

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 10 DECEMBER 2024
63 MT BARKER ROAD STIRLING**

In Attendance

Presiding Member: Mayor Jan-Claire Wisdom

Members:

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 Melanie Selwood

In Attendance:

Greg Georgopoulos	Chief Executive Officer
Gary Lewis	Director Corporate Services
Jess Charlton	Director Community and Development
David Waters	Director Environment and Infrastructure
Zoe Gill	Executive Governance Officer
Rebekah Lyons	Minute Secretary
Tom Portas	Technical Support

1. COMMENCEMENT

The meeting commenced at 6.00pm.

2. OPENING STATEMENT

- 2.1 Council acknowledges that we meet on the traditional Country of the Peramangk and Kurna people. We pay our respects to Ancestors and Elders past and present as the Custodians of this ancient and beautiful land.
- 2.2 Together we will care for this place for the generations to come and in this context the decisions we make should be guided by the principle that nothing we do should decrease our children's ability to live on this land.

Mayor _____

28 January 2025

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3. APOLOGIES/LEAVE OF ABSENCE

3.1 Apology

Nil

3.2 Leave of Absence

Moved Cr Adrian Cheater

S/- Cr Kirrilee Boyd

440/24

- 1 That a Leave of Absence from all duties of office be granted to Cr Louise Pascale from 10 December 2024 to 31 January 2025.**
- 2 That any committee or panel membership currently held by Cr Louise Pascale 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 – 26 November 2024

Moved Cr Chris Grant

S/- Cr Malcolm Herrmann

441/24

Council resolves that the minutes of the Ordinary Council meeting held on 26 November 2024 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

5.1 Cr Adrian Cheater, Item 12.4 – CEO Performance Review Panel Membership

Under section 75C of the *Local Government Act 1999* Cr Adrian Cheater disclosed a Material (section 75) Conflict of Interest in Item 12.4.

5.2 Cr Kirsty Parkin, Item 12.4 – CEO Performance Review Panel Membership

Under section 75C of the *Local Government Act 1999* Cr Kirsty Parkin disclosed a Material (section 75) Conflict of Interest in Item 12.4.

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5.3 Cr Malcolm Herrmann, Item 19.1 – Citizen of the Year 2025 Recommendations

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

5.4 Cr Leith Mudge, Item 19.1 – Citizen of the Year 2025 Recommendations

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

5.5 Cr Melanie Selwood, Item 19.1 – Citizen of the Year 2025 Recommendations

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

5.6 Cr Kirrilee Boyd, Item 19.1 – Citizen of the Year 2025 Recommendations

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

6. PRESIDING MEMBER'S OPENING REMARKS

The Mayor provided a statement regarding council resolution 430/24 at the 26 November 2024 meeting.

6:12pm the Mayor left the meeting room and did not return.

6:13pm the Deputy Mayor assumed the chair.

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

Leone Taylor of Balhannah – On behalf of Adelaide Hills Action Group in support of Mayor Wisdom.

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6:16pm Cr Kirsty Parkin joined the meeting.

Lois Allen of Bradbury – In support of Mayor Wisdom and commending David Waters for leading local disability access projects.

Ian Bailey of Piccadilly – Council not supporting Australia Day events and seeking Council support to repair damage caused by vandalism.

John Tate of Birdwood – Against Council’s decision not to hold events held on Australia Day.

9. PRESENTATIONS

Save Our Wildlife Foundation Inc. – Marian MacLucas and Sheree Venter

10. QUESTIONS ON NOTICE

10.1 26 November 2024 Council Resolution 430/24 – Cr Pauline Gill

- 1) What is the legality of Council decision 430/24, when the motion was not provided to all Elected Members of the Council prior to the meeting held on 26th November 2024? How could Elected Members be able to make a fully informed decision on the Motion on the night, given it's length and complexity?**

Decision 430/24 is lawful and permissible.

