



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 July 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 July 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 Kaurna 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

3.2.1. Cr Lucy Huxter, 8 July 2024 to 25 July 2024, approved at Council 25 June 2024.

3.2.2. Cr Louise Pascale, 19 July 2024 to 23 July 2024, approved at Council 9 July 2024.

3.2.3. Cr Pauline Gill, 22 July 2024 to 26 July 2024, approved at Council 9 July 2024.

3.3. Absent

4. MINUTES OF PREVIOUS MEETINGS

Council Meeting – 9 July 2024

That the minutes of the ordinary meeting held on 9 July 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
- 8.2. Deputations
- 8.3. Public Forum

9. PRESENTATIONS (by exception)

Nil

10. QUESTIONS ON NOTICE

- 10.1. Blackspot Funding – Cr Adrian Cheater

Has the Council received any updates on funding from the Australian Government's Blackspot Program for the Adelaide Hills Council area?

11. MOTIONS ON NOTICE

- 11.1. Review of Road Closure Fees

I move that a report be prepared for Council's consideration regarding:

- 1. *The appropriate level at which to set fees for road closures for commercial applicants in the Fees and Charges Register. The report should identify fee levels that are commensurate with both:
 - a. *The amount of disruption, inconvenience and loss road closures cause for affected businesses and the community, and*
 - b. *The true commercial value of such an exclusive use of a public asset.**

- 11.2. Levels of Service

I move that:

- 1. *A report be prepared for Council's consideration in conjunction with the existing services review, detailing the "levels of service" being provided by Council, including, but not restricted to infrastructure asset management in a manner that allows the Chamber to identify the*

"Level of Service" being provided in order to assess what is affordable, equitable and appropriate.

12. ADMINISTRATION REPORTS – DECISION ITEMS

12.1. Review of Burials outside Cemeteries Policy and Update

1. *That the report be received and noted.*
2. *With an effective date of 1 August 2024, adopt the 23 July 2024 Burials outside Cemeteries Policy as per Appendix 1.*
3. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 23 July 2024 Burials Outside Cemeteries Policy as per Appendix 1 prior to the date of effect.*

12.2. Community Bushfire Reference Group Terms of Reference

Decision 1

Council resolves:

1. *That the report be received and noted.*
2. *That Council establish a Community Bushfire Reference Group to improve the Council and community's approach to bushfire preparedness, response, and recovery.*
3. *That Council adopts the Terms of Reference (TOR) in Appendix 1 for the Community Bushfire Reference Group.*
4. *That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the Community Bushfire Reference Group Terms of Reference as per Appendix 1.*
5. *To determine that the method of selecting the Council's representative on the Community Bushfire Reference Group be by an indicative vote utilising the process set out in clause 4.7 of the Code of Practice for Council Meeting Procedures.*
6. *To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred person as the Council's representative on the Community Bushfire Reference Group and for the meeting to resume once the results of the indicative vote have been declared.*

Decision 2

Council resolves:

7. *To appoint _____ as the Council's representative on the Community Bushfire Reference Group for a term to commence from 24 July 2024 and conclude 23 July 2026.*

12.3. *Gawler River Floodplain Management Authority Membership Report*

1. *That this report Gawler River Floodplain Management Authority Membership Report be received and noted.*
2. *In light of the risks and opportunities of continued membership of GRFMA as outlined in this report, the CEO undertake a detailed examination of the implications of leaving the GRFMA, to be brought back to the Council for consideration by October 2024, noting that the CEO will seek additional budget to progress this project based on a cost estimate.*
3. *That the CEO formally notify the GRFMA Board and Constituent Councils that Adelaide Hills Council is exploring leaving the GRFMA and seek their views of Adelaide Hills Council staying or leaving the GRFMA.*
4. *That the CEO may, if appropriate, seek the views of the Minister or his office about Adelaide Hills Council staying or leaving the GRFMA.*

12.4. *Gawler River Floodplain Management Authority Draft 2024-35 Annual Business Plan Options Report*

1. *That this report Gawler River Floodplain Management Authority Annual Business Plan Options Report be received and noted.*
2. *That Council notes its decision at the 23 April 2024 Council Meeting to not approve the Draft 2024-25 Gawler River Floodplain Management Authority Annual Business Plan at that time on the following basis:*
 - a. *That the Council sees little if any benefit to the Adelaide Hills community in contributing to the cost of the further development of the flood mitigation works business case.*
 - b. *That the Council is opposed to the apportioning of costs for further developing the business case equally among the member Councils.*
 - c. *That the cost apportionment should be reflective of the relative contribution to the flood risk and the relative benefits of the flood mitigation works, to each community.*
3. *Notes that Council and the GRFMA have entered into dispute regarding the Draft 2024-25 Gawler River Floodplain Management Authority Annual Business Plan*

