitted as a Constituent Council unless the Constituent Councils and the Minister approve the addition of the new Constituent Council (and the admission of the Council as a Constituent Council takes effect upon the last such approval being obtained).

- 11.4 If a new Constituent Council is admitted, the Charter shall be amended in accordance with the procedure for amendment of the Charter set out in clause 10 to make reference to the new Constituent Council.

Withdrawal of a Constituent Council

- 11.5 Subject to the approval of the Minister under the Act, a Constituent Council may withdraw as a Constituent Council of the Subsidiary by giving not less than 6 months' notice of its intention to do so to all other Constituent Councils and the Principal Officer, provided that its subscription of the current year and other monies outstanding prior to the date of its giving notice of withdrawal have been paid to the Subsidiary.
- 11.6 In any event a withdrawal cannot become effective until 30 June following the expiry of the six months in the preceding subclause. Until withdrawal becomes effective, the Constituent Council proposing withdrawal from the Subsidiary will remain liable for all financial contributions in the remaining period and, through its members on the Board, the responsibility of ensuring the continued proper conduct of the affairs of the Subsidiary.
- 11.7 A withdrawing Constituent Council is not entitled to any refunds of any contributions made.
- 11.8 The withdrawal of any Constituent Council does not extinguish liability of that Constituent Council to contribute to any loss or liability incurred by the Subsidiary at any time before or after such withdrawal in respect of any act or omission by the Subsidiary prior to such withdrawal.
- 11.9 A Constituent Council may not withdraw from the Subsidiary except with the approval of the Minister and subject to the Act and this Charter.

Affiliates

- 11.10 A Council which is not a Constituent Council may write to the President seeking to become an Affiliate.
- 11.11 An Affiliate is not a Constituent Council.
- 11.12 The Subsidiary may exercise functions and powers for the benefit of an Affiliate (or for a particular region within the area of the Affiliate) in exchange for contributions from the Affiliate.
- 11.13 The Subsidiary may agree to admit an Affiliate on whatever terms and subject to whatever conditions the Subsidiary and the Affiliate may agree (subject to any applicable laws).

12. CIRCUMSTANCES NOT PROVIDED FOR

If any circumstances arise in respect of which this Charter is silent or is incapable of taking effect or being implemented according to its strict provisions, the Subsidiary will have the power to determine what action

may be taken to ensure the effective administration and objectives of the Subsidiary provided that such action will be determined at a meeting of the Subsidiary.

13. WINDING UP

- 13.1 If the Subsidiary is wound up in accordance with clause 33 of Schedule 2 to the Act, then, after payment of all debts and expenses of the Subsidiary, any surplus assets shall be returned to Constituent Councils in proportion to the subscription paid in the financial year prior to the winding up (or otherwise in such manner as all of the Constituent Councils may agree).
- 13.2 In the event that the Subsidiary is wound up and there are insufficient funds to pay all debts and expenses of the Subsidiary, the Constituent Councils will pay all such debts and expenses in proportion to the subscription payable in the financial year prior to the winding up.
- 13.3 To avoid doubt, a request made to the Minister pursuant to clause 1.6.1 or pursuant to clause 9.4 to wind up the Subsidiary will be taken to be a request made on behalf of the Constituent Councils for the purposes of clause 33(1)(a) to Schedule 2 to the Act.

14. INSOLVENCY

In the event of the insolvency of the Subsidiary, each Constituent Council shall be responsible for the liabilities of the Subsidiary in proportion to the subscription payable in the financial year prior to its insolvency.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 8 August 2023
AGENDA BUSINESS ITEM**

Item: 12.4

Responsible Officer: Lynne Griffiths
Community & Cultural Development Officer
Community Capacity

Subject: Appointment of Council Member to the Adelaide Hills Reconciliation Working Group

For: Decision

SUMMARY

Cr Adrian Cheater submitted his resignation as the Council Member representative on the Adelaide Hills Working Group (AHRWG). The Reconciliation Working Group Terms of Reference membership includes an Elected Member from each Council and requires the appointment to be by resolution of Council

MEMBERSHIP

The RWG shall comprise of an Elected Member from each Council, and up to eight (8) community members. In addition to selected community members a place at each meeting will be available to Traditional Custodians.

An Elected Member from each Council will be appointed to the RWG by resolution of the respective Council. The term of office for Elected Members will as resolved by the respective Council.

Terms of Reference [AHRWG-TOR-2021.pdf \(ahc.sa.gov.au\)](#)

RECOMMENDATION

Council resolves:

1. That Cr be appointed to the Reconciliation Working Group for the term 9 August 2023 to 28 February 2025.
 2. That Cr be appointed as Proxy to the Reconciliation Working Group for the term 9 August 2023 to 28 February 2025.
-

1. BACKGROUND

At its meeting held on 28 August 2018 Council endorsed the establishment of an Adelaide Hills Reconciliation Working Group (AHRWG) in partnership with Mount Barker District Council.

The AHRWG continues to play a fundamental role in advising on the development of Council's Innovate Reconciliation Action Plan (RAP) and in advising on Reconciliation matters.

Council at its meeting on 24 January 2023 appointed Cr Adrian Cheater to the Adelaide Hills Reconciliation Working Group (AHRWG).

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

Cr Adrian Cheater advised Administration of his resignation from the group on the 27 July 2023.

Cr Kirrilee Boyd remains the proxy member as per the resolution, minute number 9/23, for the term 28 February 2023 to 28 February 2025.

This report seeks the appointment of a Council Member representative to fill the vacant position.

2. ANALYSIS

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 2 Community Wellbeing

Objective C5 Respect for Aboriginal Culture and values

Priority C5.1 Partner with the Aboriginal and Torres Strait Islander community to develop our second Reconciliation Action Plan (Innovate) and actively participate in Reconciliation Week.

The AHRWG is a key reference point for insight and expertise in relation to Reconciliation initiatives and planning. This group is fundamental to developing and implementing Councils Innovate Reconciliation Action Plan and future Reconciliation Action Plans.

➤ **Legal Implications**

The Terms of Reference for the Reconciliation Working Group (RWG) prescribe the membership of the group as follows:

The RWG shall comprise of an Elected Member from each Council, and up to eight (8) community members

➤ **Risk Management Implications**

The involvement of Aboriginal stakeholders in the development of RAPs is fundamental to achieving a culturally appropriate approach and fostering community support. The AHRWG is the means of achieving this engagement and advice. Without this level of engagement there is a significant risk that the Aboriginal community and other stakeholders will not support Council RAPs.

The current Terms of Reference for the group determine that:

An Elected Member from each Council will be appointed to the RWG by resolution of the respective Council. The term of office for Elected Members will as resolved by the respective Council.

The appointment of an Elected Member to the AHRWG will assist in mitigating the risk of not meeting the Terms of Reference required to continue the AHRWG and achieve a well regarded Reconciliation Action Plan.

Inherent Risk	Residual Risk	Target Risk
High (3B)	Low (2D)	Low (2D)

➤ **Financial and Resource Implications**

Community members who participate in the RWG are reimbursed for any out of pocket expenses such as mileage. These and any other costs are within existing budget and shared with Mount Barker District Council.

Costs associated with the participation of the appointed Elected Member are provided for in the *Council Member Allowances & Benefits Policy* and are provided for in the Governance & Performance Department budget.

➤ **Customer Service and Community/Cultural Implications**

Appropriate recognition of and engagement with the Aboriginal community and other key stakeholders is essential to the success of Council's Reconciliation Action Plan.

The community members of the RWG are all residents of the Adelaide Hills the majority of whom identify as Aboriginal and bring a highly regarded and credentialed level of skills and expertise across health, education, governance and business. Members also have considerable networks and connections across both the Aboriginal and non-Aboriginal community.

The inclusion of an Elected Member from both Adelaide Hills Council and Mount Barker District Council reinforces a level of commitment and respect for Reconciliation.

➤ **Sustainability Implications**

Not Applicable

➤ **Engagement/Consultation conducted in the development of the report**

Consultation on the development of this report was as follows:

<i>Council Committees:</i>	Not Applicable
<i>Council Workshops:</i>	Not Applicable
<i>Advisory Groups:</i>	Not Applicable
<i>External Agencies:</i>	Not Applicable
<i>Community:</i>	Not Applicable

➤ **Additional Analysis**

The proposed Indicative Vote Process below is based on the Appointments to Positions Process contained in Clause 4.7 Council's *Code of Practice for Code of Practice for Council Meeting Procedures* with modifications to suit the legislative requirements of the conflict of interest and informal gatherings provisions.

4.7.10 The Indicative Voting Process is:

- a. The Mayor seeks a motion to adjourn the meeting for the purpose of conducting an Indicative Voting Process.
- b. Once the meeting is adjourned (and the Information or Briefing Session has commenced), the Chief Executive Officer calls for self-nominations for the position(s). If Council Officers or Independent Committee Members are eligible for appointment to the position, they can also self-nominate. If Council Officers are being put forward for consideration by the CEO this will be included in the report.
- c. If the number of nominees is equal to or less than the number of positions, no election will be required. If the number of nominees is greater, an election will be necessary.
- d. The CEO will appoint a Council Officer as the Returning Officer and may enlist other Council Officers to assist with the conduct of the vote and the count.
- e. The method of voting will be by secret ballot utilising the preferential counting system
- f. Each Council Member (including the Mayor) shall have one vote.
- g. Ballot papers will be provided to each Council Member
- h. The nominee's names will be drawn by the Returning Officer to determine the order on the ballot paper.
- i. Each Member will write the nominee's names on the ballot paper in the order they are drawn.
- j. Each nominee will have two (2) minutes to speak to the Information or Briefing Session in support of their candidacy. The speaking order will be as listed on the ballot paper.
- k. Members will cast their votes and the completed ballot papers will be collected by the Returning Officer and the count will be undertaken in a separate room with an observer [another Council Member (not being a nominee for the position being determined) or an Officer] present.
- l. In the event of a tie, the result will be decided by the Returning Officer drawing lots, the candidate first drawn being the candidate excluded.
- m. After all votes have been counted, the Returning Officer shall return to the Gathering and publicly declare the result of the election (i.e. the preferred person).
- n. The ballot papers will be shredded.
- o. With the conclusion of the Indicative Voting Process, the Council meeting will resume in accordance with the adjournment resolution.
- p. Upon resumption, any Council Members who nominated for the positions would be advised to consider their obligations under s75B or s75C of the Act (as applicable).
- q. Council can then consider a motion for the preferred person to be appointed to the position(s)

3. OPTIONS

- I. That Council appoint a Council Member to the Adelaide Hills Reconciliation Working Group as described in the Terms of Reference (Recommended)

4. APPENDIX

Nil

Appendix 1
Name of Attachment

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 8 August 2023
AGENDA BUSINESS ITEM**

Item: 12.5

Responsible Officer: Lachlan Miller
Executive Manager Governance and Performance
Office of the Chief Executive

Subject: Council Resolutions Update including 2 year update to outstanding resolutions

For: Decision

SUMMARY

The Action List is updated each month by the responsible officer and outlines actions taken on resolutions passed at Council meetings. In some cases actions can take months or years to be completed due to the complexity and/or the level of influence Council has in the matter.

In March 2015, Council resolved that outstanding resolutions passed before 31 March 2013 would be the subject of a report outlining the reasons why the resolutions have not been completed, detailing what actions have been taken and an estimated date of completion.

While the above resolution referred to a date, the duration was two (2) years and the intent of the Council's resolution has been carried forward as a prudent accountability mechanism.

RECOMMENDATION

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
4/08/2022	CEO Performance Review Panel	PRP16/22	CEO Performance & Remuneration Report – Confidential Item	Nil
14/02/2023	Ordinary Council	29/23	Policy Review Meeting Procedures	Nil
28/02/2023	Ordinary Council	40/23	MON Violence Against Women	Nil
28/02/2023	Ordinary Council	41/23	MON Hanson Construction Materials Ltd - White Rock Quarry	Nil
9/05/2023	Ordinary Council	109/23	Library Opening Hours	Nil
9/05/2023	Ordinary Council	114/23	Strategic Plan Engagement Strategy	Nil
15/05/2023	Audit Committee	AC20/23	Budget Review 3	Nil
23/05/2023	Ordinary Council	131/23	Delegations Review - Local Government Act	Nil
23/05/2023	Ordinary Council	137/23	18.1 Event Opportunity – Santos Tour Down Under 2024 - Confidential Item	Nil
23/05/2023	Ordinary Council	138/23	18.1 Event Opportunity – Santos Tour Down Under 2024 - duration of confidentiality	Nil
23/05/2023	Ordinary Council	141/23	Electricity Tenders Post 30 June 2023 – Confidential Item	Nil
23/05/2023	Ordinary Council	142/23	Electricity Tenders Post 30 June 2023 - Duration of Confidentiality	Nil
27/06/2023	Ordinary Council	172/23	Discretionary Rate Rebate	Nil
27/06/2023	Ordinary Council	174/23	2023-24 Fees & Charges for Adoption	Nil
11/07/2023	Ordinary Council	186/23	Statement of Commitment and Our watch Prevention Toolkit Implementation Plan	Nil

1. GOVERNANCE

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 5 A Progressive Organisation

Objective O5 We are accountable, informed, and make decisions in the best interests of the whole community

Priority O5.3 Demonstrate accountability through robust corporate planning and reporting that enhances performance, is relevant and easily accessible by the community

The timely completion of Council resolutions assists in meeting legislative and good governance responsibilities and obligations.

➤ Legal Implications

Not applicable

➤ Risk Management Implications

Regular reporting on outstanding action items will assist in mitigating the risk of:

Actions arising from Council resolutions may not be completed in a timely manner

Inherent Risk	Residual Risk	Target Risk
High (4C)	Medium (4E)	Medium (4E)

➤ Financial and Resource Implications

Not applicable

➤ Customer Service and Community/Cultural Implications

Not applicable

➤ Sustainability Implications

Not applicable

➤ Engagement/Consultation conducted in the development of the report

Not applicable

2. BACKGROUND

At its meeting of 24 March 2015 Council resolved:

That the CEO provides a report to the 28 April 2015 Council meeting in relation to outstanding resolutions passed before 31 March 2013 outlining the reasons why the resolutions have not been completed, detailing what actions have been taken and an estimated date of completion.

