

**ADELAIDE HILLS COUNCIL
ORDINARY COUNCIL MEETING
Tuesday 27 April 2021
CONFIDENTIAL AGENDA BUSINESS ITEM**

Item: 18.1

Originating Officer: Lachlan Miller, Executive Manager Governance & Performance

Subject: Appointment of Advisory Group Independent Members

For: Decision

1. Appointment of Advisory Group Independent Members – Exclusion of the Public

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

- Acting Chief Executive Officer, Peter Bice
- Acting Director Infrastructure & Operations, Ashley Curtis
- 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 18.1: (Appointment of Advisory Group Independent Members) 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)(a) 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 would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

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.

2. Appointment of Advisory Group Independent Members – Confidential Item

SUMMARY

At its 27 January 2021 meeting, Council resolved to commence recruitment processes for the independent/community member positions on the following Advisory Groups:

- Biodiversity Advisory Group
- Cemetery Advisory Group
- Rural Land Management Advisory Group
- Sustainability Advisory Group

Expressions of interest were invited through print and social media in February 2021. Overall the level of response was low and the Executive Officers were required to utilise their networks to encourage additional interest.

The appointed Selection Panels have considered the expressions of interest received and have made recommendations for appointment for Council's consideration.

RECOMMENDATION

Council resolves:

- 1. That the report be received and noted**
- 2. That in relation to the Biodiversity Advisory Group, to appoint the following independent/community members for a period of two (2) years:**
 - a. Kim Thompson (Independent/Community)**
 - b. David Mussared (Independent/Community)**
 - c. Eilidh Wilson (Independent/Community)**
 - d. Karina Mercer (Partnership - UniSA)**
 - e. Damian Stam (Partnership - SA Water)**
 - f. Peter Watton (Partnership - Trees for Life)**
- 3. That in relation to the Cemetery Advisory Group, to appoint the following independent/community members for a period of two (2) years:**
 - a. Peter Holderness**
 - b. Robert Bonython**
 - c. Kevin Armstrong**
 - d. Ron Nelson**
- 4. That in relation to the Rural Land Management Advisory Group**
 - a. to appoint the following independent/community members for a period of two (2) years:**
 - i. Cam Stafford**
 - ii. Peter Oborn**
 - iii. John Mundy**
 - iv. Saverio Virgara**
 - v. Leanne Muffet**
 - vi. Sarah Carlson**

Risk Management Implications

The appointment of appropriately qualified independent members to the Advisory Groups will assist in mitigating the risk of:

Poor governance practices occur which lead to a loss of stakeholder (i.e. customer and regulator) confidence and/or legislative breaches.

Inherent Risk	Residual Risk	Target Risk
Extreme (5C)	Low (3E)	Low (3E)

As the refresh of the independent/community membership affects an existing control, there is no impact on the residual or target risk ratings.

➤ **Financial and Resource Implications**

Council's current budget contains provisions for the costs associated with Advisory Groups.

➤ **Customer Service and Community/Cultural Implications**

It is reasonable to assume that the community could expect Council to have mechanisms to provide advice and consideration of matters to assist the Council to discharge its responsibilities and achieve its strategic intent.

➤ **Environmental Implications**

While the Sustainability and Biodiversity Advisory Groups have an environmental perspective, the intent of the report relates to independent member appointment.

➤ **Engagement/Consultation conducted with Council Committee, Regional Subsidiary, Advisory Group, the Administration and Community**

Consultation on the development of this report was as follows:

Council Committees: Not Applicable

Council Workshops: Not Applicable

Advisory Groups: Previous members of the advisory Groups were encouraged to apply for the Independent Member vacancies.

Administration: Director Development & Regulatory Services
Manager Waste, Sustainability and Emergency Management
Manager Open Space
Manager Property

External Agencies: Not Applicable

Community: Not Applicable

2. BACKGROUND

At its 27 January 2021, Council considered a report advising that the membership terms for the Advisory Group independent/community members were due to expire on 23 April 2021. Further the report recommended that selection panels be established and a recruitment process commenced. In consideration of the report, Council resolved:

12.2 Advisory Group Independent Members – Selection Panels

Moved Cr Linda Green
S/- Cr Nathan Daniell

5/21

Council resolves:

1. That the report be received and noted
2. To establish Selection Panels for the recruitment of Independent/Community Members for the identified Advisory Groups with the following Council Members, assisted by the respective Executive Officers, to undertake the short-listing and interviews of the candidates with a view to making recommendations for appointment at a future Council meeting(s):
 - a. Biodiversity Advisory Group – Cr Chris Grant and Cr John Kemp
 - b. Cemetery Advisory Group – Cr Pauline Gill and Cr Ian Bailey
 - c. Rural Land Management Advisory Group – Cr John Kemp and Cr Ian Bailey
 - d. Sustainability Advisory Group – Cr Kirrilee Boyd and Cr Leith Mudge

Carried Unanimously

Advertisements were placed in the *Mt Barker Courier* (17 February) and the *Weekender Herald* (18 February) and on Council's social media platforms seeking expressions of interest for independent/community members.

