

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 JUNE 2018
63 MT BARKER ROAD STIRLING**

In Attendance:

Presiding Member: Mayor Bill Spragg

Members:

Councillor	Ward
Councillor Ron Nelson Councillor Jan-Claire Wisdom (until 8.40pm)	Manoah
Councillor Ian Bailey	Marble Hill
Councillor Kirrilee Boyd Councillor Nathan Daniell	Mt Lofty
Councillor Lynton Vonow Councillor Andrew Stratford	Onkaparinga Valley
Councillor Linda Green Councillor Malcolm Herrmann	Torrens Valley

In Attendance:

Andrew Aitken	Chief Executive Officer
Terry Crackett	Director Corporate Services
Marc Salver	Director Strategy & Development
David Waters	Director Community & Customer Service
Lachlan Miller	Executive Manager Governance & Performance
David Collins	Manager Sustainable Assets
Mike Carey	Manager Financial Services
Steven Watson	Governance & Risk Coordinator
Pam Williams	Minute Secretary

1. COMMENCEMENT

The meeting commenced at 6.32pm.

2. OPENING STATEMENT

“Council acknowledges that we meet on the traditional lands of the Peramangk and Kaurna people and we recognise their connection with the land.

We understand that we do not inherit the land from our ancestors but borrow it from our children 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.”

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 JUNE 2018
63 MT BARKER ROAD STIRLING**

3. APOLOGIES/LEAVE OF ABSENCE

3.1. Apology

Cr John Kemp
Cr Jan Loveday

3.2. Leave of Absence

Moved Cr Nathan Daniell
S/- Cr Kirrilee Boyd

133/18

That Leave of Absence be granted for:

- **Cr Ron Nelson 28 June to 7 July 2018**
- **Mayor Bill Spragg 14 July to 28 July 2018**

Carried Unanimously

3.3. Absent
Nil

4. MINUTES OF PREVIOUS MEETINGS

4.1. Council Meeting – 22 May 2018

Moved Cr Malcolm Herrmann
S/- Cr Ian Bailey

134/18

That the minutes of the ordinary meeting held on 22 May 2018 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

4.2. Special Council Meeting – 12 June 2018

Moved Cr Linda Green
S/- Cr Lynton Vonow

135/18

That the minutes of the Special Council meeting held on 12 June 2018 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 JUNE 2018
63 MT BARKER ROAD STIRLING**

Carried Unanimously

5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

Nil

6. PRESIDING MEMBER'S OPENING REMARKS

The Mayor advised that he attended the funeral of Frank Hurren who was a Council Member on the antecedent District Council of Stirling for 26 years.

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

Piccadilly Valley Community Recreation Centre – Marilyn Hansford & Lisa Jeffery
Ultimate Motorsport Events, Andrew Admiraal & Michael Clements re Adelaide Hills Rally

8.3. Public Forum

Paul Gregory re safety issues Golflinks Road, Stirling

9. PRESENTATIONS

Professor Chris Daniels, Presiding Member NRM Board

10. QUESTIONS ON NOTICE

Nil

11. MOTIONS ON NOTICE

Nil

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 JUNE 2018
63 MT BARKER ROAD STIRLING**

12. OFFICER REPORTS – DECISION ITEMS

12.1. Adelaide Hills Council PLEC Projects

Moved Cr Malcolm Herrmann **136/18**
S/- Cr Linda Green

Council resolves:

1. That the report be received and noted.
2. That the CEO be authorised to lodge a formal application to the Power Line Environment Committee for stage 1 of undergrounding power lines in the township of Gumeracha to be undertaken in 2019/2020, with stage 2 to be undertaken at a later date.
3. That future allocation and prioritisation of PLEC projects be considered as part of the next review of the LTFP January 2019.