The contents of this report formed a workshop discussion with Council Members on 3 May 2017.

While the above resolution referred to a date, the duration was two (2) years and the intent of the Council's resolution has been carried forward as a prudent accountability mechanism.

3. ANALYSIS

The Action list has been updated to provide Council with information regarding outstanding actions. Completed resolutions are identified in the recommendation for removal from the Action List.

4. OPTIONS

Council has the following options:

- I. Note the status of the outstanding items and the proposed actions
- II. Resolve that other actions are required.

5. APPENDIX

- (1) Action List

Appendix 1

Action List

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)	Confidential
24/01/2017	Ordinary Council	7/17	Cromer Cemetery Revocation of Community Land	None declared	a report be prepared and submitted to the Minister for Local Government seeking approval for the revocation of the community land classification of a portion of the land contained in Certificate of Title Volume 5880 Folio 219 identified in red on the plan attached as Appendix 1.	Terry Crackett	In Progress	July 2023 - Plans lodged with Lands Titles office but we are awaiting on a letter from Crown Lands SA to allow the fee to be waived - now on hold until fees have been resolved. Aug 2023- waiting on letter from Crown Lands SA we waiving of LTO fees.	FALSE
28/08/2018	Ordinary Council	200/18	Proposal to enter 11 AHC Reserves into Heritage Agreements 2018	None declared	<ol style="list-style-type: none"> That the report be received and noted. That the Biodiversity Officer be authorised to enter: Doris Coulls Reserve, 152 Old Mt Barker Road, Aldgate Heathfield Waste Facility, 32 Scott Creed Road, Heathfield Kiley Reserve, 15 Kiley Road, Aldgate Shanks Reserve, 1 Shanks Road, Aldgate Stock Reserve, Stock Road, Mylor Leslie Creek Reserve, Leslie Creek Road, Mylor Mi Mi Reserve, 125 Aldgate Valley Road, Mylor Aldgate Valley 2 Reserve, 114 Aldgate Valley Road, Mylor Kyle Road Nature Reserve, Kyle Road, Mylor Carey Gully Water Reserve, Deviation Road, Carey Gully Heathfield Stone Reserve, 215 Longwood Road, Heathfield Mylor Parklands, Mylor all being of significant biodiversity value, into Heritage Agreements. That the Heritage Agreements retain the existing dog access arrangements in place for each of those reserves. 	Peter Bice	In Progress	<p>The Heritage Applications were phased over the years in order to be accommodated within available resourcing.</p> <p>All applications have been lodged by June 30 2022 as per 2018 Council resolution.</p> <p>Heritage Agreements have been registered over:</p> <ul style="list-style-type: none"> Kiley Reserve Shanks Reserve Kyle Road Nature Reserve, Leslie Creek Reserve Aldgate Valley 2 Reserve Doris Coulls Reserve Mylor Parklands Heathfield Waste Facility Heathfield Conservation Reserve & Mi Mi Reserve Applications have been countersigned by DEW 27/7/23. <p>Conditionally approved:</p> <ol style="list-style-type: none"> Reserve 26 - "Stock Rd 1". Has been assigned CT/6286/691. Carey Gully. Rededication from recreation to conservation purposes required. Paperwork to amend a dedication submitted to Crown Lands. Awaiting outcome. <p>NOTES:</p> <p>Heathfield Stone Reserve was successfully rededicated for conservation purposes with Lands Title Office, and is now referred to as Heathfield Conservation Reserve.</p> <p>Carey Gully was initially rejected but appealed by Biodiversity Officer. Heritage Officer changed their recommendation for acceptance and sent to delegate for approval. Correspondence received that rededication from recreation to conservation purposes is required. Paperwork to amend a dedication has been submitted to Crown Lands.</p>	FALSE
11/09/2018	Special Council	229/18	Road Exchange McBeath Drive, Skye Horsnell Gully	None declared	<p>In accordance with sections 12 and 15 of the Roads (Opening and Closing) Act 1991, as regards the land within the Adelaide Hills Council area, enter into an Agreement for Exchange with Boral Resources (SA) Ltd and issue a Road Process Order to open as road portions of Section 906 Hundred of Adelaide numbered "1", "2" and "3" on Preliminary Plan No. 17/0066 (Appendix 1) and in exchange to close portions of McBeath Drive marked "A", "B", "C" and "D" on Preliminary Plan No. 17/0066, subject to the following: Boral Resources (SA) Ltd agreeing to pay all costs associated with the road exchange process including but not limited to all survey, valuation and reasonable legal costs; Boral Resources (SA) Ltd agreeing to pay all costs associated with a Council boundary adjustment between Adelaide Hills Council and the City of Burnside to rectify the resulting Council boundary anomaly from the road exchange process</p> <p>The closed road is excluded as Community Land pursuant to the Local Government Act 1999.</p> <p>Council approves the sale of the differential between the total area of closed road and the total area of opened road of approximately 1,242m² to Boral Resources (SA) Ltd for the amount of \$6,210 as determined by an independent valuation.</p> <p>Subject to the successful completion of the road exchange process, Council undertakes a process in conjunction with the City of Burnside to realign the local government boundary along the new location of McBeath Drive to the south side of pieces 42, 52 and 62 of the proposed residential allotments in accordance with the provisions of the Local Government (Boundary Adjustment) Amendment Act 2017 (to commence on 1 January 2019) and/or Part 2 of Chapter 3 of the Local Government Act 1999.</p> <p>The Mayor and Chief Executive Officer be authorised to sign all documents necessary, including affixation of the common seal, to give effect to this resolution.</p>	Terry Crackett	In Progress	<p>4 July 2023 - no further update</p> <p>Aug 2023 - no further update</p>	FALSE
23/07/2019	Ordinary Council	188/19	LED Street Lighting Upgrade	None declared	That the report be received and noted. To approve an increase of \$365k in Council's 2019/20 capital budget to commence the transition of 900 P – category public streetlights to LED with the funding source to be recommended to Council at its next budget review. That Council engage SAPN to commence the changeover of P-Category lights to LED public lighting on Council roads and that authority is given to the CEO to finalise a contract with SAPN and sign that agreement. That Council enter into a PLC tariff agreement for public lighting with SAPN until 30 June 2020 and subsequently move to the tariff set by the Australian Energy Regulator from July 2020. That Council continues to liaise with SAPN and DPTI on the changeover of Council public lighting on roads under the care and control of the State Government. That a further report be provided to Council on the outcome of the continued discussions with SAPN and DPTI.	Peter Bice	In Progress	<p>Item 1 - 4 of the resolution have been complete for some time.</p> <p>Item 5 regarding the change over of Council held public lighting on DIT roads is on-going. The Minister has requested that the Department to establish a working group with LGA representatives to investigate options for long term ownership of Council lighting on DIT maintained roads. Adelaide Hills Council will be represented on this working group with the group starting in June 2023. Note that there are only about 100 Council public lights on DIT roads across the Council area and hence the benefits of having this as a priority are minimal in the overall scheme of investment options for energy use reduction. The current status of LED lighting as it relates to items 1 - 4 + 767 LED 17 were rolled out as a bulk rollout program with a \$ 355k investment. Council has entered into PLC tariffs for these lights, that is Council funds the capital investment and receives a lower tariff fee and associated reduce electricity use that provides long term operational costs for providing this service. • A further 29 lights have been upgraded to LED – Located in Aldgate Main Street, Summertown, and Uraidla. • 280 have been changed over by SAPN as part of routine maintenance operations – SAPN policy to change public lights with LED equivalents when existing stocks are depleted. • 324 remain to be converted – cost in the order of 600k – 700k as these are vertical mounted (technical challenges with existing assemblies) or higher-class V Category. The remaining approximately 324 lights are more challenging with higher costs and a lower cost benefit. • We have had 73 additional LED lights transferred to Council by Developers (Crest and Hamilton Hill)</p>	FALSE

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)	Confidential
15/12/2020	Ordinary Council	300/20	Road Exchange Pomona Road Stirling	None declared	<ol style="list-style-type: none"> That the report be received and noted. In accordance with sections 12 and 15 of the Roads (Opening and Closing) Act 1991, enter into an Agreement for Exchange with the owner of the land of 21 Pomona Road Stirling and issue a Road Process Order to open as public road the area identified as "Road to be opened 1" on the Preliminary Plan No 20/0038 and in exchange to close a portion of Pomona Road as identified on the Preliminary Plan No 20/0038 as "Public Road A", subject to the owner of the land at 21 Pomona Road Stirling agreeing to pay all costs associated with the road exchange process including but not limited to all survey, valuation and reasonable legal costs The closed road be excluded as Community Land pursuant to the Local Government Act 1999. The Mayor and Chief Executive Officer be authorised to sign all documents necessary, including affixation of the common seal, to give effect to this resolution 	Terry Crackett	In Progress	<p>May 23 - sent follow up email to surveyor on 17/04/2023 seeking an update on the lodgement of documents with the surveyor general</p> <p>June 23 - no further update</p> <p>July 23 - sent follow up email to surveyor 7/7/2023 seeking an update on the lodgement of documents with the surveyor general</p>	FALSE
27/01/2021	Ordinary Council	22/21	CWMS Review	None declared	that the report, related attachments and the discussion and considerations of the subject matter be retained in confidence until 30 July 2021.	Peter Bice	In Progress	Still to be retained in confidence	FALSE
23/03/2021	Ordinary Council	52/21	Crown Land Revocation	None declared	<ol style="list-style-type: none"> That the report be received and noted That the consultation report (Appendix 1) be received and noted To apply to the Minister for Planning to revoke the Community Land classification of the following parcels of land:- <ol style="list-style-type: none"> CR 5752/186, Lot 32 Fullgrabe Road, Crafers CR 5753/725, Section 1609 Illert Road, Mylor CR 5753/729, Section 1657 Scott Creek Road, Scott Creek CR 5753/741, Sections 53 and 54 Sandy Waterhole Road, Woodside CR 5753/742, Section 547 Schuberts Road, Lobethal CR 5753/744, Section 553 Pedare Park Road, Woodside CR 5753/745, Section 556 Tiers Road, Woodside CR 5753/746, Section 565 Old Carey Gully Road, Stirling CR 5753/754, Section 511 North East Road, Ingleswood CR 5753/758, Section 262 Reserve Road, Forreton CR 5763/631, Section 1591 Silver Road, Bridgewater CR 5763/634, Section 71 Magarey Road, Mount Torrens CR 5763/635, Section 72 Magarey Road, Mount Torrens CR 5763/636, Section 84 Forreton Road, Forreton CR 6142/329, Lot 501 Greenhill Road, Balhannah CR 5926/487, Lot 20 Bell Springs Road Charleston (for rededication to the Department of Environment & Water) CR 5753/718, Section 1544 Reserve Terrace Aldgate (for rededication to Meals on Wheels) CR 5753/753, Section 495 off Kersbrook Road Kersbrook (for rededication to Forestry SA) That a further report be presented to Council once a response from the Minister for Planning is received. 	Terry Crackett	In Progress	2 Aug 2023 - report to Council now pencilled in for late August 2023	FALSE
24/08/2021	Ordinary Council	170/21	Road Exchange Aldi Development Pomona Road Stirling	None declared	That the report be received and noted in accordance with sections 12 and 15 of the Roads (Opening and Closing) Act 1991, enter into an Agreement for Exchange with the owner of the land of 3-5 Pomona Road Stirling and issue a Road Process Order to open as public road the area identified as "Road to be opened 1" on the Preliminary Plan No 21/0011 and in exchange to close a portion of Pomona Road as identified on the Preliminary Plan No 21/0011 as "Public Road A", subject to the owner of the land at 3-5 Pomona Road Stirling and Council agreeing to share all costs associated with the road exchange process including but not limited to all survey, valuation and reasonable legal costs. The closed road be excluded as Community Land pursuant to the Local Government Act 1999. The Mayor and Chief Executive Officer be authorised to sign all documents necessary, including affixation of the common seal, to give effect to this resolution.	Terry Crackett	In Progress	<p>July 23 - sent email to surveyor 7/7/2023 requesting update on documents to be lodged with the surveyor general. Response received 28/7/2023 another plan being worked on with easements etc, will be back in touch soon</p> <p>June 23 - awaiting further advice from Developer's surveyor regarding the status of this matter</p>	FALSE
24/08/2021	Ordinary Council	178/21	Operational Workplace Review	None declared	<ol style="list-style-type: none"> That the report be received and noted That Council take up commercial lease space in Stirling at 85 Mount Barker Road Stirling, and the associated costs for the leasehold premises detailed in Appendix 1 be adjusted in the 2021-22 financial year at Budget Review 1 Further detailed scoping be undertaken on the proposed renewal and energy efficiency upgrades to the Stirling Office, Heathfield Depot, Gumeracha Depot and Woodside Offices (current Development and Building Team offices) and presented to Council for consideration where appropriate within the 2021-22 Budget Review 1 and the next review of the Long Term Financial Plan Subject to endorsement of the detailed scoping identified in 3 above, the Development and Building Team be relocated from Woodside to Stirling To include budget provision in the draft Annual Business Plan for the 2022-23 financial year to undertake a feasibility study on the medium to long term needs for community and operational sites and where greater efficiencies may be obtained through consolidation of sites. 	Terry Crackett	In Progress	4 July 23 - remains under internal review	FALSE

