

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 12 MARCH 2024
63 MT BARKER ROAD STIRLING**

In Attendance

Presiding Member: Acting Mayor Nathan Daniell

Members:

Councillor Kirrilee Boyd
Councillor Adrian Cheater
Councillor Pauline Gill
Councillor Malcolm Herrmann
Councillor Lucy Huxter
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin
Councillor Louise Pascale
Councillor Melanie Selwood

In Attendance:

Greg Georgopoulos	Chief Executive Officer
Natalie Armstrong	Director Community and Development
David Waters	Director Environment and Infrastructure
Zoë Gill	Governance and Risk Coordinator
Tracy Riddle (Kelledy Jones)	Governance Support
Rebekah Lyons	Minute Secretary
Tom Portas	Technical Support
Karen Cummings	Manager, Property Services
James Szabo	Senior Strategic Policy Planner
Jody Atkins	Acting Governance and Risk Coordinator
John McArthur	Manager, Sustainability, Waste and Emergency Management
Renee O'Connor	Coordinator, Sport and Recreation

1. COMMENCEMENT

The meeting commenced at 6:30pm

2. OPENING STATEMENT

Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kurna people. They are Custodians of this ancient and beautiful land and so we pay our respects to Elders past, present and emerging. We will care for this country together by ensuring the decisions we make will be guided by the principle that we should never decrease our children's ability to live on this land.

Mayor _____

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3. APOLOGIES/LEAVE OF ABSENCE

3.1 Apology

Nil

3.2 Leave of Absence

Mayor Jan-Claire Wisdom, 13 February 2024 to 14 May 2024, approved by Council at its meeting of 13 February 2024.

Cr Chris Grant, 17 February 2024 to 16 March 2024, approved by Council at its meeting of 19 December 2023.

Moved Cr Pauline Gill

S/- Cr Leith Mudge

60/24

- 1 That a Leave of Absence from all duties of office be granted to Cr Kirsty Parkin from 13 April 2024 to 21 April 2024.**
- 2 That any committee or panel membership currently held by Cr Kirsty Parkin 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 – 27 February 2024

With leave of the meeting, Cr Louise Pascale made a personal explanation stating a Material Conflict of Interest regarding a property listed in Item 19.1.1 - Recovery of Unpaid Rates – Confidential Item. Cr Pascale was not present for the item.

Moved Cr Malcolm Herrmann

S/- Cr Adrian Cheater

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Council resolves that the minutes of the Ordinary Council meeting held on 27 February 2024, as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

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5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

5.1 General Conflict of Interest, Cr Leith Mudge – Item 13.2 Proposed Norton Summit Land Purchase

Under section 75B of the *Local Government Act 1999* Cr Leith Mudge disclosed a General (section 74) Conflict of Interest in Item 13.2.

5.2 General Conflict of Interest, Cr Adrian Cheater – Item 13.2 Proposed Norton Summit Land Purchase

Under section 75B of the *Local Government Act 1999* Cr Adrian Cheater disclosed a General (section 74) Conflict of Interest in Item 13.2.

5.3 General Conflict of Interest, Cr Malcolm Herrmann – Item 12.7 Reaffirmation of Support to All Veterans

Under section 75B of the *Local Government Act 1999* Cr Malcolm Herrmann disclosed a General (section 74) Conflict of Interest in Item 12.7.

5.4 General Conflict of Interest, Cr Mark Osterstock – Item 12.7 Reaffirmation of Support to All Veterans

Under section 75B of the *Local Government Act 1999* Cr Mark Osterstock disclosed a General (section 74) Conflict of Interest in Item 12.7.

6. PRESIDING MEMBER'S OPENING REMARKS

The Acting Mayor commented on the fantastic Discover, Play Bikeway event held at the Amy Gillett Pathway on Sunday 3 March. Acting Mayor Daniell spoke about his discussion with Mary Safe, Amy Gillett's Mother, regarding various matters relating to the bikeway. The Acting Mayor attended all three locations on the day and shared his joy at seeing so many children using the bikeway. In closing, he thanked members of the community who attended, as well as the Council staff involved in organising the event.

7. QUESTIONS ADJOURNED/LYING ON THE TABLE

7.1 Questions Adjourned

Nil

7.2 Questions Lying on the Table

Nil

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8. PETITIONS/DEPUTATIONS/PUBLIC FORUM

8.1 Petitions

Nil

8.2 Deputations

Nil

8.3 Public Forum

Sarah Burchall of Aldgate and Chair, Stirling Business Association, seeking financial support from Council for Stirling businesses who are suffering trade downturn following the Stirling Village Mall fire in 2023.

