

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 22 JUNE 2021
63 MT BARKER ROAD STIRLING**

In Attendance

Presiding Member: Mayor Jan-Claire Wisdom

Members:

Councillor Ian Bailey
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
Councillor Andrew Stratford

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
Jess Charlton	Manager Libraries and Customer Service
Mike Carey	Manager Financial Services
John McArthur	Manager Sustainability Waste and Emergency Management
James Sinden	Manager Information Services
Dan Souter	Team Leader ICT
Sharon Leith	Sustainability Officer
Renee O'Connor	Coordinator Sport and Recreation
Steven Watson	Governance & Risk Coordinator
Pam Williams	Minute Secretary

1. COMMENCEMENT

The meeting commenced at 6.32pm.

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2. OPENING STATEMENT

Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kurna people. They are Custodians of this ancient and beautiful land and so we pay our respects to Elders past, present and emerging. We will care for this country together by ensuring the decisions we make will be guided by the principle that we should never decrease our children's ability to live on this land.

3. APOLOGIES/LEAVE OF ABSENCE

3.1 Apology

Nil

3.2 Leave of Absence

- Cr Kirrilee Boyd 25 May to 27 July 2021 inclusive, approved at Council 25 May 2021

**Moved Cr Mark Osterstock
S/- Cr Nathan Daniell**

114/21

That a Leave of Absence from all duties of office be granted to Mayor Jan-Claire Wisdom from Monday 2 August to Friday 6 August 2021 inclusive.

Carried Unanimously

3.3 Absent

Nil

4. MINUTES OF PREVIOUS MEETINGS

4.1 Council Meeting – 25 May 2021

**Moved Cr Pauline Gill
S/- Cr Malcolm Herrmann**

115/21

That the minutes of the Ordinary Council meeting held on 25 May 2021 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

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4.2 Special Council Meeting – 8 June 2021

Moved Cr Ian Bailey

S/- Cr Linda Green

116/21

That the minutes of the Special Council meeting held on 8 June 2021 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

CU

5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

5.1 Perceived Conflict of Interest, Cr Ian Bailey, Item 12.8 AHRWMA Annual Business Plan and Budget 2021-22.

Under Section 75A of the *Local Government Act 1999* Cr Ian Bailey disclosed a Perceived Conflict of Interest in Item 12.8 AHRWMA Annual Business Plan and Budget 2021-22, the nature of which is as follows:

- Cr Bailey is a Board Member of AHRWMA.

Cr Ian Bailey intends to:

- Participate in discussions and vote on Item 12.8 AHRWMA Annual Business Plan and Budget 2021-22.

6. PRESIDING MEMBER'S OPENING REMARKS

Mayor Wisdom advised that she will be attending a Senate Enquiry into Cudlee Creek Bushfire being held in July 2021, and will update Council following the Enquiry.

7. QUESTIONS ADJOURNED/LYING ON THE TABLE

7.1 Questions Adjourned

Nil

7.2 Questions Lying on the Table

Nil

8. PETITIONS/DEPUTATIONS/PUBLIC FORUM

8.1 Petitions

Nil

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8.2 Deputations

Nil

8.3 Public Forum

Billy Jo Brewer, Friends of Lobethal Bushland Park

9. PRESENTATIONS

Nil

10. QUESTIONS ON NOTICE

Nil

11. MOTIONS ON NOTICE

Nil

12. OFFICER REPORTS – DECISION ITEMS

12.1 Mobile Library Replacement

Moved Cr Kirsty Parkin
S/- Cr Mark Osterstock

117/21

Council resolves:

- 1. That the report be received and noted.**
- 2. That the Administration proceed with the replacement of the mobile library with a customised van and that the amount carried forward into 2021-22 be adjusted from \$480,000 to \$200,000.**

Carried Unanimously

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12.2 Lobethal Bushland Park Masterplan

Moved Cr Malcolm Herrmann

S/- Cr Ian Bailey

118/21

- 1. That the report be received and noted.**
- 2. That the CEO conducts targeted consultation with the Friends of Lobethal Bushland Park and the Lobethal Bushland Park Community Reference Group with the view of reporting the results of that consultation by 31 August 2021.**

Carried Unanimously

7.28pm Cr Malcolm Herrmann left the meeting.

