

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 JANUARY 2020
63 MT BARKER ROAD STIRLING**

In Attendance

Presiding Member: Deputy Mayor Nathan Daniell

Members:

Councillor Ian Bailey
Councillor Kirrilee Boyd
Councillor Pauline Gill
Councillor Chris Grant
Councillor Linda Green
Councillor Malcolm Herrmann
Councillor John Kemp (6.32pm)
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin
Councillor Andrew Stratford

In Attendance:

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
Deryn Atkinson	Manager Development Services
Steven Watson	Governance & Risk Coordinator
Pam Williams	Minute Secretary

1. COMMENCEMENT

The meeting commenced at 6.31pm.

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

Mayor Jan-Claire Wisdom

3.2 Leave of Absence

Moved Cr Mark Osterstock

S/- Cr Ian Bailey

1/20

That Leave of Absence be granted for Cr Leith Mudge from 8 February to 15 February 2020.

That Leave of Absence be granted for Mayor Jan-Claire Wisdom from 10 February to 26 February 2020.

Carried Unanimously

6.32pm Cr Kirrilee Boyd left the Chamber

6.32pm Cr John Kemp attended the meeting

6.33pm Cr Kirrilee returned to the Chamber

3.3 Absent

Nil

4. MINUTES OF PREVIOUS MEETINGS

4.1 Council Meeting – 17 December 2019

Moved Cr Malcolm Herrmann

S/- Cr Pauline Gill

2/20

That the minutes of the Ordinary Council meeting held on 17 December 2019 as supplied, be confirmed as an accurate record of the proceedings of that meeting, with the following corrections:

Item 13.2 – Secunder is Cr Kirsty Parkin

Item 18.4 – Secunder is Cr Nathan Daniell

Carried Unanimously

5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

Nil

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6. PRESIDING MEMBER'S OPENING REMARKS

Leave of the meeting was granted to table Mayor Wisdom's Remarks and Cr Nathan Daniell tabled the Mayor's Remarks.

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

8.1.1 Council Boundary Reform

Moved Cr Ian Bailey
S/- Cr John Kemp

Council resolves that the petition signed by 61 signatories, advising that the petitioners from Rostrevor do not want to be incorporated into Campbelltown City Council, be received and noted.

AMENDMENT

Moved Cr Malcolm Herrmann
S/- Cr Pauline Gill

3/20

To advise the Campbelltown City Council, the Boundaries Commission, the Minister for Local Government, the Shadow Minister for Local Government and the Member for Morialta of the receipt of the petition.

Carried

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MOTION AS AMENDED**4/20**

Council resolves that the petition signed by 61 signatories, advising that the petitioners from Rostrevor do not want to be incorporated into Campbelltown City Council, be received and noted.

To advise the Campbelltown City Council, the Boundaries Commission, the Minister for Local Government, the Shadow Minister for Local Government and the Member for Morialta of the receipt of the petition.

Carried Unanimously

8.1.2 Gumeracha Main Street Masterplan

Moved Cr Linda Green
S/- Cr Pauline Gill

5/20

Council resolves that the petition signed by 13 signatories, concerning the Gumeracha Main Street Masterplan, be received and noted.

Carried Unanimously

8.2 Deputations**8.2.1 Joe Frank – Internal Review of Council Decision Process****8.3 Public Forum**

- Lynton Vonow of Lobethal re Lobethal Community Association & Cudlee Creek bushfire
- Joe Frank of Basket Range re Deputation process and Unreasonable Complainant Policy

7.15pm Cr Boyd left the Chamber

7.16pm Cr Boyd returned to the Chamber

9. PRESENTATIONS

Leave of the meeting was granted to hear a presentation from the Australian Defence Force.