Carried Unanimously

12.2. Draft Annual Business Plan 2018 – 2019 Community Consultation Outcomes

Moved Cr Ron Nelson **137/18**
S/- Cr Nathan Daniell

That, in accordance with Section 123(6) of the *Local Government Act 1999*, Council:

- 1) Receives the submissions prepared by and with its residents; and
- 2) Notes that the comments and results of the Community Consultation have been considered in finalising the 2018-19 Annual Business Plan & Budget.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 JUNE 2018
63 MT BARKER ROAD STIRLING**

12.3. Draft Annual Business Plan 2018 – 2019 Adoption

Moved Cr Ian Bailey

138/18

S/- Cr Jan-Claire Wisdom

Council resolves that:

- 1.1 Pursuant to and in accordance with Section 123(6) of the *Local Government Act 1999* ("the Act") and Regulation 6 of the *Local Government (Financial Management) Regulations 2011* and having considered all submissions received, the Annual Business Plan as laid before Council for the financial year ending 30 June 2019 be adopted.
- 1.2 Pursuant to and in accordance with Section 123(7) of the Act and Regulation 7 of the *Local Government (Financial Management) Regulations 2011*, having considered the Budget in conjunction and determined the Budget to be consistent with, the Council's Annual Business Plan, the Budget for the financial year ending 30 June 2019 as laid before the Council at this meeting, be adopted.
- 1.3 Determination and Adoption of Valuations – 2018-19
 - 1.3.1 Rates assessed on rateable land in the area of the Council will be based on the capital value of land for all rateable land.
 - 1.3.2 Pursuant to Section 167(2)(a) of the *Local Government Act 1999* the most recent valuations of the Valuer General available to the Council of the capital value of land within the Council area, be adopted for rating purposes for the financial year ending 30 June 2019, totalling \$10,000,439,900.
- 1.4 Determination of Basis for Differential Rating

Having taken into account the general principles of rating contained in Section 150 of the Act and the requirements of Section 153(2) of the *Local Government Act 1999*, and in order to raise the amount in paragraph 1.2.3, pursuant to Section 152(1)(c) of the *Local Government Act 1999* the Council declares that general rates for the financial year ending 30 June 2019 will consist of two components:

 1. one being based on the value of the land;
 2. the other being a fixed charge

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 JUNE 2018
63 MT BARKER ROAD STIRLING**

Pursuant to Sections 153(1)(b) and 156(1)(a) of the Local Government Act 1999 the Council declares the following differential general rates for the financial year ending 30 June 2019 on rateable property within the Council area, based upon the capital value of the land and varying according to land use categories in accordance with Regulation 14 of the *Local Government (General) Regulations 2013*:

1.4.1 On rateable land assigned Category 1, 7, 8 & 9 (Residential, Primary Production, Vacant and Other), a rate of 0.2421 cents in the dollar of the capital value of such land;

1.4.2 On rateable land assigned Category 2, 3, 4, 5 and 6 (Commercial and Industrial) a rate of 0.2784 cents in the dollar of the capital value of such land.

1.5 Declaration of General Rates – Annual Fixed Charge

Pursuant to Section 152(1)(c)(ii) of the Local Government Act 1999, the Council declares a fixed charge of \$634 in respect of all rateable land in the Council area for the financial year ending 30 June 2019.

1.6 Imposition of NRM Levy

In accordance with Section 95 of the Natural Resource Management Act 2004, and Section 154 of the Local Government Act 1999, in order to reimburse the Council the amount contributed to Regional NRM Boards, the Council declares the following separate rates based upon the capital value of rateable land for the financial year ending 30 June 2019:

1.6.1 0.01014 cents in the dollar on all rateable land in the Council area and in the area of Adelaide and Mt Lofty Natural Resource Management Board;

1.6.2 0.02536 cents in the dollar on all rateable land in the Council area and in the area of the SA Murray-Darling Basin Natural Resource Management Board.

