

ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 January 2025
63 MT BARKER ROAD STIRLING

In Attendance

Presiding Member: Cr Malcolm Herrmann

Members:

Councillor Kirrilee Boyd
Councillor Pauline Gill
Councillor Chris Grant
Councillor Lucy Huxter
Councillor Leith Mudge
Councillor Mark Osterstock
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
Tracy Riddle	Governance Support
Skye Ludzay	Minute Secretary
Tom Portas	Technical Support

1. COMMENCEMENT

The meeting commenced at 6:30pm.

6:30pm in the absence of the Mayor, the CEO took the Chair and sought leave of the meeting for the purpose of determining that Cr Malcolm Herrmann would Chair the meeting.

6:31pm Cr Malcolm Herrmann assumed the chair.

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

Mayor Jan-Claire Wisdom
Cr Nathan Daniell
Cr Adrian Cheater
Cr Kirsty Parkin

3.2 Leave of Absence

Cr Louise Pascale, 10 December 2024 to 31 January 2025, approved at Council 10 December 2024.

Moved Cr Leith Mudge

S/- Cr Chris Grant

1/25

- 1 That a Leave of Absence from all duties of office be granted to Cr Melanie Selwood from 9 February 2025 to 14 February 2025.
- 2 That any committee or panel membership currently held by Cr Melanie Selwood be undertaken by the Deputy during the leave of absence.

Carried Unanimously

Moved Cr Lucy Huxter

S/- Cr Chris Grant

2/25

- 1 That a Leave of Absence from all duties of office be granted to Cr Pauline Gill from 14 February 2025 to 25 February 2025.
- 2 That any committee or panel membership currently held by Cr Pauline Gill be undertaken by the Deputy during the leave of absence.

Carried Unanimously

Moved Cr Kirrilee Boyd

S/- Cr Melanie Selwood

3/25

- 1 That a Leave of Absence from all duties of office be granted to Cr Lucy Huxter from 24 February 2025 to 27 February 2025.
- 2 That any committee or panel membership currently held by Cr Lucy Huxter be undertaken by the Deputy during the leave of absence.

Carried Unanimously

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4. MINUTES OF PREVIOUS MEETINGS

4.1 Council Meeting – 10 December 2024

**Moved Cr Pauline Gill
S/- Cr Melanie Selwood**

4/25

Council resolves that the minutes of the Ordinary Council meeting held on 10 December 2024, as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

4.2 Personal Explanation – Cr Leith Mudge

Leave of the meeting was sought and granted to Cr Leith Mudge for the purposes of making a Personal Statement.

MOTION

**Moved Cr Leith Mudge
S/- Cr Kirrilee Boyd**

5/25

Council resolves to include the Personal Explanation made by Cr Leith Mudge be included in the minutes of the 28 January 2025 meeting in full.

Carried Unanimously

I would like to take this opportunity to provide a personal explanation regarding my comments during the council meeting on 9 April 2024. At that meeting, I referred to a deputation by a member of the public from a previous meeting as "unhinged". Upon careful reflection, I recognise that my choice of words was inappropriate, and I deeply regret making such a remark.

As a councillor, I understand the importance of maintaining high standards of professionalism and respect in all my interactions, especially in public settings. I fully acknowledge that my comment did not meet those standards, nor did it reflect the respect that the deputation, or any individual, deserves when engaging with this Council.

The remark was made in the heat of the moment, and I failed to adequately reflect on the impact my words might have had. It was not a reflection of the value I place on open dialogue and differing viewpoints. I know that, as councillors, we must listen attentively to

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all voices in our community and engage with them thoughtfully and respectfully, even if ultimately, we disagree.

I sincerely apologise to both the individual who made the deputation and to my fellow councillors for this lapse in judgment. I am committed to ensuring that such an incident does not occur again and to upholding the standards of conduct expected of a councillor. I value the work we do together and will strive to contribute to a more respectful and productive environment moving forward.

Thank you for your understanding.

5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

5.1 Cr Mark Osterstock, Item 12.6 - Nominations for the Libraries Board of South Australia

Under section 75C of the *Local Government Act 1999* Cr Mark Osterstock disclosed a Material (section 75) Conflict of Interest in Item 12.6.

5.2 Cr Chris Grant, Item 12.5 - AHRWMA Board Nominations

Under section 75B of the Local Government Act 1999 Cr Chris Grant disclosed a General (section 74) Conflict of Interest in Item 12.5.