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)	Confidential
26/10/2021	Ordinary Council	220/21	Charleston Cemetery Compulsory Acquisition	None declared	<ol style="list-style-type: none"> That the report be received and noted. To revoke the resolution of Council of 22 May 2001, B129. To commence a process to compulsorily acquire, under the <i>Land Acquisition Act 1969</i>, the Charleston Cemetery being the land contained in Certificate of Title Volume 5066 Folio 740 located at 36 Newman Road Charleston from The Charleston Cemetery Trust Inc. To continue to manage the Charleston Cemetery on behalf of The Charleston Cemetery Trust Inc in the interim from the date of this resolution until the completion of the land acquisition process. To authorise the Mayor and Chief Executive Officer to undertake all necessary actions, including execution of documents, including under the common seal of Council, to give effect to this resolution. 	Terry Crackett	In Progress	4 July 2023 - no response received from Minister as yet	FALSE
26/10/2021	Ordinary Council	235/21	Ashton Landfill - Confidential Item	None declared	As per Confidential minute	Peter Bice	In Progress	Matter continues to be progressed. Further updates will be provided when a material change occurs.	TRUE
26/10/2021	Ordinary Council	238/21	Electricity Procurement Legal Matter - Confidential Item	None declared	As per confidential minute	Peter Bice	In Progress	Still to be retained in confidence	TRUE
14/12/2021	Ordinary Council	274/21	Woodside Recreation Ground Reuse further information	Perceived - Cr Stratford	<ol style="list-style-type: none"> The report be received and noted. That a report be prepared for Council's information on the costs associated with bore water saving initiatives that could be implemented in respect to Council-owned recreational assets that are currently irrigated by bore water. 	Peter Bice	In Progress	An audit of the site was undertaken on Wednesday 4th January 2023, along with other key areas. Report has been received and currently being reviewed.	FALSE
22/03/2022	Ordinary Council	52/22	Response to MON Bore Use	Nil	<ol style="list-style-type: none"> That the report be received and noted To negotiate an agreement with the Summertown Village Water Company for access to the Council bore located on Anja Crescent Reserve at Summertown for a defined period, being not more than 3 years, on terms and conditions to be agreed whereby by the end of the agreement term, the Summertown Village Water Company has established an independent water supply for its shareholders and current use of the Council bore ceases To negotiate an in principle agreement with the Summertown Community Centre Inc. for a land exchange at Tregarthen Reserve Summertown that would see the public infrastructure located on land owned by the Council and the sport and recreation infrastructure on land owned by the Summertown Community Centre Inc. with the Council being responsible for the provision of water to Tregarthen Reserve To negotiate an agreement with the owner of 30 Stonehenge Avenue Stirling, for access to and use of the bore located on Council land at 28 Stonehenge Avenue Stirling, for a defined reasonable period of time, say 18 – 24 months, on terms and conditions to be agreed whereby by the end of the agreement, the landowner has established an independent water supply for its land and use of the Council bore ceases To undertake further investigations in relation to the Mylor bore and tanks and to which properties it supplies water The CED further reports to Council on an annual basis of progress being made on points 2-5. 	Terry Crackett	In Progress	4 July 2023 - application to purchase Council land at Stonehenge has been considered by staff and is not viable or possible for a variety of reasons. Report to be submitted to Council in coming months providing an update on the status of actions arising from the March 2022 resolution.	FALSE
22/03/2022	Ordinary Council	53/22	Removal of Remoteness Sculpture, Stirling	Nil	<ol style="list-style-type: none"> That the report be received and noted. That the sculpture known as <i>The Remoteness</i>, be removed from the area in front of the Coventry Library, Stirling. That best endeavours should be made to retain suitable elements of the sculpture for placement in the surrounding landscape in a manner appropriate to the setting, such as for informal seating. That the Council works with the Stirling Business Association and stakeholders from the former Adelaide Hills International Sculpture Symposium Inc to identify and implement appropriate means of recognising the sculpture and ensuring its legacy is not lost to the precinct in which it is presently situated and the overall Hills Sculpture Trail. 	David Waters	In Progress	4 July 2023 - Action items 1 and 2 have been completed. Action items 3 and 4 referred to Community Services team for action	FALSE
26/04/2022	Ordinary Council	86/22	MON Property Lobethal Road Lenswood	Nil	<ol style="list-style-type: none"> Council notes the long history of compliance action taken by the Council under both the <i>Development Act 1993</i>, and the <i>Local Nuisance and Litter Control Act 2016</i>, in relation to: continuing unauthorised use of the land as a junkyard/scrap storage facility/builder's storage facility; the continuing unsightly condition of the land when viewed from the public realm; and ongoing nuisance caused by wandering livestock and animals which issues continue to bring about adverse impacts within the locality. The Council instructs the Chief Executive Officer to take such further action/s as he may be advised to take under (including but not limited to) the <i>Local Nuisance and Litter Control Act 2016</i>, and/or the <i>Planning, Development and Infrastructure Act 2016</i>, (which action/s may involve the commencement legal proceedings and/or the exercise of step-in rights) to address the above issues on an ongoing basis. Wherever possible, such action should seek to recover the Council's costs associated with the relevant action/s. 	Natalie Armstrong	In Progress	Per confidential minute	TRUE
26/04/2022	Ordinary Council	87/22	Property Lobethal Road Lenswood - Duration of Confidentiality	Nil	<p>Item</p> <p>Duration of Confidentiality</p> <p>NB: Item to be reviewed every 12 months if not released</p> <p>Report Two year term</p> <p>Related Attachments Two year term</p> <p>Minutes NIL</p> <p>Other (presentation, documents, or similar) NIL</p>	Natalie Armstrong	In Progress		TRUE

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)	Confidential
24/05/2022	Ordinary Council	122/22	Purchase of Land 8 St John Road Norton Summit	Perceived - Cr Letha Mudge	I move that the matter of the purchase of land at 8 St John Road Norton Summit be brought to a workshop to ensure all members are fully aware of the situation which includes issues that have to be resolved, e.g. Council's encroachment onto Church land of the septic system and part of the CFS shed.	Terry Crackett	In Progress	4 July 2023 - Approx. 1000 sqm of Church land has been identified for possible purchase by Council. A surveyor has been engaged to prepare a draft survey plan, following which a valuation will be sought and a report prepared for an upcoming Council meeting.	FALSE
28/06/2022	Ordinary Council	157/22	Revocation of Community Land Classification - Closed Roads Mt Torrens & Norton Summit	Perceived - Cr Linda Green	That the report be received and noted A report be prepared and submitted to the Minister for Planning seeking approval for the revocation of the community land classification of the land identified as: a. Closed Road AA in Road Plan No. 2142 contained in Certificate of Title Volume 6261 Folio 496 located at Mount Torrens (Appendix 1) b. Closed Road AB in Road Plan No. 1573 contained in Certificate of Title Volume 6261 Folio 497 located at Norton Summit (Appendix 1)	Terry Crackett	In Progress	July 2023 - Further Report being presented to Council on 25 July 2023 (to be deleted next month)	FALSE
28/06/2022	Ordinary Council	166/22	Warren Road Birdwood Blackspot - Confidential Item	Nil	See Confidential Minute	Peter Bice	In Progress	In Progress	TRUE
28/06/2022	Ordinary Council	167/22	Warren Road Birdwood Blackspot - Duration of Confidentiality	Nil	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)(d) of the <i>Local Government Act 1999</i> , resolves that an order be made under the provisions of sections 91(7) and (9) of the <i>Local Government Act 1999</i> 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 releasedReportUntil all resolutions are executed, but not longer than 28 June 2023Related AttachmentsUntil all resolutions are executed, but not longer than 28 June 2023MinutesUntil all resolutions are executed, but not longer than 28 June 2023	Peter Bice	In Progress	Period of confidentiality has been extended in line with project extension of time.	FALSE
28/06/2022	Ordinary Council	172/22	Ashton Landfill - Confidential	Nil	See Confidential Minute	Peter Bice	In Progress	Matter continues to be progressed. Further updates will be provided when a material change occurs.	TRUE
28/06/2022	Ordinary Council	173/22	Ashton Landfill - Duration of Confidentiality	Nil	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 18.3 in confidence under sections 90(2) and 90(3)(i) of the <i>Local Government Act 1999</i> , resolves that an order be made under the provisions of sections 91(7) and (9) of the <i>Local Government Act 1999</i> 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 releasedReport28 June 2024Related Attachments28 June 2024Minutes28 June 2024OtherNIL	Peter Bice	In Progress	Matter continues to be progressed.	FALSE
28/06/2022	Ordinary Council	175/22	Fabrik Tender & Contract - Confidential Item	Nil	See Confidential Item	Terry Crackett	In Progress	4 July 2023 - awaiting signing of external works contract	TRUE
26/07/2022	Ordinary Council	182/22	Policy Review - Festivals and Events	Nil	That the report be received and noted. To undertake public consultation on the Draft July 2022 <i>Festivals and Events Policy</i> and the CEO prepares a report for Council.	David Waters	In Progress	We will run a workshop session with Council in August to provide details regarding the variety of ways we currently support events, suggestions for a new framework of how we should be supporting them in the future. It will also address some of the issues that Council currently faces around events. That feedback will then inform the development of our new policy to come to Council around November 2023 depending on whether consultation is required prior to revisions of the Policy. https://engage.ahc.sa.gov.au/festivals-and-events-in-the-adelaide-hills	FALSE
4/08/2022	CEO Performance Review Pa	PRP16/22	CEO Performance & Remuneration Report – Confidential Item	Nil	Refer to Confidential Minute	David Waters	Completed	The Panel's recommendations on the CEO Performance Review and CEO Remuneration Review were put to Council at its meeting on 23/8/22 for decision.	TRUE
23/08/2022	Ordinary Council	230/22	East Waste Recycling Contract – Duration of Confidentiality	Nil	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 releasedReport23 August 2024Related Attachments23 August 2024Minutes23 August 2024Other23 August 2024 Pursuant to section 91(9)(c) of the <i>Local Government Act 1999</i> , the Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.	Peter Bice	In Progress	Confidential material remains sensitive and could reasonably be expected to prejudice the commercial position of the person who supplied the information.	FALSE
23/08/2022	Ordinary Council	234/22	Revised East Waste 2022-23 Annual Plan & Budget – Duration of Confidentiality	Nil	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 releasedReportNil Related Attachments Appendix 1 Appendix 2 23 August 2024 NilMinutesNilOtherNil Pursuant to section 91(9)(c) of the <i>Local Government Act 1999</i> , the Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.	Peter Bice	In Progress	Confidential material remains sensitive and could reasonably be expected to prejudice the commercial position of the business who supplied the information.	FALSE

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)	Confidential
23/08/2022	Ordinary Council	237/22	Ministerial Exemption - Duration of Confidentiality	Nil	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 releasedReport23 August 2024Related Attachments23 August 2024Minutes23 August 2024Other23 August 2024 Pursuant to section 91(9)(c) of the <i>Local Government Act 1999</i> , the Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.	Peter Bice	In Progress	Matter continues to be progressed. Further updates will be provided when a material change occurs.	FALSE
20/12/2022	Ordinary Council	303/22	Surplus Government Land Notification	Nil	See Confidential Minute	Terry Crackett	In Progress	July 2023 - item in process of being actioned	FALSE
20/12/2022	Ordinary Council	304/22	Surplus Government Land Notification	Nil	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 releasedReportUntil the land has been placed on the open market by the State Government or until the State Government authorises release of the information, whichever event occurs first.Related Attachments Until the land has been placed on the open market by the State Government or until the State Government authorises release of the information, whichever event occurs first.Minutes Until the land has been placed on the open market by the State Government or until the State Government authorises release of the information, whichever event occurs first.Other (presentation, documents, or similar)NIL	Terry Crackett	In Progress		FALSE
24/01/2023	Ordinary Council	3/23	Questions adjourned - Options to reduce traffic congestion and improve child safety adjacent to Bridgewater Primary School	Nil	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.	Peter Bice	In Progress	Report to be brought back to Council within 6 months of the opening of the Childcare Centre. Staff will progress at the appropriate time once child care centre has been in operation for six months.	FALSE
24/01/2023	Ordinary Council	7/23	First Nations and Australia Day	Nil	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.	David Waters	In Progress	Initial discussions regarding stakeholder engagement have occurred. A consultation plan has been developed and appointments are being made with stakeholders. Meetings have been held with the Reconciliation Working Group and two stakeholder groups. 4/4 All stakeholder meeting have been undertaken and results are to be workshopped with Council members.Workshop with Council members is currently scheduled for 5 / 6 / 23 and report tentatively scheduled to go to Council on 13/6 /23 pending the workshop progress. .10/7/23 item has gone to workshop and an options report will come to Council. . Report going to council 25/7/23	FALSE
24/01/2023	Ordinary Council	14/23	37 Yanagin Road Greenhill Revocation of Community Land Classification and Land Swap with Yanagin Reserve	Nil	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 <i>Local Government Act 1999</i> 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.	Terry Crackett	In Progress	July 2023 - report submitted to Minister seeking approval to revoke the community land classification	FALSE
14/02/2023	Ordinary Council	26/23	Preserving Randell's Workers Cottages 1 Beavis Ct Gumeracha	Nil	1. That the report be received and noted. 2. That the amount of \$20,000 be considered as part of the 2023/24 budget preparation process to prevent further deterioration of Randell's Cottages at 1 Beavis Court, Gumeracha. 3. That Council explores another submission to the State Government in an attempt to excise this parcel of land from the Environmental Food Production Zone.	Natalie Armstrong	In Progress	Funds have been allocated in the draft 23/24FY budget for this project. The State Government reviews the EFPA every 4 years, with the last review being undertaken in 2022. The next review will be due in 2026. A request for review will not be considered until the next review in 2026.	FALSE
14/02/2023	Ordinary Council	29/23	Policy Review Meeting Procedures	Nil	That the report be received and noted.That in relation to the Code of Practice for Council Meeting Procedures:This Code of Practice be brought to the Elected Body in a Workshop so the newly Elected Body has the opportunity to fully explore and understand both the Code in its current form and the implications of the proposed changes.	David Waters	Completed	Council approved the revised Code of Practice for Meeting procedures at its 11 July 2023 meeting.	FALSE
14/02/2023	Ordinary Council	30/23	Policy Review Access to Council, Committee, Information or Briefing Sessions	Nil	1. That the report be received and noted. 2. That in relation to the Code of Practice for Access to Council and Council Committee and Information or Briefing Session Meetings & Documents: 3. This Code of Practice be brought to the Elected Body in a Workshop so the newly Elected Body has the opportunity to fully explore and understand both the Code in its current form and the implications of the proposed changes.	Greg Georgopoulos	In Progress	Council approved the revised Code fo Practice for Access for public consultation. The consultation process will occur in late July with the results reported to Council in late August 2023.	FALSE