1.7 Annual Service Charge

Pursuant to Section 155 of the Local Government Act 1999, for the financial year ending 30 June 2019 the Council imposes the following annual service charges based on the nature of the service and the level of usage of the service:

1.7.1 In respect of all land to which the Council provides or makes available the prescribed services known as:

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 JUNE 2018
63 MT BARKER ROAD STIRLING**

- the Woodside Community Wastewater Management System
- the Woodside Extension Community Wastewater Management System
- the Birdwood and Mt Torrens Community Wastewater Management System
- the Kersbrook Township Community Wastewater Management System
- the Charleston Community Wastewater Management System
- the Verdun Community Wastewater Management System
- the Mt Lofty Ward Community Wastewater Management System

an annual service charge of \$823 in respect of land which is occupied and an annual service charge of \$578 in respect of land which is vacant.

1.8 Rebates

1.8.1 Rate Cap

Pursuant to Section 153(3) and (4) of the *Local Government Act 1999*, the Council has determined to fix a maximum increase in general rates to be charged on any rateable land within its area which constitutes the principal place of residence of a principal ratepayer upon application by the principal ratepayer, in circumstances where:

- the general rates payable for the financial year ending 30 June 2019 exceed the general rates paid in the previous year by 15% or more

and where the increase in general rates is not as a result of:

- (i) improvements made to the property worth more than \$20,000; or
- (ii) a change to the land use of the property since 1 January 2017; or
- (iii) a change in ownership of the rateable property since 1 January 2017;

the amount of any cap being the difference between the amount of general rates in monetary terms imposed for the 2018-19 financial year and the amount of rates in monetary terms (after any rebate was applied) for the 2017-18 financial year plus 15% of those rates.

Principal ratepayers with multiple assessments (such as primary producers) will be entitled to the rate cap only in respect of the assessment containing the principal place of residence of the principal ratepayer.

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 JUNE 2018
63 MT BARKER ROAD STIRLING**

1.9 Separate Rates

Declaration of Separate rate – Stirling Business Separate Rate

1.9.1 Pursuant to Section 154 of the *Local Government Act 1999* for the financial year ending 30 June 2019 in order to raise the amount of \$85,000 to carry out the activity of promoting and enhancing business viability, profitability, trade and commerce in that part of the Council's area comprising rateable land within the precinct known as the District Centre (Stirling) Zone and businesses fronting both sides of Mt Barker Road east of the District Centre (Stirling) Zone to Pine Street, excluding land attributed a land use category 1 (residential) and government owned land, the Council declares a differential separate rate of 0.0876 cents in the dollar on all other land uses based on the capital value of the rateable land within that part of the Council area.

1.9.2 In exercise of the powers contained in Section 158(1)(a) of the *Local Government Act 1999* the minimum amount that is payable by way of this separate rate is \$240 (affecting all properties within the area to which this separate rate applies for which the capital value is below \$273,972).

1.9.3 In exercise of the powers contained in Section 158(1)(b) of the *Local Government Act 1999* the amount that would otherwise be payable by way of rates in respect of this separate rate is altered by fixing the maximum amount of the separate rate payable at \$2,145 (affecting all properties within the area to which this separate rate applies which have a capital value in excess of \$2,448,630).

1.10 Payment of Rates

1.10.1 That pursuant to the provisions of Section 181 of the *Local Government Act 1999*, the above rates including charges which have been imposed for the financial year ending 30 June 2019 are payable by four equal (or approximately equal) quarterly instalments (unless otherwise agreed with the principal ratepayer), falling due during the months of September and December 2018 and March and June 2019.

1.10.2 In exercise of the powers contained in section 44 of the *Local Government Act 1999*, the Council delegates to the Chief Executive Officer

- the power pursuant to Section 181(2) of the *Local Government Act 1999* to determine the day on which each instalment falls due in the months specified in part 1.10.1 of this resolution; and.**

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 JUNE 2018
63 MT BARKER ROAD STIRLING**

- the power pursuant to Section 181(4)(b) of the *Local Government Act 1999*, to enter into agreements with principal ratepayers relating to the payment of rates in any case of hardship or financial difficulty.