6. PRESIDING MEMBER'S OPENING REMARKS

The Presiding Member:

- Welcomed Tracy Riddle, Governance Support
- Congratulated Cr Nathan Daniell on the arrival of his newborn child
- Commented on the successful Tour Down Under events that he had attended

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

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8.2 Deputations

Nil

8.3 Public Forum

John Tate of Birdwood – Against Council’s decision not to celebrate Australia Day on January 26th.

9. PRESENTATIONS

Nil

10. QUESTIONS ON NOTICE

Nil

11. MOTIONS ON NOTICE

11.1 International Women’s Day 2025 – Cr Mark Osterstock

Moved Cr Mark Osterstock
S/- Cr Lucy Huxter

6/25

I move that:

1. Council notes that International Women’s Day [IWD] is a day to focus the world’s attention on gender equality and the empowerment of women.
2. Council supports IWD noting that it is a global day to reflect on progress, call for change and to celebrate the courage and determination of those who have changed the face of gender equality.
3. Council recognises that the aim of the IWD 2025 “March Forward” theme is to commemorate thirty years since the United Nations’ Beijing Declaration and Platform for Action while acknowledging that it is time to turn those promises into progress.
4. Council requests that the CEO bring IWD 2025 and the March Forward Campaign to the attention of our community through a range of communication channels including the website, e-newsletter and social media with a view to celebrating women’s achievements and raising awareness about gender inequality.

Cr Mark Osterstock raised a point of order in relation to Cr Pauline Gill on the basis that Cr Gill’s comments were in breach of section 75E of the Behavioural Standards for Council Members, specifically sections 1.4, 1.5, 2.5, 3.1 and 3.2.

The Presiding Member upheld the point of order, ruling that Cr Pauline Gill was not debating the motion before the Chamber and was making personal comments with respect

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to Cr Osterstock, in which case, her contribution was irrelevant and inappropriate and requested her to debate the motion only.

	Carried
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DIVISION

Cr Pauline Gill called for a division.

The Presiding Member set aside the ruling.

In the affirmative (7)

Councillors Boyd, Selwood, Mudge, Grant, Huxter, Osterstock

In the negative (1)

Councillor Gill

On the basis of the results of the division, the Presiding Member declared the motion **Carried**.

11.2 Save our Wildlife Foundation Inc Project Proposal – Cr Nathan Daniell

Moved Cr Herrmann

S/- Cr Boyd

7/25

I move that Council requests the CEO:

1. **Provide a report to Council by 25 February 2025 assessing the merits of SOWFI's request for support made in their presentation at the 10 December 2024 meeting for 22 Wright Road, Stirling. The report is to include an assessment of the merits of the project and provide options for Council to consider.**
2. **Consider holding a workshop regarding this item prior to Council considering the report.**

	Carried
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DIVISION

Cr Pauline Gill called for a division.

The Presiding Member set aside the ruling.

In the affirmative (4)

Councillors Boyd, Selwood, Mudge and Osterstock

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In the negative (3)
Councillors Gill, Grant and Huxter

On the basis of the results of the division, the Presiding Member declared the motion
Carried.

11.3 Policy – Code of Practice for Council Meeting Procedures - Cr Mark Osterstock

Moved Cr Mark Osterstock
S/- Cr Leith Mudge

I move that:

1. Council receives and notes the Code of Practice for Council Meeting Procedures [the Policy], Appendix 1.
2. Effective forthwith, Council
 - a) amends clause 3.8.1 [Mayor's Opening Remarks] of the Policy:

FROM - "At each ordinary Council, the Mayor may present opening remarks which will be generally related to matters regarding the conduct of the meeting (e.g. acknowledging members of the gallery, advising break times, proposals to reorder the agenda) or to acknowledge a significant civic, cultural or other event. A brief summary of these remarks will be minuted."

TO - "At each ordinary Council, the Mayor may present opening remarks which will be ~~generally related~~ confined to matters regarding the conduct of the meeting (e.g. acknowledging members of the gallery, advising break times, proposals to reorder the agenda) or to acknowledge a significant civic, cultural or other event. A brief summary of these remarks will be minuted."

