



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 23 January 2024

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.

Greg Georgopoulos
Chief Executive Officer



ORDINARY COUNCIL MEETING

AGENDA FOR MEETING
Tuesday 23 January 2024
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 – Tuesday 19 December 2023
That the minutes of the ordinary meeting held on Tuesday 19 December 2023 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

6. MAYOR'S OPENING REMARKS

7. QUESTIONS ADJOURNED/LYING ON THE TABLE

- 7.1. Questions Adjourned
Nil
- 7.2. Questions Lying on the Table
Nil

8. PETITIONS / DEPUTATIONS / PUBLIC FORUM

- 8.1. Petitions
- 8.2. Deputations
Aldgate Men's Shed – Mr Neil Strong
- 8.3. Public Forum
Department for Infrastructure and Transport – Crafers Park n Ride
Project Update - Ms Colleen Dowie, Principal Engagement Officer and Ms
Tiffany Davies, Project Manager

9. PRESENTATIONS (by exception)

Nil

10. QUESTIONS ON NOTICE

- 10.1. Stirling Oval Trees (Cr Leith Mudge)

11. MOTIONS ON NOTICE

- 11.1. International Women's Day – 8 March 2024 (Cr Mark Osterstock)

I move that:

1. Council notes that International Women's Day [IWD] is a day to focus the world's attention on gender equality and the empowerment of women.
2. Council supports IWD noting that it is a global day to reflect on progress, call for change and to celebrate the courage and determination of those who have changed the face of gender equality.
3. Council recognises that the aim of the IWD 2024 Count Her In: Invest in Women. Accelerate Progress Campaign is to highlight the pathways to greater economic inclusion for women and girls everywhere.
4. Council requests that the CEO bring IWD 2024 and the #CountHerIn Campaign to the attention of our community through a range of communication channels including the website, e-newsletter and social media with a view to celebrating women's achievements and raising awareness about gender inequality.

12. ADMINISTRATION REPORTS – DECISION ITEMS

12.1. East Waste Deputy Board Member

Decision 1

Council resolves:

1. *That the report on the East Waste Deputy Board Member Appointment be received and noted.*
2. *To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred persons for the Eastern Waste Management Authority Deputy Board Member role and for the meeting to resume once the results of the indicative voting for the role has been declared.*

Decision 2

1. *To appoint _____ to the Deputy Board Member position of the Eastern Waste Management Authority Board for a term to commence on 1 January 2024 and conclude on 29 November 2025 (inclusive).*
2. *To authorise the Chief Executive Officer to lodge all required documentation to give effect to Council's resolutions regarding Eastern Waste Management Authority Board Membership.*

13. ADMINISTRATION REPORTS – INFORMATION ITEMS

Nil

14. CORRESPONDENCE FOR NOTING

- 14.1. Australian Local Government Association Annual Conference 2024
- 14.2. Para Planner Cadet Program, Hon Nick Champion MP
- 14.3. South Australian Volunteer Awards – Hon Nat Cook MP

15. QUESTIONS WITHOUT NOTICE

16. MOTIONS WITHOUT NOTICE

17. REPORTS

- 17.1. Council Member Function or Activity on the Business of Council
- 17.2. Reports of Members/Officers as Council Representatives on External Organisations
- 17.3. CEO Report

18. REPORTS OF COMMITTEES

- 18.1. Council Assessment Panel – 20 December 2023
That the minutes of the CAP meeting held on Wednesday 20 November 2023 as supplied, be received and noted.

Council Assessment Panel – 10 January 2024
That the minutes of the CAP meeting held on Wednesday 10 January 2024 as supplied, be received and noted.

- 18.2. Audit Committee
Nil

- 18.3. CEO Performance Review Panel – Special Meeting – 15 January 2024
That the minutes of the Special CEOPRP meeting held on Monday 15 January 2024 as supplied, be received and noted.

- 18.4. Boundary Change Committee
Nil

19. CONFIDENTIAL ITEMS

- 19.1. CEO Performance Review Panel Recommendation (Decision 2) (Deferred Item).
19.2. South Australian Local Government Boundaries Commission
19.3. Customer Relationship Management (CRM) System
19.4. CEO Performance Review Process

20. NEXT MEETING

Tuesday 13 February 2024, 6.30pm, 63 Mt Barker Road, Stirling

21. CLOSE MEETING

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 19 DECEMBER 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 Chris Grant
Councillor Malcolm Herrmann
Councillor Lucy Huxter
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin
Councillor Melanie Selwood

In Attendance:

Greg Georgopoulos	Chief Executive Officer
Terry Crackett	Director Corporate Services
Natalie Armstrong	Director Community and Development
David Waters	Director Environment and Infrastructure
Tracy Riddle (Kelledy Jones)	Governance Support
Rebekah Lyons	Minute Secretary
Kylie Hopkins	Minute Secretary
Mike O'Donnell	Technical Support

1. COMMENCEMENT

The meeting commenced at 6.32pm

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.

Mayor _____

23 January 2024

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3. APOLOGIES/LEAVE OF ABSENCE

3.1 Apology

Cr Pauline Gill

3.2 Leave of Absence

Cr Louise Pascale, 16 December 2023 to 8 January 2024, approved at Council 28 November 2023.

**Moved Cr Leith Mudge
S/- Cr Melanie Selwood**

322/23

Council resolves:

- 1 That a Leave of Absence from all duties of office be granted to Cr Lucy Huxter from 24 December 2023 to 8 January 2024.**
- 2 That any committee or panel membership currently held by Cr Lucy Huxter be undertaken by the Deputy during the leave of absence.**

Carried Unanimously

**Moved Cr Nathan Daniell
S/- Kirsty Parkin**

323/23

Council resolves:

- 1 That a Leave of Absence from all duties of office be granted to Cr Mark Osterstock from 20 December 2023 to 22 January 2024.**
- 2 That any committee or panel membership currently held by Cr Mark Osterstock be undertaken by the Deputy during the leave of absence.**

Carried Unanimously

**ADELAIDE HILLS COUNCIL
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Moved Cr Malcom Herrmann
S/- Cr Kirsty Parkin

324/23

Council resolves:

- 1 That a Leave of Absence from all duties of office be granted to Cr Kirrilee Boyd from 25 December 2023 to 9 January 2024.
- 2 That any committee or panel membership currently held by Cr Kirrilee Boyd be undertaken by the Deputy during the leave of absence.

Carried Unanimously

Moved Cr Mark Osterstock
S/- Cr Lucy Huxter

325/23

Council resolves:

- 1 That a Leave of Absence from all duties of office be granted to Cr Chris Grant from 17 February 2024 to 16 March 2024.
- 2 That any committee or panel membership currently held by Cr Chris Grant be undertaken by the Deputy during the leave of absence.

Carried Unanimously

3.3 Absent

Nil

4. MINUTES OF PREVIOUS MEETINGS

4.1 Council Meeting – 28 November 2023

Moved Cr Malcom Herrmann
S/- Cr Kirsty Parkin

326/23

Council resolves that the minutes of the Ordinary Council meeting held on 28 November 2023, as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

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

5.1 General Conflict of Interest, Cr Malcom Herrmann, Item 19.1 Citizen of the Year 2024 Recommendations – Exclusion of the Public

Under section 75B of the *Local Government Act 1999* Cr Malcom Herrmann disclosed a General (section 74) Conflict of Interest in Item 19.1.

Under section 75B of the *Local Government Act 1999* Cr Chris Grant disclosed a General (section 75) Conflict of Interest in Item 11.2 – Decision 2.

6. PRESIDING MEMBER'S OPENING REMARKS

The Mayor commented that 19 December marks four years since the Cudlee Creek bushfire broke out and expressed her sadness about those who were so deeply affected. The Mayor acknowledged the community for their resilience during such a difficult time and congratulated them on their ability to rebuild despite the adversity.

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

Paul Mayers regarding Reaffirmation of Acknowledgment of Country.

9. PRESENTATIONS

Nil

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10. QUESTIONS ON NOTICE

Nil

11. MOTIONS ON NOTICE**11.1 Woodforde Residents Community Meeting (Cr Louise Pascale/Cr Nathan Daniell)**

Moved Cr Nathan Daniell
S/- Cr Mark Osterstock

327/23

I move that:

- 1. The CEO prepare a report for Council to be presented at a workshop on the 19 February 2024 on what Kite Property had approved by State Commission Assessment Panel (SCAP) and what it is delivering in Hamilton Hill.**
- 2. Subject to the outcomes of the workshop, Council schedules a Woodforde residents community meeting within 4-6 weeks and invite residents of Woodforde and neighbouring suburbs of Teringie and Rostrevor.**
- 3. Council holds the Woodforde community meeting at Rostrevor College on Glen Stuart Road, Woodforde.**
- 4. Council provides residents the opportunity to hear about Council's work undertaken in the area concerning traffic, services and infrastructure with the expansion of Woodforde and receive feedback from residents about the changes they are experiencing.**
- 5. Council provides an online and hard copy summary of the above for residents who cannot make it to the event and include an opportunity for those residents to feedback to the Council either online or via telephone.**

Carried Unanimously

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11.2 Boundary Change Committee Membership (Cr Mark Osterstock)

Moved Cr Mark Osterstock

S/- Cr Nathan Daniell

328/23

I move that:

DECISION 1

- 1. The report be received and noted.**
- 2. To amend the Terms of Reference, as contained in Appendix 1, with the exception of changes within Section 4 - Other Matters, Section 13 - Frequency of Meetings and Item 8.1.6.**
- 3. To determine that the method of selecting a member of the Boundary Change Committee to be by an indicative vote to determine the preferred person for the vacant position utilising the process set out in this Agenda report.**
- 4. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred person to fill the vacancy that currently exists on the Boundary Change Committee and for the meeting to resume once the results of the indicative vote have been declared.**

Carried Unanimously

Under section 75B of the *Local Government Act 1999* Cr Chris Grant disclosed a General (section 74) Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 11.2 – Decision 2, the nature of which is as follows:

- I have nominated for the position of Boundary Change Committee Member.

6:52pm Cr Chris Grant left the meeting room.

DECISION 2

Moved Cr Leith Mudge

S/- Cr Kirrilee Boyd

329/23

- 5. To appoint Cr Chris Grant to the position of Boundary Change Committee Member, effective forthwith and concluding on 30 November 2025.**

Carried Unanimously

6:54pm Cr Chris Grant returned to the meeting room.

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11.3 Reaffirmation of Acknowledgement of Country

**Moved Cr Leith Mudge
S/- Cr Melanie Selwood**

330/23

VARIATION

With the consent of the Mover (Cr Leith Mudge) and the Seconder (Cr Melanie Selwood), leave of the meeting was granted to vary paragraph 4 of the motion.

I move that Adelaide Hills Council:

- 1. Reaffirms its policy of making an acknowledgement of the traditional custodians of the Adelaide Hills prior to ALL council meetings and other meetings in accordance with our Acknowledgement and Welcome to Country Policy.**
- 2. Believes that the appropriate delivery of Acknowledgement of Country and Welcome to Country is a fundamental element of respectful recognition of the Traditional Custodians of the Adelaide Hills.**
- 3. Believes that Council has a leadership role in relation to reconciliation and a responsibility to demonstrate best practice in the use and protocols associated with Acknowledgement of Country and Welcome to Country.**
- 4. Encourages other SA Councils to adopt or retain a policy of making a respectful Acknowledgement of Country at council and other meetings through providing correspondence to other regional LGAs, SAROC and GAROC.**

Carried Unanimously

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12. OFFICER REPORTS – DECISION ITEMS

12.1 Council Confidential Items Review – December 2023

Moved Cr Nathan Daniell
S/- Cr Chris Grant

331/23

Council resolves:

DECISION 1

1. That the report be received and noted.
2. That the items held as confidential in the Confidential Items Register (Appendix 1) be noted.

Carried Unanimously

Moved Cr Nathan Daniell
S/- Cr Chris Grant

332/23

DECISION 2 – Resolution 303/22 – Surplus Government Land Notification

3. Pursuant to Section 91(7) of the Local Government Act 1999, Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(i) of the Act:
 - The report, related attachments, minutes and other (presentation, documents or similar) of 20 December 2022, Item No. 18.1, Surplus Government Land Notifications, 202/22, unless previously released, remain confidential until this matter has concluded and that this order be reviewed every twelve (12) months.
 - On the grounds that the document(s) (or part) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and would, on balance, be contrary to the public interest. The current expiry date occurs on 20 December 2023 a further twelve (12) months is required to 20 December 2024.
4. Pursuant to section 91(9)(c) of the Local Government Act 1999, Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.

