

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 MAY 2019
63 MT BARKER ROAD STIRLING**

In Attendance

Presiding Member: Mayor Jan-Claire Wisdom

Members:

Councillor Ian Bailey
Councillor Kirrilee Boyd
Councillor Nathan Daniell
Councillor Pauline Gill
Councillor Chris Grant
Councillor Linda Green
Councillor Malcolm Herrmann
Councillor John Kemp
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin

In Attendance:

Andrew Aitken	Chief Executive Officer
Terry Crackett	Director Corporate Services
Peter Bice	Director Infrastructure & Operations
Marc Salver	Director Development & Regulatory Services
David Waters	Director Community Capacity
Lachlan Miller	Executive Manager Governance & Performance
Natalie Westover	Manager Property Services
Ashley Curtis	Manager Civil Projects
Steven Watson	Governance & Risk Coordinator
Jennifer Blake	Manager Communications Engagement & Events
Sharon Leith	Sustainability Officer
Richard Fox	Senior Property Project Officer
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”.

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3. APOLOGIES/LEAVE OF ABSENCE

3.1 Apology

Cr Andrew Stratford

3.2 Leave of Absence

Nil

3.3 Absent

Nil

4. MINUTES OF PREVIOUS MEETINGS

4.1 Council Meeting – 23 April 2019

Moved Cr Malcolm Herrmann

S/- Cr Mark Osterstock

105/19

That the minutes of the Ordinary Council meeting held on 23 April 2019 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

4.2 Special Council Meeting – 7 May 2019

Moved Cr Linda Green

S/- Cr Chris Grant

106/19

That the minutes of the Ordinary Council meeting held on 7 May 2019 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

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5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

5.1 Material Conflict of Interest, Mayor Jan-Claire Wisdom, Item 12.10, Nomination for Libraries Board SA

Under Section 74 of the *Local Government Act 1999* Mayor Jan-Claire Wisdom disclosed a Material Conflict of Interest in Item 12.10, Nomination for Libraries Board SA, the nature of which is as follows:

- I have a direct pecuniary interest because Board Members receive sitting fees.

Mayor Jan-Claire Wisdom intends to leave the Chamber when this matter is discussed.

5.2 Actual Conflict of Interest, Cr Kirrilee Boyd, Item 12.8, Discretionary Rates Rebate

Under Section 75A of the *Local Government Act 1999* Cr Kirrilee Boyd disclosed an Actual Conflict of Interest in Item 12.8, Discretionary Rates Rebate, the nature of which is as follows:

- My son is a member of the Mt Lofty Scouts Group and I don't believe I can bring an impartial mind to the debate

Cr Kirrilee Boyd intends to leave the Chamber when this matter is discussed.

5.3 Material Conflict of Interest, Cr Pauline Gill, Item 12.8, Discretionary Rates Rebate

Under Section 75A of the *Local Government Act 1999* Cr Pauline Gill disclosed a Material Conflict of Interest in Item 12.8, Discretionary Rates Rebate, the nature of which is as follows:

- I am the Treasurer of the Kersbrook Public Hall Inc who would receive a pecuniary benefit from approval of a discretionary rate rebate from Council

Cr Pauline Gill intends to leave the Chamber when this matter is discussed.

5.4 Perceived Conflict of Interest, Cr Chris Grant, Item 12.2, Road Closure for Adelaide Hills Rally

Under Section 75A of the *Local Government Act 1999* Cr Chris Grant disclosed a Perceived Conflict of Interest in Item 12.2, Road Closure for Adelaide Hills Rally, the nature of which is as follows:

- I reside on one of the roads affected by the closures

Cr Chris Grant intends to participate in discussions and vote when this item is discussed.

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5.5 Perceived Conflict of Interest, Cr Malcolm Herrmann, Item 12.8, Discretionary Rates Rebate

Under Section 75A of the *Local Government Act 1999* Cr Malcolm Herrmann disclosed a Perceived Conflict of Interest in Item 12.8, Discretionary Rates Rebate, the nature of which is as follows:

- I am the Honorary Auditor for the Forreston Community Centre

Cr Malcolm Herrmann intends to participate in discussions and vote when this item is discussed.

5.6 Perceived Conflict of Interest, Cr Malcolm Herrmann, Item 12.8, Discretionary Rates Rebate

Under Section 75A of the *Local Government Act 1999* Cr Malcolm Herrmann disclosed a Perceived Conflict of Interest in Item 12.8, Discretionary Rates Rebate, the nature of which is as follows:

- I am the Honorary Auditor for the Kersbrook Public Hall Inc

Cr Malcolm Herrmann intends to participate in discussions and vote when this item is discussed.

6. PRESIDING MEMBER'S OPENING REMARKS

- Mayor Jan-Claire Wisdom welcomed everyone to the meeting, including Graeme Martin of Southern & Hills Local Government Association and Steve Shotton of Regional Development Australia.
- Mayor Wisdom mentioned items of interest over the past month, including the Federal Election, Fabrik "Weaving Stories", Lobethal, and the Woorabinda Heritage Agreement.
- Mayor Wisdom informed the gallery that at least an hour would be available during this meeting for comments on the Annual Business Plan 2019/2020 from members of the public.