9. PRESENTATIONS

Nil

10. ADJOURNED ITEM

Council Meetings and Information or Briefing Sessions – Time and Place of Meetings

Adjourned Item 12.2 from Ordinary Council Meeting 27 February 2024.

Moved Cr Adrian Cheater
S/- Cr Kirrilee Boyd

Council resolves:

1. That the report be received and noted.
2. Commencing 28 February 2024, Ordinary Council Meetings will be held at 63 Mount Barker Road, Stirling and are scheduled to commence at 6.30pm on the 2nd Tuesday of the month for a period of 3 months up to the 11th of June 2024 (3rd Tuesday in January).
3. The Chief Executive Officer be authorised to adjust the Ordinary Council Meeting schedule, including the time and place of the meeting, where matters necessitate a change such as a meeting date occurring on a public holiday, catastrophic fire danger day or other valid reason.
4. Commencing 28 February 2024, times and venues of Special Council Meetings, requested in accordance with the legislative provisions, are to be determined by the Chief Executive Officer.

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5. Commencing 28 February 2024 until the end of Council term, Information or Briefing sessions are scheduled as follows:
6. Workshops and Professional Development Sessions scheduled ordinarily at 6.30pm on the 1st and 4th Tuesday of each month, held at 36 Nairne Road, Woodside, and 63 Mount Barker Road, Stirling.
7. The Chief Executive Officer be authorised to schedule additional or Information or Briefing or remove sessions where workload dictates, or adjust the Information or Briefing Sessions schedule, including time and place of the sessions, where matters necessitate a change such as an Information or Briefing Session date occurring on a public holiday, catastrophic fire danger day or other valid reason. The Chief Executive Officer is authorised to adjust any Policy which is impacted by the setting of the time and place of meetings.
8. The CEO investigates, presents and workshops any potential policy considerations in the interest of improving Ordinary Meeting duration, procedures and accessibility within the above mentioned 3 month period.
9. The CEO develops a report to address the format and procedures of Informational Briefing Sessions/Workshops including consideration for defining terms such as 'workshop' item or 'informational briefing' items and how they can be facilitated accordingly.

Through the Presiding Member, with the consent of the mover and seconder, leave of the meeting was sought and granted to withdraw adjourned motion 12.2 from 27 February 2024 Ordinary Council Meeting.

Moved Cr Kirrilee Boyd
S/-

Council resolves that:

1. The report be received and noted.
2. The following be trailed for 12 months commencing April 2024 and ending after Tuesday 25 March 2025

Day	Meeting Type	Location	Time
First Tuesday of the Month	No Meeting		
Second Tuesday of the Month	Workshop	36 Nairne Road, Woodside	6.30pm

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Third Tuesday of the Month	Ordinary Council Meeting	63 Mount Barker Road, Stirling	6.30pm
Fourth Tuesday of the Month	Professional Development (or Workshop where necessary)	63 Mount Barker Road, Stirling	6.30pm

3. For the remainder of the month of March 2024:
 - a. A Workshop is held on 19 March 2024 at 63 Mount Barker Road, Stirling at 6.30pm
 - b. An Ordinary Council Meeting is held on 26 March 2024 at 63 Mount Barker Road, Stirling at 6.30pm
4. The Chief Executive Officer has the delegated authority in exceptional circumstances, including but not limited to, catastrophic fire danger days and other emergency situations, after consultation with the Mayor, to move the time and place of an Ordinary Meeting.
5. The Chief Executive Officer has the delegated authority to schedule the time and venue of any Special Council Meetings, requested in accordance with the Local Government Act 1999, after consultation with the Mayor and Members with respect to availability.
6. The Chief Executive Officer investigates, presents and workshops any potential policy considerations in the interests of improving Ordinary Meeting duration, procedures and accessibility within the above 12-month trial.
7. The Chief Executive Officer is authorised to amend any Policy that may be impacted by this resolution of the Council, only to the extent of facilitating the content of this resolution.