Carried Unanimously

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13. OFFICER REPORTS - INFORMATION ITEMS

Nil

14. CORRESPONDENCE FOR INFORMATION**14.1 Appointment of Ms Emily Strickland as Ombudsman for South Australia****14.2 State Planning Commission letter of acknowledgement for Adelaide Hills Council Greater Adelaide Regional Plan Discussion Paper Submission**

Moved Cr Mark Osterstock
S/-Cr Melanie Selwood

333/23

Council resolves that the correspondence is received and noted.

Carried Unanimously

15. QUESTIONS WITHOUT NOTICE

Nil

16. MOTIONS WITHOUT NOTICE

Nil

17. REPORTS**17.1 Council Member Function or Activity on the Business of Council****Mayor Jan-Claire Wisdom**

- 28 November Council workshop at Stirling
- 29 November meeting with Councillor at Birdwood
- 30 November Vigil to protest Violence Against Women at Windy Point
- 04 December Meeting with Mayor of Mitcham at Belair
- 04 December Meeting with Principal of Rostrevor College at Rostrevor
- 04 December Council workshop at Woodside
- 06 December Meeting with Ex Mayor of Marion/LGA President Felicity-Ann Lewis at Mitcham
- 07 December AHRWG Meeting at Uraidla
- 12 December CEOPRP Special Meeting at Stirling
- 13 December All staff Meeting at Balhannah
- 14 December attended offices of Minister Picton - meeting cancelled
- 15 December Volunteers Access and Inclusion thank you lunch at Stirling

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Cr Melanie Selwood

- 1 December 2023 Mt Torrens Community Dinner
- 8 December 2023 Conscious Consumption Seminar
- 14 December 2023 Woodside Christmas Pageant

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

Nil

17.3 CEO Report

Nil

18. REPORTS OF COMMITTEES

18.1 Council Assessment Panel

Nil

18.2 Audit Committee

Nil

18.3 CEO Performance Review Panel

Nil (refer to confidential items)

18.4 Boundary Change Committee

Nil

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19. CONFIDENTIAL ITEMS

19.1 Citizen of the Year 2024 Recommendations – Exclusion of the Public

Moved Cr Nathan Daniell
S/- Cr Leith Mudge

334/23

Council resolves:

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 Corporate Services, Terry Crackett
- Director Community and Development, Natalie Armstrong
- Director Environment and Infrastructure, David Waters
- Governance Support, Tracy Riddle (Kelledy Jones Lawyers)
- Minute Secretary, Rebekah Lyons
- Minute Secretary, Kylie Hopkins
- Technical Support, Mike O'Donnell

be excluded from attendance at the meeting for Agenda Item 19.2: (Citizen of the Year 2024 Recommendations) 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)(o) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is information relating to a proposed award recipient before the presentation of the award, the disclosure of which could reasonably be expected to reveal award recipient information before a special event.

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

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Under section 75B of the *Local Government Act 1999* Cr Malcom Herrmann disclosed a General (section 74) Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 19.1.1, the nature of which is as follows:

- I made a nomination and have a close association with three persons being considered for an award.

7:28pm Cr Malcom Herrmann left the meeting room.

19.1.1 Citizen of the Year Awards 2023 Recommendations – Confidential Item

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19.1.2 Citizen of the Year Awards 2024 Recommendations – Duration of Confidentiality

Moved Cr Nathan Daniell

S/- Cr Adrian Cheater

336/23

Council resolves:

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 (which may include disclosure to media outlets to aid in achieving reporting timelines for publication; and disclosure to award recipients and their nominators, families and friends) in the performance of the duties and responsibilities of office, Council, having considered Agenda Item 18.2 in confidence under sections 90(2) and 90(3)(o) 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	25 January 2024
Related Attachments	25 January 2024
Minutes	25 January 2024
Other	Nil

The Australia Day Council allows recipient information to be disclosed from 22 January. 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

7:41pm Cr Malcom Herrmann returned to the meeting room.

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19.2 Amy Gillet Bikeway Stage 4 Construction Option – Exclusion of the Public

Moved Cr Adrian Cheater
S/- Cr Leith Mudge

337/23

Council resolves:

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 Corporate Services, Terry Crackett
- Director Community and Development, Natalie Armstrong
- Director Environment and Infrastructure, David Waters
- Governance Support, Tracy Riddle (Kelledy Jones Lawyers)
- Technical Support, Mike O'Donnell
- Minute Secretary, Rebekah Lyons
- Minute Secretary, Kylie Hopkins

be excluded from attendance at the meeting for Agenda Item 19.4: (Amy Gillett Bikeway Stage 4 – Construction Option) in confidence.

The Council is satisfied that it is necessary that the public, except for Council staff in attendance as specified above, be excluded to enable Council to consider the report at the meeting on the following grounds:

- (j) 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

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19.2.1 Amy Gillet Bikeway Stage 4 Construction Option – Confidential Item

Mayor _____

23 January 2024

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19.2.2 Amy Gillet Bikeway Stage 4 Construction Option – Duration of Confidentiality

Moved Cr Lucy Huxter

S/- Cr Leith Mudge

339/23

Council resolves:

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 6.1 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	19 December 2024 or upon finalisation of all relevant agreements with the State and Federal Governments, whichever is the earlier.
Related Attachments	19 December 2024 or upon finalisation of all relevant agreements with the State and Federal Governments, whichever is the earlier.
Minutes	19 December 2024 or upon finalisation of all relevant agreements with the State and Federal Governments, whichever is the earlier.
Other	Nil

Notwithstanding, the fact that the Council is working with other levels of government to find a way to complete the Amy Gillett Bikeway extension within available funding levels shall not be subject to the confidentiality order.

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

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8:15pm Leave of the meeting was granted for a short recess.

8:27pm The Council meeting resumed.

19.3 CEO Performance Review Panel Minutes of Meeting – Exclusion of Public

Moved Cr Leith Mudge

S/- Cr Kirrilee Boyd

340/23

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

- Mel Blondell, Red Seed Productivity Strategists
- Tracy Riddle, Kelledy Jones (Governance Lawyer)
- Lincoln Smith, Norman Waterhouse (Employment Relations Lawyer)
- Jody Atkins, A/Governance and Risk Coordinator (Minute Taker)

be excluded from attendance at the meeting for Agenda Item 19.3 CEO Performance Review Panel Minutes of Special Meeting.

The Council is satisfied that it is necessary that the public, with the exception of those in attendance as specified in (a) above, be excluded to enable the Council to consider the report at the meeting on the following grounds:

Section 90(3) (a) and (h) of the Local Government Act, the information to be received, discussed or considered in relation to this Agenda Item is:

- (a) Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
- (h) Legal advice.

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

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19.3.1 CEO Probation Review Process – Confidential Item

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19.3.2 CEO Probation Review Process – Duration of Confidentiality

Moved Cr Leith Mudge

S/- Cr Chris Grant

342/23

- a) Pursuant to Section 91(7) and (9) of the Local Government Act 1999, having considered Agenda Item 19.3 in confidence under sections 90(2) and 90(3)(a) and (h) of the Local Government Act 1999, the Council resolves that an order be made to retain the Report and related attachments, including the CEO KPI Report, the 360 Degree Survey and the presentation prepared by Red Seed Productivity Strategists, as well as the Minutes in confidence pursuant to section 91(9)(c) of the Local Government Act 1999, with this order to operate in an ongoing manner, to be reviewed every 12 months 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 further order and reviewed every 12 months
Related Attachments	Until further order and reviewed every 12 months
Minutes	Until further order and reviewed every 12 months
Other (presentation, documents, or similar)	Until further order and reviewed every 12 months

Carried Unanimously

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19.4 CEO Performance Review Panel Recommendation – Exclusion to Public

Moved Cr Nathan Daniell

S/- Cr Malcolm Herrmann

343/23

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

- Mel Blondell, Red Seed Productivity Strategists
- Tracy Riddle, Kelledy Jones Lawyers (Governance advice)
- Lincoln Smith, Norman Waterhouse Lawyers (Employment relations advice)
- Jody Atkins, A/Governance and Risk Coordinator (Minute Secretary)

be excluded from attendance at the meeting for Agenda Item 19.4 Performance Review Panel Recommendations in confidence.

The Council is satisfied that it is necessary that the public, with the exception of those in attendance as specified in (a) above, be excluded to enable the Council to consider the report at the meeting on the following grounds:

Section 90(3) (a) and (h) of the Local Government Act, the information to be received, discussed or considered in relation to this Agenda Item is:

- (b) Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
- (i) Legal advice.

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 19 DECEMBER 2023
63 MT BARKER ROAD STIRLING**

19.4.1 CEO Performance Review Panel Recommendation – Confidential Item

19.4.2 Extension of Meeting Time

Moved Cr Nathan Daniell
S/- Cr Leith Mudge

345/23

That the Council meeting be extended to 10.30pm.

Carried

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 19 DECEMBER 2023
63 MT BARKER ROAD STIRLING**

19.4.3 CEO Performance Review Process – Duration of Confidentiality

Moved Cr Mark Osterstock

S/- Cr Nathan Daniell

346/23

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 19.4 in confidence under sections 90(2) and 90(3)(a) and (h) 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	Until further order
Related Attachments	Until further order
Minutes	Chief Executive Officer to be advised at the conclusion of the meeting and the minutes to be publicly released after the Mayor has advised staff, no later than COB 22 December 2023.
Other (presentation, documents, or similar)	Until further order

Carried Unanimously

10:07pm Cr Kirsty Parkin left the meeting room
10:08pm Cr Adrian Cheater left the meeting room
10:12pm Cr Parkin returned to the meeting room
10.11pm Adrian Cheater returned to the meeting room

With leave of the meeting item 19.4.2 Decision 2 was deferred to the next Meeting of Council.

Decision 2

In accordance with Section 5.2 of the Mayor Seeking Legal Advice Policy, Council approves the Mayor seeking independent legal advice.

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 19 DECEMBER 2023
63 MT BARKER ROAD STIRLING**

20. NEXT ORDINARY MEETING

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 23 January 2024 from 6.30pm at 63 Mt Barker Road, Stirling.

21. CLOSE MEETING

The meeting closed at 10.14pm

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 January 2024
AGENDA BUSINESS ITEM**

Item: 10.1 Question on Notice

Originating from: Cr Leith Mudge

Subject: Stirling Oval Trees

1. QUESTIONS

1. What is the soil-borne fungal pathogen that caused the removal of two dead and one declining *Cupressus torulosa* (Bhutan cypress) trees on the southern side of Stirling Oval on 20 November 2023, and the apparent similar demise of previous trees in the same stand?
2. What advice has Council sought or received as to the prognosis for the remaining trees in this stand, and other trees to the north and west of the Oval?
3. What steps are the administration taking to protect the remaining trees from infection and death in this historic stand of trees?
4. Are there any plans to replace the trees that have already been removed?
5. Are there any master plans for the long term landscape management of the Stirling Oval and its contribution to the character and community amenity of Stirling township?

2. BACKGROUND

On 20 November 2023, council staff removed two dead and one declining *Cupressus torulosa* (Bhutan cypress) trees from the southern side of Stirling Oval (adjacent to 8 and 10 Oakbank Street) (see notification screenshot from council website at Appendix 1).

According to the website notification “[t]he decline and death of these *Cupressus* trees has been attributed to a soil-borne fungal pathogen. This pathogen can transfer to other host plants through infected roots. This pathogen has been attributed to the previous historical loss of neighbouring trees that formed part of the southern *Cupressus* row plantings. While Council continues to review it's management approach at this site, further tree loss within this row of trees over the coming years may occur.” Such a notice, and the CEO’s response to a Courier article of 25 October, provide no indication of plans to halt or address the decline; whether there are plans for remedial plantings or whether there is risk to adjoining property.