The legislative framework for Council meetings allows Councillors to move motions without notice. In this instance, Cr Chris Grant provided his proposed motion to Elected Members via email prior to commencement of the meeting.

The report provided to all Elected Members as agenda item 19.1 provided substantial relevant information for consideration prior to the meeting. As is the usual process, if Elected Members have questions regarding an agenda item, they can seek clarification from administration prior to or during the meeting.

In addition, to assist Elected Members with making an informed decision, MinterEllison were in attendance at the Council meeting. The legal advice received by Elected Members confirms that the motion made is commensurate with the findings of the *Final Investigation Report: Behavioural Management Framework*.

- 2) Why was a recommendation not made by the Administration, to refer any possible decisions from Item 19.1 (Agenda for 26th November 2024) to the Behavioural Standards Panel, given the complexity of potential decisions that could be made by the Elected Body?**

Under the legislative framework, it would not have been appropriate for Administration to recommend to Council to refer the behavioural complaint to the Behavioural Standards Panel.

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Only three types of behaviour can be referred to the Behavioural Standards Panel, namely:

- **Misbehaviour**, which includes if a member of Council has failed to comply with an action required by Council or with the Behavioural Standards Policy
- **Repeated Misbehaviour**, which is when there is a second or subsequent breach of the behavioural requirements
- **Serious Misbehaviour**, which is when a council member has failed to comply with the health and safety duties under section 75G of the Local Government Act

Chapter 5 Part 4 Division 2 and Chapter 13, Part A1 of the *Local Government Act 1999* (the Act) outline the behavioural standards of elected members and how breaches of the behavioural standards should be addressed.

As part of this legislative framework, Council has established a Behavioural Standards Policy, which outlines how behaviour complaints should be managed.

As per the behavioural complaints process, Administration recommended that Council make a decision to either take action or not take action under section 262C of the *Local Government Act 1999*. If it took action, it needed to do so in public.

3) Did Cr Grant receive any legal advice, paid for by Adelaide Hills Council, to write his Motion, being 19.1.3, Decision 2?

No, Cr Grant did not receive legal advice paid for by Adelaide Hills Council to write his Motion, being 19.1.3, Decision 2.

It should be noted that Administration sought legal advice from MinterEllison on item 19.1. This legal advice included attendance at the meeting to present on options, answer questions from all elected members and reviewing proposed motions provided to the Administration by elected members to ensure that the content of the motions was lawful. This is usual practice for Administration on complex matters.

4) Where can people access the Council Members Register of Allowances and Benefits as required in S79(1) of the Local Government Act 1999? It is not available for viewing on the Adelaide Hills Council website, in the register section, is this because there a fee to view this register?

Under section 79(1) the Administration is required to keep a quarterly register. This is not required to be published but can be accessed on request via the Council Service Centres. There is no fee to view the register.

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6:55pm the Deputy Mayor, with leave of at least two thirds of the members present at the meeting, adjourned the meeting for a short break.

7:06pm The formal meeting proceedings resumed.

10.2 Our Watch Toolkit for Local Government – Cr Louise Pascale

1. When was our Gender Equity Audit completed?

The Gender Equity Audit was completed in June 2024.

2. What difference in staff ratios (based on gender) have we seen since the completion of the report? (an assessment to date)

The June report highlighted the staff composition by gender category as being 50.68% female, 48.86% male, 0.46% non-binary.

In the five months since the report, the staff ratios have remained essentially the same.

3. Can the Gender Equity Audit be provided with this Question on Notice?

This is an internal document that will assist in the development of a gender equity action plan.

4. What other reports have Our Watch completed for the Adelaide Hills Council?

Our Watch completed a recommendation report following the Gender Equity Audit.

5. Could these full reports be tabled with this Question on Notice?

This is an internal document that will assist in the development of a gender equity action plan.

6. Where is our Gender Equity Action Plan at? And what is the timeline for its complete implementation?

The next step from the Recommendation report is to develop a Gender Equity Action plan. A timeline for its implementation will be developed.