Motion Lapsed

Moved Cr Pauline Gill
S/- Cr Kirilee Boyd

Council resolves that:

1. The trial of two meetings per month has concluded.
2. The following be implemented without trial for the duration of the current Council term:

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Day	Meeting Type	Location	Time
First Tuesday of the Month	No Meeting		
Second Tuesday of the Month	Workshop	36 Nairne Road, Woodside	6.30pm
Third Tuesday of the Month	Professional Development (or Workshop where necessary)	63 Mount Barker Road, Stirling	6.30pm
Fourth Tuesday of the Month	Ordinary Council Meeting	63 Mount Barker Road, Stirling	6.30pm

3. The Chief Executive Officer has the delegated authority in exceptional circumstances, including but not limited to, catastrophic fire danger days and other emergency situations, after consultation with the Mayor, to move the time and place of an Ordinary Meeting.
4. The Chief Executive Officer has the delegated authority to schedule the time and venue of any Special Council Meetings, requested in accordance with the Local Government Act 1999, after consultation with the Mayor and Members with respect to availability.
5. The Chief Executive Officer investigates, presents and workshops any potential policy considerations in the interests of improving Ordinary Meeting duration, procedures and accessibility within 12 months.
6. The Chief Executive Officer is authorised to amend any Policy that may be impacted by this resolution of the Council, only to the extent of facilitating the content of this resolution.

Lost

7:14pm Cr Louise Pascale left the meeting room

7:16pm Cr Louise Pascale returned to the meeting room

Moved Cr Mark Osterstock

S/- Cr Leith Mudge

62/24

Council resolves that:

1. **The report be received and noted.**

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2. The following be commenced as of 13 March 2024 and conclude at the end of the current Council term.

Day	Meeting Type	Location	Time
First Monday of the Month	Workshop	Nairne Road, Woodside	6.30pm
Second Tuesday of the Month	Ordinary Council Meeting	63 Mount Barker Road, Stirling	6.30pm
Third Tuesday of the Month	Professional Development (or Workshop where necessary)	63 Mount Barker Road, Stirling	6.30pm
Fourth Tuesday of the Month	Ordinary Council Meeting	63 Mount Barker Road, Stirling	6.30pm

3. The Chief Executive Officer has the delegated authority in exceptional circumstances, including but not limited to, catastrophic fire danger days and other emergency situations, after consultation with the Mayor, to move the time and place of an Ordinary Meeting.
4. The Chief Executive Officer has the delegated authority to schedule the time and venue of any Special Council Meetings, requested in accordance with the Local Government Act 1999, after consultation with the Mayor and Members with respect to availability.
5. The Chief Executive Officer investigates, presents and workshops any potential policy considerations in the interests of improving Ordinary Meeting duration, procedures and accessibility within 12 months.
6. The Chief Executive Officer is authorised to amend any Policy that may be impacted by this resolution of the Council, only to the extent of facilitating the content of this resolution.

Carried

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11. QUESTIONS ON NOTICE

11.1 Legal costs under the Mayor seeking legal advice policy during the 2023/24 financial year – Cr Adrian Cheater

What was the total invoice amounts paid for matters which leveraged the Mayor seeking legal advice policy during the 23/24 financial year?

Adelaide Hills Council has paid a total of \$16,341 (ex GST) for advice sought by the Mayor. This was compromised of two invoices for the following amounts:

- \$8,463 (ex GST)
- \$7,878 (ex GST)

11.2 Government levies on waste disposal – Cr Malcolm Herrmann

1. Can the Chief Executive Officer please advise what additional costs the Adelaide Hills Council (and ratepayers) may face due to the imposition of a Recycling Levy (tax), which will come into effect as from 1 July 2024?

The Advertiser article relates to a proposed levy to be applied to each tonne of export paper and cardboard (fibre) from 1 July 2024. The levy is \$4 per tonne and applies to export licence holders if companies are sending fibre overseas to be recycled.

Adelaide Hills Council's recycling tonnes are processed through contracts managed by East Waste. Under the current recycling contracts there is a commitment to process all collected fibre onshore, i.e. within Australia. Confidential pricing review mechanisms within the contracts also offer protection from the levy until June 2025.

Noting the above, the levy is not expected to have a significant impact, if any at all, on Council's recycling costs in the near term. There is, however, potential for a trickle-down effect as the domestic market and price for recycling are heavily influenced by international commodity prices. Over time, the impact of the levy will be known, as will be how the domestic market responds. The impact of the finalised regulations will be reflective in future recycling contracts.