7. QUESTIONS ADJOURNED/LYING ON THE TABLE

7.1 Questions Adjourned

Nil

7.2 Questions Lying on the Table

Nil

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8. PETITIONS/DEPUTATIONS/PUBLIC FORUM

8.1 Petitions

Nil

8.2 Deputations

8.2.1 Andrew Admiraal & Michael Clements, Adelaide Hills Rally

8.2.2 Joe Frank, Internal Reviews, Correspondence, FOI

8.3 Public Forum

Mark Green – blocked drain, flooding issues, Aldgate

Joe Frank – Festival & Events Policy

9. PRESENTATIONS

9.1 Steve Shotton, Regional Development Australia

7.41pm Cr Parkin left the Chamber

7.43pm Cr Parkin returned to the Chamber

7.45pm Cr Osterstock left the Chamber

9.2 Graeme Martin, Southern & Hills Local Government Association (S&HLGA)

7.47pm Cr Osterstock returned to the Chamber

7.48pm Cr Daniell left the Chamber

7.51pm Cr Daniell returned to the Chamber

Leave of the meeting was granted to bring item 13.2, Southern & Hills Local Government Association Annual Business Plan, forward on the agenda.

13.2 Southern & Hills Local Government Association Annual Business Plan

Moved Cr Linda Green

S/- Cr John Kemp

107/19

Council resolves:

- 1. That the report be received and noted.**
- 2. That the Southern and Hills Local Government Association's proposed 2019-20 budget be received and noted.**

Carried Unanimously

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Leave of the meeting was granted to bring item 12.1, Regional Development Australia Three Year Funding Agreement, forward on the agenda.

12.1 Regional Development Australia Three Year Funding Agreement

**Moved Cr Leith Mudge
S/- Cr Linda Green**

108/19

Council resolves:

- 1. That the report be received and noted.**
- 2. That the Council enter into a three year funding agreement with Regional Development Australia – Adelaide Hills, Fleurieu and Kangaroo Island Inc. as per the agreement contained in Appendix 1, with an annual funding contribution of \$64,613, adjusted annually according to changes in the Australian Consumer Price Index.**
- 3. That the Mayor and Chief Executive Officer be authorised to negotiate and approve minor amendments not affecting its intent or financial elements, and sign and seal the Agreement on behalf of Council.**

Carried Unanimously

Leave of the meeting was granted to bring item 12.2, Road Closure for Adelaide Hills Rally, forward on the agenda.

Cr Chris Grant declared a Perceived Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to item 12.2 and remained in the Chamber and voted.

12.2 Road Closure for Adelaide Hills Rally

**Moved Cr Kirsty Parkin
S/- Cr Nathan Daniell**

109/19

Council resolves:

- 1. That the report be received and noted**
- 2. That, in relation to the 2019 Adelaide Hills Rally, Council's support of the event and related road closures is contingent on UME, to the satisfaction of the CEO:**
 - a. Entering into a road repair agreement with Council to cover any rectification works required as a result of damage caused by the event;**
 - b. Agreeing to undertake road dilapidation reports of the route prior to and subsequent to the event at their cost;**
 - c. Providing evidence of satisfactory insurance to cover any damage to 3rd party property caused by the event;**

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- d. Providing written confirmation from affected business owners that they are aware of the road closures;
 - e. Providing written confirmation to confirm that the concerns raised by affected residents have been addressed and that arrangements for egress and regress from those properties can be managed within the event;
 - f. Written confirmation from Australian Securities and Investments Commission that UME is registered beyond 3 August 2019; and
 - g. Written confirmation from UME that they will erect advance notices of road closures on the affected roads, in locations advised by Council, at least 2 weeks prior to the event.
3. That subject to the requirements of 2 being undertaken, Council provides consent for road closure orders in relation to the 2019 Adelaide Hills Rally, to be held on Sunday 22 September 2019 as follows:
- a. **Kenton Valley Stage**
Sunday 22 September 2019
Approximate closure 10:55am – 4:25pm
 - i. Turner Road, Mount Torrens – from Burfords Hill Road to Hirthes Road
 - ii. Maidment Road, Kenton Valley – from Hirthes Road to Lihou Road
 - iii. Lihou Road, Lobethal – from Maidment Road to Schocroft Road
 - iv. Schocroft Road, Lobethal – from Lihou Road to Schuberts Road
 - b. **Andersons Hill Stage**
Sunday 22 September 2019
Approximate closure 10:15am – 3:45pm
 - i. Croft Road, Lenswood - from Fox Creek/Coldstore Road to Edwards Hill Road
 - c. **Mawson Road Stage**
Sunday 22 September 2019
Approximate closure 10:25am – 3:55pm
 - i. Mawson Road, Forest Range – from Harris Road to Lobethal Road
 - d. **Charlogate Stage**
Sunday 22 September 2019
Approximate closure 11:25am – 4:55pm
 - i. Harrison Road, Woodside – from 17 Harrison Rd to Pfeiffer Road
 - ii. Kings Road, Woodside – from Pfeiffer Road to Burnley Road
 - iii. Burnley Road, Charleston – from Kings Road to Teakles Road
 - iv. Teakles Road, Charleston – from Burnley Road to Lewis Road
 - v. Lewis Road, Charleston – from Teakles Road to Bell Springs Road
 - vi. Bell Springs Road, Charleston – from Lewis Road to Warmington Run
 - vii. Warmington Run, Charleston – from Bell Springs Road to Hollows Road (AHC boundary road, route continues into Mid-Murray Council and District Council of Mount Barker)

