



ORDINARY COUNCIL MEETING

NOTICE OF MEETING

To: 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 11 June 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.

A handwritten signature in black ink, appearing to read 'GG', is written over a horizontal line.

Greg Georgopoulos
Chief Executive Officer



ORDINARY COUNCIL MEETING

AGENDA FOR MEETING
Tuesday 11 June 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
- 3.2. Leave of Absence
- 3.3. Absent

4. MINUTES OF PREVIOUS MEETINGS

Council Meeting – Tuesday 28 May 2024

That the minutes of the ordinary meeting held on Tuesday 28 May 2024 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
Onkaparinga Valley Football Club – Unisex Change Rooms
- 8.2. Deputations
Onkaparinga Valley Football Club
- 8.3. Public Forum
Annual Business Plan Consultation (up to one hour)

9. PRESENTATIONS (by exception)

Nil

10. QUESTIONS ON NOTICE

- 10.1. Legal Fees – Cr Gill

11. MOTIONS ON NOTICE

- 11.1. Cr Selwood – Grants Policy

I move that:

1. Council notes that the Grant Giving Policy is due for renewal;
2. The CEO undertakes a review of the Grant Giving Policy and current grant programs;
3. The review includes a workshop for Council Members to provide feedback on the current grant offerings and suggestions for future opportunities.
4. The review consider the following:
 - a. Eligibility criteria is sufficient for the diversity of potential applicants in our communities;
 - b. The level of funding provided per grant type;
 - c. Categories of grants;
 - d. Alignment with strategic objectives;
 - e. Assessment processes;
 - f. Consultation with groups and associations likely to access the grant programs
5. Recommendations be provided to Council by the end of January 2025.

- 11.2. Cr Osterstock - Proposed OTR Development Heathfield

I move that:

Decision 1

1. Council reaffirms its decision [209/23] of the 8th day of August 2023 in relation to DA 21031284, Proposed OTR Development at Heathfield. That decision being as follows:

11.1 Proposed OTR Development Heathfield

Moved Cr Mark Osterstock
S/- Cr Chris Grant

209/23

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

Carried Unanimously

Decision 2

1. Council notes that the applicant has submitted an appeal against the Council Assessment Panel (CAP) decision of the 26th day of July 2023 and that this appeal is currently before the Environment Resources and Development [ERD] Court.
2. Council maintains its opposition, in the strongest possible terms, to a large 24-hour retail fuel outlet and canopy, an automatic car wash and dog wash facility, for the reasoning as articulated in its detailed representation that was considered by the CAP at its meeting of the 26th day of July 2023 (Appendix 1).
3. Council, once again, extends its encouragement to the Assessment Manager, in her role in assisting and supporting the CAP, and by extension to the CAP, under Section 87 of the PDI Act, in defending the appeal should the proposal remain unacceptable.

12. ADMINISTRATION REPORTS – DECISION ITEMS

12.1. Adelaide Hills Tourism Funding Agreement 2024

Decision 1:

1. To acknowledge the disclosure of interests contained in this report and to authorise the Chief Executive Officer, Mr Greg Georgopoulos, to act in the course of his official duties in relation to Adelaide Hills Tourism.

Decision 2:

2. That the report be received and noted.
3. That the one-year funding agreement, as contained in Appendix 1 including a contribution of \$110,900, with the Adelaide Hills Tourism be approved and that the Chief Executive Officer be authorised to make any minor changes or variations to the Agreement before execution by both parties or during the life of the Agreement.

4. *That the Chief Executive Officer be authorised to execute the Agreement on behalf of Council.*

12.2. Attendance at National General Assembly of Local Government

1. *That the report be received and noted.*
2. *To approve Cr..... attendance in a representative capacity at the National General Assembly of Local Government in Canberra in July 2024 and coverage of related costs estimated at \$4,500 in accordance with the Council Member Training and Development Policy.*

12.3. Road Closure Approval – Inside Line State Series 2024

1. *That the report be received and noted.*
2. *That Council provides consent for road closure orders in relation to the 2024 Inside Line State Series Round 5 mountain biking event as follows:*

Saturday 24 and Sunday 25 August 2024

Approximate closure 7:00am – 5:00pm both days

Norton Summit Road closed between the eastern and western intersections with Teringie Drive