10.3 Verge Policy and Maintenance – Cr Louise Pascale

1. What is the status of our Verge Policy and Guidelines?

Council does not currently have a specific Verge Policy, but does provide guidance to its community through information on the Council's website. That guidance reflects longstanding practice and convention, which is essentially that property owners and occupiers are expected to maintain their verges in townships and urban areas.

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The recently adopted *Bushfire Mitigation Landscape Strategy* identifies the need to develop a Verge Policy. While this was primarily driven by ambiguity of verge maintenance in rural areas in a bushfire mitigation context, the policy would also cover townships and urban areas.

2. What is the timeline for bringing this policy to Council for consideration?

The administration proposes to undertake this work during 2025-26, subject to other priorities which may be contained in the Annual Business Plan.

3. What is the timeline for taking this policy out to community consultation?

At this stage the timeline for community consultation has not been determined.

4. What is being done about the maintenance of verges in Hamilton Hill?

Council's longstanding practice and convention is that property owners and occupiers are expected to maintain their verges in townships and urban areas. Many residents of Hamilton Hill are successfully and willingly managing their frontages.

Notwithstanding this, Council has addressed some unkempt verges in the interest of maintaining an acceptable level of amenity expected by property owners and residents of Hamilton Hill.

10.4 Hamilton Hill and New Building Inspections – Cr Louise Pascale

1. Under current requirements from Planning SA 66% of new home builds require a Council inspection, for Adelaide Hills Council how much of that quota is happening in Hamilton Hill?

In 2024 Council exceeded its inspection quota beyond 66%. Of the buildings inspected, 11% (18 out of 159) of the inspections were conducted in Hamilton Hill.

2. What is the criteria for determining which new home buildings will be inspected?

Building Officers use the following criteria to determine which new homes will be inspected:

- Practice Direction 9 – Council Inspections 2020
- Mandatory Building Notifications received
- A building constructed by a person who is not a licensed building work contractor generally has a higher priority than those constructed by a licensed building work contractor
- Whether a house is constructed in a high bushfire area

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3. How often are building inspections happening in Hamilton Hill, including at what stages of the building?

As stated above, 18 inspections were undertaken in Hamilton Hill (out of the 159 developments inspected) in 2024.

Building inspections are undertaken when Council receives a mandatory building notification of completion of a building stage nominated on the Development Approval.

The stage of building inspections undertaken are generally either framing inspections (structural framing and roof trusses) or completion inspections (to ensure complying construction of barriers to prevent falls, stairs, and smoke alarms) but on rare occasions another stage may be inspected.

4. How can residents find out if their building was inspected by Council, and if so, what issues were found and what was rectified?

Residents can make an enquiry with council to confirm if their building was inspected and at what stage. Any further information including what issues and details about rectification can only be provided if approval from the applicant is obtained, which may be the property owner or may only be the builder. In the case that the property owner was not the applicant, the property owner may seek the information via a Freedom of Information application.

5. Knowing the state of some of the new buildings occurring in Hamilton Hill, is Council able to increase its number of inspections?

Council is able to increase its number of inspections if there is a need and the issues fall within Council's jurisdiction.

Property owners may need to refer to other authorities such as Consumer and Business Affairs and the Office of the Technical Regulator, depending on the nature of their concerns.

10.5 26 November Council Resolutions – Cr Mark Osterstock

1. What was the Behavioural Standards Complaint report and resolution about?

This matter relates to a complaint made by an Elected Member about a series of behaviours by the Mayor. This complaint has led to a thorough and complex independent investigation which found the Mayor had breached multiple behavioural standards.