- b) Adds clauses 3.8.2-3.8.3 as follows:
 - i) 3.8.2 The Mayor will not use the Mayor's Opening remarks to make a personal explanation to Council
 - ii) 3.8.3 Should the Mayor wish to make a personal explanation to Council, the Mayor should seek leave of Council in accordance with regulation 15 and section 4.6 of this Code of Practice.
3. Effective forthwith, Council amends clause 4.6.1 [Addresses by Members] of the Policy:

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- FROM – “A personal explanation should provide the member’s account of the reasons or factors regarding an event or situation in which they had an involvement. The explanation should not: (a) make imputations of improper motives or contain personal opinions on fellow Council Members, the Administration or members of the public; or be used for making statements regarding Council resolutions.”
- TO – “A personal explanation should:
 - a) provide the member’s account of the reasons or factors regarding an event or situation in which they had an involvement, or
 - b) address a requirement of Council or satisfy a Council resolution

The explanation will not, under any circumstances, either directly or indirectly, make imputations of improper motives or conduct, or contain personal opinions on fellow Council Members, the Administration or members of the public; or be used for making statements regarding Council resolutions (except where the personal explanation is to satisfy clause (b) above).”

VARIATION

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

1. Council receives and notes the Code of Practice for Council Meeting Procedures [the Policy], Appendix 1.
2. Effective forthwith, Council
 - c) amends clause 3.8.1 [Mayor’s Opening Remarks] of the Policy:

FROM - “At each ordinary Council, the Mayor may present opening remarks which will be generally related to matters regarding the conduct of the meeting (e.g. acknowledging members of the gallery, advising break times, proposals to reorder the agenda) or to acknowledge a significant civic, cultural or other event. A brief summary of these remarks will be minuted.”

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TO - "At each ordinary Council, the Mayor may present opening remarks which will be generally related confined to matters regarding the conduct of the meeting (e.g. acknowledging members of the gallery, advising break times, proposals to reorder the agenda) or to acknowledge a significant civic, cultural or other event. A brief summary of these remarks will be minuted."

d) Adds clauses 3.8.2-3.8.3 as follows:

- iii) 3.8.2 The Mayor will not use the Mayor's Opening remarks to make a personal explanation to Council
- iv) 3.8.3 Should the Mayor wish to make a personal explanation to Council, the Mayor should seek leave of Council in accordance with regulation 15 and section 4.6 of this Code of Practice.

3. Effective forthwith, Council amends clause 4.6.1 [Addresses by Members] of the Policy:

➤ FROM – "A personal explanation should provide the member's account of the reasons or factors regarding an event or situation in which they had an involvement. The explanation should not: (a) make imputations of improper motives or contain personal opinions on fellow Council Members, the Administration or members of the public; or be used for making statements regarding Council resolutions."

➤ TO – "A personal explanation should:

- a) provide the member's account of the reasons or factors regarding an event or situation in which they had an involvement, or
- b) address a requirement of Council or satisfy a Council resolution

The explanation will not, under any circumstances, either directly or indirectly, make imputations of improper motives or conduct, or contain personal opinions on fellow Council Members, the Administration or members of the public; or be used for making statements regarding Council resolutions (except where the personal explanation is to satisfy clause (b) above)."

4. **That the CEO prepare a report for councils' consideration as to the merits of retaining the mayors opening remarks as an agenda item.**

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FORMAL MOTION

Moved Cr Pauline Gill 8/25
S/- Cr Lucy Huxter

That agenda item 11.3 is adjourned until the 25 February 2025 Council meeting.

Carried

DIVISION

Cr Pauline Gill called for a division.

The Presiding Member set aside the ruling.

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

In the negative (3)
Councillor Grant, Mudge, Osterstock

On the basis of the results of the division, the Presiding Member declared the motion
Carried.

12. OFFICER REPORTS – DECISION ITEMS

12.1 Funding – Stormwater Upgrade Junction Road, Balhannah

Moved Cr Melanie Selwood
S/- Cr Pauline Gill

9/25

Council resolves:

1. **That the *Funding – Stormwater Upgrade Junction Road, Balhannah* report be received and noted.**
2. **To accept the State Government's offer to contribute \$390,233 toward the cost of upgrading stormwater drainage on Junction Road, Balhannah with thanks.**
3. **To reaffirm Council's allocation of \$381,152 from the Federal Local Roads and Community Infrastructure Program toward the works.**

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4. The Chief Executive officer is authorised to finalise negotiations and enter into a suitable funding arrangement with the State Government.
5. That, if necessary, the Mayor and Chief Executive Officer are authorised to apply the Council's common seal to the funding agreement.
6. That any significant and regulated trees needing removal be communicated to council via a report prior to removal.
7. To minimise the number of trees impacted by the works wherever possible.