2 For 1 Jul 2022 to 30 Jun 2023 and for 1 Jul to 31 Dec 2023:

- 2.1 What is the waste levy per tonne for solid waste?**
- 2.2 How many tonnes of solid waste were collected for landfill?**
- 2.3 How much did the council pay in levies to the state government?**
- 2.4 In regard to the collection/disposal cost of solid waste, what is the % that relates to the payment of government levies?**

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Solid Waste Levy / Tonne		
	2022/23	2023 (July to Dec inclusive)
Metropolitan	\$143	\$156
Non metropolitan	\$74.50	\$78

	2022/23	2023 (July to Dec inclusive)
Landfill Waste Tonnes	7380	3600
Solid Waste Levy Costs	\$873,000	\$448,000
Disposal Costs	\$300,000	\$159,000
TOTAL COSTS	\$1,173,000	\$607,000

% Of Total Cost	2022/23	2023 (July to Dec inclusive)
Solid Waste Levy Costs	74	74
Disposal Costs	26	26
TOTAL	100	100

11.3 Naming rights sponsorship for local sports clubs – Cr Lucy Huxter

In reference to the article in The Courier dated 14 February 2024:

1. What is the Adelaide Hills Council's current position regarding naming rights sponsorships for local sports clubs?

Under Section 219 of the *Local Government Act 1999* (the Act) the Council has the power to assign a name to, or change a name of, a public place.

The Council's *Public Place and Road Naming Policy* describes circumstances and provides criteria pertaining to changing a place name. Of relevance to this question, section 4.5 of the Policy states that "commercial or company" names will not be used.

Furthermore, at its meeting held on 23 August 2022, Council adopted a Community and Recreation Facilities Policy which forms part of Council's Community and Recreation Facilities Framework. This document reaffirms the Council's right to name its own properties with the following statement:

Naming Rights

It is acknowledged that Council holds the naming rights to all facilities on Council-owned land.

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Lessees and management committees do not, and have not, had the power to name or rename Council owned sites and facilities.

With Council holding the right to name or rename public places, there is a level of assurance that the names of public places and facilities reflect community expectations. In addition, sites where this policy position applies are sometimes bushfire last resort refuges, and common names assist significantly in prompting attendance to emergencies.

Should Council wish to allow lessees and management committees to seek a particular name for a Council owned site, the *Public Place and Road Naming Policy* and the Community and Recreation Facilities Policy would need to be amended to provide for a process for these bodies to seek Council's approval to assign a particular name. Under s219(6) and (7) of the Act, Council has the power to alter or substitute their *Public Place and Road Naming Policy* but would need to publish notice of this:

- (a) in the Gazette; and
- (b) in a newspaper circulating within the area of the council; and
- (c) on a website determined by the chief executive officer.

2. What has prompted this to become a public issue at this point in time?

As part of the Community and Recreation Facilities Framework implementation, the Administration has recently distributed draft new management agreement documentation to community groups that manage Council owned sites. The draft documentation includes reference to the Council retaining site naming rights.

In recent years, some sporting organisations in the district have sought to sell naming rights to their oval or facility as part of a sponsorship arrangement with commercial entities. The Administration has addressed the matter with some clubs directly over the last 12 months (see answer to question below).

It is presumed that the specific reference to Council having naming rights in the draft management agreement documentation, in addition to Council Administration addressing the matter directly with some clubs, has prompted the matter to be raised and be reported on.

3. Which clubs are impacted, and what are the ramifications?

The Administration is aware of three (3) sites that have currently, or may previously, have obtained sponsorship through oval naming rights. These are Heathfield Oval, Bridgewater Oval and Gumeracha Oval. The clubs utilising these sites are understood to have had naming rights/sponsorship arrangements with commercial entities in place.

Following conversations with Council staff, the clubs associated with the Heathfield Oval site have subsequently negotiated with the naming rights/sponsorship holders to transfer arrangements to a building on the site instead. It is understood that Bridgewater is doing likewise.

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4. What feedback/correspondence has the administration received regarding this matter?

There were no comments received about naming rights during the consultation phases of Community and Recreation Facilities Framework project.

The Administration has engaged with clubs located at Heathfield and Bridgewater Ovals. Representatives from these clubs have been understanding and, as mentioned above, sought alternative arrangements (such as naming their building in the case of Heathfield). No groups have since raised or written to Council Administration expressing concerns.