Council reviewed the report and made a number of resolutions including the following:

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- a) That Council formally censures the Mayor.
- b) That Council declares it has no confidence in the Mayor and her capacity to continue as Mayor of the Council for the remainder of the Council term.
- c) That Council calls on the Mayor to resign by close of business Friday, 29 November 2024.
- d) That the Mayor is required to make an unconditional (and unreserved) public apology to the Council, the CEO, and the Administration.
- e) That the Mayor is required to make a private written apology to the identified victim or victims of bullying in a form approved by the Deputy Mayor.
- f) That the Mayor is required to attend a program of training and education.
- g) That any and all functions, duties, responsibilities and roles (inclusive of any representative role) given to the Mayor under any Council policy, resolution, direction or convention be revoked.
- h) That the Mayor be removed from any section 41 Council committees.
- i) That Council requests that the Mayor repay Council for the costs of the investigation and report into this behavioural matter.
- j) That the Mayor's access to the Council building is restricted.
- k) Council notes and endorses the Mayor's office having been moved from the Stirling Administration Office Area to the Coventry Library.

The full resolution can be found in the minutes from the 26 November 2026.

2. What did the Mayor do?

The independent investigation found that the Mayor had breached multiple behavioural standards.

These breaches related to behaviour that included covert recording of private conversations, sending inappropriate emails to multiple recipients, bullying staff, failing to share information with elected members which hindered their ability to perform their roles and functions, and failing to comply with the Mayor Seeking Legal Advice Policy.

3. Was the Mayor afforded procedural fairness and natural justice throughout the independent inquiry process?

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Yes, the Mayor was provided procedural fairness and natural justice throughout the independent inquiry process.

4. If so, how was this achieved?

Through the independent inquiry process, the Mayor was provided an opportunity to respond to the allegations, the draft report, and the final report.

The Mayor's responses were taken into account by the independent inquiry when making their findings in the final report.

5. I refer to the Mount Barker Courier article, Pressure on Mayor to resign as council declares 'no confidence' Nov 28 2024 Updated November 28, 2024 by Joseph Moore in that the Mayor is quoted as stating;

Dr Wisdom said she was "deeply distressed" and "horrified" and that she was not made aware of the latest sanctions against her until contacted by The Courier.

(a) When and how was the Mayor made aware of the council resolution in respect to this matter?

The Deputy Mayor advised the Mayor of Council's resolution immediately after the 26 November 2024 Council meeting.

However, Dr Wisdom said it was "alarming" that councillors moved against her despite her request for the matter to be deferred to allow her the "opportunity to respond".

(b) Was the Mayor afforded an "opportunity to respond" to the 'draft' independent investigation report?

Yes, the Mayor was afforded an opportunity to respond to the draft independent investigation report.

(c) If so, did the Mayor respond and when did this occur?

Yes, the Mayor did respond.

The Mayor's submission was received on 8 August 2024.

(d) Was the Mayor afforded an "opportunity to respond" to the 'final' independent investigation report?

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Yes, as required by the *Behavioural Complaints Policy*, after the final report was completed the Mayor was provided with an opportunity to agree a path for resolution between the relevant parties to the complaint.

(e) If so, did the Mayor respond and when did this occur?

Yes, the Mayor responded on 4 October 2024.

(f) Was the Mayor informed that the ‘final’ independent investigation report was to be presented to the 26 November 2024 council meeting?

(g) If so, when did this occur and how was this done?

Yes. The Mayor was informed on 28 October 2024 that the matter would go to Council for the 26 November 2024 meeting. As per the legislative requirements, the Mayor also received the Agenda on 22 November 2024.

(h) Was the Mayor provided with an opportunity to resolve the Behavioural Standards Complaint, prior to council formally considering the ‘final’ independent investigation report on 26 November 2024?

As indicated above, the Mayor was provided with an opportunity to agree a path for resolution between the relevant parties to the complaint.

Under the *Behavioural Management Policy*, if the parties had agreed to a resolution, the report would not have been presented to Council. Because the parties did not agree, the report had to be presented to Council.

(i) When did this occur and how was this done?

On 22 August 2024, the Mayor was invited to agree a path for resolution, with a response due 20 September 2024. The recommendations in the final report were proposed as a starting point for an agreement between the parties.

