



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 | <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.