3. *That the Council confirms that the Chief Executive Officer may use existing powers under delegation to consider, and determine whether or not to provide consent to, any proposals for changes to the road closures in the lead up to the event, so long as the overall scope of the event road closures remains similar to the proposal described above.*
4. *That Council provides approval for the Chief Executive Officer to use the delegation already provided to him to consider consent for road closures under Section 33(2) of the Road Traffic Act 1961 if the event is to be run in future years.*
5. *The temporary road closure application fee is waived as per Councils fees and charges register.*

12.4. Road Closure Approval – Adelaide Hills Rally (Unsealed Roads)

1. *That the report be received and noted.*
2. *That, in relation to the 2024 Adelaide Hills Rally, Council supports the event contingent on the organisers, to the satisfaction of the Chief Executive Officer:*
 - a. *Complying with Council's Festivals and Events Policy – Guideline No. 1 for Competitive Motoring Events*
 - b. *Payment of an Application Fee as per the Council's Fees and Charges Register for Temporary Road Closures*
 - c. *Providing evidence of satisfactory insurance to cover any damage to third party property caused by the event*

- d. *Entering into a road repair agreement with Council to cover any rectification works required as a result of damage caused by the event*
 - e. *Providing confirmation that the affected business owners are aware of the proposed road closures*
 - f. *Providing written confirmation that the concerns raised by affected residents and businesses have been addressed (noting that not all concerns can necessarily be addressed to the satisfaction of all residents and businesses) and that the event organisers will make their best endeavours to arrange for egress and ingress to those properties within the event where possible where a pressing need has been advised in advance*
 - g. *Written confirmation from the organisers that they will erect advance notice of road closures on the affected roads, at least three weeks prior to the event*
 - h. *Providing evidence of satisfactory procedures for enabling emergency services access to properties on the event route at all times*
3. *That subject to the requirements of Item 2. being undertaken, Council provides consent for road closure orders in relation to the event, to be held on Saturday 14 September 2024 as follows:*
- a. *Kenton Valley Stage (Kenton Valley and Mt Torrens)
Closure 12:00pm – 5:30pm
Turner Road, Maidment Road, Lihou Road and Schocroft Road – from Burfords Hill Road to Schuberts Road*
 - b. *Charligate Stage (Charleston)
Closure 12:30pm – 6:00pm
Harrison Road, Kings Road, Burnley Road, Teakles Road, Lewis Road, Bell Springs Road and Warmington Run closed – from Quarry Road to Hollows Road (then continued into Mount Barker District Council)*
4. *That the Council confirms that the Chief Executive Officer may use existing powers under delegation to consider, and determine whether or not to provide consent to, any proposals for changes to the road closures in the lead up to the event, so long as the overall scope of the event road closures remains similar to the proposal described above.*

12.5. Enforcement Review – Fire, Wastewater and Animal Management

1. *That the report be received and noted.*
2. *That the Enforcement Review in Appendix 1 be noted.*
3. *That the CEO increase the level of service to facilitate year-round education and enforcement relating to fire prevention on private land and make any necessary resourcing changes to enable the provision of this service.*
4. *To adopt the revised Enforcement Policy in Appendix 2.*

13. ADMINISTRATION REPORTS – INFORMATION ITEMS

Nil

14. CORRESPONDENCE FOR NOTING

Nil

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

Nil

18.2. Audit Committee

Nil

18.3. CEO Performance Review Panel

Nil

18.4. Boundary Change Committee

Nil

19. CONFIDENTIAL ITEMS

19.1. Event Opportunity – Santos Tour Down Under 2025

19.2. CEO Review Process

19.3. Mayor Seeking Legal Advice Update

20. NEXT MEETING

Tuesday 25 June 2024, 6.30pm, 63 Mt Barker Road, Stirling

21. CLOSE MEETING

Council Meetings and Committee Meetings for 2024

JUNE 2024

Mon 3 June	Workshop	Woodside	N/A
Tues 11 June	Ordinary Council	Stirling	Rebekah Lyons
Wed 12 June	CAP	Stirling	Karen Savage
Tues 18 June	Professional Development	Stirling	N/A
Tues 25 June	Ordinary Council	Stirling	Rebekah Lyons
Thurs 27 June	CEO PRP	Stirling	Kelley Jones Lawyers

