

**ADELAIDE HILLS COUNCIL  
MINUTES OF ORDINARY COUNCIL MEETING  
TUESDAY 8 April 2025  
63 MT BARKER ROAD STIRLING**

In Attendance

**Presiding Member:** Acting Mayor Nathan Daniell

**Members:**

Councillor Adrian Cheater
Councillor Nathan Daniell
Councillor Chris Grant
Councillor Malcolm Herrmann
Councillor Lucy Huxter
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin
Councillor Louise Pascale
Councillor Melanie Selwood

In Attendance:

Greg Georgopoulos	Chief Executive Officer
Gary Lewis	Director Corporate Services
Jess Charlton	Director Community and Development
Zoë Gill	Executive Governance Officer
Skye Ludzay	Governance Officer
Brittany Priwer	Minute Secretary
Tom Portas	Technical Support

**1. COMMENCEMENT**

The meeting commenced at 6.30pm

**2. OPENING STATEMENT**

Council acknowledges that we meet on the traditional Country of the Peramangk and Kaurna people. We pay our respects to Ancestors and Elders past and present as the Custodians of this ancient and beautiful land.

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.

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**3. APOLOGIES/LEAVE OF ABSENCE**

**3.1 Apology**

Cr Pauline Gill

**3.2 Leave of Absence**

Mayor Jan-Claire Wisdom - 11 March 2025 to 10 September 2025 - approved 11 March 2025

Cr Kirilee Boyd - 19 April 2025 to 27 April 2025 - approved by Council 25 March 2025

6:55pm Cr Adrian Cheater left the meeting room.

6:57pm Cr Adrian Cheater returned to the meeting room.

**Moved Cr Mark Osterstock**

**S/- Cr Louise Pascale**

**116/25**

- 1 That a Leave of Absence from all duties of office be granted to Cr Kirsty Parkin from 28 April 2025 to 1 May 2025.**
- 2 That any committee or panel membership currently held by Cr Kirsty Parkin be undertaken by the Deputy during the leave of absence.**

<b>Carried Unanimously</b>
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**Moved Cr Melanie Selwood**

**S/- Cr Chris Grant**

**117/25**

- 1 That a Leave of Absence from all duties of office be granted to Cr Kirilee Boyd from 8 April 2025 to 8 April 2025.**
- 2 That any committee or panel membership currently held by Cr Kirilee Boyd be undertaken by the Deputy during the leave of absence.**

<b>Carried Unanimously</b>
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**3.3 Absent**

Nil

**4. MINUTES OF PREVIOUS MEETINGS**

**4.1 Council Meeting – 25 March 2025**

**Moved Cr Malcolm Herrmann**

**S/- Cr Chris Grant**

**118/25**

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Council resolves that the minutes of the Ordinary Council meeting held on 25 March 2025, as supplied, be confirmed as an accurate record of the proceedings of that meeting.

<b>Carried Unanimously</b>
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**5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL**

**5.1. General Conflict of Interest, Cr Malcolm Herrmann, Item 10.1**

Under section 75B of the Local Government Act 1999 Cr Malcolm Herrmann disclosed a General (section 74) Conflict of Interest in Item 10.1.

**6. PRESIDING MEMBER'S OPENING REMARKS**

The Acting Mayor commented on:

- The State Government recently launched the drought initiative funding on Tuesday 8 April 2025 that will support our community members and offer critical aid.

**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**

Nil

**9. PRESENTATIONS**

Nil

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**10. QUESTIONS ON NOTICE**

**10.1. Fallen Trees – Cr Adrian Cheater**

Under section 75B of the Local Government Act 1999 Cr Malcolm Herrmann disclosed a General (section 74) Conflict of Interest in Item 10.1.

- I am the President of the Birdwood CFS Brigade

Cr Malcolm Herrmann declared he would stay in the meeting room while the item is discussed.

**a) What is the current process for CFS and SES to communicate with Council in relation to tree and tree limb drops which may require Council attendance to remove?**

The CFS and SES currently communicate with Council in relation to tree and tree limb drops through one of the following methods:

- the Customer Relationship Management (CRM) system on Council's website
- by phone to the Customer Service team (during business hours)
- by phone to Council's after-hours phone service

**b) Is there any existing method or technology for simple notification from emergency services outside of the current report an issue function on the Adelaide Hills Council website?**

No, emergency services requests about tree and tree limb drops that require a response from Council are most effectively managed through this centralised and consistent process described above.