7.28pm Cr John Kemp left the meeting.

7.29pm Cr Chris Grant left the meeting.

7.30pm Cr Chris Grant returned to the meeting.

7.30pm Cr Malcolm Herrmann returned to the meeting.

7.33pm Cr John Kemp returned to the meeting.

12.3 Community & Recreation Facilities Framework & Play Space Framework – Drafts for Consultation

Moved Cr Kirsty Parkin

S/- Cr Nathan Daniell

119/21

Council resolves:

- 1. That the report be received and noted.**
- 2. To receive and endorse the draft Community and Recreation Facilities Framework and the draft Play Space Framework and implement Stage 3 of Engagement (consultation).**
- 3. That the results of Stage 3 Engagement and the final draft Frameworks be presented to Council for their consideration by December 2021.**
- 4. That the CEO be authorised to:**
 - a. Make any formatting, nomenclature or other minor changes to the Draft Framework documents 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 applicable legislation and Council's *Public Consultation Policy*.**

Carried Unanimously

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12.4 Local Government Infrastructure Partnership Program Grant Deed & Associated Projects

Moved Cr Linda Green
S/- Cr Malcolm Herrmann

Council resolves:

1. That the report be received and noted
2. To commit \$750,000 to the Local Government Infrastructure Partnerships Program grant funding and associated sustainable water management projects.
3. To authorise the Chief Executive Officer and Mayor to execute all documentation, including under seal as necessary, to give effect to this resolution.
4. To authorise the Chief Executive Officer to undertake any document changes required to execute the draft Grant Deed and associated documentation.

LOST

Moved Cr Nathan Daniell
S/- Cr Leith Mudge

120/21

Council resolves that

1. The report be received and noted
2. The CEO completes an economic and environmental cost benefit analysis for the Woodside Water Reuse Project
3. This analysis be presented at a Council workshop and then subsequently a report be prepared for Council by 30 September 2021.

Carried Unanimously

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12.5 Private Cemeteries

Moved Cr Malcolm Herrmann
S/- Cr Chris Grant

121/21

Council resolves:

- 1. That the report be received and noted**
- 2. With an effective date of 6 July 2021 that the *Cemetery Operating Policy* be amended as attached in *Appendix 1*.**

Carried Unanimously

12.5.1 Adjournment

Moved Cr Chris Grant
S/- Cr Kirsty Parkin

That the Council meeting adjourns for a short break.

122/21

Carried Unanimously

The meeting adjourned at 8.28pm.
The meeting resumed at 8.39pm.

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12.6 Annual Business Plan Adoption

Moved Cr Linda Green

S/- Cr Pauline Gill

123/21

Council resolves:

1. That the report be received and noted
 - 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 and consultation feedback received, the Annual Business Plan (Appendix 1) as laid before Council for the financial year ending 30 June 2022, 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 with, and determined the Budget to be consistent with, the Council's Annual Business Plan, the Budget for the financial year ending 30 June 2022, as laid before the Council at this meeting, be adopted.
 - 1.3 Determination and Adoption of Valuations – 2021-22
 - 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 Act 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 2022, totalling \$11,179,522,160.
 - 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 Act, and in order to raise the amount as per paragraph 1.2, pursuant to section 152(1)(c) of the Act the Council declares that general rates for the financial year ending 30 June 2022 will consist of two components:

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

Pursuant to sections 153(1)(b) and 156(1)(a) of the Act the Council declares the following differential general rates for the financial year ending 30 June

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2022 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 (a), (g), (h) & (i) (Residential, Primary Production, Vacant and Other), a rate of 0.2453 cents in the dollar of the capital value of such land;

1.4.2 On rateable land assigned category (b), (c), (d), (e) and (f) (Commercial – Shop, Office and Other and Industrial – Light and Other) a rate of 0.2821 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 Act, the Council declares a fixed charge of \$699 in respect of all rateable land in the Council area for the financial year ending 30 June 2022.