This stand of cypress trees dates back to the original establishment of the Oval in 1936 at the time of centenary of SA, and were part of a community effort that saw erection of the entrance gates and ceremonial steps. Media coverage at the time indicated that the trees were planted by the women of the community. The trees form part of a significant landscape element of the Oval with similar plantings to the north and west. They provide a significant contribution to the character of the Oval and the Stirling village with prominent presence as the landscape feature of the main street and have previously been identified in several heritage survey, dating from

(among others) the “Stirling District Heritage Survey, 1997”, the “Stirling Centenary Oval”, by the Mount Lofty District Historical Society, and listing by the National Trust.

This species can live up to 500 years and there are reports of a specimen in China that is 102.3 meters tall, making it the second tallest known tree species in the world. Concern has been expressed in the community over the loss and prognosis for the remaining trees in the stand.¹

Following the removal, I counted 8 tree stumps to the north of the remaining stand of trees (see photo below - red arrows point to stumps) indicating that there has already been significant die off and removal. I am informed from the community that these eight trees have progressively died and been removed over the past 5 or so years, without any indication of a succession plan. In the absence of any master plan for the Oval itself or horticulture response to the die-back community concern has been raised as to whether there will be total loss of all trees over time at the oval.



It would be concerning to lose the remaining trees due to inaction, moreover there should be clear indication to the community as to what response is planned by Council.

¹ <https://www.courier.net.au/council-pol/trees-to-be-removed-amid-fungus-concerns>

3. OFFICER'S RESPONSE – Chris Janssan, Manager Open Space

Question 1

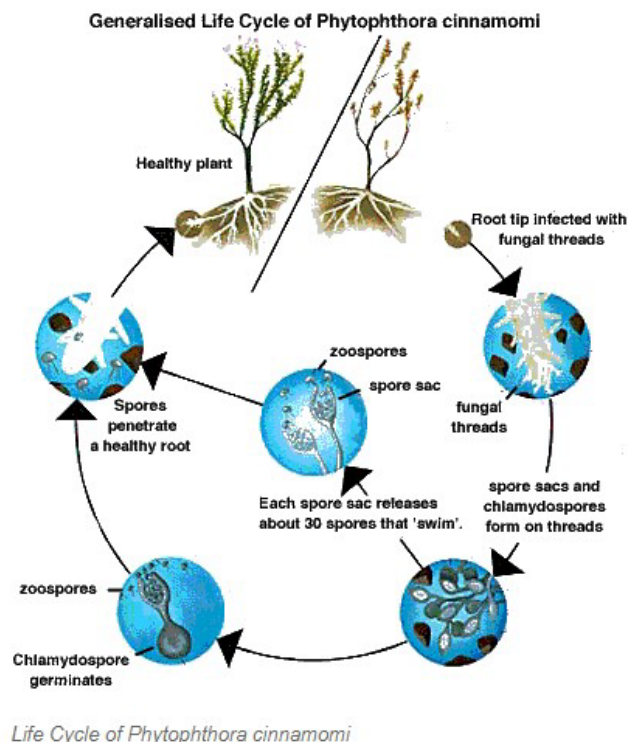
What is the soil-borne fungal pathogen that caused the removal of two dead and one declining *Cupressus torulosa* (Bhutan Cypress) on the southern side of Stirling Oval on 20 November 2023, and the apparent similar demise of previous trees in the same stand?

The fungal pathogen has been identified as *Phytophthora cinnamomi*. This pathogen belongs to a group of micro-organisms known as water molds, which have a motile or animal-like stage which can allow them to move through soil water. Its food source is the root and basal stem tissue of living plants, which weakens or kills the host plant by reducing or stopping the movement of water and nutrients within the plant.

It is native to South-east Asia and was probably introduced into Australia after European settlement in the late 1800's. In South Australia, it was first identified in 1969 in the Mt. Lofty Ranges.

Phytophthora cinnamomi may reproduce through production of two types of microscopic spores, zoospores and chlamydospores.

1. Zoospores are released in very large numbers under moist soil conditions and have flagella (tails) which are used to propel the spore through the soil water towards other plant roots. The movement of water down slope, through or over the soil, can also passively disperse these spores over considerable distances. Zoospores are attracted by the root secretions of some plants. They then penetrate the root, germinate and the cycle repeats itself.
2. Chlamydospores are larger, long-lived spores with thick protective walls. These spores can withstand dry conditions for months, germinating when warm moist soil conditions re-occur and may survive being transported long distances in dry soil.



Phytophthora cinnamomi can also spread through mycelial growth along roots and spread between closely connecting plant roots within the soil.

Once an area is infested with *Phytophthora* it is always infested. There is currently no known way to eradicate *Phytophthora*. Well-developed management plans and practices are required to contain the disease and minimise it's spread to uninfected areas.

Question 2

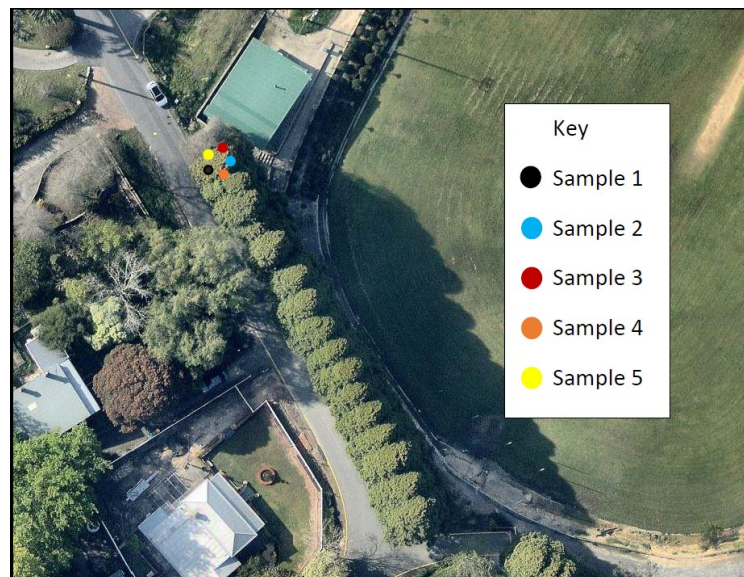
What advice has Council sought or received as to the prognosis for the remaining trees in this stand, and other trees to the north and west of the oval?

The trees in the south western stand have been treated numerous times since 2012, where a report provided by Council's external arboricultural consultants at that time, Arborman Tree Solutions, identified the presence of *Seiridium sp.*, commonly known as Cypress Canker.

This disease interferes with the sap flow and eventually causes the death of the branch or trunk above the infected area of the tree. Treatment involves stem injection and/or soil drenching with Phosphorous acid, which was the recommendation of the report.

Stem injection was conducted but was found to be difficult due to the species of trees affected and their sap exudation that blocks vessels when damaged, as well as the proportion of damage noted within the trees. Trees with poor foliage density are often difficult to inject solutes into as vascular translocation is reduced.

Soil samples were collected by Council's external arboricultural consultants, Adelaide Arb Consultants, in November 2016 and sent to the South Australian Research and Development Institute (SARDI) for testing.



Out of the five samples provided, the presence of *Phytophthora sp.* was confirmed in samples 2, 3 and 5. A treatment of stem injections with Phosphorous acid was again recommended and conducted on the trees.

The other trees north and west of the oval have been assessed at regular intervals as part of Council's tree data collection program. No evidence of *Phytophthora cinamomi* or *Seridium sp.* has been observed in these trees.

Question 3

What steps is the administration taking to protect the remaining trees from infection and death in this historic stand of trees?

Council has engaged the services of Adelaide Arb Consultants to develop a management plan to preserve the remaining trees in the stand.

This will involve regular application of Phosphorous acid to the root zone of the trees via a series of soil drenches. This process can have complications, as drenching the soil with Phosphorous acid has an effect on all pathogen activity, including those that are beneficial.

Adelaide Arb Consultants have recommended the following treatment program:

1. Soil drench of Phosphorous acid throughout the root zone of affected trees. This will limit the success of pathogen activity within the soil and also may be taken up by trees and limit pathogen success in affected trees.
2. Eight weeks following the acid drench, a drench of beneficial pathogens, bacteria and solutes will be applied to all areas where the acid drench was applied to rejuvenate these organisms into the soil profile.

It should be noted that this treatment will not eliminate the presence of *Phytophthora*, but will limit the extent of the pathogens virulence. This treatment is aimed at improving tree function and sustainability. It should be expected that retreatment will be required within 5-10 years, depending on the initial success of the treatments.

Question 4

Are there any plans to replace the trees that have already been removed?

Replacement of the trees would require extensive soil remediation works at the site, involving removal of the existing stumps and contaminated soil which would need to be disposed of at an accredited waste disposal facility. This would likely incur significant cost to Council, therefore would require further funding prior to any works commencing.

It is also unlikely that removal of the contaminated soil could guarantee that the new tree plantings would not be reinfected by *Phytophthora* due to the mobility of the organism through the soil profile.

Question 5

Are there any master plans for the long-term landscape management of the Stirling Oval and its contribution to the character and community amenity of the Stirling township?

The last landscaping plan for Stirling Oval was developed circa 2010 and resulted in, among other things, landscaping of the damaged concrete tiers on the western side, rehabilitation and painting of the staircase and improvements to pedestrian lighting. There is currently no formal master plan

in place for the Stirling Oval. Despite the lack of a formal plan, improvement made in recent years include:

- Upgrade of the carparking area on the eastern boundary.
- Asbestos removal and basic upgrades undertaken to the clubroom space in partnership with Stirling Cricket Club to ensure the space remains functional in the interim.
- Installation of the shelter on the eastern side of the oval.
- Upgrade of the cricket nets and the associated shed.

Clubs/groups that utilise the site have made requests to Council for oval drainage and lighting upgrades. Drainage works are currently under consideration, but no definitive position has yet been formulated regarding upgrades to the oval lighting.

4. APPENDIX

(1) Notification of Tree Removal Works and Road Closure – Oakbank Street Stirling

Appendix 1

*Notification of Tree Removal Works and Road Closure –
Oakbank Street Stirling*

Notification of Tree Removal Works and Road Closure - Oakbank Street Stirling

08 Nov 2023

Adelaide Hills Council will be undertaking the following tree management works below:

Works required: Complete removal of two dead and one declining *Cupressus torulosa* (Bhutan cypress) trees.

Location of works: Southern side of Stirling Oval, trees are situated adjacent to 8 and 10 Oakbank Street.

Reason for works: Two of the three trees are dead and are not suitable for retention due to the locality. The most eastern tree displays advanced levels of decline and holds a short remaining life expectancy. The decline and death of these Cupressus trees has been attributed to a soil-borne fungal pathogen. This pathogen can transfer to other host plants through infected roots. This pathogen has been attributed to the previous historical loss of neighbouring trees that formed part of the southern Cupressus row plantings. While Council continues to review its management approach at this site, further tree loss within this row of trees over the coming years may occur.

Date of Works: Monday 20th November 2023.

