

**ADELAIDE HILLS COUNCIL  
MINUTES OF ORDINARY COUNCIL MEETING  
TUESDAY 23 JANUARY 2018  
63 MT BARKER ROAD STIRLING**

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In Attendance:

**Presiding Member:** Mayor Bill Spragg

**Members:**

Councillor	Ward
Councillor Jan-Claire Wisdom	Manoah
Councillor Ian Bailey Councillor Jan Loveday	Marble Hill
Councillor Nathan Daniell Councillor John Kemp	Mt Lofty
Councillor Lynton Vonow Councillor Andrew Stratford	Onkaparinga Valley
Councillor Linda Green Councillor Malcolm Herrmann	Torrens Valley

In Attendance:

Andrew Aitken	Chief Executive Officer
Terry Crackett	Director Corporate Services
Peter Bice	Director Engineering & Assets
Marc Salver	Director Strategy & Development
David Waters	Director Community & Customer Service
Lachlan Miller	Executive Manager Governance & Performance
Natalie Westover	Manager Property Services
David Collins	Manager Sustainable Assets
Ashley Curtis	Manager Civil Services
Chris Janssan	Manager Open Space
Matt Strapps	Manager Information Systems
Pam Williams	Minute Secretary

**1. COMMENCEMENT**

The meeting commenced at 6.34pm.

**2. OPENING STATEMENT**

“Council acknowledges that we meet on the traditional lands of the Peramangk and Kurna people and we recognise their connection with the land.

We understand that we do not inherit the land from our ancestors but borrow it from our children and in this context the decisions we make should be guided by the principle that nothing we do should decrease our children’s ability to live on this land.”

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**3. APOLOGIES/LEAVE OF ABSENCE**

**3.1. Apology**

Cr Val Hall  
Cr Ron Nelson  
Cr Kirrilee Boyd

**3.2. Leave of Absence**

Nil

**3.3. Absent**

Nil

**4. MINUTES OF PREVIOUS MEETINGS**

**4.1. Council Meeting – 12 December 2017**

Moved Cr Malcolm Herrmann  
S/- Cr Ian Bailey

1/18

That the minutes of the ordinary meeting held on 12 December 2017 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

**Carried Unanimously**

**5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL**

Nil

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

Nil

**7. QUESTIONS ADJOURNED/LYING ON THE TABLE**

**7.1. Questions Adjourned**

Nil

**7.2. Questions Lying on the Table**

Nil

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**8. PETITIONS / DEPUTATIONS / PUBLIC FORUM**

**8.1. Petitions**

**8.1.1. Pedestrian Crossing Milan Terrace Stirling**

Moved Cr Jan-Claire Wisdom  
S/- Cr Ian Bailey

**2/18**

**Council resolves that the petition with 60 signatories requesting a pedestrian crossing on Milan Terrace Stirling adjacent to the Stirling Hospital, be received and noted.**

**Carried Unanimously**

**8.2. Deputations**  
Nil

**8.3. Public Forum**  
Nil

**9. PRESENTATIONS**  
Nil

**10. QUESTIONS ON NOTICE**  
Nil

**11. MOTIONS ON NOTICE**

**11.1. Balhannah Railway Station**

This motion was withdrawn. Refer to Item 16, Motions Without Notice.

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**12. OFFICER REPORTS – DECISION ITEMS**

**12.1. Capital Program Review & Amendments**

Moved Cr Jan Loveday  
S/- Cr John Kemp

Council resolves:

1. That the report be received and noted
2. That the Amended Capital Works Program contained in Appendix 1 be endorsed and deferred projects given priority consideration in development of the 2018-19 Capital Works Program, with the exception that the Basket Range Tennis Courts (line 152) \$60,000 and Balhannah Dog Park (line 151) \$14,000 not to be removed from the Amended Capital Works program.
3. Adopt the revised Capital Works program totalling \$18,461,126 for 2017/18, a reduction of \$3,776,588, as outlined in Appendix 1.