1.6 Imposition of Regional Landscape Levy

In accordance with section 69 of the *Landscape South Australia Act 2019*, and section 154 of the Act, in order to reimburse the Council the amount contributed to the Hills and Fleurieu Regional Landscape Board, the Council declares the following separate rates based upon the capital value of rateable land for the financial year ending 30 June 2022:

1.6.1 0.009002 cents in the dollar on all rateable land in the Council area and in the area of Hills & Fleurieu Regional Landscape Levy;

1.7 Annual Service Charge

Pursuant to section 155 of Act, for the financial year ending 30 June 2022 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:

- 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

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- 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 \$897 in respect of land which is occupied and an annual service charge of \$450 in respect of land which is vacant.

1.8 Rate Cap and Rebates

1.8.1 Rate Cap (General Rates Maximum Increase for Principal Place of Residence)

That for the year ending 30 June 2022 pursuant to section 153(3) of the Local Government Act 1999 the Council will not fix a maximum increase in the general rate to be charged on any rateable land that constitutes the principal place of residence of a principal ratepayer.

1.8.2 Primary Production Rebate

Pursuant to section 166(1)(b) of the Act, Council continues to offer, for the year ending 30 June 2022, upon application, a discretionary Primary Production Rebate of 10% on the differential primary production general rate to those ratepayers in the business of primary production who do not have a notional capital value assessment of their property and who have applied for and been granted this rebate in any of the last three (3) rating years, namely 2018-19, 2019-20 and/or the 2020-21 rating year.

1.8.3 Revaluation Relief Rebate

Council has determined, pursuant to section 166(1)(i)(ii) of the Act, to provide a discretionary rebate for the purposes of fixing a maximum increase in general rates to be charged on any rateable land within its area to be applied by the Council either on its own initiative where Council considers that the ratepayer meets the eligibility criteria or by application from the ratepayer, in circumstances where:

- the general rates payable for the financial year ending 30 June 2022 exceed the general rates paid in the previous financial year by 12.5% or more

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

- (i) improvements made to the property since 1 July 2020 and worth more than \$20,000, unless the ratepayer is located within the Cudlee Creek bushfire scar as determined by Council; or

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- (ii) a change to the land use of the property since 1 July 2020; or
- (iii) a change in ownership (unless a family transfer) of the rateable property since 1 July 2020

the amount of any cap being the difference between the amount of general rates in monetary terms (before any rebate was applied) imposed for the 2021-22 financial year and the amount of general rates in monetary terms (before any rebate was applied) for the 2020-21 financial year plus 12.5% of those rates.

1.9 Separate Rates

Declaration of Separate rate – Stirling Business Separate Rate

- 1.9.1 Pursuant to section 154 of the Act for the financial year ending 30 June 2022 in order to raise the amount of \$95,000 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 0.0949 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 Act the minimum amount that is payable by way of the Stirling Business separate rate is \$284 (affecting all properties within the area to which the separate rate applies where the capital value is below \$299,262).
- 1.9.3 In exercise of the powers contained in section 158(1)(b) of the Act the amount that would otherwise be payable by way of rates in respect of the Stirling Business separate rate is altered by fixing the maximum amount of the separate rate payable at \$2,538 (affecting all properties within the area to which this separate rate applies where the capital value is in excess of \$2,674,394).

1.10 Payment of Rates

- 1.10.1 That pursuant to the provisions of section 181 of the Act, the above rates including charges which have been imposed for the financial year ending 30 June 2022 are payable by four equal (or approximately equal) quarterly instalments (unless otherwise

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agreed with the principal ratepayer), falling due during the months of September and December 2021 and March and June 2022.

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

- the power pursuant to section 181(2) of the *Act* to determine the day on which each instalment falls due in the months specified in part 1.10.1 of this resolution; and,
- the power pursuant to section 181(4)(b) of the *Act*, 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 2021, to revoke the 30 June 2020 Rating Policy and adopt the Rating Policy, in Appendix 2 of the 2021-22 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 prior to the effective date.

1.12 Council Resolutions pertaining to 2020-21 Expenditure

Council resolves as a result of the Council Resolutions relating to 2020-21 Budgeted Expenditure to endorse the budgeted amounts totalling \$6.206m to be transferred to the 2021-22 financial year and update the associated budgets accordingly (as per *Appendix 3*).