In addition, the previous members of the Advisory Groups were encouraged to reapply and to spread the word within their networks. The Advisory Group Executive Officers also utilised their networks to encourage applications particularly as the initial response was poor.

3. ANALYSIS

Biodiversity Advisory Group (BioAG)

The Terms of Reference for the BioAG provide for six (6) representatives from the following:

- Three (3) from partnering conservation organisations, that has a focus on biodiversity and meets one or more of the following criteria:
 - provide programs within the district.
 - have entered into a formal Agreement with Council
 - are closely linked to Council in delivery of biodiversity projects
 - provide or gain financial support to or from Council for biodiversity projects within the district

- Three (3) members shall be community representatives selected on the basis of their skills, knowledge and experience in one or more of the following:
 - natural resource management;
 - native flora and fauna conservation;
 - active participation in regional biodiversity projects;
 - community education and development;
 - managing fire risk in high conservation/biodiversity areas
 - grant processes (Government or otherwise);
 - links to relevant networks, community groups, and wider community;
 - any other areas of relevance.

Five (5) expressions of interest (EOI) were received.

The Selection Panel consisting of Councillor Grant, Councillor Kemp, Chris Janssan - Manager Open Space and Steven Brooks - Biodiversity Officer reviewed the EOIs and determined not to interview the candidates as they were well known to Council. In consideration of the EOIs, the Panel recommended the appointment of following people:

- Karina Mercer - Resides in Aldgate, qualifications include a Master of Science (Ecological Management - University of Adelaide); Bachelor of Applied Science (Conservation and Park Management - University of SA) with 30 years in conservation ecology and management. Currently the SA Native Vegetation Heritage Agreement Officer within the Department of Environment and Water, (6 Year duration). Field based experience in the design, implementation and monitoring of biodiversity, focussed on projects with landholders, e-NGO's, government bodies (local, state and federal); experience in flora and fauna surveys including design, implementation, capture and recording; specialist biodiversity advice into documentation including threatened species recovery, NRM and development plans, on-ground grant funding project management.
- Kim Thompson - Lives in Gumeracha, qualifications include a Bachelor of Applied Science (Biodiversity, Park and Environmental Management - University of SA), employed part time by The Barossa Council as the Senior Environmental Officer. Previous experience includes Sustainable Landscapes Project Officer for the Upper Torrens Land Management Project (several years) and committee member on the South Para Biodiversity Project. In addition to her role at The Barossa Council she is also the Secretary of the Upper River Torrens Landcare Group and is actively involved in the management and delivery of grant funded Bushfire Recovery Projects.
- David Mussared - Lives in Aldgate, Bachelor of Arts - (University of Adelaide), Chair of the Aldgate Valley Landcare Group which has a focus on biodiversity and bushland rehabilitation work within the Aldgate-Mylor district, notably the Aldgate Valley Nature Trail to which Council was a formal partner on the grant delivery. A member of the community Landcare movement from 1989, active bush care volunteer and participant on regional biodiversity projects. Which have included the Onkaparinga Catchment Water Management Board, Adelaide and Mount Lofty Ranges Board and The Central Hills Green Web. A journalist by profession with experience in environmental education with Landcare awards for media projects, he is also the proprietor of NRMjobs.com.au a renowned website supporting the environment. David is a current member of the Advisory Group.