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)	Confidential
28/02/2023	Ordinary Council	40/23	MON Violence Against Women	Nil	Notes the <i>National Plan to End Violence Against Women and Children 2022-2032 (Appendix 1)</i> Recognises that violence against women and children is one of the most widespread violations of human rights in our community's committed, where possible, to helping its community and violence against women and children in the Adelaide Hills Council region; Requests that the CEO implement the Our Watch's Prevention Toolkit for Local Government by 31 October 2023 so that they may be able to inform Council on how best to assist in helping its community end violence against women and children within our region.	David Waters	Completed	The A/CEO has communicated the Council's resolution to the Council's workforce. A proposed Statement of Commitment and Toolkit Implementation Plan is being prepared for Council feedback at the 20/6 workshop, as well as a guest presentation by Prof Sarah Wendt (Flinders University). The proposed Statement of Commitment and Toolkit Implementation Plan is scheduled for Council endorsement at the 11/7 meeting. The Statement of Commitment and Implementation Plan have been endorsed by Council and are now in the implementation phase	FALSE
28/02/2023	Ordinary Council	41/23	MON Hanson Construction Materials Ltd - White Rock Quarry	Nil	1. That the Chief Executive Officer, on behalf of Council, writes to the Chief Executive Officer of the Department for Energy and Mining (Dr Paul Heithersay), requesting: Details on the current status of Hanson Construction Materials Ltd (Hanson) White Rock Quarry (expansion) revised Mine Operations Plan (MOP) that was originally submitted on or about 23 December 2020. Details and outcomes of any and all compliance order(s) that have been issued to Hanson since the subject MOP was submitted on or about 23 December 2020. Details and outcomes of any and all compliance actions that the Environment Protection Authority has undertaken in respect to Hanson since the subject MOP was submitted on or about 23 December 2020. Confirmation that the ultimate decision maker as to whether Hanson's MOP obtains approval is the Minister for Energy and Mining (the Honourable Tom Koutsantonis MP). 2. That once a response is received from the Chief Executive Officer of the Department for Energy and Mining, that response will be tabled at the next scheduled Ordinary meeting of Council.	Natalie Armstrong	Completed	Letter has been sent and receipt acknowledged. Response received and minuted with Council	FALSE
28/02/2023	Ordinary Council	45/23	Parking and Road Safety Wattle Tree Road Bridgewater	Nil	That the report be received and noted To implement the recommended signage addition and vegetation management outlined in the report in addition to the recommended signage, to investigate and implement advisory speed signage in the vicinity of the crest, or other appropriate traffic control mechanisms aimed at reducing vehicle speeds That Council ensure the road siding of section 2 is maintained through the regular application of appropriate fill That parking, access and safety considerations on Wattle Tree Road be monitored again once current residential development on the street is complete.	Peter Bice	In Progress	New signage and line marking has been ordered. Required maintenance works, including shoulder and verge works, are currently being scheduled.	FALSE
28/02/2023	Ordinary Council	46/23	Coach Parking in Stirling	Nil	The report be received and noted The merit of coach parking in Stirling be further explored by the administration and the development of costings be considered The Stirling Business Association and Adelaide Hills Tourism be consulted as part of this process A report be brought back to Council by December 2023.	David Waters	In Progress	SBA Minutes 10 March 2023	FALSE
14/03/2023	Ordinary Council	52/23	Heritage Agreements	Nil	That the report be received and noted. That the Chief Executive Officer further investigate and where feasible and eligible, be authorised to enter: Bridgewater Recreation Reserve, Cave Reserve, Bridle Path & Walking trails at Cave Ave, Ayr Street, Anzac Ridge Road, Bridgewater RAA Tower Reserve at 21 Hillcrest Avenue Crafers West Heron Reserve at 21 Onkaparinga Rd, Bridgewater Charleston Waste Facility (Mt Charles) at Harrison Road, Charleston The Deanery, Old Mount Barker Rd, Bridgewater Grassy Reserve at Pye Road, Balhannah Halliday Reserve at Wright Rd, Stirling Rudall Reserve at 7-9 Rudall Ave, Crafers Smith Rd/Stone Quarry Reserve at South Para Rd, Kersbrook Hampton Reserve at Hampton Rd, Mylor Cooper's Reserve at Silver Lake Rd, Mylor Gurr Rd Reserve parcel at Gurr Rd North, Bradbury Heathfield/Longwood Reserve, Corner of Heathfield & Longwood Rd, Heathfield Aldgate Tennis Courts at 180 Mt Barker Rd, Aldgate Chapman Water Reserve at Chapman Road, Inglewood Aldgate Valley Wildlife Corridor, aka "Bandicoot Lane" Stock Road to Stevens Rd, Mylor Silver Rd Reserve at 34 Silver Rd Bridgewater Pitt Road Reserve at Pitt Rd, Paracombe Head Rd Reserve at Head Road North, Houghton Fernwood Reserve at Fernwood Way, Upper Sturt Pound reserve, Marble Hill and Pound Rd, Ashton Mt Bold Cutting, Mount Bold Road Cut, Dorset Vale Stirling Cemetery, Strathalbyn Rd, Aldgate Aldgate Valley Reserve, 96 Aldgate Valley Rd, Aldgate Windmill Reserve, 151 Norton Summit Rd, Woodford being of significant or high potential biodiversity value, into Heritage Agreements. That the Heritage Agreement applications seek to apply to those portions of the abovementioned reserves which are of significant or high potential biodiversity value, while retaining any existing dog access and established recreational use arrangements in place for each of those reserves.	Peter Bice	In Progress	Initial feedback from Native Vegetation Council's Heritage Agreement Officer received and included in summary developed for internal consultation with key Council staff. Staff workshop occurred June 15 to determine which sites may be appropriate to be the first ones to enter into HA, and follow up session scheduled July 14.	FALSE
28/03/2023	Ordinary Council	64/23	Fire Water Tank Upper Hermitage	General - Cr Pauline Gill General - Cr Malcolm Herrmann General - Cr Adrian Cheater	1. the report be received and noted. 2. Council acknowledges the fundraising efforts by Ms Jan Verrall and Ms Denise Elland. 3. in view of advice by letter dated 21 February 2023 received from the CFS Regional Commander Region 2, summarised as follows: the whole of the land is needed for CFS volunteers to exercise and train; the tank would not be used or maintained by the CFS, and the Upper Hermitage site is a dangerous location to place a community water tank for use during a time of fire; Council respectfully declines the offer for the donation and placement of a fire water tank at the corner of Range Road North and Warner Road Upper Hermitage. 4. That Council staff continue to work with the CFS across the Regions to support firefighting, fire prevention and fire educational efforts. 5. That the CEO or his delegate formalises the use of the land described as allotment 5 in Filed Plan 218343 and contained in Certificate of Title 5854 Folio 841, commonly known as the Upper Hermitage tennis courts and CFS land, to the SA Country Fire Service (CFS) for its purposes.	Terry Crackett	In Progress	July 2023 - progressing	FALSE

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)	Confidential
28/03/2023	Ordinary Council	66/23	MON - Community Event Electrical Certificates of Compliance Subsidies	Material - Cr Malcolm Herrmann Material - Cr Adrian Cheater	<ol style="list-style-type: none"> That in relation to Anzac Day 2023, NAIDOC Week and National Reconciliation Week 2023, Council subsidises the cost of obtaining licenced electricians to review and certify electrical installations in respect to community groups holding dawn services and other commemorative events on Council land (including roads) to a limit of \$150 per event. That as part of the current review of the Council's Festivals and Events Policy, consideration be given to the feasibility (including costings) of: Financial subsidies for the attainment of a Certificate of Compliance (CoC) for community groups conducting activities on council lands and utilising council electrical outlets. That subsidies only apply for community events held on prominent national or local commemoration days including, but not limited to, ANZAC Day, NAIDOC Week and Remembrance Day, noting that the Council's position on events normally held on Australia Day (26 January) is currently under review. The report be made available for Council's consideration by 22 August 2023. 	David Waters	In Progress	Administration is currently conducting a review of all Council supported events and Council processes and will workshop the results on 15 August. A Report to Council Report is scheduled for 26 September to allow the results of the workshop to be included in the report.	FALSE
28/03/2023	Ordinary Council	67/23	Adelaide Hills Subzone Code Amendment	General - Cr Nathan Daniell General - Cr Leith Mudge	That the report be received and noted. That the CEO progress preliminary investigations including pre-engagement with affected residents and landowners, to inform Council's position on whether a formal Code Amendment process for the Adelaide Hills Subzone will be initiated, with the CEO to table a report for Council's consideration on the matter by 23 May 2023. To instruct the CEO to inform the State Planning Commission and the Minister of Planning of Council's intention to progress preliminary investigations in preparation for a Code Amendment process for the Adelaide Hills Subzone, including the rationale.	Natalie Armstrong	In Progress	Preliminary Engagement closed, with over 150 survey responses returned. Staff have also secured a meeting on 24/07 with senior Planning Department Staff to further clarify Council's position on this matter and determine the best pathway forward. The report including a Code Amendment proposal and an engagement summary and proposal will be brought back to Council in August rather than as first scheduled for May, to accommodate/ resolve the various matters and outstanding issues as they have arisen in months since May.	FALSE
11/04/2023	Ordinary Council	76/23	Bike Lockers for Personal Use	Nil	the CEO prepare a report for Council's consideration examining installation of bike lockers or cages for public use including: key locations on council land where bike lockers or bike cages could strategically be placed, taking into consideration public transport stops and cycleways, including but not limited to: Verdun Junction Woodside Main Street Balhannah Main Street Kayannie Corner (Intersection of Woodside Road and Onkaparinga Valley Road) Aldgate Bus Depot and/or Main Street Bridgewater Oval Steamroller Park, Stirling Uraidla Main Street the initial installation cost and ongoing maintenance costs of bike lockers and cages any other implications for Council resources. The report be presented to Council no later than September 2023.	Peter Bice	In Progress	Information gathering and preliminary investigation commenced. We have been in discussions with DIT to understand their current position and plans moving forward in this space also.	FALSE
11/04/2023	Ordinary Council	77/23	Uluru Statement from the Heart and Voice Referendum	Nil	<ol style="list-style-type: none"> Acknowledges the Uluru Statement from the Heart and acknowledges that the Statement seeks to have, amongst other things, a First Nations Voice to Parliament enshrined in the Australian Constitution. Notes the passage of the First Nations Voice Bill 2023 through State Parliament and assent by Her Excellency the Governor of SA. Is supportive of the upcoming Federal referendum, proposing a law; "to alter the Australian Constitution to recognise the First Peoples of Australia by establishing an Aboriginal and Torres Strait Islander Voice". Acknowledges and accepts that such a decision to approve this proposed law to alter the Australian Constitution is a matter for the Australian people. Resolves to submit an item of business for the Greater Adelaide Region of Council's consideration for the Local Government Association to support the positions set out in points 1 – 4 of this resolution. Requests that the Mayor write to the Federal Member for Mayo, Rebekha Sharkie MP, the Hon. Peter Malinauskas MP, Premier of South Australia, the Hon. David Speirs MP, Leader of the State Opposition, and the Co-Parliamentary Leaders of The Greens SA, informing them of this resolution. 	Greg Georgopoulos	In Progress	Letters to MPs sent 20/4/23 Lachlan Miller drafting GAROC item of business. 230518 response received from Hon Kyam Maher acknowledging Council response and advising to view the Attorney-General's Dept website for information. Currently delayed due to other priorities and resource constraints.	FALSE
11/04/2023	Ordinary Council	78/23	Illegal Native Vegetation Clearance	Nil	<ol style="list-style-type: none"> Condemns the unapproved and excessive clearance of remnant native vegetation at 104 Mount Lofty Road, Crafrers. Reaffirms its unwavering commitment to protecting and restoring the Adelaide Hills natural environment. Requests the Mayor write to the Minister for Climate, Environment and Water, Hon Dr Susan Close MP to request: <ol style="list-style-type: none"> The <i>Native Vegetation Act 1991</i> be amended to increase penalties associated with the illegal clearance of native vegetation; The budget allocated to the <i>Native Vegetation Council</i> be increased to enable appropriate resources to be allocated to compliance and enforcement Requests the CEO review legislative options available to strengthen Council's compliance and enforcement efforts in preventing and addressing illegal clearance of native vegetation. That as part of this review: <ol style="list-style-type: none"> A workshop be conducted with elected members. A report be provided to Council by 30 June 2023 including options that would improve Council's ability to ensure prevention, compliance, and enforcement, associated with the illegal clearance of native vegetation. Requests the CEO investigate any scope for the inclusion of additional Council owned properties to be assessed for suitability to be encumbered by a Heritage Agreement for the additional protection of native vegetation on that land. That as part of this investigation: <ol style="list-style-type: none"> A workshop be conducted with elected members (at the same time as 4(a) above). 	Natalie Armstrong	In Progress	Items 1 - 3 completed. Workshop and Council report are are delayed with workshop scheduled for 4/9/2023 and report yet to be scheduled	FALSE
26/04/2023	Ordinary Council	91/23	MON Western Border Suburbs of Council	General - Cr Louise Pascale	<ol style="list-style-type: none"> That the Adelaide Hills Council undertake a safety audit with footpath study for Heather Ave connecting Kintyre Road and Morialta Road, Woodforde, with the outcome informing future capital works budget proposals. That the Adelaide Hills Council audit the suburb signage for Woodforde, Rostrevor and Teringie and the CEO report to Council costs and logistics for increasing signage along the western border of Adelaide Hills Council. That Adelaide Hills Council invite Managing Director Damon Nagel from Kite Property to present to Council the planning and design of Hamilton Hill at a Councillors Workshop held at the Norton Summit Community Centre prior to the Regional Planning briefing Workshop. 	Peter Bice	In Progress	Audits have been undertaken, with outcomes to be summarised and communicated shortly.	FALSE