1.13 Borrowings

Council resolves to:

1.13.1 borrow the sum up to \$10.350m (including 2020-21 budgeted expenditure requirements transferred to the 2021-22 financial year) for the purpose of funding the 2021-22 Budget.

1.13.2 authorise the Chief Executive to negotiate and agree the interest rate and any terms and conditions of the above borrowing arrangements in accordance with the Treasury Policy as adopted by Council.

1.13.3 authorise the Chief Executive to negotiate and agree a Convertible Cash Advance Debenture (CAD) facility or extension of existing arrangements for \$727k at an discounted interest rate of 0.75% off

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the standard variable rate with the Local Government Financial Authority for a three-year term from date of establishment, noting the exemption from Procurement Policy for this transaction

- 1.13.4 authorise 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.

2. That the CEO be authorised to:

- 2.1 Make changes to the ABP to reflect *Appendix 3* prior to publication
- 2.2 Make any formatting, nomenclature or other minor changes to the Plan prior to being released for published and
- 2.3 Determine the publishing timings, processes and related media promotion while ensuring consistency and compliance with the provisions of applicable legislation.

Carried Unanimously

12.7 Draft 2021-22 Fees and Charges

Moved Cr Chris Grant

S/- Cr Kirsty Parkin

124/21

Council resolves:

- 1. That the report be received and noted.
- 2. To adopt the 2021-22 Fees and Charges Schedule included at Appendix 1 to apply on and from 1 July 2021.
- 3. Council notes that the statutory fees will be included on the fees and charges register available for public inspection subsequent to being gazetted.

Carried unanimously

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12.8 Adelaide Hills Region Waste Management Authority Annual Business Plan & Budget 2021-22

Cr Ian Bailey declared a Perceived Conflict of Interest in Item 12.8 Adelaide Hills Region Waste Management Authority Annual Business Plan & Budget 2021-22.

Moved Cr John Kemp

S/- Cr Linda Green

125/21

Council resolves:

- 1. That the report be received and noted**
- 2. To approve the Adelaide Hills Region Waste Management Authority Draft Annual Business Plan and Budget 2021-22.**

Carried Unanimously

Cr Ian Bailey voted in favour of the motion and the majority of Council Members voted in favour of the motion.

12.9 Confidential Items Register, June 2021

DECISION 1

Moved Cr Nathan Daniell

S/- Cr Pauline Gill

126/21

Council resolves:

- 1. That the report be received and noted.**
- 2. That the items held as confidential in the Confidential Items Register (Appendix 1) be noted.**

Carried Unanimously

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DECISION 2**Moved Cr Malcolm Herrmann****S/- Cr Ian Bailey****127/21**

1. Pursuant to Section 91(7) of the *Local Government Act 1999*, Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(j) of the Act:
 - The Report of 23 June 2020 Item No. 18.1, Event Opportunity, 122/20 remain confidential until the SATC publically release the official race routes for 2022 and that this order be reviewed every twelve (12) months.

On the grounds that the document(s) (or part) relates to 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.

2. 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

DECISION 3**Moved Cr Pauline Gill****S/- Cr Chris Grant****128/21**

1. Pursuant to Section 91(7) of the *Local Government Act 1999*, Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(d) of the Act:
 - The Report of 27 January 2021, Item No. 18.2, CWMS Review, 20/21 remain confidential until 30 July 2023 and that this order be reviewed every twelve (12) months.

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On the grounds that the document(s) (or part) relates to 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.

2. 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

DECISION 4

Moved Cr Mark Osterstock
S/- Cr Linda Green

129/21

1. Pursuant to Section 91(7) of the *Local Government Act 1999*, Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(d) of the Act:
 - The Report of 07 May 2019, Item No. 19.1, Unsolicited Approach to Purchase Community Land, 103/19 until the matter is further presented to Council and that this order be reviewed every twelve (12) months.

On the grounds that the document(s) (or part) relates to 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.

2. 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

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DECISION 5

Moved Cr Kirsty Parkin

S/- Cr Pauline Gill

130/21

1. Pursuant to Section 91(7) of the Local Government Act 1999, Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(b) of the Act:
 - Clause 8 and Appendix 2 of the Report of 01 August 2018, Item No. 7.2.1, Retirement Village Review, 183/18 remain confidential until 31 July 2023 and that this order be reviewed every twelve (12) months.