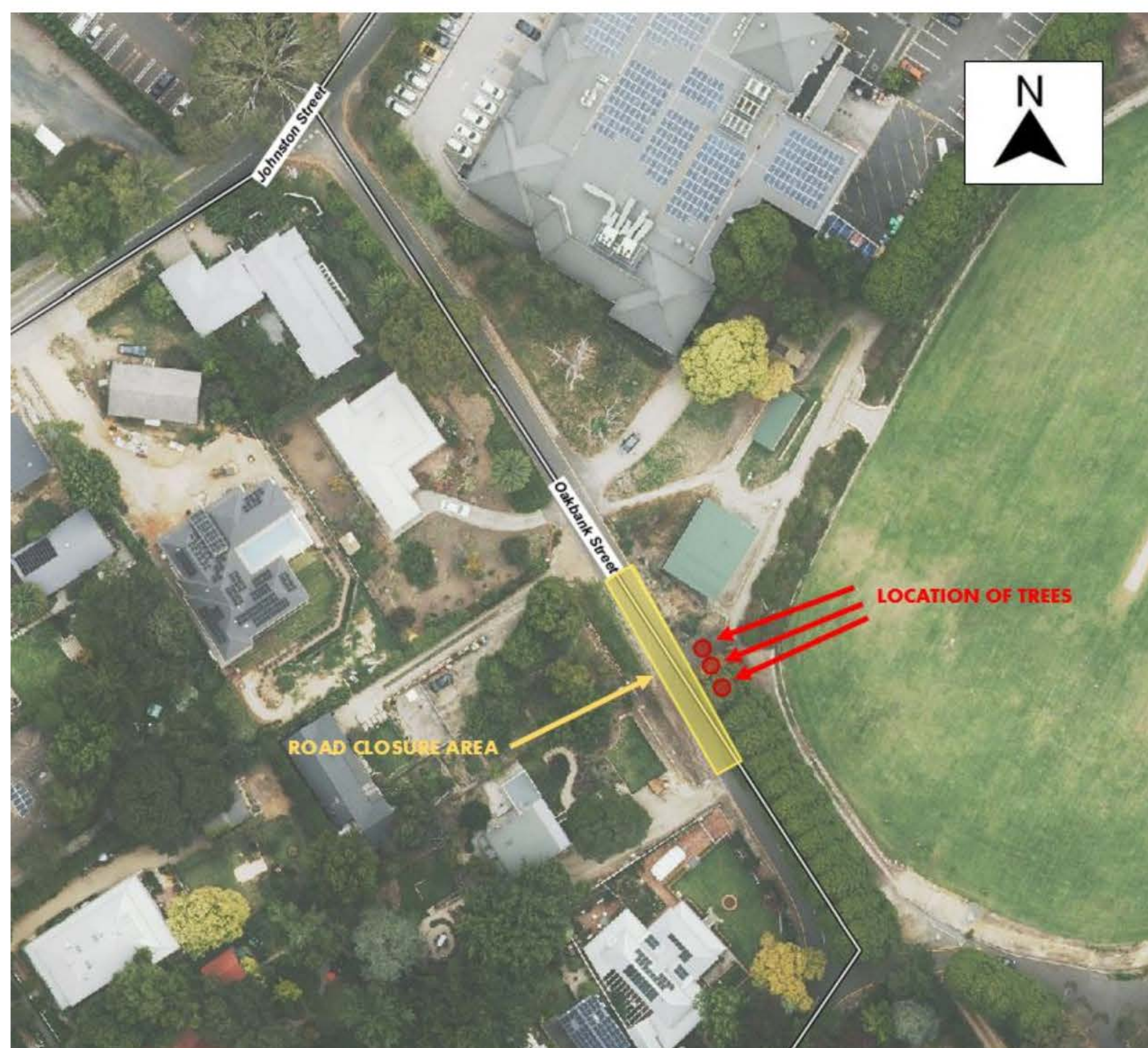
Time of Works: 7:00am – 3:30pm

Road closure: To enable these works to be undertaken in a safe manner, pedestrian and vehicle access to the adjacent section of Oakbank Street will temporary be closed. While road closure signage will be installed at the intersections of Milan Terrance / Oakbank Street and Johnson / Oakbank Streets, access for Oakbank residents will be maintained. We ask for impacted residents within Oakbank street review the location of the worksite and select the appropriate street access point.

Due the condition of the soil at this site, no replacement tree planting works have currently been scheduled.

We apologies for any inconvenience that these works may cause and thank you for your cooperation in this matter.

If you have any questions, please contact Council on 8408 0400.



**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 January 2024
AGENDA BUSINESS ITEM**

Item: 11.1 Motion on Notice

Originating from: Cr Mark Osterstock

Subject: International Women’s Day – 8 March 2024

1. MOTION

I move that:

1. Council notes that International Women’s Day [IWD] is a day to focus the world’s attention on gender equality and the empowerment of women.
2. Council supports IWD noting that it is a global day to reflect on progress, call for change and to celebrate the courage and determination of those who have changed the face of gender equality.
3. Council recognises that the aim of the IWD 2024 *Count Her In: Invest in Women. Accelerate Progress* Campaign is to highlight the pathways to greater economic inclusion for women and girls everywhere.
4. Council requests that the CEO bring IWD 2024 and the #CountHerIn Campaign to the attention of our community through a range of communication channels including the website, e-newsletter and social media with a view to celebrating women’s achievements and raising awareness about gender inequality.

2. BACKGROUND

International Women’s Day, March 8, is a global day celebrating the social, economic, cultural, and political achievements of women. The day also marks a call to action for accelerating women’s equality.

International Women’s Day has occurred for well over a century, with the first International Women’s Day gathering in the early 1900’s supported by over a million people. Today, International Women’s Day belongs to all groups collectively everywhere. International Women’s Day is not country, group or organisation specific.

A BRIEF HISTORY

International Women’s Day (IWD) is a global holiday celebrated annually on March 8 as a focal point in the women’s rights movement, bringing attention to issues such as gender equality, reproductive rights, and violence and abuse against women. Spurred on by the universal female suffrage movement, IWD originated from Labor movements in North America and Europe during the early 20th century.

The earliest version reported was a "Women’s Day" organized by the Socialist Party of America in New York City on February 28, 1909. This inspired German delegates at the 1910

International Socialist Women's Conference to propose "a special Women's Day" be organized annually, albeit with no set date; the following year saw the first demonstrations and commemorations of International Women's Day across Europe. After women gained suffrage during the Russian Provisional Government in 1917, IWD was made a national holiday on March 8; it was subsequently celebrated on that date by the socialist movement and communist countries. The holiday was associated with far-left movements and governments until its adoption by the global feminist movement in the late 1960s. IWD became a mainstream global holiday following its adoption by the United Nations in 1977.

International Women's Day is commemorated in a variety of ways worldwide; it is a public holiday in several countries and observed socially or locally in others to celebrate and promote the achievements of women.

The United Nations observes the holiday in connection with a particular issue, campaign, or theme in women's rights. In some parts of the world, IWD still reflects its political origins, being marked by protests and calls for radical change; in other areas, particularly in the West, it is largely sociocultural and centred on a celebration of womanhood. [source: Wikipedia]

3. OFFICER'S RESPONSE – Jess Charlton, Acting Director Community and Development

➤ Strategic Management Plan/Functional Strategy/Council Policy Alignment

Strategic Plan 2020-24 – A brighter future

Goal 2 Community Wellbeing

Objective C1 A community for everyone – that is inclusive, welcoming and accessible.

Priority C1.2 Support and promote opportunities for social inclusion and celebration of our cultural diversity.

Using Council's communication channels to celebrate women's achievements and raise awareness about gender inequality aligns with Council's strategic commitment to support and promote opportunities for social inclusion.

➤ Legal Implications

Not applicable

➤ Risk Management Implications

Among many other controls, supporting and promoting International Women's Day will assist in mitigating the risk of:

Failure to identify and respond to key community issues, leading to a loss of faith in the Council and community needs being unmet.

Inherent Risk	Residual Risk	Target Risk
Medium 3C	Low (1E)	Low (1E)

➤ Financial and Resource Implications

Supporting and promoting International Women's Day 2024 through communication channels such as the website, e-newsletter and social media can be accommodated within existing resources and budget allocation.

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

Formally supporting International Women’s Day signals Council’s commitment to educate and raise awareness for women’s equality and call for positive change advancing women.

➤ **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

4. ANALYSIS

International Women’s Day (IWD) is marked globally on March 8 each year. While the existence of IWD predates the establishment of the United Nations (UN), the UN observes certain designated days to promote awareness and action on a range of issues. IWD is observed by the UN and marked each year with a theme to highlight priorities of the Commission on the Status of Women – an intergovernmental body dedicated to the promotion of gender equality and empowerment of women.

The UN theme for IWD in 2024 is “*Count Her In: Invest in Women. Accelerate Progress*” with the associated hashtags #CountHerIn and #InvestInWomen being suggested by UN Women Australia and the UN respectively. The theme is aimed at highlighting pathways to greater economic inclusion to accelerate gender equality and the empowerment of women and girls.

Supporting IWD 2024 aligns with Council’s commitment (February 2023) to help prevent violence against women and implement the Our Watch’s Prevention Toolkit for Local Government. According to the UN, the theme for IWD 2024 aligns with the 2023 International Day for the Elimination of Violence against Women (25 November) which was also themed around investment, with a message of ending gender-based violence through adequate funding.

Should the motion be carried, the administration would undertake the following activities to support and promote IWD and the 2024 theme and campaign:

- News item on the Council website
- Story in the Hills Voice e-newsletter
- Posts on the Council’s social media accounts

5. APPENDICES

Nil

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 January 2024
AGENDA BUSINESS ITEM**

Item: 12.1

Responsible Officer: Jody Atkins
A/Governance and Risk Coordinator
Corporate Services

Subject: East Waste Deputy Board Member Appointment

For: Decision

SUMMARY

Council is a constituent council of the Eastern Waste Management Authority (East Waste) regional subsidiary and has board membership rights in accordance with their charter.

At its 29 November 2022 meeting, Council considered and appointed Mr Peter Bice, then Director Infrastructure & Operations to the Deputy Board Member position for a term from 30 November 2022 with conclusion on 29 November 2025 (inclusive).

As Peter Bice is no longer employed at Adelaide Hills Council, Council will need a replacement Deputy Board Member to support its current Board Member Cr Lucy Huxter in the event where Cr Huxter is unable to attend a meeting.

The purpose of this report is to seek Council's consideration of the Deputy Board Member, and to nominate and elect a new representative into this position.

RECOMMENDATION

Decision 1

Council resolves:

- 1. That the report on the East Waste Deputy Board Member Appointment be received and noted.**
- 2. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred persons for the Eastern Waste Management Authority Deputy Board Member role and for the meeting to resume once the results of the indicative voting for the role has been declared.**

Decision 2

- 1. To appoint _____ to the Deputy Board Member position of the Eastern Waste Management Authority Board for a term to commence on 1 January 2024 and conclude on 29 November 2025 (inclusive).**

2. **To authorise the Chief Executive Officer to lodge all required documentation to give effect to Council's resolutions regarding Eastern Waste Management Authority Board Membership.**
-

1. **BACKGROUND**

East Waste is a Regional Subsidiary established under s43 of the *Local Government Act 1999* and provides kerbside waste, recycling and green organic collection services to the constituent councils of:

- Adelaide Hills Council
- City of Burnside
- Campbelltown City Council
- City of Norwood Payneham and St Peters
- City of Mitcham
- City of Prospect
- Corporation of the Town of Walkerville
- City of Unley

Per its Charter, the purpose of East Waste is to collect and dispose of waste, primarily within the areas of the Constituent Councils and has the following functions in this regard:

- to predominantly operate or obtain services for the collection of Waste on behalf of Constituent Councils and/or other approved Councils;
- to provide waste management services whether in or (so far as the Act allows) outside the area of any of the Constituent Councils, including waste collection, recycling of organic and inorganic materials, disposal of waste;
- to undertake management and collection of Waste (in accordance with regulatory approvals) and kerbside materials recovery, on behalf of Constituent Councils (and/or other approved councils) in an environmentally responsible, effective, efficient, economic and competitive manner

Clause 21 of the Charter provides that the Board will consist of nine directors with one person appointed by each constituent council who may be an officer, employee, elected member or an independent person and one independent person appointed by absolute majority of the constituent councils. Appointments are for a three year term.

Each constituent council must also appoint a deputy director for a term determined by the council who may act in place of that constituent council's appointed director if the director is unable to be present at a meeting of the Board.

At its 29 November 2022 meeting, Council appointed Mr Peter Bice, Director Infrastructure and Operations to the Deputy Board Member position for a term to commence from 30 November 2022 and conclude on 29 November 2025 (inclusive).

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 29 NOVEMBER 2022
63 MT BARKER ROAD STIRLING**

3. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred persons for the Eastern Waste Management Authority Board Member roles and for the meeting to resume once the results of the indicative voting for the Board Member roles have been declared.

Carried Unanimously

8.09pm The Council Meeting adjourned

8.20pm The Council Meeting resumed

8.21pm Cr Lucy Huxter declared a General Conflict of interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.8.1 and left the Chamber

12.8.1 \$43 Subsidiary Membership – East Waste

Moved Cr Nathan Daniell

S/- Cr Pauline Gill

306/22

1. That in relation to the Eastern Waste Management Authority Board:
 - a. To appoint Cr Lucy Huxter to the Board Member position for a term to commence from 30 November 2022 and conclude on 29 November 2025 (inclusive)
 - b. To appoint Peter Bice, Director Infrastructure & Operations, to the Deputy Board Member position for a term to commence from 30 November 2022 and conclude on 29 November 2025 (inclusive)
2. To authorise the Chief Executive Officer to lodge all required documentation to give effect to Council's resolutions regarding Eastern Waste Management Authority Board Membership.