4. *For efficiency and resourcing reasons, to now approve the Gawler River Floodplain Management Authority Annual Business Plan while registering its objections to the proposed further development of the flood mitigation works business case.*
5. *That the Chief Executive Officer advises the Gawler River Floodplain Management Authority Board of Councils resolution and is authorised to undertake all procedures and processes necessary and incidental thereto.*

12.5. Community Renewables Program

1. *That the report be received and noted.*
2. *To note the City of Mitcham's Community Renewable Framework and thanks Mr Matt Romaine, Group Manager City of Mitcham, for his presentation on Monday 3 June 2024.*
3. *That a further report on the Community Renewal Program tailored to the Adelaide Hills Council and Community be provided to Council by no later than 12 November 2024.*

13. ADMINISTRATION REPORTS – INFORMATION ITEMS

13.1. Updating Arrangements for Building Fire Safety Committee Membership

That the report be received and noted.

14. CORRESPONDENCE FOR NOTING

- 14.1. Correspondence from Green Industries South Australia regarding single-use plastic bans
- 14.2. Correspondence from Department of Infrastructure, Transport, Regional Development, Communications and the Arts regarding the Enhanced Electromagnetic Energy Program
- 14.3. Correspondence from Australia Day Council regarding Public Service Medal nominations

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 – 10 July 2024
That the minutes of the CAP meeting held on 10 July 2024 as supplied, be received and noted.
- 18.2. Audit Committee
Nil
- 18.2.1. Audit Committee recommendations to Council – 15 April 2024
 - 1. *That the report be received and noted.*
 - 2. *In relation to Appendix 1 of this report:*
 - a. *To approve the 2023-24 External Audit Plan by BDO Audit Pty Ltd.*
 - b. *To note the 2023-24 Financial Statement Audit – Engagement Letter (Appendix 2) and the 2023-24 Internal Financial Control Audit – Engagement (Appendix 3).*
 - 3. *In relation to Appendix 4 of this report, to receive and note the Q3 2023-24 Quarterly Council Performance Report.*
- 18.3. CEO Performance Review Panel
Nil
- 18.4. Boundary Change Committee
Nil

19. CONFIDENTIAL ITEMS

- 19.1. Land Management Agreement – Burial on Private Land

Refer to Agenda Reports

20. NEXT MEETING

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

21. CLOSE MEETING

Council Meeting & Workshops 2024

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	Skye Ludzay
Tues 20 August	Professional Development	Stirling	N/A
Mon 26 August	Workshop	Stirling	N/A
Tues 27 August	Ordinary Council	Stirling	Skye Ludzay

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 Mid-term mandatory training	Stirling	N/A
Thurs 19 September	CEO PRP	Stirling	Kelley Jones Lawyers
Tues 24 September	Ordinary Council	Stirling	Skye Ludzay

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	Skye Ludzay
Tues 15 October	Professional Development Mid-term mandatory training	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	Skye Ludzay
Tues 19 November	Professional Development	Stirling	N/A
Tues 26 November	Ordinary Council	Stirling	Skye Ludzay

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
3.06.2024 (WS)	AP	AP	F	F	F	F	AP	F	F	F	F	AP	F
18.06.2024 (PD)	F	F	F	F	F	F	F	AP	F	F	F	AP	F
01.07.24 (WS)	AP	F	AP	F	F	AP	AP	F	AP	F	P	P	F
09.07.4 (WS)	AP	F	F	F	LOA	F	F	F	AP	F	F	LOA	F
16.07.2024 (PD)	F	F	F	AP	F	F	LOA	F	AP	F	F	LOA	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	LOA	LOA	F	F	F	F
11.06.2024	F	F	F	F	F	F	F	LOA	F	F	F	AP	F
17.06.2024	F	F	F	F	F	F	AP	F	F	F	F	F	F
25.06.2024	F	AP	F	F	F	F	F	F	AP	F	F	F	F
01.07.2024	F	F	AP	F	F	AP	F	F	AP	F	F	F	F
09.07.2024	AP	F	F	F	LOA	F	F	F	AP	F	F	LOA	F

Index: F = Full Attendance / P = Partial Attendance / AP = Apology / LOA = Leave of Absence / A = Absent

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.