On the grounds that the document(s) (or part) relates to information the disclosure of which 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 would, on balance, be contrary to the public interest.

2. 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

DECISION 6

Moved Cr Ian Bailey

S/- Cr Kirsty Parkin

131/21

1. Pursuant to Section 91(7) of the *Local Government Act 1999*, Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(b) of the Act:

The Report of 22 April 2014, Item No. 18.2.1, AHRWMA, 85/14 remain confidential until the matter is determined and that this order be reviewed every twelve (12) months.

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On the grounds that the document(s) (or part) relates to information the disclosure of which 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 would, on balance, be contrary to the public interest.

2. 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

12.10 Status Report – Council Resolutions Update

Moved Cr Pauline Gill
S/- Cr John Kemp

132/21

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
28/07/2020	Ordinary Council	148/20	Road Closure adj Posen Road Birdwood	None declared
23/02/2021	Ordinary Council	31/21	Tree Management	None declared
27/04/2021	Ordinary Council	68/21	GAROC Business Item - Boundary Reform Legislation Change	None declared
27/04/2021	Ordinary Council	72/21	2021-22 Annual Business Plan & Budget Consultation	None declared
27/04/2021	Ordinary Council	73/21	Grant Giving Policy Review	None declared
27/04/2021	Ordinary Council	84/21	Advisory Group Independent Members - CONFIDENTIAL	None declared
27/04/2021	Ordinary Council	86/21	Advisory Group Independent Members Period of Confidentiality	None declared

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27/04/2021	Ordinary Council	73/21	Grant Giving Policy Review	None declared
25/05/2021	Ordinary Council	89/21	Gumeracha Medieval Fair	None declared
25/05/2021	Ordinary Council	91/21	Budget Review 3	Linda Green - Perceived
25/05/2021	Ordinary Council	93/21	Burning Permit Policy Review	None declared
25/05/2021	Ordinary Council	94/21	Order Making Policy Review	None declared
25/05/2021	Ordinary Council	96/21	East Waste 2021-22 Annual Business Plan	None declared
25/05/2021	Ordinary Council	97/21	SHLGA Governance Arrangements - Exemption for Audit Committee	None declared
25/05/2021	Ordinary Council	98/21	SHLGA Governance Arrangements - Draft Charter and 2021-22 Key Action Plan/Budget	None declared
25/05/2021	Ordinary Council	99/21	Delegations Review May 2021	None declared
25/05/2021	Ordinary Council	102/21	MWN Condolence Motion Dennis Michalk (Gumeracha)	None declared

Carried Unanimously

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13 OFFICER REPORTS - INFORMATION ITEMS

13.1 Recovery Update

Director Community Capacity, David Waters, also updated Council on the Cherry Gardens Bushfire recovery status.

Moved Cr Ian Bailey

S/- Cr Pauline Gill

133/21

Council resolves that the report be received and noted.

Carried Unanimously

13.2 Discretionary Rate Rebate Report

9.20pm Cr Kirsty Parkin left the meeting.

Moved Cr Pauline Gill

S/- Cr Linda Green

134/21

Council resolves that the report be received and noted.

Carried Unanimously

13.3 Rate Hardship Update Report

9.22pm Cr Kirsty Parkin returned to the meeting.

Moved Cr Chris Grant

S/- Cr John Kemp

135/21

Council resolves that the report be received and noted.