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4. **That the Chief Executive Officer be authorised to negotiate and execute the agreements identified in 2 and sign all necessary documentation to give effect to these agreements.**
5. **That the Chief Executive Officer be authorised to consider and respond to requests for consent to minor changes to the timing and extent of the road closures listed in this resolution.**

Carried

Cr Chris Grant voted against the motion. The majority voted in favour.

8.51pm Cr Kemp left the Chamber

8.52pm Cr Grant left the Chamber

8.53pm Cr Grant returned to the Chamber

10. QUESTIONS ON NOTICE

10.1 Lower Hermitage Road Upgrade – Cr Malcolm Herrmann

Administrative Action: Director IO to consider including Federation Park Gumeracha as possible site for trees removed during Lower Hermitage Road upgrade

1. What progress has been on the purchase/acquisition of land required for road widening purposes?
2. Has an end use been identified for some or all of the approximately 75 trees which have been identified to be removed?

Officer's Response – Peter Bice, Director Infrastructure & Operations

Land Acquisition Authorisation and Agreement letters were sent to the four affected residents of Lower Hermitage Road (579A, 579B, 579C & 579D) in the middle of March. Council has received signed agreements from three of the four residents to date. The one resident still to sign requested further information of the land acquisition; in particular the realignment of a stock gate and fence construction details. Council (Steve Smith) met with the resident on 10 May 2019 to provide the requested information and discuss any further concerns. The discussion points of this meeting were formalised in an email on the 10 May 2019 and Council is expecting a response from the resident this business week (ending 24 May 2019).

Once the authorisation letters from all land owners are received, pegging and survey work will be undertaken. Plans will be drafted and a Conveyancer will be engaged to undertake the preparation of the relevant Land Titles Office Documents to complete the transactional part of the road widening.

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Council has approval to clear approx. 88 trees from the Lower Hermitage Road upgrade. Native Vegetation Council consent for the clearance is conditional on the hollows being relocated (Approx. 20 hollows). Part of the offset arrangements was to offset Kersbrook Stone Reserve (Conservation Reserve), Bush for Life site (AHC020) and recently formalised Heritage Agreement as an SEB area (Significant Environmental Benefit).

It is understood that the trunk sections will be utilised in Nature Play projects by Council to be used as seats at the Paracombe and Birdwood play spaces, whilst the hollows and canopy sections could be used to develop habitat in the Kersbrook Stone Reserve SEB area. We are currently investigating whether it would be appropriate to position some of the cleared trees (with hollows) around the open quarry area (approx. 1ha) in the hope that the addition of the trees would:

- benefit wildlife through creation of additional habitat
- encourage the formation of soil structure through the additional capture of resources and
- create/build up organic matter layer

The quarry area is apparently devoid of native vegetation since the initial clearance and the top soil was entirely removed during excavation.

The 88 trees comprise a mixture of Red Gum, Long-leaf Box, Bluegum, Golden Wattle and Native Cherry.

11. MOTIONS ON NOTICE

11.1 Federal Election 2019

8.57pm Cr Kemp returned to the Chamber

Moved Cr Malcolm Herrmann

S/- Cr Leith Mudge

110/19

That:

1. Council congratulates the Hon Scott Morrison MHR on being able to form a majority Coalition Government, and
2. Seeks assurances from the Prime Minister that the new government will honour commitments made during the election campaign by the Liberal Candidate for the seat of Mayo, Ms Georgina Downer. These commitments for Projects in the Adelaide Hills Council include:

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- a. Reducing congestion at the intersection of Tiers, Nairne and Onkaparinga Valley Roads, Woodside,
 - b. Upgrading of bike trails by completing the Amy Gillett Recreation Bikeway to Mount Pleasant, and
 - c. Completing the Hahndorf/Verdun Interchange on the south eastern freeway
 - d. Providing netting subsidies for fruit growers
3. The Chief Executive Officer writes to the Minister for Transport enclosing a copy of the correspondence and requesting the Minister to support projects in the Adelaide Hills Council Area.
 4. The Council congratulates Ms Rebekha Sharkie on her re-election as the Member for Mayo and requests her to lobby the Federal Government for funds to implement the election commitments made by the Liberal Party in Mayo, particularly those in the Adelaide Hills Council.
 5. The Chief Executive Officer provides copies of the letters in parts 2 and 3 of the motion and the minutes of the 28 May 2019 Council meeting to the Members for Bragg, Heysen, Kavel, Morialta, Newland, Schubert and Waite.