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9.1 Brigadier Damian Cantwell, 9th Brigade, and Lt Col Mark Mankowski, 16th Regiment Royal Australian Artillery, supporting bushfire crisis

9.2 Dr Lucy Sutherland & Dr Leonie Scriven, Mt Lofty Botanic Gardens re Masterplan

8.00pm Crs Mark Osterstock & Ian Bailey left the Chamber

8.04pm Crs Mark Osterstock & Ian Bailey returned to the Chamber

8.04pm Cr Kirsty Parkin left the Chamber

8.06pm Cr Kirsty Parkin returned to the Chamber

9.3 Nino DiSisto, Clayton Church Homes

10. QUESTIONS ON NOTICE

Nil

11. MOTIONS ON NOTICE

11.1 Cudlee Creek Bushfire Condolence Message

Moved Cr Linda Green

S/- Cr Pauline Gill

6/20

Council's thoughts are with those who have been impacted by the December Cudlee Creek Fire, especially those who have lost their homes and livelihood. We are saddened by the loss of a resident in the fire, and we extend our sympathy to family and friends.

The Cudlee Creek Fire threatened people's lives and the emergency and community response was extraordinary. The Council thanks all those involved including people who chose to evacuate, the CFS and farm firefighting units, people who defended their homes, Police and Ambulance officers, community support services like Salvation Army and Red Cross, SES, people initiating community led relief efforts like the Lobethal Recovery Centre, people who provided food, and everyone who supported the response effort in any way.

The loss of life and property is very deeply felt, and if at times words fail us, our thoughts are with everyone who has been impacted.

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VARIATION

The Mover with the consent of the Seconder sought and was granted leave of the meeting to vary the motion.

Council's thoughts are with those who have been impacted by the December Cudlee Creek Fire, especially those who have lost their homes and livelihood. We are saddened by the loss of a resident in the fire, and we extend our sympathy to family and friends.

The Cudlee Creek Fire threatened people's lives and the emergency and community response was extraordinary. The Council thanks all those involved including people who chose to evacuate, the CFS and farm firefighting units, people who defended their homes, Police and Ambulance officers, the Australian Defence Force, community support services like Salvation Army and Red Cross, SES, people initiating community led relief efforts like the Lobethal Recovery Centre, people who provided food, and everyone who supported the response effort in any way.

The loss of life and property is very deeply felt, and if at times words fail us, our thoughts are with everyone who has been impacted.

Carried unanimously

11.2 Citizen of the Year Location

Moved Cr Pauline Gill

S/- Cr Malcolm Herrmann

7/20

- 1. That the Administration explores the feasibility of rotating the presentation of Citizen of the Year throughout the Council area, commencing January 2021.**
- 2. That the location be influenced by where the recipient of the Citizen of the Year is from.**
- 3. That Council recognises that this presentation is a celebration of citizens who make an enormous contribution to the Adelaide Hills community and recipients should be able to be recognised within the local community which has nominated them.**

Carried Unanimously

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12. OFFICER REPORTS – DECISION ITEMS

12.1 Cudlee Creek Bushfire

Administrative Action – research applicable local government award for the nomination of Council's Incident Operations Manual

Moved Cr Ian Bailey

S/- Cr Mark Osterstock

8/20

Council resolves:

- 1. That the report be received and noted.**
- 2. To recognise the impact of the Cudlee Creek Bushfire on the communities within the Adelaide Hills Council district, the Mount Barker District Council, the Rural City of Murray Bridge and the Mid-Murray Council and, in particular, recognises the personal impact on those directly and indirectly affected by the fires.**
- 3. To recognise the exceptional work of the various emergency services, government and non-governmental support agencies, community groups, volunteers and members of the community alike who worked on the bushfire response, and now recovery.**
- 4. To express its sincere thanks and gratitude to those councils, both locally and interstate, which have offered support of various kinds.**
- 5. To continue to commit to the National Principles of Disaster Recovery and acknowledges the long term nature of the recovery effort.**
- 6. To continue to commit to working with other affected councils, government agencies and non-governmental organisations on behalf of its community as part of the local recovery structure including the Local Recovery Coordinator and the Local Recovery Committee.**
- 7. The CEO be authorised to commit expenditure up to an amount of \$2m to support bushfire emergency maintenance and recovery works, noting potential opportunities to offset a large proportion of these costs through various funding sources.**
- 8. That the Chief Executive Officer or delegate continues to provide regular reports to Council Members on the progress of the bushfire recovery effort.**