Carried Unanimously

14. QUESTIONS WITHOUT NOTICE

Nil

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MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 22 JUNE 2021
63 MT BARKER ROAD STIRLING**

15. MOTIONS WITHOUT NOTICE

15.1 Aldgate Park and Ride

Moved Cr Mark Osterstock

S/- Cr Leith Mudge

136/21

1. That the Mayor, on behalf of Council, writes to the Honourable Josh Teague, Member for Heysen, seeking his assistance and support in seeking State Government funding of \$48,000 to compliment Council's proposed maintenance upgrade of the Aldgate Park and Ride, Mount Barker Road, Aldgate.
2. That the additional State Government funding of \$48,000 would be utilised to perform the following additional works:

Sealing:

Survey = \$1,500

Design = \$4,500

Sealing works (including line marking) = 900 m² @ \$25/m² = \$22,500

Estimating contingency = 20% = \$5,700

Estimated Total for Sealing element \$34,200

Solar lights:

Purchase and Installation (costed 3 lights) \$14,000

Total for additional scope = \$48,200.00

Carried Unanimously

**ADELAIDE HILLS COUNCIL
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16. REPORTS

16.1 Council Member Function or Activity on the Business of Council

Mayor Jan-Claire Wisdom

31 May 2021, Establishing a suicide prevention network - Lobethal
03 June 2021, CEO Review Panel Meeting - Stirling
05 June 2021, World Environment Day Quiet Green Achievers Awards - Norton Summit
07 June 2021, LGA Reconciliation Industry Network Group Meeting - via Zoom
16 June 2021, Queen's Birthday celebration - Government House, Adelaide
18 June 2021, Stirling Community Meeting to launch Pavilion Project - Stirling
21 June 2021, Meeting with Lobethal Lights Committee members - Lobethal

Cr Malcolm Herrmann

03 June 2021, Residents Association - Kersbrook
09 June 2021, Park Association - Birdwood
19 June 2021, Winter Solstice - Gumeracha

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

Mayor Jan-Claire Wisdom

18 June 2021, Southern and Hills LGA Meeting - Victor Harbor

Cr Malcolm Herrmann

08 June 2021, GRFMA Audit Committee via Zoom
17 June 2021, GRFMA - Nuriootpa

Cr Linda Green

16 June 2021 East Waste Audit Committee Meeting

16.3 CEO Report

Andrew Aitken, CEO, provided Council with a verbal Corporate Update.

- Capital works program activities
- Work Health & Safety focus
- New Planning Code now in place
- Local Government Reform Bill now passed by Parliament

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17. REPORTS OF COMMITTEES

17.1 Council Assessment Panel – 9 June 2021

Moved Cr Linda Green
S/- Cr Nathan Daniell

137/21

That the minutes of the Council Assessment Panel meeting of 9 June 2021 as distributed, be received and noted.

Carried Unanimously

17.2 Audit Committee – 24 May 2021

Moved Cr Leith Mudge
S/- Cr Malcolm Herrmann

138/21

That the minutes of the Audit Committee meeting of 24 May 2021 as distributed, be received and noted.

Carried Unanimously

17.2.1 Strategic Internal Audit Plan and Asset Management Plan

Moved Cr Malcolm Herrmann
S/- Cr Leith Mudge

139/21

Council resolves:

1. That the report be received and noted
2. To adopt the *Strategic Internal Audit Plan v1.8a* as contained in Appendix 1.
3. With an effective date of 6 July 2021, to revoke the 26 September 2017 *Asset Management Policy* and to adopt the *May 2021 Asset Management Policy* in Appendix 2.
4. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the *May 2021 Asset Management Policy* prior to the effective date of adoption.

Carried Unanimously

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17.3 CEO Performance Review Panel – 3 June 2021

Moved Cr Mark Osterstock
S/- Cr Chris Grant

140/21

That the minutes of the CEO Performance Review Panel meeting of 3 June 2021 as distributed, be received and noted.

Carried Unanimously

17.3.1 Proposed CEO Performance Targets 2021-2022

Moved Cr Mark Osterstock
S/- Cr Chris Grant

141/21

Council resolves:

1. That the report be received and noted
2. To adopt the CEO Performance Targets 2021-2022 as per *Appendix 1*.

Carried Unanimously

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RELEASED 20 FEBRUARY 2023

18. CONFIDENTIAL ITEMS

18.1 Cyber Security Plan – Exclusion of the Public

Moved Cr Chris Grant
S/- Cr Linda Green

142/21

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

- Chief Executive Officer, Andrew Aitken
- Director Development & Regulatory Services, Marc Salver
- Director Corporate Services, Terry Crackett
- Director Community Capacity, David Waters
- Executive Manager Governance & Performance, Lachlan Miller
- Manager Information Services, James Sinden
- Team Leader ICT, Daniel Souter
- Governance & Risk Coordinator, Steven Watson
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 18.1: (Cyber Security Plan) 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)(e) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person, the disclosure of which could reasonably be expected to create an awareness of Council's cyber security vulnerabilities and potentially lead to exploitation of those vulnerabilities resulting in loss/damage to information, breach of confidentiality and service continuity disruption.