JULY 2024

Mon 1 July	Workshop	Woodside	N/A
Tues 9 July	Ordinary Council	Stirling	Rebekah Lyons
Wed 10 July	CAP	Stirling	Karen Savage
Tues 16 July	Professional Development	Stirling	N/A
Tues 23 July	Ordinary Council	Stirling	Rebekah Lyons

AUGUST 2024

Mon 5 August	Workshop	Woodside	N/A
Tues 13 August	Ordinary Council	Stirling	Rebekah Lyons
Wed 14 August	CAP	Stirling	Karen Savage
Mon 19 August	Audit Committee	Stirling	Jody Atkins
Tues 20 August	Professional Development	Stirling	N/A
Tues 27 August	Ordinary Council	Stirling	Rebekah Lyons

SEPTEMBER 2024

Mon 2 September	Workshop	Woodside	N/A
Tuesday 10 September	Ordinary Council	Stirling	Rebekah Lyons
Wed 11 September	CAP	Stirling	Karen Savage
Tues 17 September	Professional Development	Stirling	N/A
Thurs 19 September	CEO PRP	Stirling	Kelley Jones Lawyers
Tues 24 September	Ordinary Council	Stirling	Rebekah Lyons

OCTOBER 2024

Tues 1 October (Public Holiday)	Workshop	Woodside	N/A
Tuesday 8 October	Ordinary Council	Stirling	Rebekah Lyons
Wed 9 October	CAP	Stirling	Karen Savage
Mon 14 October	Audit Committee	Stirling	Jody Atkins
Tues 15 October	Professional Development	Stirling	N/A
Tues 22 October	Ordinary Council	Stirling	Rebekah Lyons

NOVEMBER 2024

Mon 4 November	Workshop	Woodside	N/A
Tues 12 November	Ordinary Council	Stirling	Rebekah Lyons
Wed 13 November	CAP	Stirling	Karen Savage
Mon 18 November	Audit Committee	Stirling	Jody Atkins
Tues 19 November	Professional Development	Stirling	N/A
Tues 26 November	Ordinary Council	Stirling	Rebekah Lyons

DECEMBER 2024

Mon 2 December	Workshop	Woodside	N/A
Wed 11 December	CAP	Stirling	Karen Savage
Tues 17 December	Ordinary Council	Stirling	Rebekah Lyons
Wed 18 December	CEO PRP	Stirling	Kelley Jones Lawyers

Meetings are subject to change, please check agendas for times and venues. All meetings (except Council Member Professional Development) are open to the public.

Council Member Attendance 2024

Information or Briefing Sessions

Meeting Date	Mayor Jan-Claire Wisdom	Cr Kirrilee Boyd	Cr Adrian Cheater	Cr Nathan Daniell	Cr Leith Mudge	Cr Louise Pascale	Cr Mark Osterstock	Cr Kirsty Parkin	Cr Pauline Gill	Cr Chris Grant	Cr Malcolm Herrmann	Cr Lucy Huxter	Cr Melanie Selwood
19.03.2024 (PD)	LOA	F	F	F	F	F	AP	F	F	F	F	F	F
23.03.2024 (WS)	LOA	P	F	F	F	F	P	P	F	F	F	AP	F
02.04.2024 (WS)	LOA	AP	F	F	F	F	F	P	A	F	F	P	P
09.04.2024 (WS)	LOA	F	F	F	F	LOA	F	F	A	F	F	LOA	F
16.04.24 (WS)	LOA	F	P	F	AP	LOA	LOA	LOA	F	F	F	F	F
06.05.2024 (WS)	LOA	F	F	F	F	F	A	F	LOA	F	F	F	F
21.05.2024 (WS)	F	F	F	F	F	P	LOA	F	LOA	F	F	AP	F
03.06.2024 (WS)	AP	AP	F	F	F	F	AP	F	F	F	F	AP	F

Council Member Attendance 2024

Council Meetings (including Special Council Meetings)

