

**ADELAIDE HILLS COUNCIL  
ORDINARY COUNCIL MEETING  
Tuesday 26 May 2015  
CONFIDENTIAL AGENDA BUSINESS ITEM**

**Item:** 18.1

**Originating Officer:** Lachlan Miller, Manager Governance & Risk

**Responsible Director:** Terry Crackett, Director Corporate Services

**Subject:** Appointment of Independent Members to the Bushfire Advisory Group and the Sustainability Advisory Group

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**1. Appointment of Independent Members to the Bushfire Advisory Group and the Sustainability Advisory Group – Exclusion of the Public**

Pursuant to Section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, with the exception of appropriate Council staff:

- CEO, Andrew Aitken
- A/Director Strategy & Development, Deryn Atkinson
- Director Corporate Services, Terry Crackett
- Director Engineering & Assets, Deb Richardson
- Director Community & Customer Service, David Waters
- Manager Governance & Risk, Lachlan Miller
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 18.1 (Appointment of Independent Members to the Bushfire Advisory Group and the Sustainability Advisory Group).

The Council is satisfied that, pursuant to section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to the 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), because it would disclose the personal details of candidates who have expressed an interest to be on the Bushfire Advisory Group and the Sustainability Advisory Group.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because consideration of the item in a public forum would unreasonably disclose the personal details of candidates who have expressed an interest to be on the Appointment of Independent Members to the Bushfire Advisory Group and the Sustainability Advisory Group.

## **2. Appointment of Independent Members to the Bushfire Advisory Group and the Sustainability Advisory Group – Confidential Item**

### **SUMMARY**

At its 25 February 2015 meeting, Council resolved to approve the recruitment for the independent member vacancies on the Sustainability Advisory Group (SAG) and the Bushfire Advisory Group (BAG) for one (1) year periods.

Nominations from the each of the constituent organisations of the BAG have been received and have been listed for appointment

Expressions of interest for membership of SAG were advertised, these expressions were assessed and a selection process undertaken.

The appointment of independent members is by Council resolution. The term of appointment is to be one (1) year from the date of the resolution.

### **RECOMMENDATION**

**That Council resolves:**

- 1. That the report be received and noted**
- 2. That Ian Tanner (DENR), John Kallin (Mt Lofty CFS Group), Lois Allen (Mt Lofty CFS Group), Trevor Kowald (Gumeracha CFS Group), Doug Munn (East Torrens CFS Group), Rob Possingham (East Torrens CFS Group), Ray Jackson (Bushfire Region), Richard Munn (SA Water) be appointed as the Independent Members of the Bushfire Advisory Group for a period of one (1) year from the date of resolution.**
- 3. That Matthew Curnow, Dr David Lloyd, Tim Kelly and Kim Ballantine are appointed as the Independent Members of the Sustainability Advisory Group (SAG) for a period of one (1) year from the date of resolution.**
- 4. To delegate the Sustainability Advisory Group Selection Panel to appoint an Independent Member to the Sustainability Advisory Group with the appointment to be ratified at the next Council meeting following the appointment.**

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## **3. GOVERNANCE**

### **➤ Strategic Management Plan/Council Policy**

#### **Goal 4 A Recognised Leading Performer**

Key Issue	4.1	Leadership
Key Action	4.1.4	Meet legislative, regulatory and good governance responsibilities and obligations

The appointment of this position meets the requirements under the Terms of Reference for the BAG and SAG.

➤ **Legal Implications**

Advisory Groups do not have any legal status under the *Local Government Act 1999*.

Council Members' involvement with an Advisory Group constitutes the exercise of official functions and duties of office of an elected member under the *Local Government Act 1999*. Council members are, therefore, protected from civil liability in their role as Advisory Group members pursuant to section 39 of the *Local Government Act 1999*.

Independent members are not indemnified by the Council against any liability arising as a result of their actions or omissions related to their involvement with the Advisory Group or undertaken in connection with their role as a member of an Advisory Group.

➤ **Risk Management Implications**

The appointment of independent members to the AHBTCAG will assist in mitigating the risk that:

*Lack of stakeholder input result in deficient decisions being made by Council.*

➤ **Financial and Resource Implications**

There are no direct financial implications. Resourcing for the Advisory Groups is incorporated into the 2014/15 and draft 2015/16 budgets.

➤ **Customer Service and Community/Cultural Implications**

There is a high expectation that Council considers the views of stakeholders in its decision making processes. The Advisory Groups provide a vehicle for these views to be raised and advice provided to Council officers.

➤ **Environmental Implications**

Not applicable.

➤ **Community Engagement/Consultation**

The sourcing of the Independent Members was through public advertisement for the SAG and through direct correspondence for the constituent organisations for the BAG.

**4. BACKGROUND**

At its 25 February 2015 meeting, Council resolved to approve the recruitment for the independent member vacancies on the SAG, BAG, Adelaide Hills Business and Tourism Centre Advisory Group (AHBTCAG) and the Sport & Recreation Advisory Group (SRAG).

The recruitment processes for the AHBTCAG and the SRAG are still in progress and will form the basis of a future report to Council.