Carried Unanimously

12.2 Acceptance of Funding from Stirling Community Shop

**Moved Cr Kirrilee Boyd
S/- Cr Pauline Gill**

10/25

Council resolves:

1. That the report be received and noted.
2. That the Stirling Community Shop be thanked for their generous offer to fund up to \$50,000 in accessibility initiatives and be advised that it is gratefully accepted.
3. That the funding be used to undertake the following work which complements work recently undertaken by Council to improve accessibility in the vicinity:
 - a. The installation of a standards compliant accessible parking space in the Steamroller Park carpark
 - b. The installation of an accessible picnic setting in Steamroller Park
 - c. Improvements to accessibility of the bus stop outside the Stirling Community Shop
4. That work proceed in the current financial year if possible and that the Council's budget be amended accordingly to reflect the income and expenditure.
5. That the Chief Executive Officer be authorised to finalise the funding arrangements between the Council and the Stirling Community Shop.
6. That appropriate recognition of the Stirling Community Shop be made on completion of the works.

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	Carried Unanimously
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12.3 Nominations for Deputy Mayor

**Moved Cr Chris Grant
S/- Cr Mark Osterstock**

11/25

Council resolves:

1. **That the report on the Deputy Mayor Appointment be received and noted.**
2. **To appoint Cr Nathan Daniell to the position of Deputy Mayor for a 12 month term to commence 28 January 2025 and conclude on 28 January 2026 inclusive.**

	Carried Unanimously
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12.4 AHRWMA Reappointment of Audit and Risk Committee Independent Member

**Moved Cr Lucy Huxter
S/- Cr Melanie Selwood**

12/25

Council resolves:

1. **That the report be received and noted.**
2. **That Council reappoint Elizabeth Williams as an Independent Member of the Adelaide Hills Region Waste Management Authority Audit and Risk Committee for a further term of three years, expiring on 8 February 2028.**
3. **That the CEO advises the Adelaide Hills Region Waste Management Authority Board of Councils resolution prior to 8 February 2025.**

	Carried Unanimously
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12.5 AHRWMA Board Nominations

Under section 75B of the *Local Government Act 1999* Cr Chris Grant disclosed a General (section 74) Conflict of Interest in Item 12.5.

- The outcome of this vote would determine my membership of the AHRWMA.

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Cr Grant advised the meeting that as there is no financial remuneration attached to the role and no other material benefit from being appointed, any private interest he may have in the item would not result in him acting in a manner contrary to his public duty and that he will remain in the meeting when the item is discussed and participate in the debate and vote on the matter.

**Moved Cr Mark Osterstock
S/- Cr Melanie Selwood**

13/25

Council resolves:

1. **That the report be received and noted.**
2. **That in relation to the Adelaide Hills Region Waste Management Authority Board:**
 - a. **To appoint Cr Chris Grant to the Board Member position for a term to commence from 29 January 2025 and conclude on 28 January 2027 (inclusive)**
 - b. **To appoint Mr David Waters to the Deputy Board Member position for a term to commence from 29 January 2025 and conclude on 28 January 2027 (inclusive)**
3. **To authorise the Chief Executive Officer to lodge all required documentation to give effect to Council's resolutions regarding Adelaide Hills Region Waste Management Authority Board Membership.**

**Carried Unanimously
Cr Chris Grant voted for the motion**

12.6 Nominations for the Libraries Board of South Australia

Under section 75C of the *Local Government Act 1999* Cr Mark Osterstock disclosed a Material (section 75) Conflict of Interest in Item 12.6.

- I intend to nominate for the Libraries Board and may receive a benefit if successful in this role.

7:52pm Cr Mark Osterstock left the meeting room.

**Moved Cr Kirrilee Boyd
S/- Cr Leith Mudge**

14/25

Council resolves:

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1. **That the report be received and noted.**
2. **To endorse the nomination of Cr Mark Osterstock for the Libraries Board of South Australia and authorise the Chief Executive Officer to lodge the completed nomination form to the Local Government Association by noon, Friday 31 January 2025.**

Carried Unanimously

7:54pm Cr Mark Osterstock returned to the meeting room.

12.7 CEO PRP Presiding Member Appointment

Ms Vanessa Godden was invited by the Chair to address the meeting.