**11. MOTIONS ON NOTICE**

Nil

**12. OFFICER REPORTS - DECISION ITEMS**

**12.1. Towards zero emissions - A Carbon Management Plan for the Adelaide Hills**

Moved Cr Chris Grant  
S/- Cr Melanie Selwood

**119/25**

**Council resolves:**

- 1. That the report be received and noted.**
- 2. To adopt the Towards zero emissions - A Carbon Management Plan for the Adelaide Hills contained within Appendix 1 of this report.**

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3. That the programs and actions within the Towards zero emissions – A Carbon Management Plan be considered as part of the long term financial plan.
4. That the CEO be authorised to make any formatting, nomenclature, or other minor changes to the Plan.

<b>Carried Unanimously</b>
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**12.2. Delegations under the Local Government Act 1999 and other changed legislation (excluding the Development Act 1993 and Planning, Development and Infrastructure Act 2016).**

Moved Cr Malcolm Herrmann  
S/- Cr Chris Grant

**120/25**

**Council resolves:**

1. That the report be received and noted
2. The Adelaide Hills Council (Council) delegates each function or power of the Council:
  - a. as an administering agency under the Environment Protection Act 1993 are delegated pursuant to section 18C of the Environment Protection Act;
3. The delegations are granted pursuant to section 44 of the Local Government Act 1999, excepting that the functions and powers of the Council:
  - a. as an administering agency under the Environment Protection Act 1993 are delegated pursuant to section 18C of the Environment Protection Act;
4. The delegations granted pursuant to:
  - a. the Local Government Act to the Council's Chief Executive Officer (CEO) may be sub-delegated by the Chief Executive Officer in accordance with sections 44(4)(b) and 101 of the Local Government Act, but subject to section 44(3a) of the Local Government Act;
5. If two or more delegates are nominated in respect of a power or function, then each nominated person is granted a delegation and may exercise the power or function independently of any other delegate.
6. The delegations are granted subject to the following conditions and limitations:

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- a. the delegate must exercise a delegated function or power in accordance with:
    - i. applicable legislative and other legal requirements; and
    - ii. due regard to relevant policies and guidelines adopted by the Council;
    - iii. all other conditions and limitations noted in the instrument of delegations (Appendix 2)
  - b. in regard to the following delegations under the Local Government Act:
    - i. section 133: the power to obtain funds does not extend to imposing rates, borrowing money or obtaining other forms of financial accommodation or fixing or varying fees under sections 188(1)(d) to 188(1)(h) of the Local Government Act;
    - ii. section 137: the power to expend funds in the performance or discharge of the council's powers, functions or duties in accordance is limited to funds allocated as part of a budget adopted by the council;
    - iii. section 143(1): the power to write off debts is limited to debts not exceeding \$5000;
    - iv. section 188(3): the powers in regard to fees and charges are limited to fees and charges imposed under sections 188(1)(a), 188(1)(b) and 188(1)(c);
7. The delegations are granted with the following amendments to provisions in the Instrument of Delegation (Appendix 2):
- Local Government Act 1999 – Section 126A (1) provision is not delegated.
  - Local Government Act 1999 – Section 198(1) provision is not delegated.
  - Local Government Act 1999 – Section 256 (5)(b) provision is not delegated.
  - Local Government Act 1999 – Section 45(2) and 45 (3) in the conditions and limitations replace 'Director Community Capacity' with 'Director Community and Development'
  - Local Government Act 1999 – For all relevant provisions in the conditions and limitations replace 'Audit Committee' with 'Audit and Risk Committee'
  - Local Government Act 1999 – Section 184(1) in the conditions and limitations replace 'Nil' with 'Must provide notification to Council'
  - Local Government Act 1999 – Schedule 1B, Clause 9(2) in the conditions and limitations replace 'Nil' with 'Must provide notification to Council'

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8. Each delegation of a power or function granted under this instrument is independent of, and severable from, every other delegation granted under this instrument.
  9. If a delegation of a power or function under this instrument is determined to be invalid or unlawful, the invalid or unlawful delegation will be deemed to be severed from this instrument and the remaining delegations will continue to operate according to their terms.
  10. The delegations provided for in this instrument of delegation will come into operation on 14 April 2025.
  11. Previous delegations granted by the Council of the powers and functions delegated by this instrument are revoked with effect from the date on which the delegations provided for in this instrument come into operation.
  12. The delegations granted by this instrument will remain in force until varied or revoked by resolution of the Council.