Carried Unanimously

Councillor Lucy Huxter is the Council's current member on the East Waste Board.

The East Waste Board usually meets at 5.30pm on the 4th Thursday of every second month, at the Norwood Town Hall on The Parade, Norwood. The meetings are of approximately two hours duration.

There are no sitting fees payable for Board Members or Deputy Board Members, except the Independent Chairperson. Should the Council choose to appoint someone who is not an elected member and not a staff member, and that person expects a sitting fee, the Council would be responsible for the payment of same.

2. ANALYSIS

➤ **Strategic Management Plan/Functional Strategy/Council Policy Alignment**

Strategic Plan 2020-24 – A brighter future

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
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

The appointment of members to the East Waste Board is an important element of Council’s commitment to open and transparent decision making which facilitates public accountability.

➤ **Legal Implications**

East Waste is governed by a Charter and requirements of the *Local Government Act 1999*.

Section 74 – General conflicts of interest of the Act set out the provisions regarding General Conflicts of Interest. 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. For this matter, Council Members seeking to be appointed to the East Waste Board may have a General COI and should consider declaring the interest and acting in accordance with *s75B – Dealing with general conflicts of interest*.

Section 75 – Material conflicts of interest of the Act set out the provisions regarding Material Conflicts of Interest. 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. For this matter, Council Members seeking to be appointed to the East Waste Board may have a Material COI and should consider declaring the interest and acting in accordance with *s75C – Dealing with material conflicts of interest*.

Council’s Information or Briefing Sessions Policy created under s90A(1) sets out the provisions for the conduct of an Information or Briefing Session such as the session recommended for the purposes of indicative voting. The above COI provisions do not apply to an Information Session, if it occurs.

➤ **Risk Management Implications**

Council considering the position of Deputy Board Member of East Waste 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 (1D)	Low (1D)

Note that there are many other controls that assist in mitigating this risk.

The report recommendation will require correspondence to be sent to East Waste advising of the outcome of Council considering this matter.

➤ **Financial and Resource Implications**

There are a number of financial implications in relation to East Waste; however this report concerns the appointment of Council representatives to the East Waste Board rather than the operations of the Subsidiary.

Neither Council nor East Waste pay allowances for attendance at meetings. Council Members are however entitled to claim travel reimbursement in accordance with the *Council Member Allowance & Support Policy*.

Should Council determine to appoint an independent person to the Board, i.e. not a Council Member or staff member, then that person may reasonably expect to be compensated. In this case, it would be the responsibility of the Council and not East Waste to recruit an appropriate person to the position and negotiate and pay the relevant fee. There is currently no budget allocation for this.

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

There is no direct customer service, community or cultural implications from the report recommendation.

➤ **Sustainability Implications**

There are no direct sustainability implications from the report recommendation.

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

There is no requirement for consultation in relation to the appointment of the East Waste Independent Chair.

<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**

While the position being filled is the Deputy Board Member, the following should still be considered in the event that the Deputy is required to act in place of the Board Member.

Legal Obligations

A Board Member of a Regional Subsidiary has different fiduciary responsibilities to that of a Council Member or a Council Officer. In simple terms, the Board Member's duty is to act in the best interests of the Subsidiary (which might not necessarily be in the best interest of the Council). There are also more complex provisions relating to conflict of interest management.

It is important that aspiring and newly-appointed Board Members have a sound understanding of these matters. Training should be provided by the Subsidiary and can be assisted by Council's Governance & Performance Team.

Board Membership Suitability

Council's membership on East Waste is important given its ability to both provide services and financial returns and to incur risks and liabilities for Council.

While it is a Subsidiary of the Constituent Councils, aspiring Board Members must be cognisant of the fiduciary duty of Board Members to act in the best interests of the Subsidiary, which might conflict with the interests of the Council. Further the Conflict of Interest provisions relating to Regional Subsidiaries are more complicated, although training will be provided by the Governance Team and the Subsidiary Executive.

In considering Regional Subsidiary memberships, Council may wish to consider suitability factors including (but not limited to):

- Ability to bring the Adelaide Hills Council's unique perspective to Board deliberations;
- Understanding, or the ability to acquire the same, of the charter, functions, operations and legislative framework of the respective Subsidiary;
- Understanding, or the ability to acquire the same, of the roles and duties of a Board Member;
- where specifically stated, skills and/or knowledge detailed in the respective Charter for Board Members;
- whether an Independent Member (where permissible), recruited and remunerated by the Constituent Council, would be more effective in the fulfilling the role of a Board Member given the ability to recruit for specific skill sets;
- understanding or the ability to acquire the same in meeting procedure generally and the meeting procedure set out in the *Local Government (Procedures at Meetings) Regulations 2013* and Meeting Procedure provisions of the respective Subsidiary;
- ability to manage conflict and differing opinions;
- integrity, good conduct and diligence;
- the opportunity to provide professional development;
- the opportunity to consider diversity in the role;
- willingness and ability to travel to meetings (given that these are regional groupings, meetings can be held a considerable distance from the Council district);
- willingness and ability to attend meetings during business hours and Special Meetings at short notice; and
- current and future time commitments (i.e. there are a number of Council Committees and Advisory Groups that will also require Council Member representation).

Council Officers and Independents on Regional Subsidiaries

The Chief Executive Officer provides the following Council Officer suggestions for Council's consideration:

- Deputy Board Member (can be a Member, Officer or Independent) – Mr David Waters, Director of Environment and Infrastructure.

Mr Waters has portfolio responsibility for waste management at Adelaide Hills Council. He has prior experience having responsibility for waste management in a previous position at the City of Norwood Payneham & St Peters and had significant dealings with East Waste at that time. In addition to his prior waste management experience, Mr Waters has considerable experience in other relevant areas such as customer service, community services and service improvement. Primarily though, he is well placed to provide regular and reliable support to the Council's appointed primary Board Member, Cr Huxter.

A number of the other constituent councils have appointed Director/General Manager level staff to be either their nominated Board Member or Deputy Board Member.

The East Waste Board has historically comprised a mix of elected Council Members and Council staff from its constituent councils. The current nine person Board comprises of:

- Independent Chairperson
- Two Mayors
- Three Councillors
- One council Chief Executive Officer
- Two other senior council staff members

The composition of deputies is not entirely known as this information is not published by East Waste.

The Chief Executive Officer has not undertaken a process to determine potential independent members as it has not been the Council's past practice to do so, it would require the allocation of additional resourcing to conduct such a process and, in the Chief Executive Officer's opinion, the appropriate skill set for the Board exists within the potential Council Member or Council staff nominees.

Indicative Voting Process for Determining Council Appointed Positions

If Council determines to recruit the services of an Independent Member to sit on a Regional Subsidiary, the following process will not be used and instead Council will need to resolve to commence a recruitment process.

Due to the implications of the General and Material Conflict of Interest provisions (see Legal Implications above), it is proposed that the Council adjourn the meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote (Indicative Voting Process) to determine the preferred persons for the East Waste Board Member positions.

As the Indicative Voting Process involves discussion of a matter that is, or is intended to be, part of the agenda for a formal meeting of the Council or Council Committee, it is an Information or Briefing Session for the purposes of s90A and the *Information or Briefing Sessions Policy* (the Policy). As an Information or Briefing Session, the Chief Executive will conduct the meeting in accordance with the Policy.

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.

The proposed Indicative Voting Process is:

- a) Chief Executive Officer calls for self-nominations for the position of Board Member position.
Note that the Council Officer(s) identified above will be included as a nomination for the Council's consideration.
- b) 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.
- c) The CEO (or another Council staff member) will be appointed as the Returning Officer and may enlist other Council staff to assist with the conduct of the vote and the count.
- d) The method of voting will be by secret ballot utilising the preferential counting system
- e) Each Council Member (including the Mayor) shall have one vote.
- f) Ballot papers will be provided to each Member.
- g) The nominees' names will be drawn to determine the order on the ballot paper.
- h) Each Member will write the nominee's names on the ballot paper in the order they are drawn.
- i) Each nominee will have two (2) minutes to speak in the Briefing Session in support of their candidacy. The speaking order will be as listed on the ballot paper.
- j) 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.
- k) 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.
- l) After all votes have been counted, the Returning Officer shall return to the Briefing Session and publicly declare the result of the election (i.e. the preferred person).
- m) The ballot papers will be shredded.

Proposed Chronology of Events

The mechanics are relatively complicated due to the legislative provisions regarding conflict of interest and information sessions, as such the following chronology is suggested:

- I. Council will determine to receive the report. Council would give effect to this by dealing with Recommendation 1 (or a variant) at this time.
- II. Council will then have to adjourn the meeting to enable the process to be undertaken. Council would give effect to this by dealing with Recommendation 2 (or a variant) at this time.
- III. Steps I. and II. are all grouped as Decision 1 in the recommendation section.
- IV. Once the Indicative Voting Process has been completed the Council meeting will resume in accordance with the previous resolution.
Upon resumption, any Council Members who nominated for the Deputy Board Member role would be advised to consider their obligations to declare a General or Material COI, as appropriate.
- V. Council can then resolve for the preferred person to be appointed to the Deputy Board Member position. Council would give effect to this by dealing with Decision 2 - Recommendation 1 (or a variant) at this time.

- VI. The final recommendation Decision 2 – Recommendation 2 is for the CEO to communicate the Council’s resolutions to East Waste.

3. OPTIONS

Council has the following options:

- I. To resolve to make the appointment to the East Waste Deputy Board Member position as identified following the established process. (***Recommended***) or
- II. To resolve to recruit an Independent Member, to approve a recruitment process and appoint a selection panel. (***Not Recommended***) or
- II. To decide not to make the appointment to the East Waste Deputy Board Member position at this time. (***Not Recommended***).

4. APPENDICES

Nil

Item 14 Correspondence for Noting

Please distribute to the Mayor/Shire President/CEO/General Manager

I'm delighted to officially invite you to our Australian Local Government Association Annual Conference, the National General Assembly of Local Government (NGA), which will be occurring in Canberra from 2 to 4 July 2024 at the National Convention Centre. In addition, the Federal Government has again offered to host Mayors at the Australian Council of Local Government (ACLG) on 5 July 2024.

As a result, ALGA is now calling for councils to submit motions for the 2024 NGA. Attending this Conference to debate policy motions that will be considered by the ALGA Board, the NGA is your opportunity to shape the federal advocacy agenda that ALGA will undertake on behalf of Australian local governments.

The theme of our 2024 NGA will be "Building Community Trust". ALGA is seeking motions that align with this theme and identify opportunities for new federal programs and policies that will support councils to build trust, both in our communities and as a local delivery partner for the Australian Government.

This [discussion paper](#) will help you prepare your council's motions, which can be submitted online at www.alga.com.au until Friday 29 March 2024.

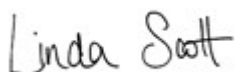
Next year's Conference is shaping up to be even bigger than this year's record setting event, and we are again so proud to be partnering with the Federal Government to incorporate the ACLG into the week.

This year's ACLG was the first to be held in ten years and was a wonderful opportunity for us to speak directly to Federal Ministers with one voice about the challenges and opportunities in our communities.

Further information about both the 2024 NGA and ACLG – including registration details – will be provided to your councils in the New Year. Should you require any further details, please do not hesitate to contact ALGA on (02) 6122 9400 or at alga@alga.asn.au.

I look forward to receiving your 2024 NGA motions and welcoming you to Canberra next July.

Yours sincerely,



Councillor Linda Scott
President, Australian Local Government Association



**Government
of South Australia**

**Minister for Trade and
Investment**

**Minister for Housing and
Urban Development**

Minister for Planning

GPO Box 11032
ADELAIDE SA 5001

T: (08) 8235 5580

E: ministerchampion@sa.gov.au

Hon Nick Champion MP

23EXT0371

Mayor Jan-Claire Wisdom
Adelaide Hills Council

By email: icwisdom@ahc.sa.gov.au

Mr Greg Georgopoulos
Chief Executive Officer
Adelaide Hills Council

By email: mail@ahc.sa.gov.au

Dear Mayor Wisdom and Mr Georgopoulos

I would like to introduce an important initiative designed to address the shortage of skilled para planners in South Australia – the Para Planner Cadet Program.