**Moved Cr Chris Grant
S/- Cr Melanie Selwood**

15/25

Council resolves:

1. **That the report be received and noted.**
2. **To appoint Ms Vanessa Godden to the position of CEO Performance Review Panel Presiding Member to commence 29 January 2025 and conclude on 10 December 2025 (inclusive).**

Carried Unanimously

13. OFFICER REPORTS - INFORMATION ITEMS

13.1 Climate Change Adaptation Governance and Risk Update

**Moved Cr Melanie Selwood
S/- Cr Kirrilee Boyd**

16/25

Council resolves:

1. **That the report on Climate Change Adaptation Governance and Risk Update be received and noted.**
2. **To note the Administration will undertake a review of the Local Government Association of South Australia's climate risk and governance approach to consider incorporating into the Council's Risk Management Framework.**

Carried Unanimously

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14. CORRESPONDENCE FOR INFORMATION

14.1 Letter from the GRFMA – Business Case Update, Letter from the GRFMA – Rejecting AHC Membership Withdrawal, Letter from CEO to Mr Andrew Excell, Executive Director, Department for Infrastructure and Transport – Junction Road Balhannah and Letter from The Hon. Tom Koutsantonis MP to CEO – Junction Road Balhannah.

Moved Melanie Selwood

S/- Leith Mudge

17/25

Council resolves that the listed correspondence is received and noted.

	Carried Unanimously
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15. QUESTIONS WITHOUT NOTICE

Cr Grant asked a question about the community bushfire reference group.

Cr Herrmann asked for an update on the Boundary Change Inquiry.

16. MOTIONS WITHOUT NOTICE

16.1 Council Minutes – 10 December 2024

Moved Cr Mark Osterstock

18/25

S/- Cr Leith Mudge

1. **Council notes item 10.5 (10 December 2024) – 26 November Council Resolutions (Cr Osterstock).**
2. **That Mayor Wisdom, pursuant to the provisions of Section 9(6) of the Local Government (Procedures at Meetings) Regulations 2013, on or about 4 December 2024, in correspondence with the Administration, determined that the subject questions should not be answered on the basis that she considered them to be ‘improper’.**
3. **Subsequently, Deputy Mayor Selwood, at the Council meeting having assumed the role of presiding member, following Mayor Wisdom vacating the chair, and not returning, determined that the subject questions be answered.**

	Carried
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DIVISION

Cr Mark Osterstock called for a division.

The Presiding Member set aside the ruling.

In the affirmative (7)

Councillors Boyd, Selwood, Mudge, Grant, Huxter, Osterstock

In the negative (1)

Councillor Gill

On the basis of the results of the division, the Presiding Member declared the motion **Carried**.

16.2 Cr Herrmann – Australia Day

Moved Cr Malcolm Herrmann

S/- Cr Pauline Gill

That the CEO writes to the organisers of the Australia Day celebrations on Sunday 26th January, congratulating them on their excellent organisation for the day and providing venues for the community to celebrate this important day.

AMENDMENT

Moved Cr Leith Mudge

S/- Cr Kirrilee Boyd

1. That the CEO writes to the organisers **and community groups who supported the Australia Day long weekend** celebrations congratulating them on their excellent organisation for the **long weekend** and providing venues for the community to celebrate this important weekend.
2. Acknowledges Councils citizenship and civic awards held on Friday of the Australia Day long weekend supported by various community groups including Uraidla and upper sturt CFS and thanks them for their support.
3. Acknowledges the Peramangk Watta survival day 2025 event organised by the Peramangk nation scheduled for 26 January, supported by district council of Mount Barker and unfortunately postponed due to weather to a later date.
4. Acknowledges and thanks the Australia day council and organisers for holding the mourning in the morning event at elder park on 26 January.

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The Presiding Member ruled that only the proposed amendments at a paragraph 1 were to be considered as an amendment for the purposes of the *Local Government (Procedures at Meetings) Regulations 2013* as an amendment, the remaining text being an entirely new decision making proposition and disallowed. Cr Mudge was invited to raise this as a motion without notice later in the meeting.

AMENDMENT

Moved Cr Leith Mudge
S/- Cr Kirrilee Boyd

That the CEO writes to the organisers **and community groups who supported the Australia Day long weekend** celebrations congratulating them on their excellent organisation for the **long weekend** and providing venues for the community to celebrate this important **weekend**.

The amendment was put and carried

MOTION AS AMENDED

Moved Cr Malcolm Herrmann
S/- Cr Pauline Gill

19/25

That the CEO writes to the organisers and community groups who supported the Australia Day long weekend celebrations congratulating them on their excellent organisation for the long weekend and providing venues for the community to celebrate this important weekend.

Carried

DIVISION

Cr Pauline Gill called for a division.

The Presiding Member set aside the ruling.