**AMENDMENT**

Moved Cr Linda Green  
S/- Cr Malcolm Herrmann

**3/18**

Council resolves:

2. **That the Amended Capital Works Program contained in Appendix 1 be endorsed and deferred projects given priority consideration in development of the 2018-19 Capital Works Program, with the exception that the Basket Range Tennis Courts \$60,000 (line 152) and Balhannah Dog Park \$14,000 (line 151) and the Mt Torrens Township Reserve Scoping Works \$40,000 (line 30) not to be removed from the Amended Capital Works program**
3. **Adopt the revised Capital Works program totalling \$18,501,126 for 2017/18, a reduction of \$3,736,588, as outlined in Appendix 1.**

**Carried unanimously**

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Motion as amended: 4/18

1. That the report be received and noted
2. That the Amended Capital Works Program contained in Appendix 1 be endorsed and deferred projects given priority consideration in development of the 2018-19 Capital Works Program, with the exception that the Basket Range Tennis Courts \$60,000 (line 152) and Balhannah Dog Park \$14,000 (line 151) and the Mt Torrens Township Reserve Scoping Works \$40,000 (line 30) not to be removed from the Amended Capital Works program
3. Adopt the revised Capital Works program totalling \$18,501,126 for 2017/18, a reduction of \$3,736,588, as outlined in Appendix 1.

Carried unanimously

**12.2. Road Exchange - Mt Torrens Walking Loop**

Moved Cr John Kemp 5/18  
S/- Cr Linda Green

Council resolves:

1. That the report be received and noted
2. To issue a Road Process Order pursuant to the *Roads (Opening & Closing) Act 1991* to:
  - a. Close and merge the land identified as "A" in Preliminary Plan No 17/0041 (*Appendix 1*) with Allotment comprising pieces 81 & 82 in Filed Plan No. 218134 comprised in Certificate of Title Volume 6025 Folio 732 owned by Brian Bruce Willison
  - b. Open the land identified as "1" in Preliminary Plan No 17/0041 as public road being portion of Allotment comprising pieces 81 & 82 in Filed Plan No. 218134 comprised in Certificate of Title Volume 6025 Folio 732 owned by Brian Bruce Willison
3. The closed road be excluded as Community Land pursuant to the Local Government Act 1999
4. To undertake the road exchange for nil consideration with the Council to pay all necessary costs to effect this resolution
5. To authorise the Chief executive Officer (or delegate) to finalise and sign all necessary documentation to effect the road exchange and this resolution

Carried unanimously

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**12.3. Section 43 Regional Subsidiary Membership – Southern & Hills Local Government Association**

Moved Cr Malcolm Herrmann **6/18**  
S/- Cr Jan Loveday

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

**Carried unanimously**

**12.3.1. Section 43 Regional Subsidiary Membership – Southern & Hills Local Government Association – Board Member position until November 2019**

Moved Cr John Kemp **7/18**  
S/- Cr Jan Loveday

**That Council resolves to appoint Andrew Aitken to the board member position until 1 November 2019.**

**Carried unanimously**

**12.3.2. Section 43 Regional Subsidiary Membership – Southern & Hills Local Government Association – Board Member position until November 2018**

Moved Cr Nathan Daniell **8/18**  
S/- Cr John Kemp

**That Council resolves to appoint Cr Jan-Claire Wisdom to the board member position until 9 November 2018.**

**Carried unanimously**

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**12.3.3. Section 43 Regional Subsidiary Membership – Southern & Hills Local Government Association – Deputy Board Member position until 9 November 2018**

The Executive Manager Governance & Performance, as Returning Officer, called for nominations.

Nominations were received for Cr Loveday and Cr Green. There being two nominations for one position, the Returning Officer indicated that an election was necessary.

Arising from the election process, the Returning Officer declared Cr Green elected.

**Moved Cr Malcolm Herrmann 9/18  
S/- Cr Lynton Vonow**

**That Council resolves to appoint Cr Linda Green to the deputy board member position until 9 November 2018.**

**Carried unanimously**

**12.4. Frick Street Lobethal 40kph Zone**

**Moved Cr Malcolm Herrmann 10/18  
S/- Cr Lynton Vonow**

**Council resolves:**

- 1. That the report be received and noted**
- 2. That Council endorses the introduction of a 40km/h speed limit on Frick Street for all vehicles for the duration of the interim operations.**
- 3. That the CEO write to DPTI seeking the introduction of a 40km/h speed limit on Frick Street for all vehicles for the duration of the interim operations.**

**Carried unanimously**

**12.5. By-Law Review**

**Moved Cr John Kemp 11/18  
S/- Cr Jan-Claire Wisdom**

**Council resolves:**

- 1. That the report be received and noted**
- 2. Council adopts the indicative By-law Review Schedule as contained in Appendix 1.**