The shortage of urban and regional planners has become a growing concern, as emphasised in both the Planning Institute of Australia's *Planners in Australia: State of the Profession* report (<https://www.planning.org.au/planningresourcesnew/state-of-the-profession>) and the Federal Government's Skills Priority List (<https://www.jobsandskills.gov.au/data/skills-priority-list>). This scarcity not only hinders our state's ability to tackle critical challenges such as housing affordability, population growth, and the transition to a net-zero emissions future, but also jeopardizes the sustainability of our communities.

In response to this pressing issue, I have taken proactive measures through the establishment of the Built Environment Education Liaison Group (BEELG) in February 2023. This collaborative effort has resulted in several initiatives aimed at tackling the skills shortage and promoting planning as a viable and rewarding career choice.

BEELG has proactively implemented impactful initiatives, including the two-year Grow Your Own program, jointly funded by State and Local Government. This program supports local talent, benefiting four council employees in the Murraylands, Riverland, and Spencer Gulf regions. Our collaboration with TAFE SA has led to the development of an entry-level planning course recognised by the Accreditation Authority. Additionally, we have instituted the \$10,000 UniSA Student Grant Program and formed a collaborative partnership with the Department for Education to enhance built environment learning in schools, emphasising our commitment to sustainable planning education. Our active participation in career expos aims to spark early interest in planning professions, ensuring a continuous talent pipeline.



OFFICIAL

Among these initiatives, the newly developed Para Planner Cadet Program stands out as a unique opportunity for your organisation to actively shape and enhance your planning services. While we will continue to strongly advocate for an undergraduate planning degree in our state, the Para Planner Cadet Program, in collaboration with Planning and Land Use Services (PLUS) of the Department for Trade and Investment, TAFE SA, the Department for Education, and the Planning Institute of Australia, is tailored to relieve the pressure on planning teams. It offers a hands-on, practical approach to workforce development, serving as a strategic avenue for your organisation to support young people, cultivate your skilled workforce, and provide valuable work experience and support to students pursuing the Diploma in Local Government (Planning).

The first intake for the Para Planner Cadet Program is scheduled to commence in 2024, spanning approximately 2.5 years and concluding in June 2027, ensuring a robust foundation and practical experience for future para planners.

I encourage your organisation to participate in this program and take advantage of the numerous benefits for your organisation and community. These benefits include a reduction in workforce shortages, the cultivation of local talent, a demonstration of commitment to education and career development, collaborative engagement opportunities, and access to subsidised training. Further information about the program is detailed in the enclosed flyer.

If you would like to participate in Para Planner Cadet Program, please express your interest by contacting Ms Sarah Melin, Manager Strategic Initiatives, PLUS, via email at sarah.melin@sa.gov.au by **18 January 2024**.

I look forward to your organisation's involvement in this innovative program and to the positive impact it will have on the planning sector in our state.

Thank you for your time and consideration.

Yours sincerely



Hon Nick Champion MP
Minister for Planning

18 / 12 / 2023

Encl. Para Planner Cadet Program Flyer

Para Planner Cadet Program



Government of
South Australia



Para Planner Cadet Program

Be part of a unique opportunity to actively shape and enhance your planning services through participation in the groundbreaking Para Planner Cadet Program. This pilot program led by the Department for Trade and Investment – Planning and Land Use Services (PLUS) is a collaborative effort between the Department for Education, TAFE SA, Planning Institute of Australia – SA and PLUS.



Building your workforce

The Para Planner Cadet Program is tailored to alleviate the pressure on planning teams, providing a hands-on, practical approach to workforce development. This Cadet Program offers a strategic avenue for your organisation to support young people and to grow your own skilled workforce while trialling prospective employees and assessing their skills and suitability for your organisation.

Program overview

Commencing in 2024, the program will run for approximately 2.5 years, concluding in June 2027. Cadets will gain valuable work experience while undertaking a Diploma in Local Government (Planning) through TAFE SA.

- › Encompasses a bridging course to set Cadets up for success.
- › Pathway to Planning Level 4 Accredited Professional status.
- › The Diploma is a pathway to university for those Cadets wishing to continue their studies in urban and regional planning/town planning.

Key program details

- › **Eligibility criteria:** Open to high school leavers or individuals under 21, but may also be open to current staff members wishing to pursue a Para Planning qualifications, who satisfy TAFE SA educational prerequisites.
- › **Recruitment and selection:** A collaborative process coordinated by PLUS and involving participating organisations, ensuring transparency, fairness, and effectiveness.
- › **Onboarding and orientation:** Participating organisations are responsible for onboarding and inducting cadets into their organisation, ensuring seamless integration into the workplace.
- › **Training and development:** While the Cadet Program offers an online bridging course and Diploma, complementary professional development opportunities will be provided by PIA. In addition, there will be opportunities to collaborate with other Councils or industry employers to maximise planning sector exposure and learning experiences for the cadets.

Para Planner Cadet Program



Key program details (cont.)

> Costs:

- » The cost of employing a cadet is approximately \$50,000 per year, contingent on your organisation's rate for a cadet/trainee.
 - Approx \$4,000 for TAFE SA course.
 - Collaboration with the National Traineeship Subsidy Scheme aims to provide further subsidies.
- » PLUS will waive the initial Accredited Professionals application fees for Cadets pursuing Planning Level 4 Accredited Professional status.

Benefits

1. **Addressing workforce shortages:** Immediate resolution to the shortage of qualified para planners.
2. **Cultivating local talent:** Retaining and nurturing local talent within the community.
3. **Demonstrating commitment:** Showcase commitment to education, career development, and community betterment.

4. **Collaborative engagement:**

Opportunities to collaborate with councils, agencies, and industry partners.

5. **Subsidised Training:** Access subsidised training, industry-based training, and waived Accredited Professionals application fees.

Next steps

If your organisation is interested in participating in this transformative initiative, please express your interest to sarah.melin@sa.gov.au by 18 January 2024. We welcome the opportunity to discuss the program details, benefits, and how your organisation can play a crucial role in shaping the future of skilled planners in South Australia.

OFFICIAL: Sensitive

Government
of South Australia

23BDHS/1896

Hon Nat Cook MP

Mayor Jan-Claire Wisdom
Adelaide Hills Council
PO Box 44
Woodside SA 5244

Via email: mail@ahc.sa.gov.au

Dear Mayor Wisdom *Jan-Claire*

I am pleased to advise that nominations for the 2024 South Australian Volunteer Awards will be open between Monday 15 January and Sunday 10 March 2024. The Awards, which recognise the invaluable work that volunteers, volunteer managers, community organisations and businesses contribute to the South Australian community, will be presented at a special Volunteers Recognition event hosted by Volunteering SA&NT on Wednesday 22 May 2024.

Nominations can be made in the following categories:

- **The Joy Noble Medal.** South Australia's highest distinction for an individual volunteer and is open to all individual volunteers across the State.
- **'The Andamooka' Community Project Award.** Awarded to a community, or group of volunteers, that has undertaken a community project resulting in significant community benefit.
- **The Excellence in Volunteer Management Award.** This award recognises the dedication and commitment of individuals who support and facilitate the engagement of volunteers.
- **The Premier's Award for Corporate Social Responsibility.** Recognises the strong contribution the business sector makes to our communities through philanthropy, partnerships or releasing employees for volunteer service.
- **The Young Volunteer Award.** Introduced for the first time in 2023, this award celebrates the achievements and contribution made by a young volunteer aged 12-25 years.

Any member of the public can nominate eligible recipients for these awards and self-nominations are accepted. Award guidelines and the online nomination form will be available from 15 January 2024 at www.vsant.org.au.

Applicants will be notified of the outcome of their nomination(s) by Volunteering SA&NT in April 2024. I trust you will help ensure that as many volunteer-involving organisations as possible are made aware of this important Awards program.

Yours sincerely

N Cook

Hon Nat Cook MP
MINISTER FOR HUMAN SERVICES

3 January 2024

Minister for Human Services
GPO Box 2832 Adelaide SA 5001 | DX 115
T: (08) 8463 6560 | E: ministerhumanservices@sa.gov.au | www.dhs.sa.gov.au | ABN: 11 525 031 744



OFFICIAL: Sensitive

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 20 DECEMBER 2023
63 MOUNT BARKER ROAD, STIRLING
AND
ZOOM VIRTUAL MEETING ROOM**

In Attendance

Acting Presiding Member

Myles Somers

Members

Ross Bateup

Leith Mudge

In Attendance

Natalie Armstrong

Deryn Atkinson

James Booker

Mike O'Donnell

Karen Savage

Director Community & Development

Assessment Manager

Team Leader Statutory Planning

ICT Support Officer

Minute Secretary

1. Commencement

The meeting commenced at 6.30pm with the Assessment Manager chairing in the absence of the Presiding Member.

2. Opening Statement

“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”.

3. Apologies/Leave of Absence

3.1

Apologies

Paul Mickan

Geoff Parsons

3.2

Leave of Absence

Nil

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 20 DECEMBER 2023
63 MOUNT BARKER ROAD, STIRLING
AND
ZOOM VIRTUAL MEETING ROOM**

4. Call for Acting Presiding Member

The following was adopted by consensus of all members (25)

The Council Assessment Panel resolved that Myles Somers be appointed as the Acting Presiding Member for the duration of the meeting.

5. Previous Minutes

5.1 Meeting held 8 November 2023

The minutes were adopted by consensus of all members (26)

That the minutes of the meeting held on 8 November 2023 be confirmed as an accurate record of the proceedings of that meeting.

6. Presiding Member's Report

Nil

7. Declaration of Interest by Members of Panel

The Acting Presiding Member, Myles Somers, advised that in relation to Item 9.1 he has previously worked with Frank Brennan, the Applicant's Planning Consultant, but they do not have an on-going working relationship. He does not believe there is a conflict of interest and will remain in the meeting for the deliberations and vote on this matter.

8. Matters Lying on the Table/Matters Deferred

8.1 Matters Lying on the Table

Nil

8.2 Matters Deferred

Nil

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 20 DECEMBER 2023
63 MOUNT BARKER ROAD, STIRLING
AND
ZOOM VIRTUAL MEETING ROOM**

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

9.1 Development Application 23025290 by YES Group (SA) for variation to the site layout plan for the Solar Farm development in DA 473/530/20 [Solar Farm (4.98MW), comprising ground mounted solar arrays (maximum height 2.9m), battery storage containers (4MW), inverters, switchboards and associated decks, temporary site office, storage building & associated car parking, fencing (maximum height 2.3m), landscaping & signage] at Lot 16 Warren Road, Birdwood

9.1.1 Representations

Name of Representor	Address of Representor	Nominated Speaker
Matthew Sackey	31 Winton Road Birdwood	Matthew Sackey

The representor, Matthew Sackey, addressed the Panel, and answered questions from the Panel.

The applicant's representatives, Frank Brennan (Planning Consultant) via Zoom and Dale Calderbank (YES Group) in person, addressed the Panel, and answered questions from the Panel.

9.1.2 Decision of Panel

The following was adopted by consensus of all members (27)

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 NOT seriously at variance with the provisions of the Planning and Design Code; and**
- 2) Development Application Number 23025290 by YES Group (SA) for variation to the site layout plan for the Solar Farm development in DA 473/530/20 [Solar Farm (4.98MW), comprising ground mounted solar arrays (maximum height 2.9m), battery storage containers (4MW), inverters, switchboards and associated decks, temporary site office, storage building & associated car parking, fencing (maximum height 2.3m), landscaping & signage] at Lot 16 Warren Road, Birdwood is GRANTED Planning Consent subject to the following reserved matter and conditions:**

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 20 DECEMBER 2023
63 MOUNT BARKER ROAD, STIRLING
AND
ZOOM VIRTUAL MEETING ROOM**

RESERVED MATTER

Pursuant to section 102 (3) of the *Planning, Development and Infrastructure Act of 2016*, the following matter shall be reserved for further assessment prior to the granting of Development Approval:

- 1) An amended detailed landscaping plan shall be prepared by a suitably qualified professional and submitted with further details regarding "Native Mix Type 2" plantings, as identified in the submitted landscaping plan. Such plantings shall extend for a width of 10m from the edge of the transmission easement in the south-east corner of the subject land to provide a continuous strip of landscaping from Torrens Valley Road to Warren Road.