- Damian Stam - Resides in Mylor, Bachelor of Science (Biodiversity and Conservation-Flinders University) Senior Land and Fire Management Officer with SA Water. Involved in the development and management of strategic land and fire management plans and policies. Functions within his role are focussed on biodiversity conservation and ecosystem function, so as to benefit water quality, the environment and community. An active member on a number of Hills committees, including the Mount Lofty Ranges Bushfire Management Committee, South Para Biodiversity Project; an active participant on regional biodiversity projects. Damian is a current member of the Advisory Group.
- Peter Watton - Trees for Life - Bush for Life Operations Manager for the Mount Lofty Ranges. AHC has a formal operational funded partnership/agreement with Trees for Life. TAFE Certificate in Natural Resources - 1999. Vice President of the Friends of Scott Creek Conservation Park (recently affected by bush fire), Friends of Private Bushland membership, Treasurer of the Weed Management Society SA - 2011 to 2014. Representation on the Scott Creek Mount Bold Biodiversity Group to which AHC (Biodiversity Team) has an attendance. Represents Trees for Life on the Central Hills Green Web, the National Trust of SA and Fleurieu Landscape Board. Co-ordination of TFL & BFL environmental/biodiversity workshops. A Native Vegetation Council Accredited Consultant. Peter is a current member of the Advisory Group.
- Eilidh Wilson - Lives in Stirling. Bachelor of Applied Science (Hons) - Aquatic Bioscience, Glasgow University. A senior NRM Policy Officer - South Australia Murray Darling Basin/Murraylands and Riverland Landscape Board. Previous policy experience with the Department for Environment and Water. Presently provides technical/professional advice on native vegetation protection, climate change mitigation and adaption, water sensitive urban design and storm water management; also threatened species conservation, fire management/recovery, cultural heritage and community connections to the environment. She has considerable experience in water quality management across the UK, The Republic of Ireland and New Zealand. Experience in the financial and project management of Environmental Impact Assessments. A current scientific author and training provider. Eilidh is a current member of the Advisory Group.

Cemetery Advisory Group (CAG)

The Terms of Reference for the CAG provide for up to four (4) independent members with the following minimums:

- One (1) person from a local historical society
- One (1) person from the funeral industry
- One (1) person from the community

No expressions of interest (EOI) were initially received and the current members were approached to consider remaining on the Advisory Group with all agreeing to do so.

The Selection Panel consisting of Councillor Bailey and Councillor Gill, Natalie Westover - Manager Property determined not to interview the candidates as they were well known to Council.

The Panel recommended the appointment of following people:

- Peter Holderness – Member of the Mt Lofty Districts Historical Society and a representative of historical societies interested in preserving and acknowledging the history of the Council cemeteries for the benefit of the community. Peter can provide advice on how best to record and acknowledge the history of the cemeteries and the people buried within.
- Ron Nelson – Former Council Member and current member of the Scott Creek Progress Association with experience in the operation of the Scott Creek Cemetery and good general knowledge of the operations of the Council and its cemeteries. Ron can provide advice on general cemetery/community operations and perspectives.
- Kevin Armstrong – 20 years' experience in the financial management of cemeteries within Local Government and of that 8 years with full operational management and development of a large Local Government cemetery, followed by 6 years of private consultancy provision to the cemetery industry. Experience in financial management, planning and development of cemeteries and Kevin can provide advice on the same.
- Robert Bonython – Former grave digger in the Adelaide Hills Council area for over 20 years and very knowledgeable of the operational history of the cemeteries in the southern part of the Council area, particularly the Stirling Cemetery. Robert can provide advice on on-ground cemetery operations.

Rural Land Management Advisory Group (RLMAG)

The Terms of Reference for the RLMAG provide for nine (9) representatives from the following areas of expertise or organisations:

- Viticulture
- Horticulture
- Horse Keeping
- Grazing/Broad acre
- Strawberry/Berry
- Primary Production Industry representative
- Natural Resources Management representative
- Landscapes SA Hills and Fleurieu representative (staff representative)
- Dept. of Primary Industry and Regions SA (PIRSA) representative (staff representative)

Six (6) expressions of interest (EOI) were received, five from existing members and one from a new candidate. Note that two existing members namely Damian McArdle (Primary Industry representative) and Mark Whisson (Viticulture Industry representative) did not seek reappointment.

No EOIs were received for the Primary Production Industry Group representation. It is proposed that this role will therefore remain vacant until suitable candidates are identified, at which time the Selection Panel makes a recommendation for the appointment to the CEO. However, note that there are still staff representatives from the Landscapes SA Hills & Fleurieu and PIRSA on the Group who do not require Council appointment.

