

**ADELAIDE HILLS COUNCIL  
MINUTES OF ORDINARY COUNCIL MEETING  
TUESDAY 27 JULY 2021  
ZOOM VIRTUAL MEETING ROOM**

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In Attendance:

**Presiding Member:** Mayor Jan-Claire Wisdom (via audio/visual link)

**Members:**

Councillor Ian Bailey (via audio/visual link)
Councillor Nathan Daniell (via audio/visual link)
Councillor Chris Grant (via audio/visual link)
Councillor Linda Green (via audio/visual link)
Councillor Malcolm Herrmann (via audio/visual link)
Councillor John Kemp (via audio/visual link) at 7.19pm
Councillor Leith Mudge (via audio/visual link)
Councillor Mark Osterstock (via audio/visual link)
Councillor Kirsty Parkin (via audio/visual link)
Councillor Andrew Stratford (via audio/visual link)

In Attendance:

Andrew Aitken	Chief Executive Officer
Terry Crackett	Director Corporate Services
Peter Bice	Director Infrastructure & Operations
Melissa Bright	A/Director Community Capacity
Lachlan Miller	Executive Manager Governance & Performance
John McArthur	Manager Sustainability, Waste & Emergency Management
Natalie Westover	Manager Property Services
Deryn Atkinson	Manager Development Services
Rebecca Shepherd	Manager Community Development
Kira-marie Laverty	Corporate Planning & Performance Coordinator
Sharon Leith	Sustainability Officer
Lynne Griffiths	Community & Cultural Development Officer
Pam Williams	Minute Secretary

**1. COMMENCEMENT**

The meeting commenced at 6.30pm.

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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, approved at Council 25/5/21
- Mayor Jan-Claire Wisdom, 2 August to 6 August, approved at Council 22/6/21
- Cr Pauline Gill, 13 July to 31 August 2021, approved at Special Council 13/7/21

**3.3 Absent**

Nil

**4. MINUTES OF PREVIOUS MEETINGS**

**4.1 Council Meeting – 22 June 2021**

Moved Cr Malcolm Herrmann  
S/- Cr Ian Bailey

**150/21**

**That the minutes of the Ordinary Council meeting held on 22 June 2021 as supplied, be confirmed as an accurate record of the proceedings of that meeting.**

<b>Carried Unanimously</b>
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**4.2 Special Council Meeting – 13 July 2021**

**Moved Cr Chris Grant  
S/- Cr Ian Bailey**

**151/21**

**That the minutes of the Special Council meeting held on 13 July 2021 as supplied, be confirmed as an accurate record of the proceedings of that meeting.**

<b>Carried</b>
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**5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL**

Nil declared at this point of the meeting however declarations were made for agenda items.

**6. PRESIDING MEMBER'S OPENING REMARKS**

Thank you for Council Members, staff and the members of the public for joining in the Zoom meeting.

**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

**8.2 Deputations**

**8.2.1 Andrew Admiraal, AGI Sport Adelaide Hills Rally**

**8.3 Public Forum**

No public forum due to electronic meeting

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**9. PRESENTATIONS**

Nil

**10. QUESTIONS ON NOTICE**

Nil

7.19pm Cr John Kemp joined the meeting.

**11. MOTIONS ON NOTICE****11.1 Assistance to Vulnerable Residents on Catastrophic Fire Days – Cr Leith Mudge**

Moved Cr Leith Mudge

S/- Cr Kirsty Parkin

152/21

That

1. The CEO investigates measures that Council could take to assist vulnerable residents such as the elderly, disabled and young in bushfire prone areas of the Adelaide Hills Council district on Catastrophic and Extreme fire danger days.
2. The investigation includes (but is not limited to) an exploration of:
  - a. options to provide transportation of vulnerable residents to areas designated as Bushfire Safer Places,
  - b. the establishment of shelters for vulnerable people in nearby Bushfire Safer Places,
  - c. Federal, State and NGO partnerships (e.g. LGA, Red Cross), funding sources and grants that could be applied to a program of this nature, and
  - d. Development of a communication campaign to allow people in the Council district to determine where their nearest Bushfire Safer Places and Places of Last Resort are located and what services (both government and non-government) will be available to them in these locations on different levels of fire danger day
3. A report on the outcomes of the investigation be discussed at a workshop and presented to Council no later than the November 2021 Ordinary Council Meeting to allow sufficient time for some measures (if identified) to be implemented for the start of the 2021/22 fire danger season.