12. MOTIONS ON NOTICE

12.1 Support for Stirling Main Street businesses due to Stirling Village Mall (Woolworths) fire

**Moved Cr Leith Mudge
S/- Cr Kirsty Parkin**

63/24

That

1. The CEO investigates measures to provide temporary financial and/or in-kind support to Stirling main street businesses substantially affected by a downturn caused by the Stirling Village Mall (Woolworths) fire on Sunday 15 October 2023.
2. The investigation includes an exploration of:
 - a. the total amount of funds to be allocated to provide support;
 - b. the criteria to be used to distribute this support, ensuring that it is equitable and targeted so that only businesses with a demonstrated substantial reduction in income attributable to the fire are eligible; and
 - c. the period of time that this temporary support should be provided pending the rebuilding of a replacement shopping centre.
3. A report on the outcomes of this investigation be discussed at a workshop and presented to Council with recommendations no later than an Ordinary Council Meeting in April 2024 to ensure that timely support is able to be provided.

VARIATION

Through the Presiding Member, with the consent of the Mover and Seconder, leave of the meeting was sought to vary point 1 of the motion, as follows:

1. **The CEO investigates measures to provide temporary financial and/or in-kind support to Stirling main street 'small' businesses substantially affected by a downturn caused by the Stirling Village Mall (Woolworths) fire on Sunday 15 October 2023.**

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2. The investigation includes an exploration of:
 - a. the total amount of funds to be allocated to provide support;
 - b. the criteria to be used to distribute this support, ensuring that it is equitable and targeted so that only businesses with a demonstrated substantial reduction in income attributable to the fire are eligible; and
 - c. the period of time that this temporary support should be provided pending the rebuilding of a replacement shopping centre.

3. A report on the outcomes of this investigation be discussed at a workshop and presented to Council with recommendations no later than an Ordinary Council Meeting in April 2024 to ensure that timely support is able to be provided.

Carried

12.2 Attendance Records of Elected Members at Information and Briefing Sessions

Moved Cr Pauline Gill
S/- Cr Adrian Cheater

64/24

That

1. Elected Members full or partial attendance at Information and Briefing Sessions be recorded and reported on the Council agenda monthly.
2. That the *Code of Practice for Council Meeting Procedures* be amended to include a section for the reporting outlined in part 1.
3. That the attendance records are included in the Annual Report along with the meeting attendance records.

VARIATION

Through the Presiding Member, with the consent of the Mover and Seconder, leave of the meeting was sought to vary point 1 of the motion and remove point 2 of the motion as follows:

1. **Elected Members full or partial attendance at Information and Briefing Sessions, along with Section 41 Committees, be recorded and reported on the Council agenda monthly.**
2. **That the attendance records are included in the Annual Report along with the meeting attendance records.**

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Carried

7:49pm Cr Adrian Cheater left the meeting room

7:51pm Cr Adrian Cheater returned to the meeting room

12.3 Creating more accessible and inclusive play spaces

Moved Cr Pauline Gill

S/- Cr Louise Pascale

65/24

That

- 1. Administration report findings from the play space communication board pilot projects back to Council upon completion.**
- 2. Administration further investigates communication access and physical access for play spaces in the region, in line with the Disability Access and Inclusion Plan review. Findings and costings are reported back to Council upon completion and are included in future iterations of The Play Space Policy and Annual Business Plan and Budgeting processes.**
- 3. Play spaces upgrades continue to consider inclusive and accessible elements in designs.**

Carried

12.4 Business Plan including forward budget projections for FABRIK

Moved Cr Kirsty Parkin

S/- Cr Leith Mudge

66/24

That

- 1. The CEO prepares a report to present to Council outlining the Business Plan for Fabrik. It should detail the plan for how Fabrik is to be marketed, staffed, what it will produce and how, what services it will offer, and include forward financial estimates over 1, 3, 5 and 10 years.**
- 2. This report should be presented to Council no later than May 2024.**

Carried Unanimously

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12.5 Which bin stickers on all green and yellow bins

Moved Cr Kirsty Parkin
S/- Cr Lucy Huxter

67/24

That

1. **Adelaide Hills Council works with Green Industries SA to undertake an investigation into the printing of stickers for every yellow and green bin lid in the Adelaide Hills Council, and then with Australia Post (or other distribution network) to send them to every bin user in the district to place on their bins.**
2. **A report detailing the outcome of the investigation be provided to Council for consideration by no later than 31 May 2024.**