Cr Herrmann, with the consent of Cr Mudge, sought and was granted leave of the meeting to vary the motion as follows.

That:

1. **Council congratulates the Hon Scott Morrison MHR on being able to form a majority Coalition Government, and**
2. **Seeks assurances from the Prime Minister that the new government will honour statements made during the election campaign by the Liberal Candidate for the seat of Mayo, Ms Georgina Downer. These statements for Projects in the Adelaide Hills Council include:**
 - a. **Reducing congestion at the intersection of Tiers, Nairne and Onkaparinga Valley Roads, Woodside,**
 - b. **Upgrading of bike trails by completing the Amy Gillett Recreation Bikeway to Mount Pleasant, and**
 - c. **Completing the Hahndorf/Verdun Interchange on the south eastern freeway**
 - d. **Providing netting subsidies for fruit growers**
3. **The Chief Executive Officer writes to the Minister for Transport enclosing a copy of the correspondence and requesting the Minister to support projects in the Adelaide Hills Council Area.**

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4. The Council congratulates Ms Rebekha Sharkie on her re-election as the Member for Mayo and requests her to lobby the Federal Government for funds to implement the election statements made by the Liberal Party in Mayo, particularly those in the Adelaide Hills Council.
5. The Chief Executive Officer provides copies of the letters in parts 2 and 3 of the motion and the minutes of the 28 May 2019 Council meeting to the Members for Bragg, Heysen, Kavel, Morialta, Newland, Schubert and Waite.

Carried Unanimously

11.2 Draft Policy Position regarding Low Impact Telecommunications Facilities

Moved Cr Mark Osterstock
S/- Cr Chris Grant

111/19

That the Council's 26 March 2019 resolution (62/19) for the provision of a report to Council on a policy position in relation to the future installation of low impact telecommunications facilities, specifically, antennae attached to stobie poles, by telecommunications providers be deferred from 30 June 2019 until the 23 July 2019 Council meeting.

Carried Unanimously

12. OFFICER REPORTS – DECISION ITEMS

12.1 Regional Development Australia Three Year Funding Agreement

This item was discussed earlier in the agenda.

12.2 Road Closure for Adelaide Hills Rally

This item was discussed earlier in the agenda.

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12.3 Festivals & Events Policy

Moved Cr Malcolm Herrmann
S/- Cr Mark Osterstock

112/19

Council resolves:

- 1. That the report be received and noted.**
- 2. To endorse the Draft *Festivals and Events Policy*, as contained in *Appendix 1*, for consultation purposes.**
- 3. That the CEO be authorised to:**
 - a. Make any formatting, nomenclature or other minor changes to the Policy prior to being released for public consultation and;**
 - b. Determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of Council's *Public Consultation Policy*.**

Carried Unanimously

9.25pm The Council meeting adjourned for a short break

9.35pm The Council meeting resumed

12.4 20th Anniversary of Gumeracha Civic Precinct Development

Moved Cr Ian Bailey
S/- Cr Malcolm Herrmann

113/19

Council resolves:

- 1. That the report be received and noted.**
- 2. That an initiative be included in the 2019-20 Annual Business Plan, with a budget of \$3,000, to hold an appropriate event, involving community groups and community members, to celebrate the 20th anniversary of the development of the civic precinct at Gumeracha and showcase the activities and opportunities available at the site.**

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AMENDMENT

Moved Cr Leith Mudge
S/- Cr

2. That an initiative be included in the 2019-20 Annual Business Plan, with a budget of \$500, to hold an appropriate event, involving community groups and community members, to celebrate the 20th anniversary of the development of the civic precinct at Gumeracha and showcase the activities and opportunities available at the site.

Lapsed for want of seconder

The Motion was put.

Carried

12.5 Appointment of Building Fire Safety Committee

Administrative Action: Director CS to ensure Annual Report includes information on BFSC

Moved Cr John Kemp
S/- Cr Pauline Gill

114/19

Council resolves:

1. That the report be received and noted
2. That Council appoints the following members to the Adelaide Hills Building Fire Safety Committee as the appropriate Authority for the purposes of Section 71 of the *Development Act 1993* for a three year period commencing on 29 May 2019 and expiring on 31 May 2022 or, until such time that Section 157(17) of the *Planning, Development and Infrastructure Act 2016* is operational, whichever occurs first:
 - a) Peter Harmer (Contract Building Surveyor Engineer) as a person with expertise and qualifications in building surveying, engineering and building fire safety
 - b) Colin Paton, as a person nominated by the Country Fire Service with Julian Aggiss, Joel Taggart, Kevin Churchward and Phil McDonough nominated as deputy members
 - c) Jeff Grinnell as Team Leader Building Services as an authorised Council Officer with expertise and qualifications in building surveying and building fire safety with Tom Warneke as deputy member, and
 - d) Deryn Atkinson as Manager Development Services as an authorised Council Officer (with Marc Salver appointed as deputy member).