Carried Unanimously

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12.2 Council Boundary Change Survey Responses

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

9/20

Council resolves:

1. That the report be received and noted.
2. To note that electronic copies of the Council Boundary Change Survey Report have been provided to the residents and ratepayers who participated in the survey and to the Mayor of Campbelltown City Council.
3. To provide the Council Boundary Change Proposal Survey Report at Appendix 1 to the Boundaries Commission, the Minister for Local Government, the Shadow Minister for Local Government and the Member for Morialta.
4. To recognise that the majority of Rostrevor (AHC) and Woodforde community respondents in the Council Boundary Change Survey are against the boundary change proposal. As such, Council requests that Campbelltown City Council, in light of these results, consider withdrawing their proposal with the Boundaries Commission.

VARIATION

The Mover with the consent of the Seconder sought and was granted leave of the meeting to vary the motion.

Council resolves:

1. **That the report be received and noted.**
2. **To note that electronic copies of the Council Boundary Change Survey Report have been provided to the residents and ratepayers who participated in the survey and to the Mayor of Campbelltown City Council.**
3. **To provide the Council Boundary Change Proposal Survey Report at Appendix 1 to the Boundaries Commission, the Minister for Local Government, the Shadow Minister for Local Government and the Member for Morialta.**
4. **To recognise and accept that the majority of Rostrevor (AHC) and Woodforde community respondents in the Council Boundary Change Survey are against the boundary change proposal. As such, Council requests that Campbelltown City Council, in light of these results, consider withdrawing their proposal with the Boundaries Commission.**

Carried Unanimously

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12.2.1 Adjournment of Meeting

Moved Cr Malcolm Herrmann
S/- Cr Kirsty Parkin

10/19

That the Council meeting adjourns for a 10 minute break at 8.56pm.

Carried Unanimously

9.07pm The meeting resumed.

12.3 Draft Public Consultation Policy

Moved Cr Leith Mudge
S/- Cr Mark Osterstock

10/20

Council resolves:

1. That the report be received and noted.
2. With an effective date of 10 February 2020, to revoke the 8 September 2015 Public Consultation Policy and to approve the Public Consultation Policy as contained in *Appendix 1*.
3. That the Chief Executive Officer, or delegate, be authorised to make any formatting, nomenclature or other minor changes to the Policy prior to coming into effect.

Carried Unanimously

12.4 Revocation of Community Land – Bridgewater Retirement Village

Moved Cr Malcolm Herrmann
S/- Cr Ian Bailey

11/20

Council resolves:

1. That the report be received and noted
2. Subject to the Supreme Court issuing an order granting approval for a trust variation scheme, a report be prepared and submitted to the Minister for Planning seeking approval to revoke the community land classification of Allotment 220 in Filed Plan No. 8131 known as 511 Mount Barker Road Bridgewater.
3. The Mayor and CEO be authorised to sign all necessary documentation to give effect to this resolution.

Carried Unanimously

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12.5 Naming of Houghton Village Green

Moved Cr Malcolm Herrmann
S/- Cr Pauline Gill

12/20

Council resolves:

1. That the report be received and noted
2. To name of the reserve bounded by Horn, Blackhill and Lower North East Road, Houghton as the "Houghton Square"
3. To notify all relevant government authorities of the naming of the reserve
4. To erect a sign on the reserve identifying the name of the reserve, consistent with the updated Council branded signage used at Woorabinda & Bushland Park
5. To install a plaque on the site acknowledging the significant contribution Mr & Mrs Day made to its redevelopment and beautification program and their subsequent donation of the land.