<b>Carried Unanimously</b>
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**12. OFFICER REPORTS – DECISION ITEMS**

**12.1 Support for Road Closures 2021 Adelaide Hills Rally**

Moved Cr Kirsty Parkin  
S/- Cr Mark Osterstock

153/21

Council resolves:

1. That the report be received and noted.
2. That, in relation to the 2021 Adelaide Hills Rally, Council supports the event contingent on the organisers, to the satisfaction of the Chief Executive Officer:
  - a. *Complying with Council's Festivals and Events Policy – Guideline No. 1 for Competitive Motoring Events*
  - b. Providing evidence of satisfactory insurance to cover any damage to third party property caused by the event.
  - c. Entering into a road repair agreement with Council to cover any rectification works required as a result of damage caused by the event.
  - d. Providing confirmation that the affected business owners are aware of the road closures.
  - e. Providing written confirmation that the concerns raised by affected residents have been adequately addressed (noting that not all concerns can necessarily be addressed to the satisfaction of all residents) and that arrangements for egress and ingress for those properties can be managed within the event where possible.
  - f. Written confirmation from the organisers that they will erect advance notice of road closures on the affected roads, at least three weeks prior to the event
  - g. Providing evidence of satisfactory procedures for enabling emergency services access to properties on the event route at all times.
3. That subject to the requirements of Item 2. being undertaken, Council provides consent for road closure orders in relation to the event, to be held on Saturday 23 and Sunday 24 October 2021 as follows:

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- a. **Saturday 23 October 2021**
- i. **Retreat Valley Stage**  
Closure 7:00am – 12:30pm  
Retreat Valley Road, Odea Road, Berry Hill Road and Langley Road closed – from Gorge Road to Cudlee Creek Road
  - ii. **Charligate Stage**  
Closure 7:20am – 12:50pm  
Harrison Road, Kings Road, Burnley Road, Teakles Road, Lewis Road, Bell Springs Road and Warmington Run closed – from Quarry Road to Hollows Road (then continued into Mount Barker District Council)
- b. **Sunday 24 October 2021**
- i. **Blumberg Creek Stage**  
Closure 11:40am – 5:10pm  
(From Mid-Murray Council District) Hanham Road, McVitties Road, Number Four Road and Burton Road closed – from R Hicks Road to Onkaparinga Valley Road
  - ii. **Kenton Valley Stage**  
Closure 12:00pm – 5:30pm  
Turner Road, Maidment Road, and Lihou Road closed – from Burfords Hill Road to Schocroft Road.
4. **That the Council confirms that the Chief Executive Officer may use existing powers under delegation to consider, and determine whether or not to provide consent to, any proposals for minor changes to the road closures in the lead up to the event, so long as the overall scope of the event road closures remains similar to the proposal described above.**

<b>Carried</b>
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**12.2 Adelaide Hills Reconciliation Working Group Terms of Reference & Membership**

Moved Cr John Kemp  
S/- Cr Linda Green

154/21

Council resolves that

1. the report be received and noted.
2. Council adopts the changes to the Terms of Reference of the Adelaide Hills Reconciliation Working Group as proposed in *Appendix 1* with a review to take place in two years.
3. Council authorises the Chief Executive Officer to make any minor alterations to the Terms of Reference, not affecting the substantive form or function of the Adelaide Hills Reconciliation Working Group, as may be required to finalise the matter.
4. in conjunction with the Mount Barker District Council, to commence the Adelaide Hills Reconciliation Working Group Community Member Expression of Interest process and appoints Cr Kirrilee Boyd to the selection panel with Cr Ian Bailey as proxy member.