Carried

8:16pm Cr Mark Osterstock left the meeting room

8:18pm Cr Mark Osterstock returned to the meeting room

12.6 Our Watch Toolkit

Moved Cr Louise Pascale
S/- Cr Pauline Gill

68/24

That

1. Council resolves to submit the following motion for debate at the 2024 National General Assembly of Local Government (NGA):

This National General Assembly calls on the Australian Government to:

- a. Recognise local government plays a pivotal role in achieving the Australian Government's vision of ending gender-based violence in a generation.
- b. Recognise councils can lead this generational change by adopting Our Watch's Prevention Toolkit for Local Government.
- c. Fund a dedicated Domestic and Family Violence Prevention Officer in each State's local government association, this role be jointly funded by Commonwealth and state governments. That this position be funded for a minimum of five years in line with the first stage of the National Plan to End Violence against Women and Children 2022-2032. The focus of the role should be to support councils in the implementation of Our Watch's Prevention Toolkit for Local Government.

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- d. Fund the establishment of a local government grant funding program, similar to the Victorian Government's Free from Violence Local Government program, to be administered by the LGA. That this program be jointly funded by Commonwealth and state governments to support councils to embed gender equality and violence prevention practices into every part of their workplaces and services.
2. That the CEO write to the Local Government Association of South Australia informing them of our resolution.

VARIATION

Through the Presiding Member, with the consent of the Mover and Seconder, leave of the meeting was sought and granted to vary section 1 (c) and section 1 (d) of the motion as follows:

1. **Council resolves to submit the following motion for debate at the 2024 National General Assembly of Local Government (NGA):**

This National General Assembly calls on the Australian Government to:

- a. **Recognise local government plays a pivotal role in achieving the Australian Government's vision of ending gender-based violence in a generation.**
- b. **Recognise councils can lead this generational change by adopting Our Watch's Prevention Toolkit for Local Government.**
- c. **Fund a dedicated Domestic and Family Violence Prevention Officer in each State's local government association, this role should be jointly funded by Commonwealth and state governments. That this position be funded for a minimum of five years in line with the first stage of the National Plan to End Violence against Women and Children 2022-2032. The focus of the role should be to support councils in the implementation of Our Watch's Prevention Toolkit for Local Government.**
- d. **Fund the establishment of a local government grant funding program, similar to the Victorian Government's Free from Violence Local Government program, to be administered by the LGA. That this program should be jointly funded by Commonwealth and state governments to support councils to embed gender equality and violence prevention practices into every part of their workplaces and services.**
2. **That the CEO write to the Local Government Association of South Australia informing them of our resolution.**

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Carried Unanimously

12.7 Reaffirmation of support to all Veterans

Under section 75B of the *Local Government Act 1999* Cr Malcolm Herrmann disclosed a General (section 74) Conflict of Interest in Item 12.7 Reaffirmation of support to all Veterans, the nature of which is as follows:

- I was a member of the Australian Army and hold the Office of Treasurer RSL Gumeracha Sub Branch.

Cr Malcolm Herrmann advised the meeting his private interest would not result in him acting in manner contrary to his public duty and intended to remain in the meeting when the item is discussed, and to participate in the debate and vote on the matter.

Under section 75B of the *Local Government Act 1999* Cr Mark Osterstock disclosed a General (section 74) Conflict of Interest in Item 12.7 Reaffirmation of support to all Veterans, the nature of which is as follows:

- I was a former serving member of the military for nine years.

Cr Mark Osterstock advised the meeting his private interest would not result in him acting in manner contrary to his public duty and intended to remain in the meeting when the item is discussed, and to participate in the debate and vote on the matter.

**Moved Cr Pauline Gill
S/- Cr Malcolm Herrmann**

That

1. The Adelaide Hills Council reaffirm support to all Australian Veteran's, past and present, who have served and sacrificed in the Defence of Australia's democratic freedom.
2. The CEO and Mayor, jointly write to all RSL's and other Soldier/Service Memorial organisations within the Adelaide Hills Council, to express the Council's support for Veteran's, past and present, after the attempt by the State Government to remove ANZAC Day from the Public Holidays Bill 2023.

