

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL MEETING
TUESDAY 8 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 Leith Mudge
Councillor Mark Osterstock (via electronic participation)
Councillor Kirsty Parkin
Councillor Andrew Stratford (6.49pm)

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
Mike Carey	Manager Financial Services
Renee O'Connor	Coordinator Sport & Recreation
Kira-marie Laverty	Corporate Planning & Performance Coordinator
Steven Watson	Governance and Risk Coordinator Minute Taker

1. COMMENCEMENT

The special meeting commenced at 6.31pm.

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.

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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 25 May 2021.

3.3 Absent

Cr John Kemp

4. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

4.1 Perceived Conflict of Interest, Cr Kirsty Parkin Item 8.1, Heathfield Oval Change Rooms Tender

Under Section 75A of the *Local Government Act 1999* Cr Kirsty Parkin disclosed a Perceived Conflict of Interest in Item 8.1.1, Heathfield Oval Change Rooms Tender, the nature of which is as follows:

- My son and daughter both play football for Mt Lofty. My husband is junior coaching coordinator (volunteer position).

Cr Kirsty Parkin intends to participate in discussions and vote when this item is discussed.

5. PRESIDING MEMBER'S OPENING REMARKS

Nil

6. PUBLIC FORUM

Nil

6.49pm Cr Andrew Stratford joined the meeting.

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7. BUSINESS OF THE MEETING

7.1 Annual Business Plan Consultation Results

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

Council resolves:

1. That the report be received and noted.
2. To receive and note the outcomes of the *draft Annual Business Plan 2021-22* public consultation undertaken from 5 -26 May 2021 as contained in the *Annual Business Plan 2021-22 Community Engagement Outcomes Report* in Appendix 1.
3. To endorse the following changes to the *draft Annual Business Plan 2021-22*:
 - a. Include a \$50 contribution regime for European Wasp nest removal
 - b. Remove strategic initiatives B4008 and E1001 in acknowledgement that they relate to ongoing wages associated with core service delivery already incorporated into the budget.
 - c. Include a new strategic initiative under the Economy Goal to “Undertake an expression of interest process for ascertaining the level of interest and viability of ‘free’-camping sites in the district”.
 - d. Include the “Rate in the dollar” table in the budget pages to assist in demonstrating how rates are calculated.
 - e. Minor edits to various sections or titles of initiatives to improve reader understanding.

AMENDMENT

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

109/21

That the motion be amended as follows:

4. **In the next LTFP consider increased expenditure on the footpath program.**

Carried

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MOTION AS AMENDED

7.2 Annual Business Plan Consultation Results

Moved Cr Leith Mudge
S/- Cr Chris Grant

110/21

Council resolves:

1. That the report be received and noted.
2. To receive and note the outcomes of the draft Annual Business Plan 2021-22 public consultation undertaken from 5 -26 May 2021 as contained in the Annual Business Plan 2021-22 Community Engagement Outcomes Report in Appendix 1.
3. To endorse the following changes to the draft Annual Business Plan 2021-22:
 - a. Include a \$50 contribution regime for European Wasp nest removal
 - b. Remove strategic initiatives B4008 and E1001 in acknowledgement that they relate to ongoing wages associated with core service delivery already incorporated into the budget.
 - c. Include a new strategic initiative under the Economy Goal to "Undertake an expression of interest process for ascertaining the level of interest and viability of 'free'-camping sites in the district".
 - d. Include the "Rate in the dollar" table in the budget pages to assist in demonstrating how rates are calculated.
 - e. Minor edits to various sections or titles of initiatives to improve reader understanding.
4. In the next LTFP consider increased expenditure on footpath and footpath program.

Carried

8. CONFIDENTIAL ITEM

Cr Kirsty Parkin declared a Perceived Conflict of Interest at Agenda Item 4.1 'Declaration of Interest by Members of the Council' in relation to Item 8.1.

Cr Parkin remained in the Chamber and voted.

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RELEASED 31 AUGUST 2021

8.1 Heathfield Oval Change Rooms Tender - Exclusion of the Public

Moved Cr Linda Green

S/- Cr Chris Grant

111/21

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 Infrastructure & Operations, Peter Bice
- Director Corporate Services, Terry Crackett
- Director Development & Regulatory Services, Marc Salver
- Director Community Capacity, David Waters
- Executive Manager Governance & Performance, Lachlan Miller
- Governance & Risk Coordinator, Steven Watson
- Coordinator Sport & Recreation, Renee O'Connor
- Manager Open Space, Chris Janssan
- Manager Civil Services, Ashley Curtis
- Manager Financial Services, Mike Carey
- Manager Property Services, Natalie Westover
- Sport & Recreation Officer, Stacy Dutton
- Civil Projects Coordinator, Oliver Pfueller
- Procurement Coordinator, James Greenfield

be excluded from attendance at the meeting for Agenda Item 8.1: (Heathfield Oval Change Rooms Tender) 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)(h) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is legal advice that has been obtained by the Administration and is relevant to the conduct of the Heathfield Oval Change Room tender process.

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 preserve legal privilege.

Carried

Cr Kirsty Parkin voted in favour of the Motion. The majority of persons who were entitled to vote at the meeting voted in favour of the Motion.

7.35pm Cr Mark Osterstock left the Meeting

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7.37pm Cr Mark Osterstock rejoined the Meeting

RELEASED 31 AUGUST 2021

8.1.1 Heathfield Oval Change Rooms Tender – Confidential Item

Moved Cr Malcolm Herrmann
S/- Cr Pauline Gill

112/21

Council resolves:

1. That the report be received and noted
2. To approve an increase of an additional \$350,000 in expenditure for the Heathfield Oval Change Rooms bringing Council's commitment to estimated \$676,000.
3. To delegate to the CEO the authority to enter the contract with the preferred tenderer for the construction of the Heathfield Oval Change Rooms to a total contract value not exceeding \$1,623,664 plus contingencies.

Carried Unanimously

Cr Kirsty Parkin voted in favour of the Motion.

The majority of persons who were entitled to vote at the meeting voted in favour of the Motion.

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RELEASED 31 AUGUST 2021

8.1.2 Heathfield Oval Change Rooms Tender – Period of Confidentiality

Moved Cr Pauline Gill
S/- Cr Nathan Daniell

113/21

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 8.1 in confidence under sections 90(2) and 90(3)(h) 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 execution of the contract for the Heathfield Oval Change Rooms but not longer than 31 August 2021.

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

Cr Kirsty Parkin voted in favour of the Motion. The majority of persons who were entitled to vote at the meeting voted in favour of the Motion.

9. CLOSE MEETING

The meeting closed at 8.19pm.