Pursuant to Section 127(1) of the *Planning, Development and Infrastructure Act 2016*, the power to impose further conditions of consent in respect of the reserved matter above is delegated to the Assessment Manager.

CONDITIONS

Planning Consent

- 1) The development granted shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below.
- 2) The external finishes to the buildings (temporary site office, battery storage, inverters and fencing) herein approved shall be as follows:

WALLS:	Colorbond Woodland Grey or similar
ROOF:	Colorbond Woodland Grey or similar
CHAIN MESH FENCE:	Black PVC or similar
- 3) A Construction Environmental Management Plan (CEMP) shall be submitted for approval by Council prior to the commencement of site works. The CEMP shall include specific management measures or plans for the following aspects:
 - Air quality and dust;
 - Traffic and access including, but not restricted to the impact of dust and noise on nearby residents, damage to the existing road and safety issues arising out of the construction of the development; and
 - Waste management

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 20 DECEMBER 2023
63 MOUNT BARKER ROAD, STIRLING
AND
ZOOM VIRTUAL MEETING ROOM**

- 4) An Operational Environmental Management Plan (OEMP) shall be submitted for approval by Council prior to the commencement of commercial operations. The OEMP shall include specific management measures or plans for the following environmental aspects:
 - Noise and vibration
 - Fire risk
 - Public safety
 - Storm water management
 - Vegetation management and irrigation
 - Emergency response planning
 - Complaints management
- 5) Exposed and/or cleared ground surfaces (as a result of construction activities) shall be reinstated and/or reseeded with appropriate ground cover as soon as practicable following substantial completion.
- 6) The operation of plant or equipment (approved herein) shall be designed and operated to comply with the *Environment Protection (Noise) Policy 2007*.
- 7) The portable toilet shall be removed from the site upon completion of the construction phase and prior to the commencement of the operational use of the development.
- 8) Within nine months of cessation of the solar farm use, the renewable energy infrastructure approved herein (including all arrays, associated equipment and structures, cabling, fencing, footings etc) shall be decommissioned and removed, with the land rehabilitated to its pre-development condition.
- 9) Landscaping and tree plantings proposed in the amended Landscape Plan and Planting Plan must be planted in the first spring after construction on the site commences. The landscaping must be regularly watered in the first three years or such other period (whether longer or shorter) until the vegetation is established and henceforth maintained, with any dead or dying plants to be removed and replaced, to the general satisfaction of Council.

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 20 DECEMBER 2023
63 MOUNT BARKER ROAD, STIRLING
AND
ZOOM VIRTUAL MEETING ROOM**

ADVISORY NOTES

General Notes

- 1) No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
- 2) Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
- 3) This Planning Consent is valid for a period of twenty-four (24) months commencing from the date of the decision, subject to the below or subject to an extension having been granted by the relevant authority. If applicable, Building Consent must be obtained prior to expiration of the Planning Consent.
- 4) Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).
- 5) The applicant is advised that any proposal to clear, remove limbs or trim native vegetation on the land, unless the proposed clearance is subject to an exemption under the Regulations of the Native Vegetation Act 1991, requires the approval of the Native Vegetation Council. The clearance of native vegetation includes the flooding of land, or any other act or activity that causes the killing or destruction of native vegetation, the severing of branches or any other substantial damage to native vegetation. For further information visit:
www.environment.sa.gov.au/Conservation/Native_Vegetation/Managing_native_vegetation

Any queries regarding the clearance of native vegetation should be directed to the Native Vegetation Council Secretariat on 8303 9777. This must be sought prior to Full Development Approval being granted by Council.

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 20 DECEMBER 2023
63 MOUNT BARKER ROAD, STIRLING
AND
ZOOM VIRTUAL MEETING ROOM**

6) **Management of the property during construction shall be undertaken in such a manner as to prevent denudation, erosion or pollution of the environment.**

10. **Development Assessment Applications – Development Act**
Nil
11. **Development Assessment Applications – Review of Decisions of Assessment Manager**
Nil
12. **ERD Court Appeals**
Nil
13. **Policy Issues for Advice to Council**
There was discussion on Renewable Energy facilities on Primary Production land in the context of the quality of the land and soil for primary production. Further discussion flagged to consider possible policy recommendations when all Panel members are present.
14. **Other Business**
- 14.1 The Assessment Manager foreshadowed that, following recent Case Law around the assessment of Tourist Accommodation, a training session with Panel Members will be organised in the New Year to discuss the outcomes including the seriously at variance question. Ross Bateup requested some legal information regarding notes taken by Panel Members be included in the training. The date of the training will be advised in due course.
15. **Order for Exclusion of the Public from the Meeting to debate Confidential Matters**
Nil
16. **Confidential Item**
Nil
17. **Next Meeting**
The next ordinary Council Assessment Panel meeting will be held on Wednesday 10 January 2024.
18. **Close meeting**
The meeting closed at 8.22pm.

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 10 JANUARY 2024
63 MOUNT BARKER ROAD, STIRLING
AND
ZOOM VIRTUAL MEETING ROOM**

[Please Note: These minutes are unconfirmed until 14 February 2024]

In Attendance

Presiding Member

Geoff Parsons

Members

Ross Bateup

Myles Somers

Leith Mudge

In Attendance

Deryn Atkinson

James Booker

Marie Molinaro

Mike O'Donnell

Karen Savage

Assessment Manager
Team Leader Statutory Planning
Senior Statutory Planner
ICT Support Officer
Minute Secretary

1. Commencement

The meeting commenced at 6.31pm

2. Opening Statement

"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".

3. Apologies/Leave of Absence

3.1 Apologies

Paul Mickan

3.2 Leave of Absence

Nil

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 10 JANUARY 2024
63 MOUNT BARKER ROAD, STIRLING
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[Please Note: These minutes are unconfirmed until 14 February 2024]

4. Previous Minutes

4.1 Special Meeting held 20 December 2023

The minutes were adopted by consensus of all members (1)

That the minutes of the special meeting held on 20 December 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

Nil

7. Matters Lying on the Table/Matters Deferred

7.1 Matters Lying on the Table

Nil

7.2 Matters Deferred

Nil

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

8.1 Development Application 23018174 by Development Holdings Pty Ltd for two storey child care facility with attached signage, retaining walls, combined fence and retaining walls, decking and associated car parking at 35 Paratoo Road, Stirling

8.1.1 Representations

Name of Representor	Address of Representor	Nominated Speaker
Nicola Hastings	140 Old Mount Barker Road, Aldgate	Nicola Hastings
Tony Lockwood	142 Old Mount Barker Road, Aldgate	Tony Lockwood

The representors Nicola Hastings and Tony Lockwood addressed the Panel, and Nicola Hastings answered questions from the Panel.

The applicant's representatives, Rob Gagetti (ekistics), Ben Wilson (CIRQA) and Chris Turnbull (Sonus), addressed the Panel and answered questions from the Panel.

8.1.2 Decision of Panel

The following was adopted by consensus of all members (2)

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 NOT seriously at variance with the provisions of the Planning and Design Code; and**
- 2) Development Application Number 23018174 by Development Holdings Pty Ltd for two storey child care facility with attached signage, retaining walls, combined fence and retaining walls, decking and associated car parking at 35 Paratoo Road, Stirling is GRANTED Planning Consent subject to the following reserved matters and conditions:**

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RESERVED MATTERS

Pursuant to section 102 (3) of the Planning, Development and Infrastructure Act of 2016, the following matters shall be reserved for further assessment prior to the granting of Development Approval. The Assessment Manager is delegated to undertake this further assessment:

- 1) A detailed landscaping plan shall be prepared by a suitably qualified person and submitted with further details regarding plant species, locations, plant numbers and plant spacing, irrigation and mulching detail.
- 2) A detailed soil, erosion and drainage management plan (SEDMP) shall be provided for construction of the child care facility. The SEDMP shall comprise a site plan and design sketches that detail erosion control methods and installation of sediment collection devices that will prevent soil moving off site during construction and soil transfer onto roadways by vehicles and machinery.

Pursuant to Section 127(1) of the *Planning, Development and Infrastructure Act 2016*, the power to impose further conditions of consent in respect of the reserved matter above is delegated to the Assessment Manager.

CONDITIONS

Planning Consent

- 1) The development granted shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below.
- 2) The maximum capacity of the child care facility shall be 128 children at any one time.
- 3) The hours of operation of the child care facility, including deliveries (but excluding waste collection) shall be 6:30am to 6:30pm, Monday to Friday.

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- 4) All solid waste shall be stored in closed containers with close fitting lids in the enclosed bin area shown on the approved site plan (drawing DA04, Rev. 2 dated 24/05/2023) prepared by Brown Falconer. External contractors accessing the site for waste collection shall be provided with access to enclosed bin area to ensure waste is not stored in the car park area for collection.
- 5) The collection of waste shall not occur before 9:00am or after 7:00pm Saturday, or before 7:00am or after 7:00pm Monday to Friday. Waste shall not be collected on Sunday or public holidays.
- 6) Plant equipment of the child care facility shall only be located within the service yard area shown on the approved ground floor plan (drawing DA05, Rev. 2 dated May 2023) prepared by Brown Falconer.
- 7) External lighting shall be installed in accordance with the approved lighting plans by TMK engineers; and once installed shielded if necessary in such a manner so as to not cause unreasonable nuisance to adjoining and adjacent residential properties.
- 8) External lighting shall be not be switched on before 6:30am Monday to Friday; and all external lighting shall be switched off no later than 6:30pm Monday to Friday.
- 9) The cross-over & kerb and footpath alterations, vehicle-parking spaces, driveways and manoeuvring areas shall be constructed in accordance with the approved site plan (drawing DA04, Rev. 2 dated 24/05/2023) prepared by Brown Falconer and the approved stormwater management plan (drawing 220216-C201, Rev. C dated June 2023) prepared by CPR Engineers prior to the occupation of the child care facility. Clear visible line marking of vehicle parking spaces shall be completed prior to the occupation of the child care facility. The car park and line-marking shall thereafter be maintained in good condition at all times.
- 10) Finished levels must match the existing footpath levels to ensure that there are no steps, depressions or other tripping hazards within the pedestrian walkway. If levels cannot not be matched the footpath alongside the crossover must be ramped at a slope no steeper than 1:20. Ramping of the footpath must also be approved by Council Engineering.

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If the drop-off from the footpath is greater than 400mm high fencing and a handrail will need to be provided for safety, to the satisfaction of Council Engineering.

- 11) Materials and goods shall not be stored on the land in areas delineated for use as vehicle parking.
- 12) The external finishes to the child care facility shall be as follows:
Two storey building:
Walls: White weatherboard cladding, rendered beige hebel panels & timber panelling.
Roof: Colorbond sheeting in a white colour tone.
- Fencing: Open style white timber picket fencing to the play area street facing elevation and Colorbond 'Monument' to the remainder of the play area fencing.
- Retaining
Walls: Street facing retaining walls supporting the car park shall be of Bluestone construction.
- 13) Landscaping accepted in the detailed landscaping plan shall be planted within the next available planting season following occupation of the child care facility. Such landscaping shall be maintained in good health and condition at all times, including through the installation of irrigation and mulching. Any such landscaping shall be replaced in the next planting season if and or when it dies or becomes seriously diseased.
- 14) All roof run-off from the building and run-off from the outdoor play areas and car park shall be managed in accordance with the approved stormwater management plan (drawing 220216-C201, Rev. C dated June 2023) prepared by CPR Engineers. All roof run-off generated by the development shall be directed to the stormwater management system within one (1) month of the roof cladding being installed.
- 15) Prior to construction of the approved development, straw bales or other soil erosion control methods as accepted in the soil, erosion and drainage management plan shall be placed and secured below areas of excavation and fill to prevent soil moving off the site during construction.

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- 16) In accordance with the recommendation of the CIRQA Traffic Engineer Report, a Give Way Signs and line marking shall be installed at the Paratoo Road/Old Mount Barker Road intersection and St Margaret Drive/Old Mount Barker Road intersection prior to occupation of the child care facility. All costs associated with this shall be borne by the applicant. The final position of the traffic signage and line marking shall be to the satisfaction of Council Engineering.