(j) What was the Mayor’s response to this opportunity?

After receiving an extension of time, the Mayor responded on 4 October 2024. Her response is confidential.

(k) In the event that the Mayor had attended the council meeting on the 26 November 2024, pursuant to the provisions of the Local Government Act 1997, would the Mayor have had a material conflict of interest in the ‘final’ independent investigation report that was considered by council?

It is up to an individual Elected Member to declare a conflict of interest.

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Given the provisions in the *Local Government Act 1999*, an elected member who is the subject of a behavioural complaint is likely to have a material conflict of interest when that complaint is considered by Council and would need to leave the Chamber.

(l) Elected Members who have a material conflict of interest, how does the Local Government Act 1997 require the elected member to manage such an interest?

If a member of a council has a material conflict of interest in a matter to be discussed at a meeting of the council, the member must-

- a) Inform the meeting of the member's material conflict of interest in the matter; and
- b) Leave the meeting room (including any area set aside for the public) such that the member cannot view or hear any discussion or voting at the meeting and stay out of the meeting room while the matter is being discussed and voted on.

"I can convey to you that the actions that appear to have been taken are unjustified," she said.

(m) Are the sanctions imposed by council, commensurate with the Mayor's wrongdoing?

Yes, the sanctions imposed by Council are commensurate with the Mayor's wrongdoing.

(n) If so, did the council receive independent legal advice confirming this fact?

Yes, Council received independent legal advice advising that the sanctions imposed are commensurate with the wrongdoing.

6. Did the 'independent inquiry report' find that the Mayor 'bullied' staff?

Yes, one of the findings of the independent investigation report found that the Mayor had bullied staff.

7. Did the 'independent inquiry report' find that the Mayor interfered with the operations of Council administration?

The independent investigation report found that the Mayor often failed to accurately comprehend her role as Mayor, and conflated her duties with that of an executive-level staff member.

8. Did the 'independent inquiry report' find that the Mayor misled Council?

The independent investigation report found that the Mayor did not take all reasonable steps to ensure that the Council was not knowingly misled.

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9. In light of the Mayor's wrongdoing, what are the approximate legal costs associated with this matter that the council has requested that the Mayor repay the Council?

The approximate legal costs associated with this matter are \$48,000.

11. MOTIONS ON NOTICE

11.1 Lobethal Primary School Correspondence – Cr Lucy Huxter

Moved Cr Lucy Huxter
S/- Cr Pauline Gill

442/24

I move that:

1. Council receives and notes the correspondence from year 6 students at Lobethal Primary School, identifying that young people are passionate about more extracurricular activities being available to them in their community.
2. The Administration reviews the correspondence and identifies any opportunities for consideration.
3. The CEO prepare a response to the authors on behalf of the Council before the end of the school year to:
 - a) Thank the students for their ideas
 - b) Encourage the students to continue advocating for their communities
 - c) Identify ways in which the students can contribute to making change

Carried Unanimously

11.2 Mount Torrens Signs – Cr Melanie Selwood

Moved Cr Melanie Selwood
S/- Cr Malcolm Herrmann

443/24

1. Council notes that Mount Torrens is listed as a state heritage area.
2. The CEO undertakes the required process with the Department for Infrastructure and Transport (DIT) and the Department for Environment and Water, in conjunction with Adelaide Hills Tourism, to replace the existing timber town entry signs at each of the main entrances to Mount Torrens with town attraction signs as

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provided for in the DIT's Road Sign Guidelines: Guide to visitor and service road signs in South Australia.

3. **Feedback on potential listings on the signs be sought from the Mount Torrens and Districts Community Association.**
4. **Any projected expenditure over \$3000 required for the signage is brought back to Council for consideration.**

Carried Unanimously

12. OFFICER REPORTS – DECISION ITEMS

12.1 Fabrik Board Options

Moved Cr Nathan Daniell
S/- Cr Pauline Gill

Council resolves:

1. The report be received and noted.
2. After the Fabrik Arts and Heritage Hub has operated for 12 months in the redeveloped building, a report be brought back to Council for consideration regarding advisory bodies including a gap analysis to determine the best approach for such a body.