Carried Unanimously

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Extension of Time

Moved Cr Nathan Daniell
S/- Cr Kirrilee Boyd

115/19

That the meeting be extended to up to 11.00pm.

Carried

12.6 Options for Crown Reserves

Moved Cr Malcolm Herrmann
S/- Cr John Kemp

116/19

Council resolves that:

1. The report be received and noted
2. A formal approach be made to the Department for Environment and Water to seek its support for
 - a. the revocation of dedications for the following Crown Records
 - i. CR 5752/186, Lot 32 Fullgrave Road, Crafers
 - ii. CR 5753/725, Section 1609 Illert Road, Mylor
 - iii. CR 5753/729, Section 1657 Scott Creek Road, Scott Creek
 - iv. CR 5753/741, Sections 53 and 54 Sandy Waterhole Road, Woodside
 - v. CR 5753/742, Section 547 Schuberts Road, Lobethal
 - vi. CR 5753/744, Section 553 Pedare Park Road, Woodside
 - vii. CR 5753/745, Section 556 Tiers Road, Woodside
 - viii. CR 5753/746, Section 565 Old Carey Gully Road, Stirling
 - ix. CR 5753/751, Section 489 Chapman Road, Inglewood
 - x. CR 5753/754, Section 511 North East Road, Inglewood
 - xi. CR 5753/758, Section 262 Reserve Road, Forreston
 - xii. CR 5763/631, Section 1591 Silver Road, Bridgewater
 - xiii. CR 5763/634, Section 71 Magarey Road, Mount Torrens
 - xiv. CR 5763/635, Section 72 Magarey Road, Mount Torrens
 - xv. CR 5763/636, Section 84 Forreston Road, Forreston
 - xvi. CR 6142/329, Lot 501 Greenhill Road, Balhannah
 - b. a change in custodian of Crown records CR 5753/718, Section 1544 Reserve Terrace Aldgate, and CR 5753/753, Section 495 off Kersbrook Road Kersbrook, subject to no objections being received from the proposed custodians of Meals on Wheels (SA) Inc and the delegate to the Minister for Forests respectively.
 - c. the revocation of dedication for Crown Record CR 5926/487, Lot 20 Bell Springs Road Charleston, to be incorporated into the protected areas system.

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- d. In principle support for division of Crown condition agreements CT 5168/474, 140 Upper Sturt Road Upper Sturt, and CT 5880/219, Section 83 Cromer Road, Birdwood, with part to revert to The Crown for incorporation into the protected area system, subject to further determination by Council as to the appropriate areas (if any).
3. Following a formal response from the Department for Environment and Water, community consultation be undertaken with the public being offered a minimum of 21 days in which to comment on the recommendations.
4. A further report be presented to Council following conclusion of the consultation period.

Carried

12.7 Budget Review 3

Moved Cr Kirrilee Boyd
S/- Cr Kirsty Parkin

Council resolves to:

1. Receive and note the report.
2. Adopt the Operating Budget variations presented in Budget Review 3 resulting in no change to the Operating Surplus for the 2018-19 financial year of \$398k.
3. Adopt the proposed Capital Works variations provided for in Budget Review 3 representing:
 - a. An increase in Capital Income of \$50k;
 - b. An increase in Capital Expenditure of \$97k;
 resulting in a proposed capital expenditure budget of \$17.723m
4. Adopt the change in Council's current Net Lending Result from \$5.993m to \$5.946m as a result of the capital program amendments (including the provision of \$10k to undertake a scoping study in relation to Sturt Valley Road for a low side walking trail).

Lost

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Moved Cr Malcolm Herrmann
S/- Cr Pauline Gill

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Council resolves to:

1. **Receive and note the report.**
2. **Adopt the Operating Budget variations presented in Budget Review 3 resulting in no change to the Operating Surplus for the 2018-19 financial year of \$398k.**
3. **Adopt the proposed Capital Works variations provided for in Budget Review 3 representing:**
 - a. **An increase in Capital Income of \$50k;**
 - b. **An increase in Capital Expenditure of \$87k;****resulting in a proposed capital expenditure budget of \$17.713m**
4. **Adopt the change in Council's current Net Lending Result from \$5.993m to \$5.956m as a result of the capital program amendments.**

Carried Unanimously

Cr Pauline Gill declared a Material Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to item 12.8 and left the Chamber.

Cr Malcolm Herrmann declared a Perceived Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to item 12.8 and remained in the Chamber and voted.

Cr Kirrilee Boyd declared an Actual Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to item 12.8 and left the Chamber.

10.22pm Cr Pauline Gill & Cr Kirrilee Boyd left the Chamber.