1.11 Adoption of Rating Policy

- 1.11.1** With an effective date of 1 July 2018, to revoke the 27 June 2017 Rating Policy and adopt the Rating Policy, in Appendix 3 of the 2018-19 Annual Business Plan in Appendix 1 of this report.
- 1.11.2** That the Chief Executive Officer, or delegate, be authorised to make any formatting, nomenclature or other minor changes to the Policy.

1.12 Borrowings

Council resolves to borrow:

- 1.12.1** The sum of \$3.9m for the purpose of funding the 2018-19 Budget.
- 1.12.2** Council authorise the Chief Executive to negotiate and agree the interest rate and any terms and conditions of the borrowing arrangements in accordance with the Treasury Policy as adopted by Council.
- 1.12.3** Council authorises the affixation of the common seal as necessary to give effect to Council's resolutions in this matter and that this be undertaken by the Mayor and the Chief Executive Officer.

1.13 Publication of the 2018-19 Annual Business Plan and Budget

The Chief Executive Officer be delegated the authority to make formatting and minor changes/corrections to the 2018-19 Annual Business Plan and Budget documentation prior to publication.

Carried

8.40pm Cr Wisdom left the Chamber and did not return

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 JUNE 2018
63 MT BARKER ROAD STIRLING**

12.4. Enforcement Policy

Moved Cr Linda Green 139/18
S/- Cr Ron Nelson

Council resolves:

1. That the report be received and noted
2. With an effective date of 10 July 2018, to rescind the February 2001 Reporting of Offences Policy and adopt the draft *Enforcement Policy* contained in *Appendix 1*.

Carried Unanimously

12.5. Review of Confidential Items Register

Moved Cr Malcolm Herrmann 140/18
S/- Cr Ian Bailey

Council resolves:

1. That the report be received and noted
2. 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 resolves that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence for a period as specified below:

Council Meeting 25 October 2016
CWMS Expression of Interest

Section 90(3)(d) – commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and would, on balance, be contrary to the public interest.

Until 31 December 2019.

3. 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

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 JUNE 2018
63 MT BARKER ROAD STIRLING**

matter in the performance of the duties and responsibilities of office, Council resolves that an order be made under the provisions of sections 91(7) and (9) of the Local Government Act 1999 that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence for a period as specified below:

**Council Meeting 28 February 2017
Community Wastewater Management Systems Review**

Section 90(3)(d) – commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and would, on balance, be contrary to the public interest.

Until 31 December 2019.

4. 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 resolves that an order be made under the provisions of sections 91(7) and (9) of the Local Government Act 1999 that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence for a period as specified below:

**Council Meeting 22 August 2017
Adelaide Hills Region Waste Management Authority Tender Landfill Compactor**

Section 90(3)(d) – commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and would, on balance, be contrary to the public interest.

Until 3 August 2019.

5. 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 resolves that an order be made under the provisions of sections 91(7) and (9) of the Local Government Act 1999 that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence for a period as specified below:

Council Meeting 26 September 2017

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 JUNE 2018
63 MT BARKER ROAD STIRLING**

Community Wastewater Management Systems Review

Section 90(3)(d) – commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and would, on balance, be contrary to the public interest.

Until 31 December 2019.

Carried Unanimously

12.6. CEO Performance Targets

**Moved Cr Kirrilee Boyd
S/- Cr Ron Nelson**

141/18

Council resolves:

- 1. That the report be received and noted**
- 2. To adopt the proposed 2018-2019 CEO Performance Targets recommended by the CEO Performance Review Panel in Appendix 1 of this report.**

Carried Unanimously

**Moved Cr Ian Bailey
S/- Cr Linda Green**

142/18

That the meeting adjourn for a short break (8.45pm).

Carried Unanimously

8.45pm The meeting adjourned.

8.58pm The meeting resumed.