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
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RELEASED 20 FEBRUARY 2023

18.1.1 Cyber Security Plan – Confidential Item

Moved Cr Leith Mudge
S/- Cr Malcolm Herrmann

143/21

Council resolves:

1. That the report be received and noted
2. To adopt the *Cyber Security Plan* as contained in Appendix 1.
3. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the *Cyber Security Plan* during the period of its currency.

Carried Unanimously

ADELAIDE HILLS COUNCIL
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RELEASED 20 FEBRUARY 2023

18.1.2 Cyber Security Plan – Period of Confidentiality

Moved Cr Malcolm Herrmann
S/- Cr Pauline Gill

144/21

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing Council's decision(s) in this matter in the performance of the duties and responsibilities of office, Council, having considered Agenda Item 18.1 in confidence under sections 90(2) and 90(3)(e) 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 control deficiencies are mitigated but no longer than 30 June 2023.

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

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RELEASED 05 SEPTEMBER 2022

18.2 Event Opportunity – SANTOS Tour Down Under 2022 – Exclusion of the Public

Moved Cr Ian Bailey
S/- Cr Linda Green

145/21

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

- Chief Executive Officer, Andrew Aitken
- 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, Steven Watson
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 18.2: (Event Opportunity – Santos Tour Down Under 2022) 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
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RELEASED 05 SEPTEMBER 2022

18.2.1 Event Opportunity – SANTOS Tour Down Under 2022 – Confidential Item

Moved Cr Pauline Gill
S/- Cr Kirsty Parkin

146/21

Council resolves:

1. That the report be received and noted
2. That in respect to the 2022 Santos Tour Down Under, to accept the offer by the South Australian Tourism Commission for the Council to host the:
 - Stage 1 finish in Stirling on Tuesday 18 January 2022
 - Stage 2 start in Uraidla on Wednesday 19 January 2022
 - Stage 2 finish in Lobethal on Wednesday 19 January 2022
 - Stage 6 finish on Mount Lofty on Sunday 23 January 2022

for a total consideration of no more than \$60,000 plus GST, to be paid by the Council.
3. That in respect to the 2022 Santos Women's Tour Down Under, to accept the offer by the South Australian Tourism Commission to host the:
 - Stage 2 finish in Bridgewater on Sunday 16 January 2022
 - Stage 4 start in Stirling on Tuesday 18 January 2022
 - Stage 4 finish in Stirling on Tuesday 18 January 2022
4. To approve an increase of \$45,000 in 2021-22 budget expenditure relating to the Santos Tour Down Under.
5. That the Chief Executive Officer be authorised to act for and on behalf of the Council to execute any contracts or other documents required to progress the matter.
6. That the Chief Executive Officer be authorised to consider and negotiate any changes to stage hosting details, including but not limited to start and finish locations and event dates, so long as the licence fee remains within the amount outlined above.
7. 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 2022 Santos Tour Down Under, the 2022 Santos Women's Tour Down Under and any other ancillary events, pursuant to Section 33 of the *Road Traffic Act 1961*.

Carried Unanimously

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RELEASED 05 SEPTEMBER 2022

18.2.2 Event Opportunity – SANTOS Tour Down Under 2022 – Period of Confidentiality

Moved Cr Pauline Gill
S/- Cr John Kemp

147/21

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing Council's decision(s) in this matter in the performance of the duties and responsibilities of office, Council, having considered Agenda Item 18.2 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 Council receives written confirmation from the South Australian Tourist Commission that the event information is no longer confidential, but not longer than 30 June 2022.

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

19. NEXT ORDINARY MEETING

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 27 July 2021 from 6.30pm at 63 Mt Barker Road, Stirling.

20. CLOSE MEETING

The meeting closed at 10.00pm.