Meeting Date	Mayor Jan-Claire Wisdom	Cr Kirrilee Boyd	Cr Adrian Cheater	Cr Nathan Daniell	Cr Leith Mudge	Cr Louise Pascale	Cr Mark Osterstock	Cr Kirsty Parkin	Cr Pauline Gill	Cr Chris Grant	Cr Malcolm Herrmann	Cr Lucy Huxter	Cr Melanie Selwood
26.03.2024	LOA	AP	F	F	F	P	LOA	F	F	AP	F	AP	F
9.04.2024	LOA	F	F	F	F	LOA	F	F	P	F	F	LOA	F
23.04.2024	LOA	F	F	F	F	LOA	F	F	AP	F	F	F	F
14.05.2024	LOA	F	F	F	F	F	LOA	AP	LOA	F	F	F	F
28.05.2024	F	F	F	F	F	AP	F	F	LOA	F	F	F	F

Conflict of Interest Disclosure Form

CONFLICTS MUST BE DECLARED VERBALLY DURING MEETINGS

Date: _____

Meeting Name (please tick one)

- | | | | |
|------------------------------|--------------------------|---------------------------|--------------------------|
| Ordinary Council | <input type="checkbox"/> | Audit Committee | <input type="checkbox"/> |
| Special Council | <input type="checkbox"/> | Boundary Change Committee | <input type="checkbox"/> |
| CEO Performance Review Panel | <input type="checkbox"/> | Other: _____ | <input type="checkbox"/> |

Item No **Item Name:**

(Only one conflict of interest entry per form)

I, Mayor / Cr _____ have identified a conflict of interest as:

GENERAL

MATERIAL

GENERAL

In considering a General Conflict of Interest (COI), an impartial, fair-minded person might consider that the Council Member’s private interests might result in the Member acting in a manner that is contrary to their public duty.

MATERIAL

In considering a Material Conflict of Interest (COI), a member of a council has a material conflict of interest in a matter to be discussed at a meeting of the council if a class of persons as defined in s75(1)(a-l) in the Act would gain a benefit, or suffer a loss, (whether directly or indirectly and whether of a personal or pecuniary nature) depending on the outcome of the consideration of the matter at the meeting.

The nature of my conflict of interest is as follows:

(Describe the nature of the interest, including whether the interest is direct or indirect and personal or pecuniary)

I intend to deal with my conflict of interest in the following transparent and accountable way:

- I intend to **stay** in the meeting (please complete details below)
- I intend to **stay** in the meeting as exempt under s75A (please complete details below)
- I intend to **leave** the meeting (*mandatory if you intend to declare a Material conflict of interest*)

The reason I intend to stay in the meeting and consider this matter is as follows:

(This section must be completed and ensure sufficient detail is recorded of the specific circumstances of your interest.)

Office use only: Council Member voted FOR / AGAINST the motion.

8. DEPUTATIONS

For full details, see Code of Practice for Meeting Procedures on www.ahc.sa.gov.au

1. A request to make a deputation should be made by submitting a Deputation Request Form, (available on Council's website and at Service and Community Centres) to the CEO seven clear days prior to the Council meeting for inclusion in the agenda.
2. Each deputation is to be no longer than ten (10) minutes, excluding questions from Members.
3. Deputations will be limited to a maximum of two per meeting.
4. In determining whether a deputation is allowed, the following considerations will be taken into account:
 - the number of deputations that have already been granted for the meeting
 - the subject matter of the proposed deputation
 - relevance to the Council agenda nominated – and if not, relevance to the Council's powers or purpose
 - the integrity of the request (i.e. whether it is considered to be frivolous and/or vexatious)
 - the size and extent of the agenda for the particular meeting and
 - the number of times the deputee has addressed Council (either in a deputation or public forum) on the subject matter or a similar subject matter.

8.3 PUBLIC FORUM

For full details, see Code of Practice for Meeting Procedures on www.ahc.sa.gov.au

1. The public may be permitted to address or ask questions of the Council on a relevant and/or timely topic.
2. The Presiding Member will determine if an answer is to be provided.
3. People wishing to speak in the public forum must advise the Presiding Member of their intention at the beginning of this section of the meeting.
4. Each presentation in the Public Forum is to be no longer than five (5) minutes (including questions), except with leave from the Council.
5. The total time allocation for the Public Forum will be ten (10) minutes, except with leave from the Council.
6. If a large number of presentations have been requested, with leave from the Council, the time allocation of five (5) minutes may be reduced.
7. Any comments that may amount to a criticism of individual Council Members or staff must not be made. As identified in the Deputation Conduct section above, the normal laws of defamation will apply to statements made during the Public Forum.
8. Members may ask questions of all persons appearing relating to the subject of their presentation.