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 JUNE 2018
63 MT BARKER ROAD STIRLING**

12.7. Delegations Review

Moved Cr Malcolm Herrmann
S/- Cr Andrew Stratford

143/18

Council resolves:

- 1. That the report be received and noted**
- 2. That, having conducted its quarterly review of Council's Delegations Register, in accordance with Section 44(6) of the Local Government Act 1999, the Council:**

2.1 Revocation

Hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following Acts:

- 2.1.1 Development Act 1993 and Development Regulations 2008**
- 2.1.2 Environment Protection Act 1993 and Environment Protection (Waste to Resources) Policy 2010**
- 2.1.3 Expiation of Offences Act 1996**
- 2.1.4 Fences Act 1975**
- 2.1.5 Freedom of Information Act 1991 & Freedom of Information (Fees & Charges) Regulations 2003**
- 2.1.6 Land & Business (Sale and Conveyancing) Act 1994**
- 2.1.7 Local Government Act 1999**
- 2.1.8 Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005**
- 2.1.9 Real Property Act 1886**
- 2.1.10 Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014**

2.2 Delegations made under the Local Government Act 1999

2.2.1 In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the following Acts and specified in the proposed Instruments of Delegation contained in Appendices 4, 5, 6, 7, 8, 9, 10, 11 and 12 (each of which is individually identified as indicated below) are hereby delegated this 26th day of June 2018 to the person occupying the office of Chief Executive Officer subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation.

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 JUNE 2018
63 MT BARKER ROAD STIRLING**

- *Environment Protection Act 1993 and Environment Protection (Waste to Resources) Policy 2010 (Appendix 4)*
- *Expiation of Offences Act 1996 (Appendix 5)*
- *Fences Act 1975 (Appendix 6)*
- *Freedom of Information Act 1991 & Freedom of Information (Fees & Charges) Regulations 2003 (Appendix 7)*
- *Land & Business (Sale and Conveyancing) Act 1994 (Appendix 8)*
- *Local Government Act 1999 (Appendix 9)*
- *Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005 (Appendix 10)*
- *Real Property Act 1886 (Appendix 11)*
- *Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014 (Appendix 12)*

2.2.2 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 each such proposed Instrument of Delegation.

2.3 Delegations made under the Development Act 1993

2.3.1 In exercise of the power contained in Section 20 and 34(23) of the Development Act 1993, the powers and functions under the Development Act 1993 and the Development Regulations 2008 and specified in the proposed Instrument of Delegation contained in Appendix 3 are hereby delegated this 26th day of June 2018 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation under the Development Act 1993.

2.3.2 Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.

2.3.3 In exercise of the powers contained in Section 20 and 34(23) of the Development Act 1993 the powers and functions under the Development Act 1993 and the Development Regulations 2008 and specified in the proposed Instrument of Delegation contained in Appendix 3, are hereby

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 JUNE 2018
63 MT BARKER ROAD STIRLING**

delegated on this 26th day of June 2018 to the Council's Assessment Panel, subject to any conditions specified herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993:

2.4 Authorisations and Subdelegation under the Road Traffic Act 1961

2.4.1 In accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure (the 'Instrument') the Council authorises the following person(s) pursuant to Clause A.7 of the Instrument to endorse Traffic Impact Statements for the purposes of Clause A of the Instrument provided that such person(s) shall take into account the matters specified in Clause A.7 of the Instrument in respect of Traffic Impact Statements: Peter Bice, Ashley Curtis.

2.4.2 In accordance with Clause A.7 of the Instrument, the Council is of the opinion that the following person(s) is/are experienced traffic engineering practitioner(s) for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the Instrument: Peter Bice, Ashley Curtis.

2.4.3 In exercise of the power contained in, and in accordance with, Clause G.1 of the Instrument, the power contained in Section 33(1) of the Road Traffic Act 1961 and delegated to the Council pursuant to Clause G of the Instrument and contained in the proposed Instrument of Subdelegation (Appendix 10) is hereby sub-delegated this 26th day of June to the person occupying the office of Chief Executive Officer of the Council subject to:

- (i) the conditions contained in the Instrument; and
- (ii) any conditions contained in this Resolution or in the Instrument of Subdelegation; and
- (iii) the creation of a separate instrument in writing reflecting such subdelegation under the Instrument and this Resolution.