Carried Unanimously

12.6 Road Closure adj 307 Scott Creek Road Longwood

Administrative Action – attach valuations to reports where appropriate

Moved Cr Ian Bailey
S/- Cr Kirsty Parkin

13/20

Council resolves:

1. That the report be received and noted
2. To make a Road Process Order pursuant to the *Roads (Opening & Closing) Act 1991* to close and merge the pieces of land identified as "A" in the Preliminary Plan No. 19/0047 attached to this report with Allotment 61 in Filed Plan No. 159338 comprised in Certificate of Title Volume 5776 Folio 896.
3. Subject to the closure of the road identified in the Preliminary Plan attached, that:
 - The closed road be excluded as Community Land pursuant to the *Local Government Act 1999*; and
 - The piece marked "A" be sold to Mr Paul Reed, the owner of the property with which it is merging for the amount of \$69,500 plus GST (if applicable) and all fees and charges associated with the road closure process.
4. Authorise the Chief Executive to finalise and sign all necessary documentation to close and sell the above portion of closed road pursuant to this resolution.

Carried Unanimously

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9.24pm Cr Grant left the Chamber

9.25pm Cr Grant returned to the Chamber

12.7 Council Member Conduct Policy – Realignment of Complaint Handling Procedures

Moved Cr Linda Green

S/- Cr Pauline Gill

14/20

Council resolves:

1. That the report be received and noted.
2. With an effective date of 11 February 2020, to revoke the 24 November 2015 *Council Member Conduct Policy* and to adopt the January 2020 *Council Member Conduct Policy* as per Appendix 1.
3. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the January 2020 *Council Member Conduct Policy* prior to it coming into effect.

Carried

12.8 Development Application Fee Waiver Request – Lobethal & District Aged Homes Inc, Oakbank Racing Club Inc and D/A 473/995/19

Moved Cr Mark Osterstock

S/- Cr Chris Grant

15/20

Council resolves:

1. That the report be received and noted.
2. To approve the waiver of development fees up to \$345 for Lobethal & District Aged Homes Inc. in relation to Development Application 473/566/18 for a development at 8 Woodside Road and 5 Jeffrey Street Lobethal.
3. To approve the waiver of development fees up to \$356 for Oakbank Racing Club Inc. in relation to Development Application 473/1039/19 for a development at 46 Oakwood Road Oakbank.
4. To approve the waiver of \$108.75 in application fees for Development Application 473/995/19 at 115 Institute Road Montacute as a recipient of the South Australian Heritage Grants Program.

Carried Unanimously

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12.9 CEO PRP Independent Membership

Moved Cr John Kemp
S/- Cr Kirrilee Boyd

16/20

Council resolves:

1. That the report be received and noted
2. That in relation to the CEO Performance Review Panel:
 - a. To undertake a recruitment process for the selection of one Independent Ordinary Member for the CEO Performance Review Panel for a term of 24 months, indicatively commencing 1 March 2020.
 - b. To appoint Cr Mark Osterstock, Cr Kirsty Parkin and the Executive Manager Organisational Development as members of the CEO Performance Review Panel Independent Member Selection Panel.

Carried Unanimously

9.35pm Cr Osterstock left the Chamber

9.36pm Cr Osterstock returned to the Chamber

12.10 Code of Practice for Meeting Procedures

Moved Cr Green
S/- Cr Kemp

17/20

Council resolves:

1. That the report be received and noted.
2. That with an effective date of 10 February 2020, to revoke the 22 August 2017 *Code of Practice for Council Meeting Procedures* and to adopt the draft *Code of Practice for Council Meeting Procedures* in Appendix 1.
3. That the Chief Executive Officer, or delegate, be authorised to make any formatting, nomenclature or other minor changes to the *Code of Practice for Council Meeting Procedures* prior to it coming into effect.
4. To request the Adelaide Hills Region Reconciliation Working Group to review the current Opening Statement within the Code and provide advice on its suitability as an Acknowledgement of Country for the commencement of Adelaide Hills Council Ordinary Council meetings.