## 5. ANALYSIS

### Bushfire Advisory Group

The BAG consists of 11 independent members as organisation representatives nominated by the following:

- Up to 2 representatives each from CFS Groups:
  - Onkaparinga Group
  - Gumeracha Group
  - East Torrens Group
  - Mt Lofty Group
- One representative from a Bushfire Region
- One representative from DEWNR
- One representative from SA Water.

Letters were sent to each of constituent organisations and responses received nominating the following:

- Onkaparinga CFS Group – Declined
- Gumeracha CFS Group – Trevor Kowald
- East Torrens CFS Group – Doug Munn and Rob Possingham
- Mt Lofty CFS Group – John Kallin and Lois Allen
- Bushfire Region representative – Ray Jackson
- DEWNR representative – Ian Tanner
- SA Water representative – Richard Munn

### Sustainability Advisory Group

The Selection Panel for the Sustainability Advisory Group (SAG) comprised Sharon Leith (Sustainability Officer), John McArthur (Manager Waste, Health and Regulatory Services), Crs Ian Bailey and John Kemp.

Four (4) expressions of interest were received for the Independent Member roles. There are vacancies for five (5) Independent Members. The Panel considered the four expressions of interest against the Advisory Group selection criteria and a brief summary of each applicant is as follows:

#### **Matthew Curnow**

Matthew has been an Independent Member for the past two terms of the SAG and in those terms was nominated as the Chairperson. He is a member of the Conservation Council SA as the Chairperson for the Environmental Standing Committee-Energy. Matthew has a background in energy management and is Director of Pangolin Associates and Managing Director of Sustainable Savings two private companies involved in emissions management and cash flow positive energy

efficiency solutions. Matthew has made a very valuable contribution during his time on the SAG.

### **Dr David Lloyd**

David has been an Independent member for the past term from 2012 to 2015. David has a background in science and mathematics education, has been a member of the Hawke Research Institute for Sustainable Societies and is currently an Adjunct Research Fellow with the Barbara Hardy Institute. He is the public officer for the Old School Community Garden Inc., Stirling and is a founding member of Transition Adelaide Hills. His expertise and areas of interest are community resilience, capacity building and his connections with local community groups. David has made a valuable and academic contribution during his time on the SAG.

### **Tim Kelly**

Tim was a previous member of SAG from 2009 until 2012. He withdrew from the group at this time due to work commitments including the Chief Executive position for the Conservation Council of South Australia. Tim is a member of the Hills Climate Change Action Group and a former member of the Premier's Climate Change Council. He is currently working as the Coordinator of the Northern Adelaide Region Adaptation Plan. Tim has lived at Forreston for many years and is an active member of the Country Fire Service. With his vast experience in climate change matters and previous experience on SAG Tim would be a worthwhile member.

### **Kim Ballantine**

Kim has lived in the Adelaide Hills since 2008 but was also the previous Manager of the SA Environment Protection Authority's Mount Lofty Ranges Watershed Protection Office which was located in Stirling. In 2009 she established her own environmental consulting business and works across a number of sectors including:

- Renewable energy projects
- Water policy and water affecting activities
- Community engagement
- Waste reduction and organics community projects.

As the only new Independent Member applicant Kim was contacted by phone to enable her to elaborate on her experience, provide further information and gauge the level of interest and collaboration required for SAG membership. With Kim's experience across a number of environmental sectors and feedback from the phone call it was decided by the Selection Panel that she would be a suitable person to be represented on the SAG.

The Selection Panel unanimously determined to recommend Matthew Curnow, Dr David Lloyd, Tim Kelly and Kim Ballantine for appointment as the Independent Members on the Advisory Group.

Further the Selection Panel determined that it would be beneficial to fill the fifth Independent Member vacancy and is seeking Council's delegation to approach a community member that the Panel believes would make a worthwhile contribution to the Advisory Group, as per the Terms of Reference, and to directly appoint this member.

## **6. OPTIONS**

1. Council has the following options in relation to the BAG:
  - a. That Ian Tanner (DENR), John Kallin (Mt Lofty CFS Group), Lois Allen (Mt Lofty CFS Group), Trevor Kowald (Gumeracha CFS Group) be appointed; or
  - b. That alternative or no appointments be made.
2. Council has the following options in relation to the SAG:
  - a. That Matthew Curnow, Dr David Lloyd, Tim Kelly and Kim Ballantine be appointed; or
  - b. That alternative or no appointments be made.

The Administration recommends option (a) for each Advisory Group.

**7. Appointment of Independent Members to the Bushfire Advisory Group and the Sustainability Advisory Group – Period of Confidentiality**

**That having considered Agenda Item 18.1 (Appointment of Independent Members to the Bushfire Advisory Group and the Sustainability Advisory Group) in confidence under section 90(2) and 90 (3)(a) of the *Local Government Act 1999*, the Council, pursuant to section 91(7)(b) of that Act, orders that the documents, reports and minutes pertaining to this matter be retained in confidence until the appointments have been confirmed with the applicants, but not longer than 6 months.**