2.4.4 In accordance with Clause E.2 of the Instrument, the Council is of the opinion that the following person(s) has (have) an appropriate level of knowledge and expertise in the preparation of traffic management Plans: Peter Bice and Ashley Curtis.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 JUNE 2018
63 MT BARKER ROAD STIRLING**

12.8. Status Report – Council Resolutions Update

Moved Cr Lynton Vonow
S/- Cr Nathan Daniell

144/18

That Council resolves:

- 1. The Council Action List be received and noted**
- 2. The following completed item be removed from the Action List:**

Date	Meeting	No	Heading
23/01/2018	Ordinary Council	3/18	Capital Program Review & Amendments
27/02/2018	Ordinary Council	42/18	Rural Property Addressing Consultation Outcomes
27/03/2018	Ordinary Council	69/18	Play Space Policy
24/04/2018	Ordinary Council	89/18	Adelaide Hills Tourism 2 year Funding Agreement
24/04/2018	Ordinary Council	94/18	Draft Annual Business Plan & Budget
24/04/2018	Ordinary Council	96/18	Community Loans Policy
22/05/2018	Ordinary Council	107/18	Intersection North East & South Para Roads, Chain of Ponds
22/05/2018	Ordinary Council	109/18	East Waste 2018/19 Business Plan & Draft Budget
22/05/2018	Ordinary Council	110/18	AHRWMA Draft 2018/19 Annual Business Plan & Budget
22/05/2018	Ordinary Council	111/18	Communications & Marketing Plan 2014 – Progress Report
22/05/2018	Ordinary Council	112/18	Budget Review 3
22/05/2018	Ordinary Council	113/18	Safe Environments Policy
22/05/2018	Ordinary Council	114/18	Audit Committee Recommendations to Council
22/05/2018	Ordinary Council	115/18	SHLGA 2018/19 Budget
22/05/2018	Ordinary Council	116/18	Caretaker Policy
22/05/2018	Ordinary Council	117/18	Location of Council's Principal Office
22/05/2018	Ordinary Council	118/18	Fee Waiver Request - Bridgewater Uniting Church
22/05/2018	Ordinary Council	119/18	GRFMA Business Plan & Budget
22/05/2018	Ordinary Council	120/18	Attendance at National General Assembly, Canberra
22/05/2018	Ordinary Council	113/18	Safe Environments Policy
12/06/2018	Special Council	6.1	Residents Win Stage 2 Funding Increase Proposal - Gumeracha Main Street

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 JUNE 2018
63 MT BARKER ROAD STIRLING**

13. OFFICER REPORTS – INFORMATION ITEMS

13.1. World Heritage Bid Annual Report

Moved Cr Linda Green
S/- Cr Kirrilee Boyd

145/18

Council resolves:

- 1. That the report be received and noted**
- 2. That the contents of the Annual Report 2017-18 for the World Heritage Listing Project for the Mount Lofty Ranges are received and notes the future actions will include:

 - **An External Expert Review of the project**
 - **A continuation of discussions with state government in order to secure their support and potential funding for the project**
 - **A progression of the development of a Digital Knowledge Bank to better engage with industry groups****

Carried Unanimously

Mayor Bill Spragg advised Council that he had a Perceived Conflict of Interest in relation to Item 13.2 Code of Conduct, as he is the subject of the complaint, and intends to leave the Chamber.

9.16pm The Mayor left the Chamber.

As the Deputy Member was also absent, the Chief Executive Officer asked for a Council Member to act as Presiding Member and, with the leave of the meeting, Cr Linda Green was selected.

Cr Linda Green assumed the Chair.

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 JUNE 2018
63 MT BARKER ROAD STIRLING**

13.2. Code of Conduct Complaint

Moved Cr Lynton Vonow
S/- Cr Nathan Daniell

146/18

Council resolves that the report be received and noted.