VARIATION

Through the Deputy Mayor, with the consent of the Mover and Seconder, leave of the meeting was sought and granted to vary the motion as follows:

Moved Cr Nathan Daniell
S/- Cr Pauline Gill

Council resolves:

1. The report be received and noted.
2. After the Fabrik Arts and Heritage Hub has operated for 12 months in the redeveloped building, a report be brought back to Council for consideration regarding advisory bodies including a gap analysis to determine the best approach for such a body.

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3. That a workshop be held prior to receiving a report.

MOTION AS VARIED

**Moved Cr Nathan Daniell
S/- Cr Pauline Gill**

444/24

Council resolves:

1. The report be received and noted.
2. After the Fabrik Arts and Heritage Hub has operated for 12 months in the redeveloped building, a report be brought back to Council for consideration regarding advisory bodies including a gap analysis to determine the best approach for such a body.
3. That a workshop be held prior to receiving a report.

Carried

Cr Pauline Gill called for a division.

The Deputy Mayor set aside the ruling.

In the affirmative (8)

Councillors Herrmann, Boyd, Gill, Grant, Cheater, Huxter, Daniell, Osterstock

In the negative (2)

Councillors Parkin, Mudge

On the basis of the results of the division, the Deputy Mayor declared the motion carried.

7:44pm the Deputy Mayor, with leave of at least two thirds of the members present at the meeting, adjourned the meeting until 7.50pm.

7:50pm The formal meeting proceedings resumed.

12.2 Proposal for Adoption of a New Community Land Management Plan for Heathfield Oval

**Moved Cr Nathan Daniell
S/- Cr Mark Osterstock**

445/24

Council resolves:

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1. That the report be received and noted.
2. That the Mount Lofty District Community Sports Club be thanked for their proposal and be advised that Council wishes to consider the broader aspect of commercial uses of land and facilities on land contained in the Council's community land register (community land) before further considering a detailed proposal by the Club.
3. That the Chief Executive Officer bring back a report to Council by 30 April 2025 that explores:
 - a. A broad overview of existing commercial activities, uses and opportunities of community land.
 - b. A high-level analysis of risks and opportunities associated with further commercial uses.
 - c. An overview of what legislative, policy, framework, by-law or other instruments affect potential commercial uses of community land and what actions Council might need to take in order to contemplate further commercial uses under those instruments.
 - d. Potential approaches to considering further commercial uses, including cost estimates of same and community engagement options.

Carried Unanimously

12.3 **Response into the Review of the Environment Protection (Waste to Resources) Policy 2010**

Moved Cr Mark Osterstock
S/- Cr Lucy Huxter

446/24

Council resolves:

1. That the report be received and noted.
2. That Council make a submission into the review of the *Environment Protection (Waste to Resources) Policy 2010* as contained within Appendix 1.
3. That the Chief Executive Officer be authorised to finalise the response, including making any minor changes not affecting the substantive nature of the response, and submit it on Council's behalf.

Carried Unanimously

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12.4 **CEO Performance Review Panel Membership**

Moved Cr Nathan Daniell
S/- Cr Mark Osterstock

447/24

Council resolves:

Decision 1

1. That the report be received and noted.
2. To determine that the method of selecting the CEO Performance Review Panel Committee Members be by an indicative vote to determine the preferred persons for the two Council Member positions utilising the process set out in this Agenda report.
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 CEO Performance Review Panel Committee Member roles and for the meeting to resume once the results of the indicative vote have been declared.

Carried Unanimously

8:09pm the meeting was adjourned for the purposes of seeking nominations.

8:16pm the formal meeting procedures resumed.