AMENDMENT

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

That

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1. The Adelaide Hills Council reaffirm support to all Australian Veteran's, past and present, who have served and sacrificed in the Defence of Australia's democratic freedom.
2. The CEO and Mayor, jointly write to all RSL's and other Soldier/Service Memorial organisations within the Adelaide Hills Council, to express the Council's support for Veteran's, past and present, ~~after the attempt by the State Government to remove ANZAC Day from the Public Holidays Bill 2023.~~

The Amendment was put and Carried

MOTION AS AMENDED

Moved Cr Melanie Selwood
S/- Cr Leith Mudge

69/24

That

1. The Adelaide Hills Council reaffirm support to all Australian Veteran's, past and present, who have served and sacrificed in the Defence of Australia's democratic freedom.
2. The CEO and Mayor, jointly write to all RSL's and other Soldier/Service Memorial organisations within the Adelaide Hills Council, to express the Council's support for Veteran's, past and present.

Carried Unanimously

12.7.1 Short Adjournment

Moved Cr Adrian Cheater
S/- Cr Kirsty Parkin

70/24

That the Council meeting adjourn for a short break.

Carried Unanimously

8:40pm the Council meeting adjourned.

8:52pm the Council meeting resumed.

13. OFFICER REPORTS – DECISION ITEMS

13.1 Revised Policy for Community Consultation – Management of Built Heritage

Mayor _____

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TUESDAY 12 MARCH 2024
63 MT BARKER ROAD STIRLING**

**Moved Cr Leith Mudge
S/- Cr Kirsty Parkin**

70/24

Council resolves:

- 1. That the report be received and noted.**
- 2. To approve the draft *Management of Built Heritage Policy* as contained in *Appendix 1* for community consultation.**

Carried Unanimously

13.2 Proposed Norton Summit Land Purchase

Under section 75B of the *Local Government Act 1999* Cr Leith Mudge disclosed a General (section 74) Conflict of Interest in Item 13.2 Proposed Norton Summit Land Purchase, the nature of which is as follows:

- I am a baptised and confirmed Anglican and a nominal member of the adjacent Parish of Stirling. I was at one stage an ordination candidate with the Anglican Church and also a member of the Synod of the Diocese of Adelaide.

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

Under section 75B of the *Local Government Act 1999* Cr Adrian Cheater disclosed a General (section 74) Conflict of Interest in Item 13.2 Proposed Norton Summit Land Purchase, the nature of which is as follows:

- I am an appointed officer within the CFS East Torrens Group.

Cr Adrian Cheater intends to leave the meeting when the item is discussed.

9:08pm Cr Leith Mudge left the meeting room

9:08pm Cr Adrian Cheater left the meeting room

**Moved Cr Malcolm Herrmann
S/- Cr Kirsty Parkin**

71/24

Council resolves:

- 1. That the report be received and noted.**
- 2. In conjunction with The Synod of the Diocese of Adelaide of the Anglican Church of Australia ("the Church"), undertake a boundary realignment to alter the**

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boundaries between the land located at 2 St John Road Norton Summit owned by Council and the land located at 8 St John Road Norton Summit owned by the Church, with the effect of Council purchasing from the Church an area of approximately 1369m² for the amount of \$94,000 exclusive of GST.

3. To allocate funding in 2024-25 budget for the purchase of the land in the amount of \$94,000 exclusive of GST (if applicable) plus Council's proportion of purchase and land division costs estimated at \$15,000 plus GST, plus fencing costs estimated at \$5,000 plus GST.
4. To update the Council's Community Land Register to reflect the additional area of land vesting in Council and to develop a Community Land Management Plan for the site.
5. To delegate to the CEO to all do things necessary, including sign all documents to give effect to this resolution.
6. The CEO consults the Norton Summit CFS Brigade and/or the Hall Committee in regard to the configuration of any potential carparking spaces.
7. To authorise the Mayor and CEO to apply the Council's seal, if required, in the execution of any documents related to this resolution.