In the affirmative (7)
Councillors Boyd, Selwood, Mudge, Grant, Huxter, Osterstock

In the negative (1)
Councillor Gill

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On the basis of the results of the division, the Presiding Member declared the motion **Carried**.

17. REPORTS

17.1 Council Member Function or Activity on the Business of Council

Cr Melanie Selwood

- 12 December 2024, Woodside Christmas Pageant, Woodside
- 15 December 2024, Charleston Community Barbeque (Charlie-Q), Charleston
- 21 December 2024, Handmade Christmas Markets at Fabrik, Lobethal
- 24 January 2025, Citizenship and Award Ceremony, Stirling

Cr Kirrilee Boyd

- 19 January 2025, Women's Tour Down Under Finish, Stirling
- 20 December 2024, Fabrik, Lobethal

Cr Leith Mudge

- 19 January 2025, Women's Tour Down Under Finish, Stirling

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:

- Focus budget process
- Carbon reduction initiatives
- Ashton Landfill workshop

18. REPORTS OF COMMITTEES

18.1 Council Assessment Panel – 4 December 2024

Moved Cr Leith Mudge

S/- Cr Melanie Selwood

20/25

Council resolves that the minutes of the Council Assessment Panel meeting held on 4 December 2024, as distributed, be received and noted.

Carried Unanimously

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18.1.1 Council Assessment Panel – 11 December 2024

**Moved Cr Leith Mudge
S/- Cr Kirrilee Boyd**

21/25

Council resolves that the minutes of the Council Assessment Panel meeting held on 11 December 2024, as distributed, be received and noted.

	Carried Unanimously
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18.1.2 Council Assessment Panel – 8 January 2025

**Moved Cr Leith Mudge
S/- Cr Melanie Selwood**

22/25

Council resolves that the minutes of the Council Assessment Panel meeting held on 8 January 2025, as distributed, be received and noted.

	Carried Unanimously
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18.2 Audit Committee

Nil

18.3 CEO Performance Review Panel – 18 December 2024

**Moved Cr Melanie Selwood
S/- Cr Leith Mudge**

23/25

Council resolves that the minutes of the CEO Performance Review Panel meeting held on 18 December 2024, as distributed, be received and noted.

	Carried Unanimously
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18.4 Boundary Change Committee

Nil

19. CONFIDENTIAL ITEMS

8:45pm the Presiding Member, with leave of at least two thirds of the members present at the meeting, adjourned the meeting until 8.50pm.

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8:50pm The formal meeting proceedings resumed.

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19.1 S184 - Recovery of Unpaid Rates – Exclusion of the Public

**Moved Cr Chris Grant
S/- Cr Melanie Selwood**

24/25

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 Environment & Infrastructure, David Waters**
- **Director Corporate Services, Gary Lewis**
- **Director Community & Development, Jess Charlton**
- **Governance Support, Tracy Riddle**
- **Minute Secretary, Skye Ludzay**
- **IT Support, Tom Portas**

be excluded from attendance at the meeting for Agenda Item 19.1: (S184 - Recovery of unpaid rates) in confidence.

The Council is satisfied that it is necessary that the public, except for 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)(i) of the *Local Government Act 1999 (SA)*, the information to be received, discussed or considered in relation to this Agenda Item is information relating to actual litigation, or litigation that the Council or Council Committee believes on reasonable grounds that will take place, involving the Council or an employee of the Council, the disclosure of which could reasonably be expected to prejudice the legal processes required to progress the sale of land.

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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**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 January 2025
63 MT BARKER ROAD STIRLING**

19.1.1 S184 - Recovery of Unpaid Rates – Confidential Item

ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 January 2025
63 MT BARKER ROAD STIRLING

19.1.2 S184 - Recovery of Unpaid Rates – Duration of Confidentiality

Moved Cr Mark Osterstock
S/- Cr Leith Mudge

26/25

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 18.1 in confidence under sections 90(2) and 90(3)(k) 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	Until either the negotiations for sale are completed or a settlement reached or until legal proceedings have concluded, but no longer than 12 months.
Related Attachments	Until either the negotiations for sale are completed or a settlement reached or until legal proceedings have concluded, but no longer than 12 months.
Minutes	Until either the negotiations for sale are completed or a settlement reached or until legal proceedings have concluded, but no longer than 12 months.
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.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 January 2025
63 MT BARKER ROAD STIRLING**