Carried Unanimously

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12.11 Status Report – Council Resolutions Update

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

18/20

Council resolves:

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

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI
24/10/2017	Ordinary Council	246/17	Road Closure and Disposal – Schapel Road, Lobethal	Perceived - Cr Linda Green
26/02/2019	Ordinary Council	29/19	Road Closure adjacent Charleston Conservation Park	None declared
4/06/2019	Special Council	135/19	Action - Road Closures Adelaide Rally Event	None declared
25/06/2019	Ordinary Council	170/19	Land Acquisition Lower Hermitage Road - Confidential Item	None declared
25/06/2019	Ordinary Council	171/19	Land Acquisition Lower Hermitage Road	None declared
25/06/2019	Ordinary Council	181/19	Sale of Land for non payment of rates - CONFIDENTIAL	Material - Cr Linda Green
22/10/2019	Ordinary Council	248/19	Draft Public Consultation Policy	None declared
22/10/2019	Ordinary Council	251/19	Adelaide Wine Capital Cycle Trail Project	None declared
22/10/2019	Ordinary Council	264/19	Delegations Review Report	None declared
22/10/2019	Ordinary Council	271/19	CONFIDENTIAL Electricity Procurement Contract Post 31/12/19 for below 160MWh sites	Material - Cr Linda Green
22/10/2019	Ordinary Council	274/19	Electricity Procurement Contract Post 31/12/19 - Period of Confidentiality	Material - Cr Linda Green
26/11/2019	Ordinary Council	280/19	2019/2020 Community & Recreation Facility Grants	Perceived - Cr Malcolm Herrmann

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26/11/2019	Ordinary Council	299/19	Proposed Draft Practice Direction - Building Inspections	Perceived - Cr Andrew Stratford
26/11/2019	Ordinary Council	303/19	Appointment of Audit Committee Independent Members	None declared
26/11/2019	Ordinary Council	304/19	Appointment of Audit Committee Independent Members - Period of Confidentiality	None declared
17/12/2019	Ordinary Council	306/19	Petition - Skate Park for Stirling	None declared
17/12/2019	Ordinary Council	315/19	Highercombe Golf Course Lease Disclosure Statement	None declared
17/12/2019	Ordinary Council	316/19	World Heritage Bid Annual Report 2018 - 2019	None declared
17/12/2019	Ordinary Council	318/19	Internal Audit Quarterly Update	None declared
17/12/2019	Ordinary Council	319/19	GRFMA Charter	None declared
17/12/2019	Ordinary Council	320/19	Audit Committee Terms of Reference	None declared
17/12/2019	Ordinary Council	321/19	River Torrens Governance Model	None declared
17/12/2019	Ordinary Council	334/19	Appointment of East Waste Chair - Confidential	Perceived - Cr Linda Green

Carried Unanimously

13. OFFICER REPORTS - INFORMATION ITEMS

Nil

14. MISCELLANEOUS ITEMS

Nil

15. QUESTIONS WITHOUT NOTICE

Nil

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16. MOTIONS WITHOUT NOTICE

Having taken into account the Guiding Principles, the Presiding Member accepted the following Motion Without Notice.

16.1 Natural Disaster Provision

Moved Cr Malcolm Herrmann

S/- Cr John Kemp

19/20

The CEO provide information to a 2020/21 budget workshop that reviews the appropriateness of the current \$3m provision established to meet costs associated with natural disasters.

Carried

17. REPORTS**17.1 Council Member Function or Activity on the Business of Council****Mayor Jan-Claire Wisdom**

- 20 - 31 December 2019, meetings with CIMT/EOC, Stirling
- 21 December, Community meeting re bushfires, Lobethal
- 22 December, visit to bushfire relief centre, Mt Barker
- Community meeting, Birdwood
- 23 - 24 December, meetings with residents in fire affected townships and Lobethal Community Recovery Centre
- 27 December, Local Recovery Centre meeting
- 31 December, Local Recovery Committee meeting, Woodside
- Fundraiser appearance at Adelaide City Council NYE concert, Adelaide
- 2 x meetings with Mt Barker Council & LGFSG, Mt Barker
- 2 January 2020, Nairne Fire Support Group community meeting, Nairne
- 3 January, Member for Kavel Dan Cregan MP and Bushfire local leadership group meeting, Mt Barker
- 5 January, visit bushfire Local Recovery Centre staff, Lobethal
- 5 January, meeting with Blaze Aid, Lobethal
- 6 January, Official opening of Local Recovery Centre, Lobethal Meeting re waste disposal measures for bushfire relief
- 7 January, TDU CCC Team meet and greet, Woodside
- 8 January, Local Recovery Centre meeting, Woodside
- 10 January, Member for Kavel Dan Cregan MP, Federal Member for Mayo Rebekha Sharkie MP local leaders group meeting, Mt Barker