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)	Confidential
26/04/2023	Ordinary Council	91/23	MON Western Border Suburbs of Council	General - Cr Louise Pascale	4. That the Chief Executive Officer form an internal working group to explore opportunities to establish and support connections between the residents of the newly developed part (Hamilton Hill) and established part of Woodforde by July 2023 and report back to Council in a workshop on the outcome.	David Waters	In Progress	.Met with Councillor Pascale to discuss ideas. .Internal working group members identified. .Internal working group has met and discussions held about work occurring in the area and ideas for community engagement. . First draft of implementation plan in development	FALSE
26/04/2023	Ordinary Council	93/23	PLEC and Main Street Projects	Nil	1. The report be received and noted. 2. Strategic Prioritisation criteria for Main Street upgrades and activation to support placemaking outcomes be workshoped with Council Members to guide implementation priorities moving forward. 3. Council staff submit an application for undergrounding of power lines for Lobethal Stage 3 for construction following 2024-25, as well as requesting Mount Torrens and Woodside Stages to be considered for future rounds. 4. The refurbishment of the southern side of Aldgate Main Street and the roundabout at the intersection of Mount Barker Road and Strathalbyn Road, be undertaken in 2023-24 in a style consistent with paving and landscaping on the northern side, with funding obtained from Local Roads and Community Infrastructure Program Phase 4 supplemented by operational budgets where appropriate.	Peter Bice	In Progress	Actions to address each part of the resolution are now underway. Workshop with Council Members occurred as part of ABP Development. PLEC Application for Lobethal lodged, with Mount Torrens and Woodside flagged as potential future projects for consideration. Roundabout works have been undertaken and amenity upgrades underway in Aldgate. LRICIP Guidelines now received with a report to come to Council late September with proposals to be considered.	FALSE
26/04/2023	Ordinary Council	94/23	Development of Behavioural Support Policy	Nil	1. That the report be received and noted. 2. To determine not to develop a Behavioural Support Policy at this point in time. 3. To request the Chief Executive Officer to prepare a report on the operation of the Behavioural Management Framework, specifically as it relates to the Adelaide Hills Council, for its April 2024 meeting. 4. That the Chief Executive Officer (or another person delegated by them) may make public comment and/or statements to the media on behalf of the Council relating to the policy of Council, its position on particular issues, and operational matters.	Greg Georgopoulos	In Progress	Parts 1 and 2 - completed Part 3 - item will stay open on the action list until report provided to Council in April 2024. Part 4 - process to be put in place regarding delegations to officers when Substantive CEO commences.	FALSE
26/04/2023	Ordinary Council	98/23	Coronation of King Charles III	Nil	That, from existing tree planting resources and with support from local community groups, the A/CEO arranges for the planting of a suitable native tree in Federation Park Gumeracha to commemorate the coronation of King Charles III.	Peter Bice	In Progress	Tree has been planted and plaque being sourced	FALSE
26/04/2023	Ordinary Council	102/23	Confidential Item - Amy Gillett Bikeway Stage 4 Agreement	General - Cr Melanie Selwood	Refer to Confidential Minute	Peter Bice	In Progress	As per confidential minute	FALSE
26/04/2023	Ordinary Council	104/23	Confidential - Amy Gillett Bikeway Stage 4 Agreement	General - Cr Melanie Selwood	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 until execution of necessary funding deeds and a public announcement of the project by the State Government (whichever is the later), but no later than 26 April 2024. Related Attachments Nil Minutes until execution of necessary funding deeds and a public announcement of the project by the State Government (whichever is the later), but no later than 26 April 2024. Other (presentation, documents, or similar) Nil	Peter Bice	In Progress	As per confidential minute	FALSE
9/05/2023	Ordinary Council	108/23	Burning on Private (Council) Lands Program	Nil	That the report be received and noted. To endorse the investigation of additional Council sites under the DEW Burning on Private Lands Program: Bradwood Park (Heritage Agreement #1266) Red Hill Road, Bradbury (Heritage Agreement #1594) Sedum Place Reserve, Crafras West Mylor Parklands (Heritage Agreement #1264) Camp Gooden (Heritage Agreement #1232) Stock Road, Mylor (Blue Marker Site NVM552)	Peter Bice	In Progress	Investigation ongoing	FALSE
9/05/2023	Ordinary Council	109/23	Library Opening Hours	Nil	That the report be received and noted. With an effective date of 1 July 2023, to adopt the <i>Final Proposal – Libraries Opening Hours</i> , as contained in <i>Appendix 1</i> , with the alteration that the Woodside Library be open from 11am to 7pm on Thursdays, to provide the following opening hours: (table inserted) 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. 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.	David Waters	Completed	New opening hours came into effect on 1 July, with changes communicated to the community via a range of channels.	FALSE
9/05/2023	Ordinary Council	110/23	Building Upgrade Finance	Nil	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 finalise the commencement date for the pilot program into an Environmental Upgrade Agreement on behalf of Council and 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.	David Waters	In Progress	Service agreement received legal review and changes have been forwarded back to BBF for their consideration.	FALSE

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)	Confidential
9/05/2023	Ordinary Council	111/23	Revocation of Community Land - Bridgewater Retirement Village	Nil	That the report be received and noted. 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. That a report be provided to Council which a. Includes the outcomes of the 2021 consultation process regarding the Proposed upgrades for Caripook Park b. Provides options for the upgrade of Caripook Park or another Park in Bridgewater.	Terry Crackett	In Progress	July 23 - sport/rec team undertaking review of consultation undertaken to date and considering next steps	FALSE
9/05/2023	Ordinary Council	114/23	Strategic Plan Engagement Strategy	Nil	That the report be received and noted. To endorse the draft <i>Strategic Plan – engagement strategy</i> , as contained in Appendix 1 to guide the development of the Strategic Plan.	David Waters	Completed	Phase 1 of the Engagement Strategy has commenced.	FALSE
15/05/2023	Audit Committee	AC20/23	Budget Review 3	Nil	That the report be received and noted To recommend to Council the proposed budget adjustments presented in Budget Review 3 which result in: An increase in the Operating Surplus from \$830k to \$970k for the 2022-23 financial year. No overall change to the Capital Works capital expenditure budget for 2022-23 thus maintaining a budget of \$19.369m which takes into account estimated carry forwards of \$8m in capital expenditure. A change in Council's current Net Borrowing Result to that presented in BR2 from \$342k to \$202k for the 2022-23 financial year as a result of the proposed operating adjustments. proposed financial sustainability indicators within Council's agreed targets of the following: Operating Surplus Ratio 1.8% (Target 1% to 5%) Net Financial Liabilities Ratio 46% (Target 25% to 75%) Asset Renewal Funding Ratio 104% (Target 95% to 105%)	Terry Crackett	Completed	Budget Review 3 presented and adopted by Council at 23 May 2023 Meeting	FALSE
23/05/2023	Ordinary Council	129/23	12.3 Managin Road Consultation Outcomes & Revocation of Community Land Classification	Nil	That the report be received and noted. To apply to the Minister for Local Government to revoke the Community Land Classification over portion of allotment 7 in File Plan 129661 as hatched in purple, in land division dated 14/10/2022 and as shown in <i>Appendix 1</i> of this Report. Following a response from the Minister a report be submitted back to Council outlining the outcome of the Minister's decision.	Terry Crackett	In Progress	July 2023 - Application for community land revocation made to Minister	FALSE
23/05/2023	Ordinary Council	131/23	Delegations Review - Local Government Act	Nil	That the matter be deferred until a further Workshop on 5 June 2023 and post Workshop a report be brought to the 13 June 2023 Council meeting.	David Waters	Completed	Workshop held on 5 June and delegations adopted at 13 June 2023 meeting	FALSE
23/05/2023	Ordinary Council	137/23	18.1 Event Opportunity – Santos Tour Down Under 2024 - Confidential Item	Nil	Refer to Confidential Minute	David Waters	Completed	This item can be released from confidence following public announcement of the routes.	FALSE
23/05/2023	Ordinary Council	138/23	18.1 Event Opportunity – Santos Tour Down Under 2024 - duration of confidentiality	Nil	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 Until Council receives written confirmation from the South Australian Tourism Commission that the event information is no longer confidential, but not longer than 30 June 2024. Related Attachments Not Applicable Minutes Until Council receives written confirmation from the South Australian Tourism Commission that the event information is no longer confidential, but not longer than 30 June 2024. Other (discussion and considerations of the subject matter) Until Council receives written confirmation from the South Australian Tourism Commission that the event information is no longer confidential, but not longer than 30 June 2024. Pursuant to section 91(9)(c) of the <i>Local Government Act 1999</i> , the Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.	Rebecca Shepherd	Completed	The item can be released from confidence given public announcement of the routes.	FALSE
23/05/2023	Ordinary Council	141/23	Electricity Tenders Post 30 June 2023 – Confidential Item	Nil	Refer to Confidential Minute	Terry Crackett	Completed	Council has signed the contracts	FALSE
23/05/2023	Ordinary Council	142/23	Electricity Tenders Post 30 June 2023 - Duration of Confidentiality	Nil	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 Until the contracts are signed, but not longer than 30 June 2023 Related Attachments Nil Minutes Until the contracts are signed, but not longer than 30 June 2023 Other (presentation, documents, or similar) Until the contracts are signed, but not longer than 30 June 2023 Pursuant to section 91(9)(c) of the <i>Local Government Act 1999</i> , the Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.	Terry Crackett	Completed	Confidential Item is to be released upon either the signing of the contract, or on 30 June 2023. Council has been advised that it is expected that Electricity contracts will be sent out to Councils by mid June 2023. Item has been released	FALSE
30/05/2023	Boundary Change Committee	BCC2/23	Campbelltown City Council Boundary Change Proposal	Nil	1. That the Committee recommends to Council that the CEO engage a suitably qualified person to forensically examine the Campbelltown City Council (CCC) boundary change proposal that was submitted to the Boundary Change Commission (and CCC's subsequent submissions), with a view to identifying the proposal's weaknesses (critical flaws), errors, omissions, and factual inaccuracies. That the examination also identifies areas of focus for Council to make its own case against the proposal, should the opportunity arise through a Stage 3 Inquiry. 2. That once this examination has been completed that a report be presented to the Committee for consideration.	Greg Georgopoulos	In Progress	RFQ will be released in late August 2023.	FALSE

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)	Confidential
30/05/2023	Boundary Change Committee BCC3/23		Community Engagement	Nil	That the Committee recommends to Council that the CEO develop a communication and engagement strategy, which targets the affected communities of Woodforde and Rostrevor, the subject of the Boundary Change Proposal, with a view to building a powerful community narrative, including yet not limited to: regularly informing these communities of the status of the proposal (in writing, social media, AHC website, Hills Voice newsletter, media) reinforcing with the communities the outcomes of the two community surveys that have been previously conducted (AHC and CCC) rejecting the proposal highlighting the advantages and benefits of remaining a part of the Adelaide Hills Council informing the communities of the services available to them that the Adelaide Hills Council has to offer and provides (community services) direct consultation with significant key community stakeholders Once this strategy has been completed, a report be presented to the Committee for consideration.	David Waters	In Progress	The administration is currently creating this strategy.	FALSE
13/06/2023	Ordinary Council	145/23	Gawler River Floodplain Management Authority 2023-24 Annual Business Plan & Budget	Nil	That the report be received and noted. To advise the Board of the Gawler River Floodplain Management Authority that it has reviewed its 2023-24 Annual Business Plan and approves the Adelaide Hills Council's contribution of \$27,356 as set out in the draft 2023-24 Budget.	Greg Georgopoulos	Not Started		FALSE
13/06/2023	Ordinary Council	146/23	MON Establishing a Tree Strategy	Nil	That Council develop and implement a Tree Strategy. The Tree Strategy should include actions which help Council positively impact on the environment, for example, actions may be established for the following: Plantings to replace trees removed by Council to ensure a net-positive impact is achieved (i.e. more trees planted than removed); increasing the quality and quantity of tree canopy within Council townships and major tourist thoroughfares; increased species diversity which complements nearby remnant vegetation; strategies to save existing trees, particularly regulated and significant trees; a strategic and data driven tree planting program. Consideration be given for endemic species to be a priority where appropriate. That a Council workshop be held with elected members to seek their input into the preparation of the draft Tree Strategy. That a draft Tree Strategy be put out to public consultation prior to the final version being endorsed by Council.	Peter Bice	In Progress	Project team coming together to determine most appropriate approach, and confirm any resource requirements.	FALSE
13/06/2023	Ordinary Council	147/23	MON Traffic Issues Woodforde & Teringie	General - Cr Pascale	1. Mayor Wisdom writes to the Minister for Transport and Infrastructure, Hon Tom Koutsantonis MP, concerning traffic congestion at the intersection of Magill Road and Norton Summit Road and lack of public transport in Woodforde and Teringie areas. In the letter Council requests the Department of Infrastructure and Transport explore the roundabout option as outlined in the Woodforde Land Development Part B: Traffic Management Plan of 2017 and detail its findings back to Council. That the Department revise its traffic modelling to include the additional traffic generated by the Morialta High School, prioritise an investigation into extending bus routes down Glen Stuart Road, Woodforde and into Teringie and detail its findings back to Council. 2. Council investigate implementing parking restrictions on Glen Stuart Road between Grant Street and Kintyre Road on the western side to limited parking of no standing zones between 8am to 4pm, Monday to Friday and 9am to 12pm on Saturdays. That Council write to Campbelltown City Council and request they investigate implementing parking restrictions on Glen Stuart Road between Olive Street and Koongarra Ave, and Koongarra Ave and Moulles Road on the eastern side to limited parking of no standing zones between 8am to 4pm, Monday to Friday and 9am to 12pm on Saturdays	Peter Bice	Not Started	Draft letters are being prepared.	FALSE
13/06/2023	Ordinary Council	148/23	Kerbside Bin System Option & Trial	Nil	1. That the report be received and noted. 2. To endorse Option 1 and Option 3 contained in the Kerbside Bin System Options report and as summarised below as the options to proceed to a 12 month trial of changes to the kerbside bin system over 2023-24 and 2024-25. Option 1: Rural properties provided with a Food Organics Garden Organics service Fortnightly collection of commingled recycling and general waste for township and rural properties Weekly collection of Food Organics Garden Organics for township and rural properties Option 3: Rural properties provided with a Food Organics Garden Organics service Fortnightly collection of commingled recycling and general waste for township and rural properties Weekly collection of Food Organics Garden Organics for township properties Fortnightly collection of Food Organics Garden Organics for rural properties 3. To reaffirm the allocation of \$120,000 in the 2023-24 budget and \$30,000 earmarked for the 2024-25 budget to undertake the trial, noting that this is above the usual waste management budget and that some of the usual waste management budget will be expended on the trial. 4. To authorise the Chief Executive Officer, or delegate, to finalise the details of the trial (including trial areas), enter into the necessary agreements and undertake the necessary actions to implement the trial over the 2023-2025 period within the abovementioned funding limits.	Peter Bice	In Progress	Project planning has commenced in conjunction with East Waste with the trial planned to commence on 24 October 2023 in parts of the Woodside township and selected rural properties to the east and west of Woodside. In total, 620 properties will be included in the trial.	FALSE