Under section 75C of the *Local Government Act 1999* Cr Adrian Cheater disclosed a Material (section 75) Conflict of Interest in Item 12.4.

- I intend to nominate for the CEO Performance Review Panel. I may receive a benefit if successful in this role.

8:18pm Cr Adrian Cheater left the meeting room.

Under section 75C of the *Local Government Act 1999* Cr Kirsty Parkin disclosed a Material (section 75) Conflict of Interest in Item 12.4.

- I intend to nominate for the CEO Performance Review Panel. I may receive a benefit if successful in this role.

8:19pm Cr Kirsty Parkin left the meeting room.

Decision 2

Moved Cr Leith Mudge
S/ Cr Pauline Gill

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1. To appoint Cr Kirsty Parkin and Cr Adrian Cheater as members of the CEO Performance Review Panel Committee to commence 10 December 2024 and conclude on the end of the current term of Council.
2. To determine that the method of selecting the CEO Performance Review Panel Committee Presiding Member to be by an indicative vote to determine the preferred person utilising the process set out in this Agenda report.
3. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred person for the CEO Performance Review Panel Committee Presiding Member role and for the meeting to resume once the results of the indicative vote have been declared.

VARIATION

Through the Deputy Mayor, with the consent of the Mover and Seconder, leave of the meeting was sought and granted to vary the motion as follows:

Moved Cr Malcolm Herrmann

S/

1. To appoint Cr Kirsty Parkin and Cr Adrian Cheater as members of the CEO Performance Review Panel Committee to commence 10 December 2024 and conclude on the end of the current term of Council.
2. To determine that the method of selecting the CEO Performance Review Panel Committee Presiding Member to be by an indicative vote to determine the preferred person utilising the process set out in this Agenda report.
3. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred person for the CEO Performance Review Panel Committee Presiding Member role and for the meeting to resume once the results of the indicative vote have been declared.
4. That the Deputy Mayor writes to Cr Chris Grant expressing Council's gratitude for his role as Presiding Member of the CEO Performance Review Panel from 29 November 2022 to 29 December 2024.

AMENDMENT

Moved Cr Mark Osterstock

S/ Cr Nathan Daniell

1. To appoint Cr Kirsty Parkin and Cr Adrian Cheater as members of the CEO Performance Review Panel Committee to commence 10 December 2024 and conclude **at the end of 12 months.**

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2. To determine that the method of selecting the CEO Performance Review Panel Committee Presiding Member to be by an indicative vote to determine the preferred person utilising the process set out in this Agenda report.
3. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred person for the CEO Performance Review Panel Committee Presiding Member role and for the meeting to resume once the results of the indicative vote have been declared.
4. That the Deputy Mayor writes to Cr Chris Grant expressing Council's gratitude for his role as Presiding Member of the CEO Performance Review Panel from 29 November 2022 to 29 December 2024.

The amendment was put and carried

MOTION AS AMENDED

**Moved Cr Leith Mudge
S/ Cr Pauline Gill**

448/24

Council resolves:

1. **To appoint Cr Kirsty Parkin and Cr Adrian Cheater as members of the CEO Performance Review Panel Committee to commence 10 December 2024 and conclude at the end of 12 months.**
2. **To determine that the method of selecting the CEO Performance Review Panel Committee Presiding Member to be by an indicative vote to determine the preferred person utilising the process set out in this Agenda report.**
3. **To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred person for the CEO Performance Review Panel Committee Presiding Member role and for the meeting to resume once the results of the indicative vote have been declared.**
4. **That the Deputy Mayor writes to Cr Chris Grant expressing Council's gratitude for his role as Presiding Member of the CEO Performance Review Panel from 29 November 2022 to 29 December 2024.**

Carried

Cr Mark Osterstock called for a division.

The Deputy Mayor set aside the ruling.

In the affirmative (7)

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Councillors Herrmann, Boyd, Grant, Huxter, Mudge, Daniell, Osterstock

In the negative (1)
Councillor Gill

On the basis of the results of the division, the Deputy Mayor declared the motion carried.