Conditions imposed by Native Vegetation Council under Section 122 of the Act

- 17) Prior to any clearance of native vegetation, the Native Vegetation Council must provide written confirmation that the Significant Environmental Benefit requirements under the *Native Vegetation Act 1991* have been satisfied.

ADVISORY NOTES

Planning Consent

- 1) No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
- 2) Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
- 3) This Planning Consent is valid for a period of twenty-four (24) months commencing from the date of the decision, subject to the below or subject to an extension having been granted by the relevant authority. If applicable, Building Consent must be obtained prior to expiration of the Planning Consent.
- 4) Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).

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- 5) It is recommended that the operator of the child care facility prepare and display a Bushfire Survival Plan (BSP) designed specifically for the purpose of staff, children or visitors that may be present during a bushfire event, especially during the Fire Danger Season.

The SA CFS 'Bushfire Safety Guide for Business' document should be utilised as a basis for information and the drafting of the BSP, along with industry body guidelines and recommendations.

- 6) The operator of the child care facility should consider reducing operating hours and including other restrictions on days of heightened bushfire danger and/or bushfire events and consider including any alterations to services offered due to actual or predicted conditions during the Fire Danger Season.
- 7) It is the responsibility of the child care facility operator to ensure compliance with the relevant food safety legislation before operating. Food business notification must be provided to commencing any food (or consumable product) handling activities. This may be provided on-line at www.fbn.sa.gov.au or by obtaining a notification form from Council Environmental Health.
- 8) The onus of ensuring that the development is located in the approved position on the correct allotment is the responsibility of the applicant/developer. This may necessitate a boundary survey being undertaken by a licensed surveyor prior to the work commencing and when building work is complete.

Advisory Note imposed by Native Vegetation Council under Section 122 of the Act

- 9) The clearance of native vegetation must be undertaken in accordance with the approval of the Native Vegetation Council under the *Native Vegetation Act 1991* as set out in Decision Notification 2023/3272/473.

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

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

**ADELAIDE HILLS COUNCIL
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- 11. ERD Court Appeals**
Nil

- 12. Policy Issues for Advice to Council**

The Panel discussed the following Policy issues:

- Lack of Policy for Solar Farms; and
- The 20m blanket clearance of regulated trees around existing dwellings in Bushfire prone areas.

The Council Assessment Panel to keep a watching brief on both issues.

- 13. Other Business**

The Assessment Manager advised that advertising for Independent Membership of CAP will be commencing in February, as membership of the current CAP Panel expires on 31 May 2024. All current Panel Members were invited to reapply.

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

- 15. Confidential Item**
Nil

- 16. Next Meeting**
The next ordinary Council Assessment Panel meeting will be held on Wednesday 14 February 2024.

- 17. Close meeting**
The meeting closed at 8.34pm.

**ADELAIDE HILLS COUNCIL
SPECIAL CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
MONDAY 15 JANUARY 2024
63 MT BARKER ROAD STIRLING**

In Attendance

Presiding Member: Cr Chris Grant

Members:

Ms Janet Miller	Independent Member
Mayor Jan-Claire Wisdom	
Cr Nathan Daniell	
Cr Kirsty Parkin	

In Attendance:

Mr Greg Georgopoulos	Chief Executive Officer
Tracy Riddle	Governance Support, Kelledy Jones Lawyers

1. COMMENCEMENT

The meeting commenced at 4.09pm

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.

3. APOLOGIES/LEAVE OF ABSENCE

Apology

Nil

Leave of Absence

Nil

Absent

Nil

4.19pm Kirsty Parkin arrived

4. MINUTES OF PREVIOUS MEETINGS

4.1 CEO Performance Review Panel Meeting – 12 December 2023

Presiding Member _____ 8 February 2024

**ADELAIDE HILLS COUNCIL
SPECIAL CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
MONDAY 15 JANUARY 2024
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Moved Mayor Wisdom
S/- Cr Nathan Daniell

PRP 1/24

That the minutes of the CEO Performance Review Panel meeting held on Tuesday 12 December 2023 as distributed, be confirmed as an accurate record of the proceedings of that meeting

Carried Unanimously

5. PRESIDING MEMBER'S OPENING COMMENTS

On behalf of the Panel the Presiding Member thanked Janet Miller for her exceptional service and ongoing commitment to the Panel. All present wished her well with her future endeavours.

6. 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.

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

Nil

8. OFFICER REPORTS – DECISION ITEMS

Nil

9. MOTIONS WITHOUT NOTICE

Nil

10. QUESTIONS WITHOUT NOTICE

Nil

**ADELAIDE HILLS COUNCIL
SPECIAL CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
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11. CONFIDENTIAL ITEMS

11.1 CEO Performance Review Panel Independent Member Appointment – Exclusion of the Public

Moved Cr Nathan Daniel
S/- Janet Miller

PRP 2/24

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

- CEO, Greg Georgopoulos
- Chris Grant, Presiding Member
- Jan-Claire Wisdom, Mayor
- Nathan Daniell, Deputy Mayor
- Kirsty Parkin, Council Member
- Janet Miller, Independent Member
- Tracy Riddle, Kelledy Jones Lawyers, Governance Support

be excluded from attendance at the meeting for Agenda Item 11.1: (CEO Performance Review Panel Independent Member Appointment) 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) (a) 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 involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), because it would disclose the personal details of candidates who have expressed an interest to be on the CEO Performance Review Panel and the Audit Committee.

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
SPECIAL CEO PERFORMANCE REVIEW PANEL COMMITTEE
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11.2 CEO Performance Review Panel Independent Member Appointment – Confidential Item

**ADELAIDE HILLS COUNCIL
SPECIAL CEO PERFORMANCE REVIEW PANEL COMMITTEE
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11.3 CEO Performance Review Panel Independent Member Appointment - Duration of Confidentiality

Moved Cr Nathan Daniel
S/- Cr Kirsty Parkin

PRP 4/24

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 11.1 in confidence under sections 90(2) and 90(3) (a) 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* that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until the appointment have been confirmed with the applicants, but not longer than 2 months.

Pursuant to section 91(9)(c) of the *Local Government Act 1999*, Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
SPECIAL CEO PERFORMANCE REVIEW PANEL COMMITTEE
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Suspension of this meeting occurred to enable the Chief Executive Officer and Ms Collette Ordish, Perks People Solutions to discuss the proposed CEO performance review process with the Panel.

11.4 CEO Performance Review Process

Moved Janet Miller
S/- Cr Nathan Daniell

PRP 5/24

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

- CEO, Greg Georgopoulos
- Chris Grant, Presiding Member
- Jan-Claire Wisdom, Mayor
- Nathan Daniell, Deputy Mayor
- Kirsty Parkin, Council Member
- Janet Miller, Independent Member
- Tracy Riddle, Kelledy Jones Lawyers, Governance Support

be excluded from attendance at the meeting for Agenda Item 11.4: (CEO Performance Review Process) 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) (a) 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 involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), because it would disclose the personal details of candidates who have expressed an interest to be on the CEO Performance Review Panel and the Audit Committee.

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
SPECIAL CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
MONDAY 15 JANUARY 2024
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11.5 CEO Performance Review Process – Confidential Item

ADELAIDE HILLS COUNCIL
SPECIAL CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
MONDAY 15 JANUARY 2024
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11.6 CEO Performance Review Process

Moved Cr Kirsty Parkin
S/- Cr Nathan Daniel

PRP 7/24

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 11.4 in confidence under sections 90(2) and 90(3) (a) 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* that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until a further order.

Pursuant to section 91(9)(c) of the *Local Government Act 1999*, Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
SPECIAL CEO PERFORMANCE REVIEW PANEL COMMITTEE
MINUTES OF MEETING
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12. NEXT MEETING

The next ordinary meeting of the CEO Performance Review Panel was agreed to be moved from Thursday 22 February 2024 to Thursday 8 February 2024 from 6.00pm at 63 Mt Barker Road Stirling.

13. CLOSE MEETING

The meeting closed at 5.29pm

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 19 December 2023
CONFIDENTIAL AGENDA BUSINESS ITEM**

Item: 19.4

Responsible Officer: Anne Pett
Manager People and Culture
Corporate Services Directorate

Subject: CEO Probation Review Process

For: Decision

1. CEO Probation Review Process – Exclusion of the Public

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

- Mel Blondell, Red Seed Productivity Strategists
- Tracy Riddle, Kelledy Jones Lawyers (Governance advice)
- Lincoln Smith, Norman Waterhouse Lawyers (Employment relations advice)
- Jody Atkins, A/Governance and Risk Coordinator (Minute Secretary)
- Michael O'Donnell, ICT Support Officer (IT Support)

be excluded from attendance at the meeting for Agenda Item 19.4 (CEO Probation Review Process) in confidence.

The Council is satisfied that it is necessary that the public, with the exception of those in attendance as specified in (a) above, be excluded to enable the Panel to consider the report at the meeting on the following grounds:

Section 90(3) (a) and (h) of the Local Government Act, the information to be received, discussed or considered in relation to this Agenda Item is:

- (a) Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
- (h) Legal advice.

Accordingly, on this basis the principle that meetings of the Panel should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

2. CEO Probation Review Process – Confidential Item

4. CEO Performance Review Process – Duration of Confidentiality

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 19.4 in confidence under sections 90(2) and 90(3)(a) and (h) 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	Until further order
Related Attachments	Until further order
Minutes	Until further order
Other (presentation, documents, or similar)	Until further order

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 January 2024
CONFIDENTIAL AGENDA BUSINESS ITEM**

Item: 19.3

Responsible Officer: Jess Charlton
Manager Libraries and Customer Service
Community and Development

Subject: Contract for CRM System

For: Decision

1. Contract for CRM System – 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 Environment & Infrastructure, David Waters
- Director Corporate Services, Terry Crackett
- Director Community & Development, Natalie Armstrong
- Manager Libraries and Customer Service, Jess Charlton
- Governance Support, Tracey Riddle (Kelledy Jones)
- Minute Secretary, Rebekah Lyons
- IT Support, Tom Portas

be excluded from attendance at the meeting for Agenda Item 19.3: (Contract for CRM System) 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)(k) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item are tenders for the supply of goods, the provision of services or the carrying out of works the disclosure of which could reasonably be expected to prejudice the commercial position of the business who supplied the information by disclosing specific quotes and modelling by the tenderer.

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.

2. Contract for CRM System – Confidential Item

3. Contract for CRM System – Duration of Confidentiality

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 19.3 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:

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released
Report	Until Contracts are signed, but not longer than 12 months
Related Attachments	Until Contracts are signed, but not longer than 12 months
Minutes	Until Contracts are signed, but not longer than 12 months
Other	Until Contracts are signed, but not longer than 12 months

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.

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 23 January 2024
CONFIDENTIAL AGENDA BUSINESS ITEM**

Item: 19.4

Responsible Officer: Jody Atkins
A/Governance and Risk Coordinator
Corporate Services

Subject: CEO Performance Review Panel Independent Member Appointment

For: Decision

1. CEO Performance Review Panel Independent Member Appointment – 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
- Acting Director Community and Development, Jess Charlton
- Acting Director Corporate Services, Gary Lewis
- Director Environment and Infrastructure, David Waters
- A/Governance & Risk Coordinator, Jody Atkins
- IT Support Officer, Tom Portas
- Governance Support, Kelledy Jones Lawyers, Cimon Burke
- Minute Secretary, Rebekah Lyons & Kylie Hopkins

be excluded from attendance at the meeting for Agenda Item 19.4: (CEO Performance Review Panel Independent Member Appointment) 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)(a) 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 involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), because it would disclose the personal details of candidates who have expressed an interest to be on the CEO Performance Review Panel.

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.

2. CEO Performance Review Panel Independent Membership - Confidential Item

3. CEO Performance Review Panel Independent Member Appointment – Duration of Confidentiality

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 19.4 in confidence under sections 90(2) and 90(3)(a) 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	Until the appointment has been confirmed, but not longer than 1 July 2024
Related Attachments	Until the appointment has been confirmed, but not longer than 1 July 2024
Minutes	Until the appointment has been confirmed, but not longer than 1 July 2024
Other (presentation, documents, or similar)	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.