<b>Carried Unanimously</b>
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**12.3 Policy Review – Development Application Fee Refund Policy**

Moved Cr Mark Osterstock  
S/- Cr Malcolm Herrmann

155/21

Council resolves:

1. That the report be received and noted.
2. With an effective date of 10 August 2021, to revoke the 25 September 2018 Development Application Fee Refund Policy and to adopt the draft 27 July 2021 Development Application Fee Refund Policy as contained in *Appendix 1* with amendments to Section 4 to confirm the refund of lodgement and State Agency fees are at the discretion of the State Government and are excluded from this Policy, that the Policy only relates to fees received by Council and that where an application has been lodged in error with Council a full refund of Council fees will apply.

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3. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 27 July 2021 Development Application Fee Refund Policy prior to the effective date.

<b>Carried Unanimously</b>
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**12.4 Revised LGIPP Grant Deed for Water Management Projects**

Moved Cr Leith Mudge  
S/- Cr Linda Green

**156/21**

**Council resolves:**

1. That the report be received and noted.
2. To commit \$350,000 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.

<b>Carried Unanimously</b>
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**12.5 Finalisation of 2020-21 CEO Performance Review Targets**

Moved Cr Mark Osterstock  
S/- Cr Chris Grant

**157/21**

**Council resolves:**

1. That the report be received and noted
2. That the CEO has achieved the following status in relation to the CEO Performance Targets 2020-2021:
 

**Target 1 Community Perception & Engagement Survey - Completed**  
Undertake a community perception and engagement survey and present an action plan of identified improvement opportunities to Council Members.



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**Target 2 Community & Recreation Facilities Framework - Completed**  
Develop a draft Community & Recreation Facilities Framework for final (Stage 3) consultation, for consideration by Council.

**Target 3 Kerbside Waste Audit and Education Program - Completed**  
Complete a kerbside waste audit to inform and develop an ongoing education program and present to Council Members.

**Target 4 Information System Cyber Security Plan - Completed**  
Undertake a Cyber Security Audit, and develop a Cyber Security Plan to address matters raised in the audit, to minimise the impact of cyber-attack to Council's network and systems.

**Target 5 Carbon Inventory - Completed**  
Complete and present to Council Members an updated carbon inventory based on Climate Active (formerly National Carbon Offset Standard) emissions boundaries to support the implementation of the Corporate Carbon Management Plan.

**Target 6 Recovery Action Plan - Completed**  
Provide quarterly progress reports to Council on the implementation of the Council's Bushfire Recovery Action Plan and initiatives supporting recovery from the COVID-19 pandemic.

**Target 7 Social and Economic Recovery – Community Ready - Completed**  
Actively pursue opportunities to work with government and non-government partners on programs to assist communities and businesses develop resilience and readiness for future disasters. Include regular updates to Council as part of the quarterly Recovery Action Plan reporting.

**Target 8 Social, Economic and Environmental Recovery - Completed**  
Engage with local communities and businesses in developing a Lobethal Bushland Park Masterplan. Present the draft masterplan to Council for its consideration.

<b>Carried Unanimously</b>
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**12.6 Revocation of Community Land Classification – Closed Roads R2142AA (Off Lenger Road Mt Torrens) & R1573AB (off Nicholls Road Norton Summit)**

Cr Linda Green declared a Perceived Conflict of Interest as she knows Mr Roger Kowald who is identified in the report. Cr Green intends to remain in the meeting and vote.

**Moved Cr Malcolm Herrmann**

**S/- Cr Kirsty Parkin**

**158/21**

**Council resolves:**

- 1. That the report be received and noted**
- 2. To commence a revocation of community land process for the land described as “AA” in Road Plan No. 2142 (“Closed Road”), off Lenger Road, Mount Torrens including consultation in accordance with Council’s Public Consultation Policy and the *Local Government Act 1999* with the intention of selling the Closed Road to the adjoining owners.**
- 3. To commence a revocation of community land process for the land described as “A” and “B” in Road Plan No. 1573 (“Closed Road”) adjacent to 105 Nicholls Road, Norton Summit including consultation in accordance with Council’s Public Consultation Policy and the *Local Government Act 1999* with the intention of selling the Closed Road to the adjoining owners.**
- 4. That a further report be presented to Council at the completion of the consultation.**

<b>Carried Unanimously</b>
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Cr Linda Green voted ‘for’ the motion.