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)	Confidential
13/06/2023	Ordinary Council	149/23	12.2023 – 24 Draft Annual Business Plan and Rating Structure Change – Consultation Results	Nil	<p>1. That the report be received and noted.</p> <p>2. To adopt the outcomes of the draft Annual Business Plan 2023-24 public consultation undertaken from 12 May - 2 June 2023 as contained in the Annual Business Plan 2022-23 Community Engagement Outcomes Report in Appendix 1.</p> <p>3. To adopt the outcomes of the Proposed Rating Structure Change public consultation undertaken from 12 May - 2 June 2023 as contained in the Change in Rating Structure Proposal Communication Engagement Outcomes Report in Appendix 3.</p> <p>4. To endorse the following recommended changes to the draft Annual Business Plan 2023-24: Adjustments to budget/financial figures to account for Alignment of Budget to the new post 30 June 2023 Electricity contracts requiring an increase in costs of \$57k Solid Waste Levy Budget adjustment: \$23k increase Waste Management User Charges increases for Additional Bins and Hard Waste: \$11k increase</p>	Greg Georgopoulos	In Progress		FALSE
13/06/2023	Ordinary Council	151/23	Confidential Items Review	Nil	1 - 8: refer to Minutes	Greg Georgopoulos	Not Started		FALSE
13/06/2023	Ordinary Council	159/23	Delegations Review	Nil	<p>1. That the report be received and noted</p> <p>2. That, having considered a review of Council's Delegations as presented, the Council hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following Acts: Instrument of Delegation Local Government Act 1999 3. That, having considered a review of Council's Delegations as presented, in exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following Acts and statutory instruments made thereunder contained in the proposed Instrument of Delegation attached to the Report dated 13 June 2023 and entitled as detailed in the table below are hereby delegated this 13th Day of June 2023 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.</p> <p>Instrument of Delegation Appendix Number Local Government Act 1999 Appendix 1</p>	Greg Georgopoulos	Not Started		FALSE
13/06/2023	Ordinary Council	164/23	Boundary Change Committee Recommendations to Council	General - Cr Pascale	<p>1. That the report be received and noted.</p> <p>2. That the CEO engage a suitably qualified person to forensically examine the Campbelltown City Council (CCC) boundary change proposal that was submitted to the Boundary Change Commission (and CCC's subsequent submissions), with a view to identifying the proposal's weaknesses (critical flaws), errors, omissions, and factual inaccuracies. That the examination also identifies areas of focus for Council to make its own case against the proposal, should the opportunity arise through a Stage 3 Inquiry.</p> <p>3. That the CEO develop a communication and engagement strategy, which targets the affected communities of Woodforde and Rostrevor, the subject of the Boundary Change Proposal, with a view to building a powerful community narrative, including yet not limited to: regularly informing these communities of the status of the proposal (in writing, social media, AHC website, Hills Voice newsletter, media) reinforcing with the communities the outcomes of the two community surveys that have been previously conducted (AHC and CCC) rejecting the proposal highlighting the advantages and benefits of remaining a part of the Adelaide Hills Council informing the communities of the services available to them that the Adelaide Hills Council has to offer and provides (community services) direct consultation with significant key community stakeholders</p>	Greg Georgopoulos	Not Started		FALSE
13/06/2023	Ordinary Council	166/23	Confidential Item - Sale of Land for non payment of Rates	Material - Cr Mudge	Refer to Confidential Minute	Terry Crackett	In Progress	Council has commenced the Section 184 process for the identified properties	TRUE
13/06/2023	Ordinary Council	167/23	Confidential - Sale of Land for non payment of Rates	Material - Cr Mudge	<p>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)(k) 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:</p> <p>Item</p> <p>Duration of Confidentiality</p> <p>NB: Item to be reviewed every 12 months if not released Report Until either the negotiations for sale are completed or a settlement reached or until legal proceedings have concluded, but no longer than 12 months.</p> <p>Related Attachments Until either the negotiations for sale are completed or a settlement reached or until legal proceedings have concluded, but no longer than 12 months.</p> <p>Minutes Until either the negotiations for sale are completed or a settlement reached or until legal proceedings have concluded, but no longer than 12 months.</p> <p>Other (presentation, documents, or similar) Nil</p> <p>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.</p>	Terry Crackett	In Progress	Confidentiality Order will remain in place until this matter is concluded for all properties but no longer than 12 months.	FALSE
19/06/2023	Audit Committee	AC27/23	Development Services - Service Review	Nil	<p>1. That the report be received and noted.</p> <p>2. To receive and note the Service Review 2022-23 – Development Services, as contained in Appendix 3.</p> <p>3. To note that that the Management Review and Implementation Plan of agreed actions will be reported to Audit Committee and subsequently Council within 4 months of the date of this report.</p>	Greg Georgopoulos	Not Started		FALSE
27/06/2023	Ordinary Council	171/23	2023-24 Southern & Hills LGA Budget & Member Contributions	Nil	That the report be received and noted.	Greg Georgopoulos	In Progress		FALSE
27/06/2023	Ordinary Council	172/23	Discretionary Rate Rebate	Nil	Refer to Minute	Terry Crackett	Completed	All applicants requesting discretionary rate rebates were advised of Council's decision in early July 2023	FALSE
27/06/2023	Ordinary Council	173/23	Annual Business Plan Adoption	Nil	Refer to Minute	Greg Georgopoulos	In Progress		FALSE

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)	Confidential
27/06/2023	Ordinary Council	174/23	2023-24 Fees & Charges for Adoption	Nil	That the report be received and noted. To adopt the 2023-24 Fees and Charges Schedule included at <i>Appendix 1</i> to apply on and from 1 July 2023.3. To authorise the Chief Executive Officer to approve minor changes to the Fees and Charges Schedule during the 2023-24 financial year, as required	Terry Crackett	Completed	Updated Fees & Charges Register has been published on Adelaide Hills website (internet) for public view.	FALSE
27/06/2023	Ordinary Council	175/23	First Nations Use of Council Land	Nil	1. That the report be received and noted. 2. That the Council continue to make good on its commitment to reconciliation and ensure it supports the spiritual connection of its First Nation groups to Country. 3. That Council listen to the aspirations held by its First Nation groups and that Council encourages the use of relevant lands for cultural activities in line with any Community Land Management Plan applicable to the site.	Terry Crackett	Not Started		FALSE
27/06/2023	Ordinary Council	176/23	Stirling Business Association Three Year Funding Agreement	Nil	1. That the report be received and noted. 2. That the three year funding agreement which provides \$110,000 p.a. until 30 June 2026, as contained in Appendix 1, with the Stirling Business Association be approved and that the Chief Executive Officer be authorised to make any minor changes or variations to the Agreement before execution by both parties or during the life of the Agreement. 3. That the Chief Executive Officer be authorised to execute the Agreement on behalf of Council. 4. That the Chief Executive Officer be authorised to appoint a representative, who shall not be a member of the Stirling Business Association management committee, to attend regular meetings of the Association for the purposes of Annexure A of the Funding Agreement.	David Waters	In Progress	Funding Agreement is with SBA for signature	FALSE
27/06/2023	Ordinary Council	177/23	Dog & Cat Pound Facilities	Nil	1. That the report be received and noted. 2. To commit a portion of the capital funding included in the 2023-24 Annual Business Plan for a New Dog and Cat Facility, to make upgrades to the current facilities at Heathfield to provide immediate additional capacity to hold dogs and cats whilst medium to long term options are further explored. 3. To delegate to the CEO and Mayor to write to both the Local Government Association, the Dog & Cat Management Board and all State Members of Parliament advocating for their leadership to develop a solution to the current issues impacting the whole of the Local Government sector in relation to the housing and rehoming of dogs and cats. 4. To delegate to the CEO (or his delegate) to commence formal discussions with Council's immediate adjoining Councils, or other Councils or stakeholders, to investigate options for a regional solution should there be no solution put forward by either the Local Government Association or the Dog & Cat Management Board.	Natalie Armstrong	In Progress		FALSE
27/06/2023	Ordinary Council	182/23	Appointment of GRFMA Chairperson	Nil	Refer to confidential minute	Greg Georgopoulos	Not Started		FALSE
27/06/2023	Ordinary Council	183/23	Appointment of GRFMA Chairperson - Duration of Confidentiality	Nil	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 until the appointment has been confirmed, but not longer than 30 September 2023 Related Attachments until the appointment has been confirmed, but not longer than 30 September 2023 Minutes until the appointment has been confirmed, but not longer than 30 September 2023 Other (presentation, documents, or similar) N/A Pursuant to section 91(9)(c) of the <i>Local Government Act 1999</i> , the Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.	Greg Georgopoulos	Not Started		FALSE
6/07/2023	CEO Performance Review Pa	PRP5/23	Quarterly Performance Report	Nil	That the report be received and noted. To recommend to Council that the Acting CEO has achieved the following status in relation to the 2022-23 CEO Performance Targets: Target 1: Fabrik Redevelopment – Project on track, performance target achieved. Target 2: User Pays Bin Collection Study – Completed, with additional steps taken to progress alternative waste collection options. Target 3: Savings Strategies – On track and subject to verification in the end of year financial reporting. Target 4: Gumeracha Library Upgrade – Achieved. Target 5: New Dog & Cat Facility – Achieved, with further steps taken to explore the broader challenges of longer term animal impounding. Target 6: Central Irrigation Facility – Achieved. Target 7: Unformed Public Roads Review – On track for completion in July 2023, with presentation to Council Members to occur when workshop schedule allows.	Greg Georgopoulos	Not Started		FALSE

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)	Confidential
6/07/2023	CEO Performance Review Pa	PRR6/23	Substantive CEO Employment	Nil	<ol style="list-style-type: none"> That the report be received and noted. To recommend to Council that the CEO Performance Review Panel has noted the Remuneration Tribunal of SA's '2023 Inaugural Review of Minimum and Maximum Remuneration for Local Government Chief Executive Officers' Report and Determination 4-2023 and does not recommend a TEC Package Review be undertaken at this time. To recommend to Council to approve the proposed CEO Probationary Period Performance Review Process as detailed in Item 7.2, CEO Performance Review Panel Agenda – 6 July 2023. To advise Council that the CEO Performance Review Panel intends to develop annual Key Performance Indicators in accordance with clause 17.4 of the CEO Employment Agreement. To recommend to Council that an appropriate budget is allocated to enable the engagement of an external consultant to assist the CEO Performance Review Panel with the development of Key Performance Indicators and the development and conduct of the Probation Review Survey as part of the CEO Probationary Period Performance Review Process. 	Greg Georgopoulos	Not Started		FALSE
11/07/2023	Ordinary Council	185/23	MON White Rock Quarry	Nil	<ol style="list-style-type: none"> The Chief Executive Officer, on behalf of Council, writes to Benjamin Zammit, Acting Executive Director, Mineral Resources Division, Department for Energy and Mining/Acknowledging receipt of his letter to Council dated 02 May 2023. Seeking clarification as to whether the Minister for Energy and Mining, the Honourable Tom Koutsantonis MP, has the legislative power to over-rule the Director's decision should the Director of Mines approve the revised Mine Operations Plan (MOP) (and if so, provide details of the said legislative instrument). Advising that Council notes that the revised MOP may require Hanson to acquire from Council, a portion of Horsnell Gully Road (a Council public road), together with an allotment of Council (community) land. This being the case, Council seeks clarification as to how it is possible for DEM to consider the revised MOP, when Council has made no decision to dispose of a portion of Horsnell Gully Road, together with an allotment of Council (community) land, to Hanson, in order for Hanson to facilitate their proposed expansion. Once a response is received from the Department for Energy and Mining, that response will be tabled at the next scheduled Ordinary meeting of Council. 	Terry Crackett	Not Started		FALSE
11/07/2023	Ordinary Council	186/23	Statement of Commitment and Our watch Prevention Toolkit Implementation Plan	Nil	<ol style="list-style-type: none"> That the report be received and noted. To adopt the following Statement of Commitment: <i>Adelaide Hills Council recognises that violence against women and their children affects the entire Australian community. We recognise our responsibility to help reduce violence against women and their children. We recognise that gender-based violence is predominantly perpetrated by men against women, and thus believe action and support needs to be focused on preventing violence against women and their children. We also acknowledge gender-based violence can affect people of all genders, sexualities, cultures, religions, ages, educational backgrounds, and income levels. Council values the services, organisations and individuals that are already working in our community to prevent violence against women and their children, and to support families in crisis. We recognise the knowledge and commitment of these groups and wish to support and encourage their ongoing contribution. We believe that preventing violence against women and their children is everyone's business and we are committed to working with the whole community to end violence against women and their children. As part of renewing our commitment, we will implement Our Watch's Prevention Toolkit for Local Government. Demonstrate leadership in primary prevention of violence against women and their children. Raise employee and community awareness of the drivers and consequences of violence against women and their children. Provide a safe, inclusive and respectful working environment. Provide information to Council staff about ways they can prevent violence against women in their work and the services they deliver to community. Advocate for gender equality in planning, decision-making and service delivery across local government. Council is committed to making changes to create a future that is free from violence against all women and their children.</i> To endorse the proposed Toolkit Implementation Plan as contained in Appendix 2. 	David Waters	Completed		FALSE
11/07/2023	Ordinary Council	187/23	12.2 Policy Reviews – Code of Practice for Council Meeting Procedures and Code of Practice for Access to Council and Council Committee and Information	Nil	<ol style="list-style-type: none"> That the report be received and noted. That Council in relation to the Code of Practice for Council Meeting Procedures - With an effective date of 17 July 2023, to revoke the 22 March 2022 Code of Practice for Council Meeting Procedures and adopt the 11 July 2023 Code of Practice for Council Meeting Procedures, as contained in Appendix 1. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 11 July 2023 Code of Practice for Council Meeting Procedures prior to the effective date. That Council in relation to the Code of Practice for Access to Council and Council Committee and Information or Briefing Session Meetings & Documents: Approve the proposed Code of Practice for Access to Council, Council Committee and Designated Informal Gathering Meetings & Documents, as contained in Appendix 2, for public consultation in accordance with the provisions of Council's Public Consultation Policy and for the further report to be provided to Council following the consultation process. That the CEO be authorised to: Make any formatting, nomenclature or other minor changes to the Code prior to being released for public consultation and Determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of applicable legislation and Council's Public Consultation Policy. 	Greg Georgopoulos	Not Started		FALSE

