

**ADELAIDE HILLS COUNCIL  
MINUTES OF SPECIAL COUNCIL MEETING  
TUESDAY 19 JUNE 2018  
63 MT BARKER ROAD STIRLING**

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In Attendance:

**Presiding Member:** Mayor Bill Spragg

**Members:**

Councillor	Ward
Councillor Ron Nelson	Manoah
	Marble Hill
Councillor Kirrilee Boyd Councillor Nathan Daniell Councillor John Kemp	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
Peter Bice	Director Engineering & Assets
Marc Salver	Director Strategy & Development
David Waters	Director Community & Customer Service
Lachlan Miller	Executive Manager Governance & Performance
John McArthur	Manager Waste Health & Regulatory Services
Natalie Westover	Manager Property Services
Karen Bennink	CWMS Technical Officer
Pam Williams	Minute Secretary

**1. COMMENCEMENT**

The special council meeting commenced at 7.34pm.

**2. OPENING STATEMENT**

“Council acknowledges that we meet on the traditional lands of the Peramangk and Kurna 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.”

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**3. APOLOGIES/LEAVE OF ABSENCE**

**3.1. Apology**

Cr Jan-Claire Wisdom (attending the National General Assembly in Canberra)  
Cr Ian Bailey

**3.2. Leave of Absence**

Cr Jan Loveday (30 May to 25 June 2018) approved 22 May 2018

**3.3. Absent**

Cr John Kemp

**4. DECLARATION OF INTEREST BY MEMBERS OF THE COMMITTEE**

Nil

**5. BUSINESS OF THE MEETING**

**5.1. Revocation of Community Land – Lobethal Retirement Village**

Moved Cr Malcolm Herrmann  
S/- Cr Ron Nelson

**127/18**

**Council resolves:**

1. That the report be received and noted
2. A report be prepared and submitted to the Minister for Planning seeking approval to revoke the community land classification of Allotment 202 in Deposited Plan No. 75850 contained in Certificate of Title Volume 6017 Folio 705 known as 3 Jeffrey Street Lobethal.

	<b>Carried Unanimously</b>
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**5.2. Corporate Planning & Reporting Framework**

Moved Cr Linda Green  
S/- Cr Nathan Daniell

**128/18**

**Council resolves:**

1. That the report be received and noted
2. With an effective date of 1 July 2018, to adopt the draft Corporate Planning & Performance Framework contained in Appendix 1.

	<b>Carried Unanimously</b>
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**5.3. Gawler River Floodplain Management Authority – Northern Floodway Project**

Moved Cr Malcolm Herrmann  
S/- Cr Lynton Vonow

**129/18**

**Council resolves:**

- 1. That the report be received and noted.**
- 2. That the Gawler River Flood Management Authority is advised that Council is committed to and supports the progression of the Northern Floodway Project subject to the planning, design and construction being funded entirely by the Federal and State Governments, with the ongoing maintenance of the Project being funded by the GRFMA via subscriptions from Constituent Councils.**

	<b>Carried Unanimously</b>
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**6. CONFIDENTIAL ITEM**

**6.1. Community Wastewater Management System Expression of Interest Outcomes – Exclusion of the Public**

Moved Cr Linda Green  
S/- Cr Andrew Stratford

**130/18**

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

- **CEO, Andrew Aitken**
- **Director Engineering & Assets, Peter Bice**
- **Director Strategy & Development, Marc Salver**
- **Director Corporate Services, Terry Crackett**
- **Director Community & Customer Service, David Waters**
- **Executive Manager Governance & Performance, Lachlan Miller**
- **Manager Waste, Health and Regulatory Services, John McArthur**
- **CWMS Technical Officer, Karen Bennink**
- **Minute Secretary, Pam Williams**

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be excluded from attendance at the meeting for Agenda Item 6.1: (Community Wastewater Management Systems Expression of Interest Outcomes) 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)(b) 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) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of 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.

	<b>Carried Unanimously</b>
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**6.1.1 Community Wastewater Management System Expression of Interest Outcomes – Confidential Item**

**ITEM 4 RELEASED 05 JULY 2018**

**MINUTE FULLY RELEASED 9 AUGUST 2018/REPORT REMAINS CONFIDENTIAL**

Moved Cr Linda Green  
S/- Cr Nathan Daniell

131/18

Council resolves:

1. That the report be received and noted.
2. The Administration is to continue to work collaboratively with the City of Onkaparinga and Rural City of Murray Bridge for the potential divestment of Council's CWMS.
3. To inform future decision making in relation to divestment of Council's CWMS or otherwise an independent Prudential Review is to be conducted in accordance with Section 48 of the Local Government Act 1999.
4. Community consultation is to be undertaken as outlined in this report, including a drop in session in Gumeracha, to inform future decision making in relation to divestment of Council's CWMS or otherwise.
5. That probity advice services are maintained throughout the CWMS review process.
6. A further report be provided to Council outlining the outcome of community consultation and prudential review to inform its consideration of progressing to a second stage request for tender for the divestment of Council's CMWS.

	<b>Carried Unanimously</b>
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**6.1.2 Community Wastewater Management System Expression of Interest Outcomes – Period of Confidentiality**

Moved Cr Lynton Vonow  
S/- Cr Linda Green

**132/18**

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 6.1 in confidence under sections 90(2) and 90(3)(b) 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 31 December 2019.

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.

	<b>Carried</b>
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**7. CLOSE SPECIAL COUNCIL MEETING**

The meeting closed at 8.25pm.