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

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**12.7 Status Report – Council Resolutions Update**

**Moved Cr Malcolm Herrmann**

**S/- Cr Linda Green**

**159/21**

**Council resolves:**

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

<b>Meeting Date</b>	<b>Meeting</b>	<b>Res No.</b>	<b>Item Name</b>	<b>Previously Declared COI</b>
23/06/2020	Ordinary Council	105/20	Community & Recreation Facility Framework Project Update	None declared
25/08/2020	Ordinary Council	168/20	Gumeracha Court Resurfacing Project	None declared
25/08/2020	Ordinary Council	169/20	Heathfield Change Room & Cricket Net Project	None declared
22/09/2020	Ordinary Council	203/20	Long Term Strategic Tree Planting Program	None declared
22/09/2020	Ordinary Council	207/20	S210 Conversion to Public Road	None declared
15/12/2020	Ordinary Council	296/20	Youth Action Plan	None declared
27/01/2021	Ordinary Council	3/21	MON - Cemeteries	None declared

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27/01/2021	Ordinary Council	7/21	Hard Waste Service	Material - Cr Linda Green Material - Cr Malcolm Herrmann Material - Cr Andrew Stratford
23/02/2021	Ordinary Council Administrative Action	33/21	Long Term Financial Plan 2021 - Administrative Action	None declared
23/03/2021	Ordinary Council	54/21	Local Roads and Community Infrastructure Program Projects Phase 2	None declared
27/04/2021	Ordinary Council	78/21	Public Interest Disclosure Policy Review	None declared
27/04/2021	Ordinary Council	78/21	Public Interest Disclosure Policy Review	None declared
25/05/2021	Ordinary Council	90/21	MON Passenger Rail for Adelaide Hills	None declared
25/05/2021	Ordinary Council	106/21	Multi-Year Road Rally Proposal Period of Confidentiality	None declared

**Carried Unanimously**

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**13. OFFICER REPORTS - INFORMATION ITEMS**

**13.1 Bushfire Safer Places**

**Moved Cr Kirsty Parkin**

**S/- Cr Leith Mudge**

**160/21**

**Council resolves that the report be received and noted.**

<b>Carried Unanimously</b>
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**13.2 Local Government Legislative Reform**

**Moved Cr Leith Mudge**

**S/- Cr Chris Grant**

**161/21**

**Council resolves that the report be received and noted.**

<b>Carried Unanimously</b>
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**14. QUESTIONS WITHOUT NOTICE**

Cr Malcolm Herrmann – Gumeracha Medieval Fair, Black Spot Funding, CEO to consider inviting CFS to workshop

Cr Leith Mudge – Revocation of Community Land, Bridgewater Retirement Village

Cr Andrew Stratford – damage from recent storm events

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**15. MOTIONS WITHOUT NOTICE**

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

**15.1 Bushfire Safer Places**

**Moved Cr Kirsty Parkin  
S/- Cr Leith Mudge**

**162/21**

**That the CEO writes to the SA Country Fire Service (CFS) requesting:**

- 1. the specific criteria for Bushfire Safer Place designation and specifically how the designated Bushfire Safer Places in the AHC district meet these criteria.**
- 2. what measures the CFS take to ensure safety of Bushfire Safer Places outside their normal emergency practice in the event of a bushfire**
- 3. Adelaide Hills Council be invited to participate in the proposed audit of Bushfire Safer Places and partner in communicating safe community practice on catastrophic and extreme fire days.**
- 4. the Chief Officer of the CFS be invited to attend a Council workshop prior to the commencement of the 2021/22 bushfire season.**

<b>Carried Unanimously</b>
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**16. REPORTS****16.1 Council Member Function or Activity on the Business of Council****Cr Leith Mudge**