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- 11 January, Adelaide Sri Lanka Buddhist Vihara prayers for bushfire affected communities, Crafers
- 12 January, reconnaissance tour of fire affected areas with J McArthur Fundraiser appearance at The Gov concert, Hindmarsh
- 13 January, hosting SA Governor on AHC tour of fire affected communities, visit to Local Recovery Centre and meeting at Lobethal CFS Handover community meeting, Woodside
- 14 January, TDU Women's winner Paver installation, Stirling TDU Santos Village event opening, Adelaide
- 15 January, Local Recovery Centre meeting, Woodside
- 16 January, hosting TDU TV commentator Phil Liggett on tour of fireground
- 17 January, Funeral of KI bushfire victims, Modbury
- 18 January, TDU Women's race presentation, Stirling
- 20 January, Australia Day SA Awards presentations, Adelaide
- 22 January, TDU Stage 2 AHC hosting and start, Woodside
- 23 January, TDU Stage 3 AHC hosting and presentation, Paracombe
- 24 January, Local Recovery Centre meeting, Woodside
- 26 January, Australia Day presentations, Mylor
Australia Day presentations, Woodside
Australia Day presentations, Stirling
Citizenship ceremony, Stirling

Media

- 16 January, Channel 7 re STDU and fire affected communities
- 14 January, Channel 7 re STDU and tourism
- 7 January, Channel 9 re STDU and safety for cyclists & spectators
- 7 January, Channels 10 and 7 re STDU and safety for cyclists & spectators
- 6 January, Channel 7 re Cudlee Creek bushfire and recovery
- 23 December, ABC News Sydney re orchardists and economic recovery
- 23 December, ABC News Sydney and Sky News re Cudlee Creek bushfire
- 21 December, ABC News Adelaide re Cudlee Creek bushfire
- 20 December, ABC News Sydney re Cudlee Creek bushfire

Cr Pauline Gill

- 24 December, Christmas Eve gathering at Lobethal
- 31 December Local Recovery Committee meeting
- 7 January, Local Recovery Committee meeting
- 15 January, Local Recovery Committee meeting
- 17 January, Women's Tour Down Under Stage 2 finish at Birdwood
- 22 January, Tour Down Under Stage 2 start at Woodside
- Tour Down Under Stage 2 finish at Stirling
- 23 January, Tour Down Under Stage 3 finish at Paracombe
- 26 January, Australia Day breakfast and civic award presentation at Woodside
- Australia Day civic award presentation at Gumeracha

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

17.3 CEO Report

David Waters, Director Community Capacity, on behalf of the CEO, provided Council with a verbal Corporate Update.

- Amy Gillett Bikeway
- Mt Torrens & Paracombe Playgrounds
- Crafers & Verdun Roundabout
- 2020 Santos Tour Down Under
- Crafers Time Capsule 2000

10.00pm Cr John Kemp left the Chamber and did not return.

17.3.1 Extension of Meeting Time

Moved Cr Kirrilee Boyd

S/- Cr Linda Green

20/20

That the Council Meeting be extended by up to 15 minutes from 10.00pm.