<b>Carried Unanimously</b>
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- 12.3. Delegations made under Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council.**

**Moved Cr Chris Grant  
S/- Cr Malcolm Herrmann**

**121/25**

**Council resolves:**

1. That the report be received and noted.
2. Delegations made under Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council, a Designated Authority and a Designated Entity – (Instrument A)
  - a. In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the proposed Instrument of Delegation (contained in the attachment of this Report) are hereby delegated this 14 April 2025 to the person occupying or acting in the office of Chief Executive Officer of the

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Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.

- b. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.
3. Delegations made under the Planning, Development and Infrastructure Act 2016, Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Relevant Authority – (Instrument B)
  - a. In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the proposed Instrument of Delegation (contained in the attachment to this Report) are hereby delegated this 14 April 2025 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
  - b. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.
4. If two or more delegates are nominated in respect of a power or function, then each nominated person is granted a delegation and may exercise the power or function independently of any other delegate.
5. The delegations are granted subject to the following conditions and limitations:
  - a. the delegate must exercise a delegated function or power in accordance with:
    - i. applicable legislative and other legal requirements; and
    - ii. due regard to relevant policies and guidelines adopted by the Council;
    - iii. all other conditions and limitations noted in the instrument of delegations



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6. The delegations are granted with the following amendments to provisions in the Instrument of Delegation (Appendix 3):
    - Instrument A – Section 163(3)(b), 163 (10), 164 (3), 164(12), 166 (1)(c) and 167 (7) in the conditions and limitations replace 'Director Infrastructure and Operations with 'Director Environment and Infrastructure'.
  7. Each delegation of a power or function granted under this instrument is independent of, and severable from, every other delegation granted under this instrument.
  8. If a delegation of a power or function under this instrument is determined to be invalid or unlawful, the invalid or unlawful delegation will be deemed to be severed from this instrument and the remaining delegations will continue to operate according to their terms.
  9. Previous delegations granted by the Council of the powers and functions delegated by this instrument are revoked with effect from the date on which the delegations provided for in this instrument come into operation.
  10. The delegations granted by this instrument will remain in force until varied or revoked by resolution of the Council.

<b>Carried Unanimously</b>
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**12.4. Policy Review – Code of Practice for Council Meeting Procedures**

Moved Cr Leith Mudge  
S/- Cr Chris Grant

**122/25**

**Council resolves:**

1. That the report on the revised Code of Practice for Council Meeting Procedures be received and noted.
2. To adopt the amendments as presented in the Code of Practice for Council Meeting Procedures as per Appendix 1, with an effective date of when Council adopts the Council Members Work Health and Safety Policy and with the following changes:
  - a. In section 3.2.2 d. delete "...in limited circumstances."

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- b. Replace section 3.2.3 with “A direction to not attend a meeting may only be given if there are no other reasonable directions considered appropriate in the circumstances to ensure health and safety.”
- c. Section 3.3.2 a./d. Delete “...in limited circumstances.”
- d. Replace section 3.3.3 with “A direction to not attend a meeting may only be given if there are no other reasonable directions considered appropriate in the circumstances to ensure health and safety.”

- 3. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the Code as per Appendix 1.

<b>Carried Unanimously</b>
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#### **12.5. Behavioural Standards Panel Contact Officer**

Moved Cr Melanie Selwood

S/- Cr Adrian Cheater

Council Resolves:

- 1. That the report be received and noted.
- 2. To appoint the Executive Governance Officer as the Behavioural Standards Panel Contact Officer and to amend the Behavioural Management Policy accordingly.
- 3. With an effective date of 9 April 2025, to revoke the current Behavioural Management Policy and to adopt the revised Behavioural Management Policy as per Appendix 1 with the following changes:
  - I. To replace ‘CEO’ as the Behavioural Standards Panel Contact Officer with ‘Executive Governance Officer’ wherever it occurs.
  - II. Include in section 5, where the Executive Governance Officer is unavailable, the contact officer will be another delegate appointed by the CEO.
- 4. For the avoidance of doubt, this resolution does not revoke resolution 28/25 (28 January 2025 Council Meeting).
- 5. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the Behavioural Management Policy.