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12.8 Discretionary Rates Rebate

Moved Cr Linda Green
S/- Cr Malcolm Herrmann

Council resolves:

1. The report be received.
2. That the following applications for a discretionary rate rebate under Section 166 (1) (d) of the Local Government Act 1999 be granted a 75% rate rebate for the rating years from 2019-20 until end of the current Council term:
 - Scout Association of Australia (SA Branch) 9 Pye Road Balhannah – Assessment No. 6589
 - Scout Association of Australia (SA Branch) 99 Milan Terrace Stirling – Assessment No. 12628
 - Lobethal and District Aged Homes – 8 Woodside Road Lobethal – Assessment No. 4670
3. That a discretionary rate rebate requested by the following applicants under Section 166 of the Local Government Act 1999 be declined on the basis that they do not meet the criteria set out in Council’s Rating Policy:
 - Stirling Hospital Inc – 20 Milan Terrace Stirling – Assessment No. 11270
 - KeyInvest – 18A Tolmer Road Woodside – Community Centre – Assessment No. 20383
 - Baptist Care (SA) Inc – 32 Wingrove Road Mylor – Assessment No. 10008
 - Scout Association of Australia (SA Branch)
 - 37 Spring Gully Road Piccadilly – Assessment No. 1069
 - 19 Spring Gully Road Piccadilly – Assessment No. 2813 – vacant land
 - Carinya Road & 21-37 Spring Gully Road Piccadilly – Assessment No. 2001
4. The applicants be formally advised of Council’s decision.

Lost

Cr Malcolm Herrmann voted for the motion. The majority voted against.

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Moved Cr Mark Osterstock
S/- Cr Nathan Daniell

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Council resolves:

1. The report be received.
2. That the following applications for a discretionary rate rebate under Section 166 (1) (d) of the Local Government Act 1999 be granted a 75% rate rebate for the rating years from 2019-20 until end of the current Council term:
 - Scout Association of Australia (SA Branch) 9 Pye Road Balhannah – Assessment No. 6589
 - Scout Association of Australia (SA Branch) 99 Milan Terrace Stirling – Assessment No. 12628
3. That a discretionary rate rebate requested by the following applicants under Section 166 of the Local Government Act 1999 be declined on the basis that they do not meet the criteria set out in Council’s Rating Policy:
 - Stirling Hospital Inc – 20 Milan Terrace Stirling – Assessment No. 11270
 - Lobethal and District Aged Homes – 8 Woodside Road Lobethal – Assessment No. 4670
 - KeyInvest – 18A Tolmer Road Woodside – Community Centre – Assessment No. 20383
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 - 37 Spring Gully Road Piccadilly – Assessment No. 1069
 - 19 Spring Gully Road Piccadilly – Assessment No. 2813 – vacant land
 - Carinya Road & 21-37 Spring Gully Road Piccadilly – Assessment No. 2001
4. The applicants be formally advised of Council’s decision.

Carried

Cr Malcolm Herrmann voted against the motion. The majority voted in favour.

10.45pm Cr John Kemp left the Chamber and did not return

10.45pm Cr Pauline Gill & Cr Kirrilee Boyd returned to the Chamber

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12.9 Risk Management Policy

Moved Cr Malcolm Herrmann
S/- Cr Leith Mudge

119/19

Council resolves:

- 1. That the report be received and noted**
- 2. With an effective date of 11 June 2019, to revoke the 13 June 2017 Risk Management Policy and to adopt the revised draft Risk Management Policy in Appendix 1.**
- 3. That the Chief Executive Officer, or delegate, be authorised to make any formatting, nomenclature or other minor changes to the above policies during the period of their currency.**

Carried Unanimously

Mayor Jan-Claire Wisdom declared a Material Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to item 12.10 and left the Chamber.

Deputy Mayor Nathan Daniell assumed the Chair

10.48pm Mayor Jan-Claire Wisdom left the Chamber

12.10 Nomination for Libraries Board SA

Moved Cr Kirrilee Boyd
S/- Cr Leith Mudge

120/19

Council resolves:

- 1. That the report be received and noted.**
- 2. To endorse the nomination of Mayor Jan-Claire Wisdom for the Libraries Board of South Australia and authorise the Chief Executive Officer to lodge the completed nomination form(s) to the Local Government Association by 6 June 2019.**

Carried Unanimously

10.49pm Mayor Jan-Claire Wisdom returned to the Chamber and resumed the Chair.

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12.11 Status Report – Council Resolutions Update

Moved Cr Ian Bailey
S/- Cr Pauline Gill

121/19

Council resolves:

- 1. That the report be received and noted**
- 2. The following completed items be removed from the Action List:**