19.2 Motion on Notice – Behavioural Matter – Cr Nathan Daniell – Exclusion of the Public

**Moved Cr Leith Mudge
S/- Cr Kirrilee Boyd**

27/25

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 Environment & Infrastructure, David Waters**
- **Director Corporate Services, Gary Lewis**
- **Director Community & Development, Jess Charlton**
- **Governance Support, Tracy Riddle**
- **Minute Secretary, Skye Ludzay**
- **IT Support, Tom Portas**

be excluded from attendance at the meeting for Agenda Item 19.2.: (Behavioural Matter) 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.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 January 2025
63 MT BARKER ROAD STIRLING**

19.2.1 Motion on Notice – Behavioural Matter – Cr Nathan Daniell – Confidential Item

ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 January 2025
63 MT BARKER ROAD STIRLING

19.2.2 Motion on Notice – Behavioural Matter – Cr Nathan Daniell – Duration of Confidentiality

Moved Cr Mark Osterstock
S/- Cr Leith Mudge

29/25

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 19.2 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	Until the council is authorised to make the matter public with council to review every 12 months.
Related Attachments	Until the council is authorised to make the matter public with council to review every 12 months.
Minutes	Until the council is authorised to make the matter public with council to review every 12 months.
Other (presentation, documents, or similar)	Until the council is authorised to make the matter public with council to review every 12 months.

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

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 January 2025
63 MT BARKER ROAD STIRLING**

19.3 Review into the accuracy of reports – Exclusion of the Public

**Moved Cr Chris Grant
S/- Cr Lucy Huxter**

30/25

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 Environment and Infrastructure, David Waters
- Director Corporate Services, Gary Lewis
- Director Community and Development, Jess Charlton
- Governance Support, Tracy Riddle
- Minute Secretary, Skye Ludzay
- IT Support, Tom Portas

be excluded from attendance at the meeting for Agenda Item 19.3 (Review into the accuracy of reports) 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.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 January 2025
63 MT BARKER ROAD STIRLING**

19.3.1 Review into the accuracy of reports – Confidential Item

**Moved Cr Chris Grant
S/- Cr Leith Mudge**

31/25

Council resolves:

- 1. That the report be received and noted.**
- 2. To note that administration undertook a review into the accuracy of ordinary council meeting reports held between December 2022 and December 2024**
- 3. To note that the review found no instances of resolutions being inaccurately recorded in reports for any Ordinary Council Meeting held between December 2022 and December 2024.**
- 4. To note that the current administrative practice of snipping resolutions, rather than retying text, is considered reliable and sufficient to ensure the accuracy of reported resolutions.**

Carried Unanimously

ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 January 2025
63 MT BARKER ROAD STIRLING

19.3.2 Review into the accuracy of reports – Duration of Confidentiality

Moved Cr Leith Mudge
S/- Cr Mark Osterstock

32/25

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 19.3 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	Until Further Order
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 Office.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 January 2025
63 MT BARKER ROAD STIRLING**

19.4 Review into late reports – Exclusion of the Public

**Moved Cr Chris Grant
S/- Cr Lucy Huxter**

33/25

Council resolves:

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

- **Chief Executive Officer, Greg Georgopoulos**
- **Director Environment and Infrastructure, David Waters**
- **Director Corporate Services, Gary Lewis**
- **Director Community and Development, Jess Charlton**
- **Governance Support, Tracy Riddle**
- **Minute Secretary, Skye Ludzay**
- **IT Support, Tom Portas**

be excluded from attendance at the meeting for Agenda Item 19.4 (Review into the frequency of late reports) 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.

	Carried Unanimously
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**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 January 2025
63 MT BARKER ROAD STIRLING**

19.4.1 Review into late reports – Confidential Item

**Moved Cr Melanie Selwood
S/- Cr Kirrilee Boyd**

34/25

Council resolves:

- 1. That the report be received and noted.**
- 2. To note that administration conducted a review of the frequency of late reports over a two-year period from December 2022 to December 2024.**
- 3. To note that it is Council's preference to avoid late reports wherever possible.**
- 4. To note the review identified that late reports are rare and do not represent a systemic issue.**
- 5. To note that the current agenda preparation processes are adequate.**
- 6. To require that the Minutes of Council meetings explicitly reflect any late reports, as well as the Agenda.**

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 January 2025
63 MT BARKER ROAD STIRLING**

19.4.2 Review into late reports – Duration of Confidentiality

**Moved Cr Melanie Selwood
S/- Cr Chris Grant**

35/25

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 19.4 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	Until Further Order
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 Office.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 January 2025
63 MT BARKER ROAD STIRLING**