- 4 July, Mylor Market, Mylor
- 4 July, Uraidla Makers Market, Uraidla
- 6 July, Hills Transport Forum, SA Transport Action Group, Mt Barker

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

Nil

**16.3 CEO Report**

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

- Waste Education Display at Coventry Library, Stirling
- Green Organics Drop Off Days
- Gumeracha removal of stobie poles for undergrounding of power lines
- Gumeracha stormwater
- Crafers to Stirling bikeway
- Mt Torrens Playground
- Helen Edwards, Chair of Adelaide Hills Tourism has retired, new Chair, Martin Radcliffe, has commenced
- COVID lock down update
- Recent storm damage to council building

**17. REPORTS OF COMMITTEES****17.1 Council Assessment Panel – 14 July 2021**

**Moved Cr John Kemp**

**S/- Cr Linda Green**

**163/21**

**That the minutes of the Council Assessment Panel meeting of 14 July 2021 as distributed, be received and noted.**

<b>Carried Unanimously</b>
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**17.2 Audit Committee**

Nil

**17.3 CEO Performance Review Panel – 8 July 2021**

Moved Cr Mark Osterstock  
S/- Cr Kirsty Parkin

164/21

That the minutes of the CEO Performance Review Panel meeting of 8 July 2021 as distributed, be received and noted.

<b>Carried Unanimously</b>
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**18. CONFIDENTIAL ITEMS**

**MINUTES ONLY RELEASED 29 JULY 2021**

**18.1 46 Mt Barker Road Stirling (Old Stirling Police Station) – Exclusion of the Public**

Cr Mark Osterstock declared a Material Conflict of Interest as this item relates to the SA Police Department and he is an employee of that department.  
Cr Osterstock left the meeting at 9.31pm.

Moved Cr Linda Green  
S/- Cr Ian Bailey

165/21

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
- A/Director Development & Regulatory Services, Melissa Bright
- Director Corporate Services, Terry Crackett
- Director Community Capacity, David Waters
- Executive Manager Governance & Performance, Lachlan Miller
- Manager Property Services, Natalie Westover
- Corporate Planning & Performance Coordinator, Kira-marie Laverty
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 18.1: 46 Mount Barker Road Stirling (former Stirling Police Station) in confidence.



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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) and (j) of the *Local Government Act 1999*, 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 who supplied the information, or to confer a commercial advantage on a third party; and would, on balance, be contrary to the public interest; and/or information the disclosure of which 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 would, on balance, be contrary to the public interest.

Accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

<b>Carried Unanimously</b>
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**MINUTES ONLY RELEASED 29 JULY 2021**

**18.1.1 46 Mt Barker Road Stirling (Old Stirling Police Station) – Confidential Item**

Moved Cr John Kemp  
S/- Cr Leith Mudge

166/21

Council resolves:

1. That the report be received and noted
2. That the Commercial in Confidence proposal received from Renewal SA dated 9 July 2021 be received and noted
3. To decline the offer to purchase land at 46 Mount Barker Road Stirling as per the proposal received from Renewal SA dated 9 July 2021
4. To delegate to the Chief Executive Officer to communicate the Council's decision to Renewal SA.

<b>Carried Unanimously</b>
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**MINUTES ONLY RELEASED 29 JULY 2021**

**18.1.2 46 Mt Barker Road Stirling (Old Stirling Police Station) – Period of Confidentiality**

Moved Cr Malcolm Herrmann

S/- Cr Ian Bailey

167/21

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)(d) and (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 minutes, report, related attachments and the discussion and considerations of the subject matter be retained in confidence until the Land has been sold, but not longer than 12 months.

Pursuant to section 91(9)(c) of the *Local Government Act 1999*, Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.

<b>Carried Unanimously</b>
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9.44pm Cr Mark Osterstock returned to the meeting.

**19. NEXT ORDINARY MEETING**

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 24 August 2021 from 6.30pm at 63 Mt Barker Road, Stirling.

**20. CLOSE MEETING**

The meeting closed at 9.46pm.