Date	Meeting	No	Heading
24/07/2018	Ordinary Council	176/18	Mobile Skate Ramp
28/08/2018	Ordinary Council	205/18	Regional Transport Study Funding Request
4/12/2018	Special Council	317/18	Appointment to CAP Selection Panel for Independent Members
18/12/2018	Ordinary Council	328/18	Appointments to AHC Advisory Groups
18/12/2018	Ordinary Council	329/18	Acquisition of Private Roads - Garrod Place and Crescent, Stirling
22/01/2019	Ordinary Council	3/19	Rescission of LMA Kareda Close Balhannah
22/01/2019	Ordinary Council	6/19	Annual Business Plan Development
26/02/2019	Ordinary Council	30/19	Code of Practice Access to Council Meetings, Committees & Documents Policy
26/02/2019	Ordinary Council	55/19	CONFIDENTIAL ITEM - Reconciliation Working Group
26/02/2019	Ordinary Council	56/19	Reconciliation Working Group - Period of Confidentiality
26/03/2019	Ordinary Council	68/19	Festival & Events Policy
23/04/2019	Ordinary Council	64/19	MON - Membership of SPDPC
23/04/2019	Ordinary Council	65/19	20th anniversary of Gumeracha & District Civic Centre
23/04/2019	Ordinary Council	66/19	LG Reform Discussion Paper Submission
23/04/2019	Ordinary Council	67/19	Review of Council Assessment Panel & S41 Committee Member Sitting Fees
23/04/2019	Ordinary Council	68/19	LTFP Consultation Results and Adoption
23/04/2019	Ordinary Council	69/19	GRFMA Business Plan & Draft Budget 2019/20

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Date	Meeting	No	Heading
23/04/2019	Ordinary Council	70/19	2019-20 Draft Annual Business Plan for Community Consultation
23/04/2019	Ordinary Council	72/19	National General Assembly - Attendance by Mayor
23/04/2019	Ordinary Council	74/19	NGA - attendance by Cr Pauline Gill
23/04/2019	Ordinary Council	75/19	Draft Code of Practice for Access to Council, Committee & Designated Informal Gathering
23/04/2019	Ordinary Council	84/19	CONFIDENTIAL ITEM - East Waste Kerbside Recycling Contract
23/04/2019	Ordinary Council	87/19	CONFIDENTIAL ITEM - Appointment of Independent CAP Members-
7/05/2019	Special Council	100/19	Garrod Crescent & Place Declaration of Public Road
7/05/2019	Special Council	103/19	CONFIDENTIAL ITEM - Unsolicited Approach to Purchase Community Land – Confidential Item

Carried Unanimously

13. OFFICER REPORTS - INFORMATION ITEMS

13.1 Service Standards Report Q3 2018/19

Moved Cr Kirrilee Boyd
S/- Cr Linda Green

122/19

Council resolves that the report be received and noted.

Carried Unanimously

13.2 Southern & Hills Local Government Association Annual Business Plan

This item was considered earlier in the meeting.

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13.3 Risk Management Plan Update

Moved Cr Kirsty Parkin
S/- Cr Malcolm Herrmann

123/19

Council resolves that the report be received and noted.

Carried Unanimously

13.4 Adelaide Hills Council Roundabouts

Administrative Action: Director IO to report to June Council meeting on final roundabout designs for Council approval

Moved Cr Kirsty Parkin
S/- Cr Linda Green

124/19

Council resolves that the report be received and noted.

Carried Unanimously

14. MISCELLANEOUS ITEMS

Nil

15. QUESTIONS WITHOUT NOTICE

Nil

16. MOTIONS WITHOUT NOTICE

Nil

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17. REPORTS

17.1 Council Member Activities

Mayor Jan-Claire Wisdom

- 25 April, 2019 ANZAC Day commemorations, Stirling & Forest Range
- 26 April SHLGA, Yankalilla
- 27 April Sri Lanka memorial service for attack victims, Crafers
- 29 April, Citizenship ceremony, Stirling
- 30 April, Mt Lofty Football Club presentation
- 1 May, Community Groups Workshop, Hahndorf
- 2 May, Adelaide Wine Capital Cycle trail meeting, Barossa
- 2 May, Lord Mayor's civic reception, Adelaide
- 3 May, Fabrik Weaving Stories exhibition, Lobethal
- 5 May, The Hut Platform Garden celebration, Aldgate
- 6 May, GAROC Board meeting, Adelaide
- 8 May, Comms media filming at Fabrik, Lobethal
- 10 May, SHLGA Strategy Workshop, Goolwa
- 20 May, SLSA Board Meeting
- 20 May, Mt Lofty & Districts Historical Society Gateways launch, Stirling
- 21 May, Media Training, Stirling
- 22 May, ABC Radio 891 Adelaide Hills as a tree change location
- 22 May, Woorabinda Bushland Reserves Heritage Agreement presentation and media coverage
- 24 May, Premier's Lunch, Adelaide

Cr Malcolm Herrmann

- 20 May, Public consultation on future of Memorial Park, Kenton Valley
- 21 May, Neighbourhood Watch morning tea for volunteers, Mount Barker
- 25 May, FABRIK Weaving Stories, Lobethal

- Cr Malcolm Herrmann undertook Audit Committee Training on 9 April 2019 via webinar through the Local Government Training Authority.