19.5 CEO PRP Recommendations – 2024 CEO Remuneration Review Process – Exclusion of the Public

**Moved Cr Chris Grant
S/- Cr Lucy Huxter**

36/25

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 Environment & Infrastructure, David Waters**
- **Director Corporate Services, Gary Lewis**
- **Director Community & Development, Jess Charlton**
- **Governance Support, Tracy Riddle**
- **Minute Secretary, Skye Ludzay**
- **IT Support, Tom Portas**

be excluded from attendance at the meeting for Agenda Item 19.5: (CEO PRP Recommendations – 2024 CEO Remuneration Review Process) 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.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 January 2025
63 MT BARKER ROAD STIRLING**

19.5.1 CEO PRP Recommendations – 2024 CEO Remuneration Review Process – Confidential Item

**Moved Cr Leith Mudge
S/- Cr Chris Grant**

37/25

Council resolves:

Decision 1

1. **That the report be received and noted.**
2. **To note that the CEO's current Total Employment Cost (TEC) Package is outside the range determined by the South Australian Remuneration Tribunal.**
3. **To amend the CEO's TEC Package to be at the minimum of the legislated range (\$299,520-\$323,544 p.a.) from the commencement date of the South Australian Remuneration Tribunal's Determination (1 July 2023), as amended by determination number 1 of 2024.**
4. **That the administration review the remuneration provided to acting CEOs and make consequential reimbursements as required.**

Carried Unanimously

**Moved Cr Chris Grant
S/- Cr Lucy Huxter**

38/25

Council resolves:

Decision 2

Council resolves:

1. **To note that clause 18.1 of the Chief Executive Officer's Employment Agreement provides for an annual review of the Total Employment Cost (TEC) Package within one month of the performance review process.**
2. **To note that the 2024 CEO Remuneration Review has been delayed due to delays in the CEO Performance Review.**

**ADELAIDE HILLS COUNCIL
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TUESDAY 28 January 2025
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3. **That the 2024 CEO Remuneration Review is undertaken by the Panel, supported by the independent member.**
4. **To approve the Renumeration Review Process contained within this report.**
5. **That the administration seeks advice on the implications of the delayed 2024 CEO Remuneration Review and reports to Council on the options available to Council prior to the 2024 CEO Remuneration Review.**

	Carried Unanimously
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ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 January 2025
63 MT BARKER ROAD STIRLING

19.5.2 CEO PRP Recommendations – 2024 CEO Remuneration Review Process – Duration of Confidentiality

Moved Cr Chris Grant
 S/- Cr Mark Osterstock

39/25

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 19.5 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	Until Further Order
Related Attachments	Until Further Order
Minutes	Until Further Order
Other (presentation, documents, or similar)	Until Further Order

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

ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 January 2025
63 MT BARKER ROAD STIRLING

19.6 CEO PRP Recommendations to Council – CEO Key Performance Indicators – Exclusion of the Public

Moved Cr Chris Grant
S/- Cr Pauline Gill

40/25

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 Environment & Infrastructure, David Waters**
- **Director Corporate Services, Gary Lewis**
- **Director Community & Development, Jess Charlton**
- **Governance Support, Tracy Riddle**
- **Minute Secretary, Skye Ludzay**
- **IT Support, Tom Portas**

be excluded from attendance at the meeting for Agenda Item 19.6: (CEO PRP Recommendations to Council – CEO Key Performance Indicators) 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.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 January 2025
63 MT BARKER ROAD STIRLING**

19.6.1 CEO PRP Recommendations to Council – CEO Key Performance Indicators – Confidential Item

**Moved Cr Chris Grant
S/- Cr Lucy Huxter**

41/25

Council resolves:

- 1. That the report be received and noted.**
- 2. To receive and note the CEO KPI Progress Review – December 2024**
- 3. That the CEO :**
 - a. is unlikely to achieve KPI#1 due to identified financial anomalies outside the CEO's control.**
 - b. is on track to meet KPI's #2, #3, #4, #5 and #6.**

	Carried Unanimously
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ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 January 2025
63 MT BARKER ROAD STIRLING

19.6.2 CEO PRP Recommendations to Council – CEO Key Performance Indicators – Duration of Confidentiality

Moved Cr Chris Grant
 S/- Cr Mark Osterstock

42/25

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 19.6 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	Until Further Order
Related Attachments	Until Further Order
Minutes	Nil
Other (presentation, documents, or similar)	Until Further Order

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 11 February 2025 from 6.30pm at 63 Mt Barker Road, Stirling.

21. CLOSE MEETING

The meeting closed at 9.48pm.