Carried Unanimously

18. REPORTS OF COMMITTEES

18.1 Council Assessment Panel

Nil

18.2 Strategic Planning & Development Policy Committee

Nil

18.3 Audit Committee

Nil

18.4 CEO Performance Review Panel

Nil

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19. CONFIDENTIAL ITEMS

RELEASED 17 NOVEMBER 2020

19.1 Open Office Pty Ltd Contract Novation Deed – Exclusion of the Public

Moved Cr Pauline Gill
S/- Cr Kirrilee Boyd

21/20

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

- Director Infrastructure & Operations, Peter Bice
- Director Development & Regulatory Services, Marc Salver
- Director Corporate Services, Terry Crackett
- Director Community Capacity, David Waters
- Executive Manager Governance & Performance, Lachlan Miller
- Governance & Risk Coordinator, Steve Watson
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 19.1 Open Office Pty Ltd Novation Deed 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 expected to prejudice the commercial position of the person/agency/business who supplied the information by disclosing contractual commitments.

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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RELEASED 17 NOVEMBER 2020

19.1.1 Open Office Pty Ltd Contract Novation Deed – Confidential Item

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

22/20

Council resolves that:

- 1. The report be received and noted**
- 2. The Novation Deed from Open Office Pty Ltd, Open Office Holdings Pty Ltd and Adelaide Hills Council is executed under Council's Seal.**
- 3. That the Mayor and Chief Executive Officer be authorised to execute all documents necessary, including applying the Council Seal (as required), for executing the Novation Deed.**

Carried Unanimously

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RELEASED 17 NOVEMBER 2020

19.1.2 Open Office Pty Ltd Contract Novation Deed – Period of Confidentiality

Moved Cr Ian Bailey

S/- Cr Linda Green

23/20

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 a public announcement is made from Open Office with regards to the new business entity and investment partner but no later than 12 months from the adoption of the recommendation within this report.

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 ORDINARY MEETING

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 25 February 2020 from 6.30pm at 63 Mt Barker Road, Stirling.

21. CLOSE MEETING

The meeting closed at 10.03pm.

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 JANUARY 2020
63 MT BARKER ROAD STIRLING**

Item 6 - Mayor Jan-Claire Wisdom

Good evening everyone. It is a matter of regret to me that I am unable to chair this first meeting of Council for 2020, and the first since many in our community have suffered from the recent Cudlee Creek bushfire disaster. I am currently in Canberra to discuss the impact of the recent bushfires on our local economy and what can be done to assist the recovery of our local businesses.

The tragic loss of human life, livestock, wild life and damage to property, Council assets and the environment have been widely covered in the media, and I have done many media interviews to help inform the public.

The efforts of CFS volunteers, farm fire-fighting units and SES personnel have been outstanding and the community owe them a debt that can never be repaid. Their willingness to put themselves in harm's way to protect our community will never be forgotten.

Four of Adelaide Hills Council's elected members are CFS volunteers and have been on active duty during the fires. I would like to ask all non-CFS members of Council and the gallery audience to please stand and take this opportunity to applaud the contribution of Councillors Linda Green, Malcolm Herrmann, Chris Grant and Ian Bailey.

Less has been said about the contribution of Councils both on the ground and behind the scene, so I would like to briefly take this opportunity to inform the community of Council's role in responding to this disaster.

Two days before the fire broke out on 20 December Council put its incident management team on alert due to the extreme weather predictions. On the morning of the 20th an Emergency Operations Centre was established to co-ordinate our response to the fires as they developed across the district. This centre, manned by Council staff, stayed at emergency response level until 31 December when it was stepped down to 'restore mode' when the recovery effort is incorporated into 'business as usual'.

During this period Council worked 24/7 to co-ordinate with State Government agencies, the LGA's Functional Support Group, the CFS, other Councils, the media, contractors, residents and community groups. They tasked all Council's available resources and directed them to where they were most needed under the leadership of Council Commanders John McArthur, Peter Bice and Ashley Curtis.

This was the first time this newly established Council Emergency Operations Centre was convened. Our community can feel proud of the service provided. Feedback from the CFS and other agencies has been very positive. The entire team put in an outstanding performance and are to be congratulated.

I am very proud of the role Council staff and **all** Councillors undertook during the recent bushfire emergency. I believe that their efforts have and will continue to protect the interests and safety of our community.

We have a long recovery period ahead of us and I am confident that we can work together through this disaster and emerge stronger as a community in the future. I look forward to reporting back to you on the Canberra meeting next month