Cr Kirrilee Boyd

- 1-3 May, Climate Council's Cities Power Partnership, Port Augusta
- 8 May, Adelaide Hills Climate Action Group Federal Candidates Forum
- 22 May, Adelaide Hills Reconciliation Working Group
- 27 May, National Reconciliation Week Breakfast

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Cr Pauline Gill

- 25 April, ANZAC Day Dawn Service, Gumeracha
- 25 April, ANZAC Day Commemoration Service, Lenswood/Forest Range
- 9 May, Kersbrook Residents Association
- 11 May, Arkaba Stadium, Celebration of completion of the Oval Drainage, Turf Renovation and Retaining Walls Project
- 14 May, Cemetery Advisory Group

Cr Chris Grant

- 15 May, meeting with volunteers at Engelbrook Reserve
- 22 May, big morning tea at Kersbrook Institute
- 24 May, meeting with resident re Forest Range Oval road access issues
- 24 May, Fabrik event

Cr Kirsty Parkin

- 29 April, Citizenship Ceremony, Stirling
- 25 April, Anzac Day Service, Stirling
- 11 May, Launch of the Mt Lofty Football Club new oval

Cr John Kemp

- 5 May, The Hut CC 40th Celebration
- 22 May, Woorabinda Bushland Reserves, Biodiversity Heritage Agreement – Official launch
- 23 May, AHRWMA Board Meeting, Mt Barker

Cr Leith Mudge

- May 1-3, SA Renewables Road Trip, Climate Council, Mid-North & Port Augusta
- May 4, Coffee with a Councillor, FRED Eatery, Aldgate
- May 11, Mt. Lofty District Football Club Drinks and Nibbles, Heathfield
- May 27, National Reconciliation Week Breakfast, Adelaide Convention Centre, Adelaide

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

17.3 CEO Report

To be provided to Council Members.

18. REPORTS OF COMMITTEES

18.1 Council Assessment Panel – 8 May 2019

Moved Cr Leith Mudge
S/- Cr Nathan Daniell

125/19

That the minutes of the Council Assessment Panel meeting of 8 May 2019 as distributed, be received and noted.

Carried Unanimously

18.2 Audit Committee – 13 May 2019

Moved Cr Malcolm Herrmann
S/- Cr Ian Bailey

126/19

That the minutes of Audit Committee meeting of 13 May 2019 as distributed, be received and noted.

Carried Unanimously

18.3 Strategic Planning & Development Policy Committee – 14 May 2019

Moved Cr Linda Green
S/- Cr Kirsty Parkin

127/19

That the minutes of Strategic Planning & Development Policy Committee meeting of 14 May 2019 as distributed, be received and noted.

Carried Unanimously

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Extension of Time

Moved Cr Linda Green
S/- Cr Leith Mudge

128/19

That the meeting be extended by up to 30 minutes.

Carried on the casting vote of the Mayor

18.4 CEO Performance Review Panel

Nil

19. CONFIDENTIAL ITEMS

19.1 Electricity Procurement – Exclusion of the Public

Moved Cr Nathan Daniell
S/- Cr Leith Mudge

129/19

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 Infrastructure & Operations, Peter Bice
- Acting Director Development & Regulatory Services, Deryn Atkinson
- Director Corporate Services, Terry Crackett
- Director Community Capacity, David Waters
- Executive Manager Governance & Performance, Lachlan Miller
- Manager Financial Services, Mike Carey
- Manager Civil Projects, Ashley Curtis
- Sustainability Officer, Sharon Leith
- Governance & Risk Coordinator, Steven Watson
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 19.1 Electricity Procurement Contract Post 31 December 2019 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) (d) of the *Local Government Act 1999*, that the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be

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expected to prejudice the commercial position of the person/agency/business who supplied the information by disclosing specific quotes and modelling by a number of tenderers.

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

Cr Linda Green declared an Actual Conflict of Interest in relation to item 19.1 as the Palmer windfarm was mentioned and she owns a part of that windfarm and will leave the Chamber.

11.19pm Cr Linda Green left the Chamber

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RELEASED 10 JANUARY 2020

19.1.1 Electricity Procurement – Confidential Item

Moved Cr Mark Osterstock
S/- Cr Ian Bailey

130/19

Council resolves:

- 1. That the report be received and noted**
- 2. To delegate to the Chief Executive Officer the authority:**
 - a. To enter into contracts with the successful tenderers for the supply of electricity for:**
 - I. sites above 160 MWh per annum without an agreed GreenPower load; and**
 - II. 12 hour and 24 hour unmetered lighting without an agreed GreenPower load**
 - b. To make, vary and discharge contracts; and**
 - c. To sign all relevant documentation in this matter to give effect to this resolution.**

Carried

DIVISION

Cr Nathan Daniell called for a division.

The Mayor set aside the ruling.

In the affirmative (5)

Councillors Herrmann, Osterstock, Gill, Mudge, Bailey

In the negative (4)

Councillors Parkin, Grant, Boyd, Daniell

On the basis of the results of the division, the Mayor declared the motion **Carried**

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RELEASED 10 JANUARY 2020

19.1.2 Electricity Procurement – Period of Confidentiality

Moved Cr Malcolm Herrmann

S/- Cr Mark Osterstock

131/19

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)(d) 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 contracts are signed, but not longer than 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.

Carried Unanimously

20. NEXT MEETING

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 25 June 2019 from 6.30pm at 63 Mt Barker Road, Stirling.

21. CLOSE MEETING

The meeting closed at 11.33pm.