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI	Action Required (Council Resolution)	Responsible Director	Status	Status (for Council reporting)	Confidential
11/07/2023	Ordinary Council	182/23	CEO Performance Review Panel Recommendations to Council	Nil	<ol style="list-style-type: none"> That the report be received and noted. To determine that the Acting CEO has achieved the following status in relation to the 2022-23 CEO Performance Targets as at 11 July 2023: Target 1: Fabrik Redevelopment – Project on track, performance target achieved. Target 2: User Pays Bin Collection Study – Completed, with additional steps taken to progress alternative waste collection options. Target 3: Savings Strategies – On track and subject to verification in the end of year financial reporting. Target 4: Gumeracha Library Upgrade – Achieved. Target 5: New Dog & Cat Facility – Achieved, with further steps taken to explore the broader challenges of longer term animal impounding. Target 6: Central Irrigation System – Achieved. Target 7: Unformed Public Roads Review – On track for completion in July 2023, with presentation to Council Members to occur when workshop schedule allows. To note the Remuneration Tribunal's Determination 4-2023 - Minimum and Maximum Chief Executive Officer Remuneration and determine not to undertake a Substantive CEO Total Employment Cost Package Review at this time. To approve the proposed CEO Probationary Period Performance Review Process with the following key activities/milestones: Week 1 (w/b 17/7/23)Substantive CEO commencesWeek 2 (w/b 24/7/23)CEOPRP meets with Substantive CEO and sets out the CPORRP and agrees the broader Performance Review Process (see next section)Week 11 (w/b 25/9/23) CEOPRP-Receives the Interim Performance Review & Development Report from the Substantive CEODiscusses Key Performance Indicators with Substantive CEO and makes recommendation to Council for adoption of Indicators.Finalises Probation Review Survey contentsWeek 17 (w/b 6/11/23)Consultant administers the Probation Review SurveyWeek 22 (w/b 11/12/23) CEOPRP-Receives the Interim Performance Review & Development Report from Substantive CEOConsiders Probation Review Survey Report from the Consultant and makes recommendation to Council.Week 23 (w/b 18/12/23)Council considers CEOPRP recommendation regarding performance and determines continuance/cessation.Week 27 (w/b 15/1/24)Probation period ends 16/1/24 To note that the CEO Performance Review Panel intends to develop annual Key Performance Indicators in accordance with clause 17.4 of the CEO Employment Agreement. To approve an increase in the Governance & Performance Department budget of \$2,000 for the purposes of engaging a consultant to assist the CEO Performance Review Panel with the development of Key Performance Indicators and the development and conduct of the Probation Review Survey as part of the CEO Probationary Period Performance Review Process. 	Greg Georgopoulos	Not Started		FALSE
25/07/2023	Ordinary Council	195/23	Proposed Date Change Citizenship and Award Ceremonies	Nil	That the report be received and noted; To not conduct Citizenship Ceremonies, confer awards or support events on 26 January from this date onwards in recognition of the difficulties of the 26 January for First Nations Peoples; andThat the CEO find alternative dates and opportunities in consultation with local groups for award and citizenship ceremonies (acknowledging that a Citizenship Ceremony must still be conducted within 3 days either side of 26 January).	David Waters	Not Started		FALSE
25/07/2023	Ordinary Council	196/23	Road Safety Analysis Lobethal	Nil	The Chief Executive Officer arranges for staff to undertake an in-house road safety assessment into speeding and increased road use on Ridge Road and Mill Road, Lobethal, both of which are becoming used as a thoroughfare for road users attempting to avoid traffic on Main Street. If the outcomes of the road safety assessment deem it necessary, that options to discourage road users from choosing these roads instead of the Main Street and combat speeding be explored using an external professional (including but not limited to the installation/construction of chicanes, speed bumps or additional signage).The Chief Executive engages with the Department for Education and Child Development regarding increased road usage and speeding vehicles on Mill Road, which affects all traffic and pedestrians to and from the primary school.A report be prepared detailing the outcomes of this assessment for Council's consideration at the ordinary meeting scheduled for 24 October 2023.	Peter Bice	Not Started		FALSE
25/07/2023	Ordinary Council	197/23	Proposed renaming of portion of suburb of Rostrevor to "Morialta"	Nil	That the CEO prepares a report on the viability and feasibility of changing the name of that portion of the suburb of Rostrevor that is located within the Adelaide Hills Council district to Morialta and for that report to be delivered to Council by 30 September 2023.	Natalie Armstrong	Not Started		FALSE
25/07/2023	Ordinary Council	198/23	Revocation Community Land - Closed Roads off Lenger Road Mt Torrens and Nicholls Road Norton Summit	Nil	<ol style="list-style-type: none"> That the report be received and noted. That the Community Land classification over the land comprised in Certificate of Title Volume 6261 Folio 496 being for Allotment 10 in Filled Plan No. 257096 be revoked. That the Community Land classification over the land comprised in Certificate of Title Volume 6261 Folio 497 being for Pieces 1 and 2 in Filled Plan No. 257220 be revoked. 	Terry Crackett	Not Started		FALSE
25/07/2023	Ordinary Council	199/23	CEO Approval to Act	Nil	That the report be received and noted.To acknowledge the disclosure of interests contained in this report and to authorise the Chief Executive Officer (designate), Mr Greg Georgopoulos, to act in the course of his official duties in relation to the following matters/entities:Preparation and endorsement of the Council's suite of Human Resource Policies including the Employee Behavioural Standards.	Greg Georgopoulos	Not Started		FALSE
25/07/2023	Ordinary Council	200/23	MWN Stormwater Management Mill Road & Pioneer Avenue Lobethal	Nil	In addition to the scope of issues identified in resolution 11.2 Road Safety Analysis Ridge Road and Mill Road Lobethal 25 July 2023, the investigation be extended to include stormwater management at the intersection of Mill Road and Pioneer Avenue Lobethal.	Peter Bice	Not Started		FALSE
25/07/2023	Ordinary Council	207/23	Confidential Item - Duration of Confidentiality	Nil	<p>retain the Items in confidence as detailed in the Duration of Confidentiality Table below: Item</p> <p>Duration of Confidentiality</p> <p>NB: Item to be reviewed every 12 months if not released</p> <p>NB: ReportUntil the announcement has been made, but not longer than 30 June 2024Related AttachmentsUntil the announcement has been made, but not longer than 30 June 2024MinutesUntil the announcement has been made, but not longer than 30 June 2024</p> <p>Pursuant to section 91(9)(c) of the <i>Local Government Act 1999</i>, the Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.</p>	Greg Georgopoulos	Not Started		FALSE

Item 17 Minutes of Committees

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL SPECIAL MEETING
WEDNESDAY 26 JULY 2023
ALDGATE VILLAGE WELL, 54 STRATHALBYN ROAD, ALDGATE
AND LIVESTREAM**

[Please Note: These minutes are unconfirmed until 9 August 2023]

In Attendance

Presiding Member

Geoff Parsons

Members

Ross Bateup
Paul Mickan
Myles Somers
Leith Mudge

In Attendance

Natalie Armstrong	Director Development & Regulatory Services
Deryn Atkinson	Assessment Manager
James Booker	Team Leader Statutory Planning
Marie Molinaro	Acting Senior Statutory Planner
Tom Portas	Systems Analyst, Information Systems
Ashleigh Gade	Statutory Planner
Jessica Tonkin	Development Support Officer
Tim Mason	Statutory Planning Cadet
Karen Savage	Minute Secretary

1. Commencement

The meeting commenced at 5.03pm

2. Opening Statement

“Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kaurna people. We pay our respects to Elders past, present and emerging as the Custodians of this ancient and beautiful land. Together we will care for this country for the generations to come”.

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL SPECIAL MEETING
WEDNESDAY 26 JULY 2023
ALDGATE VILLAGE WELL, 54 STRATHALBYN ROAD, ALDGATE
AND LIVESTREAM**

[Please Note: These minutes are unconfirmed until 9 August 2023]

3. Apologies/Leave of Absence

3.1 Apologies
Nil

3.2 Leave of Absence
Nil

4. Previous Minutes

4.1 Meeting held 12 July 2023

The minutes were adopted by consensus of all members (11)

That the minutes of the meeting held on 12 July 2023 be confirmed as an accurate record of the proceedings of that meeting.

5. Presiding Member's Report
Nil

6. Declaration of Interest by Members of Panel

The following Conflict of Interest Statement was provided by Cr Leith Mudge:

"I wish to address the matter of a perception that some may hold that I have a conflict of interest in relation to Item 8.1 for the development application for 160 Longwood Road, Heathfield.

I am the Elected Member representative on this Council Assessment Panel and a local Councillor for the Ranges Ward in which this proposed development would be located. I represent on Council both the owner of the subject land and the surrounding residents and ratepayers.

It could be perceived that I have a conflict of interest between my role of representing the interests of these communities and that of an impartial decision maker on this development application. However, there are a number of factors and measures that I have taken to mitigate this.

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL SPECIAL MEETING
WEDNESDAY 26 JULY 2023
ALDGATE VILLAGE WELL, 54 STRATHALBYN ROAD, ALDGATE
AND LIVESTREAM**

[Please Note: These minutes are unconfirmed until 9 August 2023]

From the time that this development application was first muted until now I have been bound by the Code of Conduct for Council Assessment Panel members as a Member of the Panel and previously as a Deputy Member. The code is provided under the *Planning, Development and Infrastructure Act 2016* (the PDI Act) and specifically prohibits me from:

- a. Engaging in consultation outside of the Panel process with any party on a proposed development application that is likely to be heard by the panel;
- b. Giving advice to an applicant or other third party on a development application after it has been lodged outside of a Panel meeting;
- c. Speaking at a public meeting for or against a proposal where the purpose of the meeting is to discuss either a proposed development or a development application unless required by the Act;
- d. Expressing an opinion on a development application or a proposed development outside of a panel meeting; and
- e. Engaging in any other act or omission which may give rise to a reasonable presumption that I have prejudged a development proposal or application.

I have taken this responsibility very seriously and thank members of the public for their understanding in not approaching me or attempting to engage with me on this matter, and for those that inadvertently attempted to engage for their understanding of my polite refusal to discuss.

As a local Councillor it is understandable that a number of the representors on this matter are known to me and some I would class as acquaintances. However, having surveyed the list of representors, I can say that none of them are family members, friends, or business associates and consistent with my duties under the Code of Conduct I have never discussed this application with any of them. I therefore believe that I have been able to maintain my independence on this matter.

I want to address two particular representors:

- One being Victoria Shute representing the Adelaide Hills Council and the submission that she has made on behalf of Council, and the consultations she has made with the Elected Members to form this submission. Whenever this matter was discussed in Council workshops or decisions made in Council meetings on this submission, I absented myself under the Code of Conduct provisions. The first time I ever read any version of this submission was reading the agenda items in preparation for this meeting, and the first time I will have heard from Ms Shute on this issue will be when she speaks to the submission tonight.

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL SPECIAL MEETING
WEDNESDAY 26 JULY 2023
ALDGATE VILLAGE WELL, 54 STRATHALBYN ROAD, ALDGATE
AND LIVESTREAM**

[Please Note: These minutes are unconfirmed until 9 August 2023]

- One of our other Councillors, Chris Grant, has chosen to make a written and oral submission. While I have served on the Council with Cr Grant for almost five years now, I have never discussed this application with him and was not aware of his opinions on this matter until I read his submission as part of the agenda items in preparation for this meeting.

Given these measures and the fact that the Code of Conduct requires me to put aside any biases and be an impartial decision maker, I believe that I have been able to maintain my independence on this matter and based on my belief that I have no actual conflict, I will participate in the meeting and discussion of the item”.