#### **FORMAL MOTION**

Moved Cr Malcolm Herrmann

S/- Cr Adrian Cheater

**123/25**

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The question be adjourned until the first meeting in May to enable the CEO to obtain further information regarding how other Councils determined their Behavioural Standards Panel contact officer.

<b>Carried</b>
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**13. OFFICER REPORTS – INFORMATION ITEMS**

Nil

**14. CORRESPONDENCE FOR NOTING**

Nil

**15. QUESTIONS WITHOUT NOTICE**

Cr Louise Pascale asked a question regarding the memorial statue maintenance for the upcoming ANZAC DAY Service at Norton Summit on 25 April 2025.

**16. MOTIONS WITHOUT NOTICE**

Nil

**17. REPORTS**

**17.1. Council Member Function or Activity on the Business of Council**

**Cr Malcolm Herrmann**

- 17 March 2025, RSL, Gumeracha
- 20 March 2025, Kersbrook Shed AGM, Kersbrook
- 22 March 2025, Birdwood Cricket Club Presentation Night, Birdwood
- 26 March 2025, Kersbrook Hall AGM, Kersbrook
- 27 March 2025, Lobethal & District Shedman Inc, Lobethal

**Cr Louise Pascale**

- 28 March 2025, Meeting with Hamilton Hill resident, Hamilton Hill
- 30 March 2025, Woodforde Bushfire Awareness Training, Athelstone & Norton Summit CFS

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

Nil

**17.3. CEO Report**

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

- Organisational development and customer service.

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- Budget
- Asset Management

**18. REPORTS OF COMMITTEES**

**18.1 Council Assessment Panel**  
Nil

**18.2 Audit Committee**  
Nil

**18.3 CEO Performance Review Panel – 2 April 2025**  
See confidential items.

**18.4 Boundary Change Committee**  
Nil

**19. CONFIDENTIAL ITEMS**

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**19.1 CEO Performance Review Panel Confidential Minutes – 2 April 2025 Minutes – Exclusion of the Public**

Moved Cr Chris Grant  
S/- Cr Adrian Cheater

124/25

**Council resolves:**

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

- Chief Executive Officer, Greg Georgopoulos
- Director Corporate Services, Gary Lewis
- Director Community & Development, Jess Charlton
- Executive Governance Officer, Zoë Gill
- Governance Officer, Skye Ludzay
- Minute Secretary, Brittany Priwer
- IT Support, Tom Portas

be excluded from attendance at the meeting for Agenda Item 19.1: (CEO Performance Review Panel Confidential Minutes (2 April 2025) in confidence.

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

Section 90(3)(a) of the Local Government Act 1999, the information to be received, discussed or considered in relation to this Agenda Item is Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

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.

<b>Carried Unanimously</b>
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**19.1.1. CEO Performance Review Panel Confidential Minutes (2 April 2025) – Confidential Item**

Moved Cr Mark Osterstock

S/- Cr Chris Grant

125/25

Council resolves that the confidential minutes of the CEO Performance Review Panel meeting held on 2 April 2025, as distributed, be received and noted.

<b>Carried Unanimously</b>
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**19.1.2. CEO Performance Review Panel Confidential Minutes – 2 April 2025 – Duration of Confidentiality**

Moved Cr Adrian Cheater

S/- Cr Kirsty Parkin

126/25

Council resolves:

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing Council's decision(s) in this matter in the performance of the duties and responsibilities of office, Council, having considered Agenda Item 19.1 in confidence under sections 90(2) and 90(3)(a) of the *Local Government Act 1999*, resolves that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* 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	Nil
Related Attachments	Until Further Order
Minutes	Nil
Other (presentation, documents, or similar)	Nil

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

<b>Carried</b>
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**20. NEXT ORDINARY MEETING**

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 22 April 2025 from 6.30pm at 63 Mt Barker Road, Stirling.

**21. CLOSE MEETING**

The meeting closed at 7.46pm.