Carried Unanimously

9:12pm Cr Leith Mudge returned to the meeting room

9:12pm Cr Adrian Cheater returned to the meeting room

14. ADMINISTRATION REPORTS - INFORMATION ITEMS

Nil

15. CORRESPONDENCE FOR INFORMATION

Nil

16. QUESTIONS WITHOUT NOTICE

Nil

17. MOTIONS WITHOUT NOTICE

Nil

18. REPORTS

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18.1. Council Member Function or Activity on the Business of Council

Cr Melanie Selwood

- 3 March 2024, hosted a Clean Up Australia Day in Aldgate
- 3 March 2024, Discover Play Bikeway along the Amy Gillett Bikeway

Acting Mayor Nathan Daniell

- 28 February 2024, Stirling RSL hosted Community Briefing Meeting

Cr Kirilee Boyd

- 28 February 2024, Stirling RSL hosted Community Briefing Meeting

Cr Mark Osterstock

- 28 February 2024, Stirling RSL hosted Community Briefing Meeting

Cr Kirsty Parkin

- 28 February 2024, Stirling RSL hosted Community Briefing Meeting

Cr Leith Mudge

- 28 February 2024, Stirling RSL hosted Community Briefing Meeting

Cr Adrian Cheater

- 28 February 2024, Stirling RSL hosted Community Briefing Meeting

18.2. Reports of Members/Officers as Council Representatives on External Organisations

Cr Malcolm Herrmann

- 7 March 2024, Special Meeting of the GRFMA

18.3. CEO Report

Greg Georgopoulos, CEO, provided Council with a verbal update, including:

- Recent positive discussions with Hon Tom Koutsantonis MP and Dan Cregan MP regarding drainage issues at Junction Road, Balhannah.
- Executive Leadership Team current focus on developing the Annual Business Plan and Long Term Financial Plan for 2024/2025.

19. REPORTS OF COMMITTEES

19.1. Council Assessment Panel

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**Moved Cr Leith Mudge
S/- Cr Adrian Cheater**

72/24

Council resolves that the minutes of the Council Assessment Panel meeting held on 6 March 2024, as distributed, be received and noted.

Carried Unanimously

19.2. Audit Committee

Nil

19.3. CEO Performance Review Panel

Refer to Item 20.1 – Confidential Item

19.4. Boundary Change Committee

Nil

20. CONFIDENTIAL ITEMS

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20.1. CEO Performance Review Panel Minutes of Meeting – 8 February 2024 – Exclusion of the Public

Moved Cr Adrian Cheater
S/- Cr Pauline Gill

73/24

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

- Chief Executive Officer, Greg Georgopoulos
- Director Community and Development, Natalie Armstrong
- Director Environment and Infrastructure, David Waters
- Governance Support, Tracy Riddle
- Governance and Risk Coordinator, Dr Zoë Gill
- Minute Taker, Rebekah Lyons
- Information Technology, Tom Portas
- Governance and Risk, Jody Atkins

be excluded from attendance at the meeting for Agenda Item 20.1: CEO Performance Review Process – KPI Review.

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).

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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20.1.1 CEO Performance Review Panel Minutes of Meeting – 8 February 2024 – Confidential Item

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20.1.2 Performance Review Panel Minutes of Meeting – 8 February 2024 – Duration of Confidentiality

Moved Cr Mark Osterstock
S/- Cr Lucy Huxter

75/24

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 20.2 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 Committee and the discussion and considerations of the subject matter be retained in confidence until further order and be reviewed every twelve months.

Carried Unanimously

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20.2 Amy Gillett Bikeway – Stage 4 Letter of Variation – Exclusion of the Public

Moved Cr Adrian Cheater
S/- Cr Kirilee Boyd

76/24

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

- Chief Executive Officer, Greg Georgopoulos
- Director Community and Development, Natalie Armstrong
- Director Environment and Infrastructure, David Waters
- Governance Support, Tracy Riddle
- Governance and Risk Coordinator, Zoe Gill
- ICT Support, Tom Portas
- Minute Secretary, Rebekah Lyons
- Governance and Risk, Jody Atkins

be excluded from attendance at the meeting for Agenda Item 20.2: (Amy Gillett Bikeway - Stage 4 Letter of Variation) 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:

- (i) 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 –
- (ii) 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
- (iii) 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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20.2.1 Amy Gillett Bikeway – Stage 4 Letter of Variation – Confidential Item

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20.2.3 Amy Gillett Bikeway – Stage 4 Letter of Variation – Duration of Confidentiality

Moved Cr Adrian Cheater

S/- Cr Kirsty Parkin

78/24

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 20.2 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	N/A

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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21. NEXT MEETING

The next Ordinary Meeting of the Adelaide Hills Council will be held on Tuesday 26 March 2024 from 6.30pm at 63 Mt Barker Road, Stirling.

22. NEXT MEETING

The meeting closed at 9:27pm