7. Matters Lying on the Table/Matters Deferred

7.1 Matters Lying on the Table

Nil

7.2 Matters Deferred

Nil

8. Development Assessment Applications – Planning, Development and Infrastructure Act

8.1 Development Application 21031284 by PC Infrastructure Pty Ltd for 24 hour retail fuel outlet with associated canopy, car cleaning & dog wash facilities, 70,000L underground fuel storage tank, pylon advertising sign (maximum height 7m), combined fence & retaining wall (maximum height 6m), internal acoustic fencing (maximum height 3m), retaining walls (maximum height 3.25m), car parking & landscaping at 160 Longwood Road, Heathfield

8.1.1 Representations

The following representors addressed the Panel as indicated, and answered questions from the Panel:

Name of Representor	Address of Representor	Nominated Speaker
Adelaide Hills Council	Mount Barker Road, Stirling	Victoria Shute Kelledy Jones
Yazan Akeel	5 Scott Creek Road, Heathfield	Did Not Attend
Peter & Elaine Anderson	41 Sheoak Road, Crafers West	Did Not Attend
Catherine Baylis	169 Longwood Road, Heathfield	Did Not Attend

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL SPECIAL MEETING
WEDNESDAY 26 JULY 2023
ALDGATE VILLAGE WELL, 54 STRATHALBYN ROAD, ALDGATE
AND LIVESTREAM**

[Please Note: These minutes are unconfirmed until 9 August 2023]

Jamie Booth	32 Heather Road, Stirling	Did Not Attend
Kevin Brogan	PO Box 677, Mylor	Kevin Brogan
Gerard Faber	16 Kiaka Lane, Scott Creek	Did Not Attend
Phillipa Fox	17 Walker Avenue, Heathfield	Did Not Attend
Glenice & Don Gare	15 Victoria Street, Hahndorf	Did Not Attend
Justin Gare	8 Brick Kiln Road, Heathfield	Justin Gare
Chris Grant	88 Mawson Road, Forest Range	Chris Grant
Mark Harrington	PO Box 63, Hahndorf	Did Not Attend
Rhys Harrington Downie	35 Heathfield Road, Heathfield	Rhys Harrington Downie
Sallie Harrington Downie	35 Heathfield Road, Heathfield	Did Not Attend
Mark Hergott	164 Longwood Road, Heathfield	George Hergott
John Hill	118 Piccadilly Road, Crafers	John Hill
Corin Kersten	PO Box 113, Upper Sturt	Did Not Attend
Bill Kierns	3 Scott Creek Road, Heathfield	Bill Kierns
Jordan Kierns	29 Leader Street, Rosewater	Did Not Attend
Graeme Laheen	4 Scott Creek Road, Heathfield	Graeme Laheen
Sarah Matthews	43 Walker Avenue, Heathfield	Sarah Matthews
Graham Nathan	17 Learmonth Court, Ironbank	Justin Gare
Sally Owen	11 Erica Road, Heathfield	Sally Owen
Dr Jasmin Packer	17 Learmonth Court, Ironbank	Justin Gare
Roy Page	99 Longwood Road, Heathfield	Did Not Attend – former Principal of Heathfield High School
George Petrakis	158 Longwood Road, Heathfield	George Petrakis
Kristin Phillips	8 Brick Kiln Road, Heathfield	Kristin Phillips
Byron Riessen	91 Longwood Road, Heathfield	Did Not Attend
Heathfield High School Governing Council	99 Longwood Road, Heathfield	Danielle Grant-Cross
Allye Sinclair	PO Box 113, Upper Sturt	Did Not Attend
Ruth Taylor-Hull	118A Longwood Road, Heathfield	Ruth Taylor-Hull

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL SPECIAL MEETING
WEDNESDAY 26 JULY 2023
ALDGATE VILLAGE WELL, 54 STRATHALBYN ROAD, ALDGATE
AND LIVESTREAM**

[Please Note: These minutes are unconfirmed until 9 August 2023]

Daniel Trotta	156 Longwood Road, Heathfield	Irena Trotta
Irena Trotta	156 Longwood Road, Heathfield	Irena Trotta
Robert Tuddenham	2 Silverwood Drive, Heathfield	Robert Tuddenham (Bob)
Maya Ueda	Erica Road, Heathfield	Did Not Attend
Cing Wardleworth	16 Walker Avenue, Heathfield	Did Not Attend
Maxine Wilson	9 Keithley Road, Heathfield	Did Not Attend

7:52pm The meeting was adjourned for a short break

8:04pm The meeting resumed

The applicant's representatives, Tim Beazley (Peregrine Corporation), Chris Turnbull (Sonus) and Ian Bishop (formerly with Stantec) addressed the Panel, and answered questions from the Panel.

8.1.2 Decision of Panel

Moved Leith Mudge **Carried**
S/- Ross Bateup **(12)**

The Council Assessment Panel resolved that:

- 1) Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is seriously at variance with the provisions of the Planning and Design Code; and**
- 2) Development Application Number 21031284 by PC Infrastructure Pty Ltd for 24 hour retail fuel outlet with associated canopy, car cleaning & dog wash facilities, 70,000L underground fuel storage tank, pylon advertising sign (maximum height 7m), combined fence & retaining wall (maximum height 6m), internal acoustic fencing (maximum height 3m), retaining walls (maximum height 3.25m), car parking & landscaping at 160 Longwood Road, Heathfield is REFUSED Planning Consent for the following reasons:**

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL SPECIAL MEETING
WEDNESDAY 26 JULY 2023
ALDGATE VILLAGE WELL, 54 STRATHALBYN ROAD, ALDGATE
AND LIVESTREAM**

[Please Note: These minutes are unconfirmed until 9 August 2023]

Rural Neighbourhood Zone

Desired Outcome 1:

The proposal is for a commercial development that is not considered to enhance rural residential amenity.

Performance Outcome 1.1:

The proposal is not considered to be a complementary ancillary non-residential use and it is not compatible with a spacious and peaceful lifestyle.

Performance Outcome 1.2:

The proposal is not considered to be of a scale and type that maintains residential amenity.

Performance Outcome 1.3:

The proposal is not considered to be sited and designed to complement the residential character and amenity of the neighbourhood.

Performance Outcome 1.4:

The proposal is not for any of the listed anticipated non-residential development types in the Zone.

Performance Outcome 3.1:

The setback of the proposed control/shop building to Longwood Road is not consistent with the existing streetscape on the southern side of Longwood Road.

Performance Outcome 4.1:

The setback of the automatic car wash building to the Scott Creek Road boundary does not maintain a pattern of separation between building walls and public thoroughfares.

Performance Outcome 5.1:

The setback of the shop/control building to the western side boundary is not considered to minimise impacts on the adjoining residential property.

Adelaide Hills Subzone

Desired Outcome 1 and Performance Outcome 1.1:

The proposal is not for additional residential or tourist accommodation. It is not considered to embrace the values of retaining mature vegetation particularly as it relates to roadside vegetation. The proposal is not for an accommodation option, and it is not considered to complement residential character.

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL SPECIAL MEETING
WEDNESDAY 26 JULY 2023
ALDGATE VILLAGE WELL, 54 STRATHALBYN ROAD, ALDGATE
AND LIVESTREAM**

[Please Note: These minutes are unconfirmed until 9 August 2023]

Overlays

Mount Lofty Ranges Water Supply Catchment (Area 2) Overlay

Performance Outcome 4.1:

The proposal is not considered to minimise the need to modify landscapes and natural features with regard to the filling of land and road verge vegetation modification.

General Development Policies

Advertisements

Desired Outcome 1:

The proposed freestanding pylon advertisement is not considered to be appropriate to the residential context of the locality and former freestanding sign on the land.

Design

Desired Outcome DO1:

The proposal is not considered to be contextual as the building design and siting does not respond well to the slope of the land or character of the immediate area.

Performance Outcome 3.1:

The proposal does not incorporate soft landscaping and tree planting that enhances the appearance of land and streetscapes.

Performance Outcome 3.2:

The proposal does not maximise the use of locally indigenous plant species in soft landscaping and tree planting.

Performance Outcome 8:1:

The proposal does not minimise the need for filling of land so as to limit disturbance to natural topography.

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL SPECIAL MEETING
WEDNESDAY 26 JULY 2023
ALDGATE VILLAGE WELL, 54 STRATHALBYN ROAD, ALDGATE
AND LIVESTREAM**

[Please Note: These minutes are unconfirmed until 9 August 2023]

Performance Outcome 9.1:

The fill concrete sleeper retaining walls on the Scott Creek Road boundary are considered to impact on visual amenity from the public realm. The fill concrete sleeper retaining walls on the western side and rear boundaries are considered to impact the amenity of the adjoining residential land. Additionally, the proposed fencing height will unreasonably impact upon the visual amenity of the locality.

Performance Outcome 9.2:

The fill retaining walls on the Scott Creek Road boundary are not landscaped on the low side.

Interface Between Land Uses

Desired Outcome 1:

The proposal is not considered to be located and designed to mitigate adverse effects on neighbouring and proximate land uses. A retail fuel outlet is not a desired type of land use in the Rural Neighbourhood Zone.

Performance Outcome 1.2:

The proposal is not considered to be designed to minimise adverse impacts. Waste storage and the fuel re-filling location is proposed adjacent to an adjoining residential use. The proposal includes 3m high internal Colorbond fencing and a maximum 6m high combined fence & retaining wall structure along the shared boundaries with adjoining residential sites.

Performance Outcome 2.1:

The proposal is for a non-residential development type with unlimited hours of operation adjoining existing residential uses in a Zone that is primarily intended to be for residential development. Commercial non-residential development in the Zone is intended to be complementary uses such as tourist accommodation and small-scale shops, offices and consulting rooms.

Transport, Access and Parking

Desired Outcome 1:

The proposal does not contribute to a safe transport system. Minimum driver sightlines are not achievable at all access points, an access point to Longwood Road is within a prohibited access zone per AS/NZS2890.1:2004 and the design/location of the fuel pumps presents a potential crash risk.

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL SPECIAL MEETING
WEDNESDAY 26 JULY 2023
ALDGATE VILLAGE WELL, 54 STRATHALBYN ROAD, ALDGATE
AND LIVESTREAM**

[Please Note: These minutes are unconfirmed until 9 August 2023]

Performance Outcome 2.1:

The sightlines at all crossovers cannot be maintained or enhanced to ensure safety for all road users.

Performance Outcome 3.1:

An access point to Longwood Road is not safe and convenient as it is within a prohibited access zone per AS/NZS2890.1:2004.

Performance Outcome 3.9:

The proposal is not designed to ensure vehicle circulation between the control/shop building and car wash and dog wash activity areas occurs within the site without the need to use public roads.

9. **Development Assessment Applications – Development Act**
Nil

10. **Development Assessment Applications – Review of Decisions of Assessment Manager**
Nil

11. **ERD Court Appeals**
Nil

12. **Policy Issues for Advice to Council**
Nil

13. **Other Business**
Nil

14. **Order for Exclusion of the Public from the Meeting to debate Confidential Matters**
Nil

15. **Confidential Item**
Nil

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL SPECIAL MEETING
WEDNESDAY 26 JULY 2023
ALDGATE VILLAGE WELL, 54 STRATHALBYN ROAD, ALDGATE
AND LIVESTREAM**

[Please Note: These minutes are unconfirmed until 9 August 2023]

- 16. Next Meeting**
The next ordinary Council Assessment Panel meeting will be held on Wednesday 9 August 2023.
- 17. Close meeting**
The meeting closed at 10.06pm.

**ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 27 JULY 2023
63 MT BARKER ROAD STIRLING**

In Attendance

Presiding Member: Cr Chris Grant

Members:

Ms Janet Miller	Independent Member via Teams
Mayor Jan-Claire Wisdom	
Cr Nathan Daniell	

In Attendance:

Greg Georgopoulos	Chief Executive Officer
Melissa Grimes	Consultant - Governance / Minute Secretary

1. COMMENCEMENT

The meeting commenced at 6:00pm

1.1. Acknowledgement of Country

Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kurna people. We pay our respects to Elders past, present and emerging as the Custodians of this ancient and beautiful land. Together we will care for this country for the generations to come.

2. APOLOGIES/LEAVE OF ABSENCE

2.1 Apology

Cr Kirsty Parkin

2.2 Leave of Absence

2.3 Absent

Nil

Presiding Member _____ 28 September 2023

**ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 27 JULY 2023
63 MT BARKER ROAD STIRLING**

3. MINUTES OF PREVIOUS MEETINGS

3.1 CEO Performance Review Panel Meeting – 6 July 2023

Moved Mayor Jan-Claire Wisdom
S/- Cr Nathan Daniell

PRP7/23

That the minutes of the CEO Performance Review Panel meeting held on 6 July 2023 as distributed, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

4. PRESIDING MEMBER'S OPENING COMMENTS

Cr Chris Grant welcomed Mr Greg Georgopoulos, Chief Executive Officer, to Council.

5. DELEGATION OF AUTHORITY

The CEO Performance Review Panel operates in accordance with the relevant sections of the *Local Government Act 1999*, and its Terms of Reference.

6. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF THE COMMITTEE

Nil

7. OFFICER REPORTS – DECISION ITEMS

7.1 CEO Probationary Period Performance Review

Moved Mayor Jan-Claire Wisdom
S/- Cr Nathan Daniell

PRP8/23

The CEO Performance Review Panel resolves that the report be received and noted.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
THURSDAY 27 JULY 2023
63 MT BARKER ROAD STIRLING**

8. MOTIONS WITHOUT NOTICE

Nil

9. QUESTIONS WITHOUT NOTICE

Nil

10. CONFIDENTIAL ITEMS

Nil

11. NEXT MEETING

The next ordinary meeting of the CEO Performance Review Panel will be held on Thursday 28 September 2023 from 6.00pm at 63 Mt Barker Road Stirling.

12. CLOSE MEETING

The meeting closed at 6:17pm.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 8 August 2023
CONFIDENTIAL AGENDA BUSINESS ITEM**

Item: 18.1

Responsible Officer: Greg Georgopoulos
Chief Executive Officer
Chief Executive

Subject: Country Cabinet August 2023 - Confidential Item

For: Decision

1. Chief Executive Officer presentation to Country Cabinet – Exclusion of the Public

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

- Chief Executive Officer, Greg Georgopoulos
- Director Community Capacity, David Waters
- Director Corporate Services, Terry Crackett
- Director Development & Regulatory Services, Natalie Armstrong
- Director Infrastructure & Operations, Peter Bice
- Executive Manager Governance & Performance, Lachlan Miller
- Governance Support, Melissa Grimes
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 18.1: Chief Executive Officer Country Cabinet presentation 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)(j) 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 divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and would, on balance, be contrary to the public interest.

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.

3. Chief Executive Officer presentation to Country Cabinet – Confidential Item.

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) (j) 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	24 August 2023 but not longer than 30 June 2024
Related Attachments	Nil
Minutes	24 August 2023 but not longer than 30 June 2024
Other	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.