8:29pm Cr Adrian Cheater returned to the meeting room.

8:30pm Cr Kirsty Parkin returned to the meeting room.

12.5 Council Resolutions Status Update

**Moved Cr Nathan Daniell
S/- Cr Mark Osterstock**

449/24

Council resolves:

- 1. That the report be received and noted.**
- 2. That the completed items in Appendix 1 be removed from the Action List, with the exception of resolution 215/24**

Carried Unanimously

13. OFFICER REPORTS - INFORMATION ITEMS

Nil

14. CORRESPONDENCE FOR NOTING

14.1 Nil

15. QUESTIONS WITHOUT NOTICE

Cr Malcolm Herrmann asked whether a response has been received by the Department for Infrastructure and Transport regarding ongoing stormwater issues at Junction Road in Balhannah.

Cr Leith Mudge asked a question about speed limits on Ridge Road at Mylor.

Cr Lucy Huxter asked a question about the outcomes of a road study at Mill and Ridge Roads in Lobethal.

Cr Chris Grant asked a question about traffic management in the vicinity of Verdun Hall and Hills Christian Community School in Verdun.

Mayor _____

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16. MOTIONS WITHOUT NOTICE

Having taken into account the Guiding Principles, the Deputy Mayor accepted the following Motion Without Notice.

16.1 Mayor's Opening Statement

Moved Cr Pauline Gill
S/- Cr Malcolm Herrmann

That the Mayor's remarks in her opening statement are included in the meeting minutes in full.

Motion Lost

Cr Pauline Gill called for a division.

The Deputy Mayor set aside the ruling.

In the affirmative (4)
Councillors Herrmann, Boyd, Gill, Huxter

In the negative (6)
Councillors Grant, Parkin, Cheater, Mudge, Daniell, Osterstock

On the basis of the results of the division, the Deputy Mayor declared the motion lost.

17. REPORTS

17.1 Council Member Function or Activity on the Business of Council

Cr Louise Pascale

- Monday 28 October – Presentation of award on behalf of Council at Rostrevor College Presentation Night
- Monday 25 November – Woodforde Residents Association Meeting

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

Cr Melanie Selwood

- Friday 6 December – Southern and Hills Local Government Association Meeting

Cr Malcolm Herrmann

- Friday 4 December – GRFMA Audit Committee Meeting

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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

18.4 Boundary Change Committee – 3 December 2024

Moved Cr Leith Mudge

S/- Cr Mark Osterstock

450/24

Council resolves that the minutes of the Boundary Change Committee meeting held on 3 December 2024 as distributed, be received and noted.

Carried Unanimously

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19. CONFIDENTIAL ITEMS

19.1 Citizen of the Year 2025 Recommendations – Exclusion of the Public

Moved Cr Nathan Daniell

S/- Cr Kirsty Parkin

451/24

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 Corporate Services, Gary Lewis
- Director Community and Development, Jess Charlton
- Director Environment and Infrastructure, David Waters
- Executive Governance Officer, Zoë Gill
- IT Support, Tom Portas
- Minute Secretary, Rebekah Lyons

be excluded from attendance at the meeting for Agenda Item 19.2: (Citizen of the Year 2025 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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19.1.1 Citizen of the Year 2025 Recommendations – Confidential Item

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19.1.2 Citizen of the Year Awards 2025 Recommendations – Duration of Confidentiality

Moved Cr Malcolm Herrmann

S/- Cr Kirsty Parkin

453/24

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 (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 19.1 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	24 January 2025
Related Attachments	24 January 2025
Minutes	24 January 2025
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

20. NEXT ORDINARY MEETING

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 28 January 2025 from 6.30pm at 63 Mt Barker Road, Stirling.

21. CLOSE MEETING

The meeting closed at 9:03pm.

Mayor _____

28 January 2025