

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL MEETING
TUESDAY 31 OCTOBER 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 Malcolm Herrmann
Councillor Lucy Huxter
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Louise Pascale
Councillor Melanie Selwood

In Attendance:

Natalie Armstrong	Acting Chief Executive Officer
Terry Crackett	Director Corporate Services
David Waters	Director Environment and Infrastructure
Melissa Bright	Acting Director Community and Development
Tracy Riddle (Kelledy Jones)	Governance Support
Kylie Hopkins	Minute Secretary

1. COMMENCEMENT

The special meeting commenced at 7.10pm.

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.

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3. APOLOGIES/LEAVE OF ABSENCE

3.1 Apology

Cr Kirsty Parkin
Cr Pauline Gill

3.2 Leave of Absence

Cr Chris Grant from 30 October 2023 to 10 November 2023 approved at Council 10 October 2023

3.3 Absent

Nil

4. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

4.1 General Conflict of Interest, Cr Leith Mudge, Item 7.1 Proposed Development of a Childcare Centre on Pomona Road, Stirling

Under Section 75B of the *Local Government Act 1999*, Cr Leith Mudge disclosed a General (section 74) Conflict of Interest in Item 7.1, Proposed Development of a Childcare Centre on Pomona Road, Stirling, the nature of which is as follows:

- I am the Council Member appointed to the Council Assessment Panel, which is the relevant authority that will consider this development application.

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

Under Section 75B of the *Local Government Act 1999*, Cr Nathan Daniell disclosed a General (section 74) Conflict of Interest in Item 7.1, Proposed Development of a Childcare Centre on Pomona Road, Stirling, the nature of which is as follows:

- I am the Deputy Council Member appointed to the Council Assessment Panel, which is the relevant authority that will consider this development application.

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

5. PRESIDING MEMBER'S OPENING REMARKS

The Mayor welcomed the gallery and thanked them for attending the meeting.

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6. PUBLIC FORUM

Under section 75C of the *Local Government Act 1999*, Cr Leith Mudge declared a General Conflict of Interest at Agenda Item 4 'Declaration of Interest by Members of the Council' in Item 7.1 Proposed Development of a Childcare Centre on Pomona Road, Stirling.

7.11 Cr Leith Mudge left the Chamber

Under section 75C of the *Local Government Act 1999*, Cr Leith Mudge declared a General Conflict of Interest at Agenda Item 4 'Declaration of Interest by Members of the Council' in Item 7.1 Proposed Development of a Childcare Centre on Pomona Road, Stirling.

7.12 Cr Nathan Daniell left the Chamber

Michael French, Ranges Childcare Centre, regarding proposed development of a childcare centre on Pomona Road, Stirling

Phillip Brunning, Phillip Brunning & Associates, regarding proposed development of a childcare centre on Pomona Road, Stirling

Jonathon Ashby, Resident, regarding proposed development of a childcare centre on Pomona Road, Stirling

7. BUSINESS OF THE MEETING

Having taken not account the Guiding Principles, the Mayor accepted the following Motion Without Notice.

7.1 Motion without Notice – Proposed Development of a Childcare Centre on Pomona Road, Stirling

Moved Cr Adrian Cheater

S/- Cr

/23

I move that:

1. The Administration prepare and deliver a written submission for the proposed development at 52 Pomona Road Stirling SA 5152 (Application number 23020199).
2. The submission address the following aspects of the application:
 - a. The applications ability to address PO1.1 of the Rural Neighbourhood Zone in the Planning and Design Code
 - b. Outcomes of applications traffic study including the data collection dates
 - c. Parking assessment, including consideration for staff parking and CFS access with vehicle obstructions

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- d. Carrying capacity, safety and accessibility of existing pedestrian access
 - e. The proposed vegetation removal
 - f. The % of allotment to be occupied by the proposed structure
 - g. Impacts on privacy to neighbouring properties
 - h. The impacts to the existing heritage residential dwelling
 - i. The environmental noise assessment
 - j. Any additional items of concern at the discretion of the CEO
3. The draft submission be circulated via email to elected members no later than 15:00 on the 2nd of November 2023.
 4. The Administration complete the submission before the closing date of 3rd of November 2023

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The Motion without Notice lapsed due to the absence of a seconder.

7.39pm Cr Nathan Daniell returned to the Chamber

7.40pm Cr Leith Mudge returned to the Chamber

8. CONFIDENTIAL ITEM

Nil

9. CLOSE MEETING

The meeting closed at 7.40pm.