Carried Unanimously

9.21pm Mayor Spragg returned to the Chamber and resumed his duties as Presiding Member.

13.3. Policy Review Schedule

Moved Cr Ian Bailey
S/- Cr Ron Nelson

147/18

Council resolves that the report be received and noted.

Carried Unanimously

14. MISCELLANEOUS ITEMS

Nil

15. QUESTIONS WITHOUT NOTICE

Cr Stratford – Adelaide Hills Swimming Centre Committee re future of pool
Cr Bailey – National General Assembly motions, articles in Advertiser
Cr Herrmann – appointment of Arts & Cultural Hub Director

16. MOTIONS WITHOUT NOTICE

Nil

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 JUNE 2018
63 MT BARKER ROAD STIRLING**

17. REPORTS**17.1. Council Member Activities****Mayor Bill Spragg**

6 June 2018, Crafers Primary School Year 6 Civics class, Crafers
 13 June 2018, Queen's Birthday reception, Government House, Adelaide
 14 June 2018, Lions Club of Onkaparinga & Woodside Primary School unveiling of mural, Woodside
 15 June 2018, Member for Morialta, John Gardner MP, Rostrevor
 18 June 2018, Refugee Week and Poster launch, Adelaide
 19 June 2018, Liberal candidate for Mayo by-election, Georgina Downer, Stirling
 19 June 2018, RDA Chair, James Sexton & CEO, Damien Cooke, Stirling
 20 June 2018, Refugee Day launch, Adelaide
 21 June 2018, funeral for local resident, Crafers

Media:

Advertiser Renato Castello re retirement
 Courier Elisa Rose re Woodside Swimming Pool
 Courier Elisa Rose re By-Election wish list
 Courier Lisa Pahl re Air BNB
 ABC 891 David Bevan re Air BNB

Cr Ron Nelson

14 June 2018, Scott Creek Progress Association
 15 June 2018, Community Planning For Recovery
 21 June 2018, Longwood Agriculture Bureau
 24 June 2018, Community Planning For Recovery open day

Cr Kirrilee Boyd

26 June 2018, Sturt Valley Road Trail onsite meeting, Stirling
 31 May 2018, May Business Month - Public Speaking Workshop, Stirling

Cr Linda Green

5 June 2018, LGA Waste Pathways Workshop "Beyond China Sword"
 22 June 2018, TVCC Peterborough reactivation presentation, Gumeracha

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 JUNE 2018
63 MT BARKER ROAD STIRLING**

Cr Jan-Claire Wisdom (as Acting Mayor)

22 May 2018, Social Planning Advisory Group, Stirling
 28 May 2018, Project Steering Group World Heritage Project, Stirling
 29 May 2018, CEORP meeting, Stirling
 31 May 2018, CEDA 'Arts and Innovation' presentation, Adelaide
 31 May 2018, DEW Focus Group re Belair Golf course land, Mitcham
 02 June 2018, Women's LGASA Networking Forum for those interested in standing for Council, Charles Sturt Council, Woodville
 12 June 2018, Council workshop, Woodside
 17 June 2018, ALGA Regional Forum, Canberra
 18-20 June 2018, ALGA National Assembly, ALGA (see documents/written report to follow)
 22 June 2018, Johnston Memorial Park upgrades launch, Balhannah
 23 June 2018, CPR Trailer review, Scott Creek

Media (as Acting Mayor)

7 June 2018, Article for Weekender Herald on 'Lest we forget – man's best friend'
 13 June 2018, Hills Radio 88.9FM radio chat segment on 'China Sword and recycling'

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

Cr Malcolm Herrmann

21 June 2018, GRFMA, Nuriootpa

Cr Linda Green

18 May 2018, East Waste teleconference

Cr Jan-Claire Wisdom

30 May 2018, State Library SA (SLSA) Director retirement event, Adelaide
 13 June 2018, Special Meeting Local Government Assn SA (LGASA) Board, Adelaide
 22 June 2018, Southern and Hills LGA (SHLGA) Board meeting, Goolwa