The Selection Panel consisting of Councillors Bailey and Kemp, and Marc Salver – Director Development & Regulatory Services reviewed the EOIs. As only one new candidate had come forward, the Panel conducted one interview for Sarah Carlson as Viticulture representative on 16 March 2021. In consideration of the EOIs, the Panel recommended the appointment of following people for the respective roles:

- Cam Stafford – Horticulture Industry representative – long standing member of the RLMAG and 4th generation apple, pear and cherry grower located in Lenswood since 1872. Cam was the previous Chair of Lenswood Coop from 1984 to 2012 and was the previous chair of the RLMAG for about 8 years and is also a Board Member of Adelaide Hills Tourism.
- Peter Oborn – Horse Keeping Industry representative – current member of the RLMAG with extensive experience in horsekeeping and the horse industry. He has also been the previous business manager of a large horticultural and viticultural business in the Hills (Joyson Orchards and Pike & Joyce Wines) and has lived in the Hills for many years
- John Mundy – Grazing/Broadacre Industry representative – current member of the RLMAG and broadacre farmer located in the Adelaide Hills Council area
- Saverio Virgara – Berry Industry representative – current member of the RLMAG and berry grower, vigneron, wine maker and exporter and third generation farmer in the Adelaide Hills Council area.
- Leanne Muffet – Natural Resource Management Representative – current member of the RLMAG who is a consultant with extensive experience in environmental and natural resource management
- Sarah Carlson – Viticulture Industry representative – who has experience in managing vineyards and is currently the Adelaide Hills Wine Region Grower Engagement Officer with experience in issues related to the viticulture industry such as biosecurity, water resource management, sustainable production, infrastructure management, and fire and climate change impacts.

Sustainability Advisory Group (SAG)

The Terms of Reference for the SAG provide for up to five (5) independent members with the following skills, knowledge and experience:

- Environmental sustainability natural resource management, climate change, climate adaption or similar
- Energy, water and/or waste reduction strategies and/or technology
- Government grants process particularly as related to climate change, energy, water and waste reduction
- Advisory committees and/or community consultation
- Links to networks and/or groups with expertise in environment, sustainability, and climate change and/or climate adaption.

One EOI was received and this was from an existing independent member of the Sustainability Advisory Group. Given this outcome the Executive Officer approached the Selection Panel (Cr Boyd and Cr Mudge) proposing that the current Independent Members be approached to ascertain their interest or otherwise in undertaking another term on the advisory group. All Selection Panel members were supportive of this approach and as a result

each existing Independent Member was approached. All existing Independent Members advised they were prepared to undertake another term on the Sustainability Advisory Group.

The Panel recommended the appointment of following people:

- Ron Nelson – Former Council Member and is a local grower of certified organic vegetables and cut flowers. He is a member of the Biological Farmers of Australia and a lifetime advocate of sustainable and organic farming practices. Ron has life membership in the Bradbury CFS and brings a deep knowledge and understanding of local sustainability issues
- Dr David Lloyd – An adjunct scholar at UniSA and a member of numerous community groups including: The Old School Community Garden Inc., Stirling; Transition Adelaide Hill (TAH); and CORENA: Community Owned Renewable Energy Network Australia. David has extensive experience as a high school teacher and university lecturer in maths, science and sustainability. David brings a broad understanding of the issues associated with sustainability and building resilient communities.
- Eilidh Wilson – A Senior Project Officer with the Murraylands and Riverland Landscape Board involved with developing the Board’s first Landscape Plan. She is a member of the Climate Change Adaptation Practitioners Network and a member of the Landscape Board’s Carbon Action Committee. Eilidh provides extensive connections to networks and other groups working in sustainability and climate change action, and a good understanding of potential grants and processes.
- Professor Iain Hay – a Matthew Flinders Distinguished Emeritus Professor with three decades of teaching (Human) Geography and Environmental Management within universities in Australia, New Zealand and the United States. He has published numerous scholarly articles and was an Expert Member on the Australian Council of Environmental Deans and Directors group developing Environment and Sustainability Learning Standards for Australia. Iain has a wealth of experience and connections to an extensive array of influential groups with local, national and international expertise in environment, sustainability, climate change and climate adaptation.

As only four (4) of the five (5) community member positions are recommended to be filled, it is proposed that the final position will remain vacant unless/until a suitable candidate is identified, at which time the Selection Panel make a recommendation for appointment.

4. OPTIONS

Council has the following options:

- I. To appoint the independent/community members as per the recommendations of the respective Selection Panels (Recommended)
- II. To determine not to appoint all or some of the recommended candidates (Not Recommended)

5. APPENDIX

Nil

3. Appointment of Advisory Group Independent Members – Period of Confidentiality

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)(a) 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 and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until the candidates have been advised of Council’s decision but no later than 30 June 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.