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 JUNE 2018
63 MT BARKER ROAD STIRLING**

17.3. CEO Report

Andrew Aitken, CEO, provided Council with a verbal Corporate Update, including:

- CWMS, Mt Torrens
- Bridge, drainage, footpaths, guardrails
- ChemClear collection service
- Development approvals
- ERD Court decision re pool safety
- Development Service website upgrade
- CSIRO Local Voices project
- SHLGA meeting Goolwa re rate capping, governance structure in LGA
- Welcome to Steven Watson, Governance & Risk Coordinator

18. REPORTS OF COMMITTEES

18.1. Council Assessment Panel – 13 June 2018

Moved Cr Linda Green
S/- Cr Lynton Vonow

148/18

That the minutes of the Council Assessment Panel meeting of 13 June 2018 as distributed, be received and noted.

Carried Unanimously

18.2. Strategic Planning & Development Policy Committee

Nil

18.3. Audit Committee

Nil

18.4. CEO Performance Review Panel – 29 May 2018

Moved Cr Nathan Daniell
S/- Cr Ian Bailey

149/18

That the minutes of the CEO Performance Review Panel meeting of 29 May 2018 as distributed, be received and noted.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 JUNE 2018
63 MT BARKER ROAD STIRLING**

19. CONFIDENTIAL ITEMS

MINUTE RELEASED 16 NOVEMBER 2018

19.1. Special Event – Exclusion of the Public

Moved Cr Kirrilee Boyd
S/- Cr Linda Green

150/18

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

- CEO, Andrew Aitken
- Manager Sustainable Assets, David Collins
- Director Strategy & Development, Marc Salver
- Director Corporate Services, Terry Crackett
- Director Community & Customer Service, David Waters
- Executive Manager Governance & Performance, Lachlan Miller
- Governance & Risk Coordinator, Steven Watson
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 19.1: Event Opportunity to be considered 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) (j) 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 –

- (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
- (ii) would, on balance, be contrary to the public interest.

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 26 JUNE 2018
63 MT BARKER ROAD STIRLING

MINUTE RELEASED 16 NOVEMBER 2018

19.1.1. Special Event – Confidential Item

Moved Cr Malcolm Herrmann
S/- Cr Andrew Stratford

151/18

Council resolves:

1. That the report be received and noted.
2. To accept the offer by the South Australian Tourism Commission for the Council to host one stage start and one stage finish for the 2019 Santos Tour Down Under, namely the Stage 3 start in Lobethal and finish in Uraidla on Thursday 17 January 2019, for a total consideration of \$30,000 plus GST, to be paid by the Council.
3. To accept the offer by the South Australian Tourism Commission for the Council to host two stage finishes for the 2019 Santos Women's Tour Down Under, namely the Stage 1 finish in Birdwood on Thursday 10 January 2019 and the Stage 3 finish in Stirling on Saturday 12 January 2019.
4. That the Chief Executive Officer be and is hereby authorised to act for and on behalf of the Council to execute any contracts or other documents required to progress the matter.
5. That the Council notes that the Chief Executive Officer will act pursuant to the delegation provided to him in respect to considering and providing consent for road closures associated with the 2019 Santos Tour Down Under, the 2019 Santos Women's Tour and any other ancillary events, pursuant to Section 33 of the *Road Traffic Act 1961*.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 26 JUNE 2018
63 MT BARKER ROAD STIRLING**

19.1.2. Special Event – Period of Confidentiality

Moved Cr Nathan Daniell
S/- Cr Ian Bailey

152/18

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) (j) 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* that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until the event agreements are signed and the race routes are announced by the relevant Minister but not longer than 31 December 2018.

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

Carried Unanimously

20. NEXT MEETING

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 24 July 2018 from 6.30pm at 63 Mt Barker Road, Stirling.

21. CLOSE MEETING

The meeting closed at 9.56pm.