**Carried unanimously**

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**12.6 Status Report – Council Resolutions Update**

**Moved Cr John Kemp  
S/- Cr Ian Bailey**

**12/18**

**That Council resolves:**

- 1. The Council Action List be received and noted**
- 2. The following completed item be removed from the Action List:**

<b>Date</b>	<b>Meeting</b>	<b>No</b>	<b>Heading</b>
22/04/2014	Ordinary Council	86	AHRWMA – Period of Confidentiality
22/02/2016	Audit Committee	15	IT Security Audit - Period of Confidentiality
15/08/2016	Audit Committee	37	ICT Security Assessment Action Implementation Update - Period of Confidentiality
23/05/2017	Ordinary Council	110/17c	Green Organics Service Review
9/08/2017	Special Council	170/17	Heathfield Resource Recovery Centre Management
26/09/2017	Ordinary Council	206/17	Multicultural Action Plan
26/09/2017	Ordinary Council	215c/17	Membership of Audit Committee
26/09/2017	Ordinary Council	225/17	Supporting the Arts
26/09/2017	Ordinary Council	218b/17	CEOPRP Recruitment Independent Member
26/09/2017	Ordinary Council	218c/17	CEOPRP Recruitment Independent Member
24/10/2017	Ordinary Council	245/17	Elector Representation Review – Submissions Report and Determination
24/10/2017	Ordinary Council	248/17	Age Friendly Community Strategic Plan
24/10/2017	Ordinary Council	249/17	Future of Hills Voice Magazine
8/11/2017	CEO PRP	CEO21/17	CEO Performance Review 2017 - Confidential Item
8/11/2017	CEO PRP	CEO24/17	2017 CEO Remuneration Review
8/11/2017	CEO PRP	CEO22/17	CEO Performance Review 2017 - period of confidentiality
8/11/2017	CEO PRP	CEO25/17	2017 CEO Remuneration Review - period of confidentiality
28/11/2017	Ordinary Council	277/17	2016-17 Annual Report Adoption
28/11/2017	Ordinary Council	283/17	Revocation Community Land - Closed Roads in Kenton Valley, Birdwood, Mt Torrens
28/11/2017	Ordinary Council	287/17b	Policy Reviews - Debt Recovery & Account Reconciliation Policy
28/11/2017	Ordinary Council	288/17	Delegations Policy for Determination of DAs by CAP
28/11/2017	Ordinary Council	295/17	CEO Performance & Remuneration Review



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<b>Date</b>	<b>Meeting</b>	<b>No</b>	<b>Heading</b>
28/11/2017	Ordinary Council	295/17	CEO Performance & Remuneration Review - Period of Confidentiality
12/12/2017	Ordinary Council	301a/17	Determination of Time & Place of Council Meetings, Workshop Sessions, Professional Development Sessions and Community Forums in 2018
12/12/2017	Ordinary Council	303/17	Register of Confidential Items
12/12/2017	Ordinary Council	304/17	Delegations Review - December 2017
12/12/2017	Ordinary Council	306/17	Building Better Regions Fund
22/04/2014	Ordinary Council	86	AHRWMA – Period of Confidentiality
22/02/2016	Audit Committee	15	IT Security Audit - Period of Confidentiality

**Carried unanimously**

**13. OFFICER REPORTS – INFORMATION ITEMS**

**13.1. Highercombe Golf Course**

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

**13/18**

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

Cr Herrmann, with the consent of Cr Green, sought and was granted leave of the meeting to vary the motion as follows.

**Council resolves that the report be received and notes the existing lease until 2019 with a right to renew until 2024 and that any changes would need the support of the lessee and the State Government.**

**Carried unanimously**

**13.2. ICT & IS Strategic Plan 2017 - 2020**

**Moved Cr Malcolm Herrmann**  
**S/- Cr Jan Loveday**

**14/18**

**Council resolves that:**

- 1. The report be received and noted**
- 2. the report is referred to the Audit Committee for information.**

**Carried unanimously**

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**13.3. Corporate Plan**

Moved Cr Ian Bailey **15/18**  
S/- Cr Jan-Claire Wisdom

Council resolves that the report be received and noted.

**Carried unanimously**

**14. MISCELLANEOUS ITEMS**

Nil

**15. QUESTIONS WITHOUT NOTICE**

Cr Bailey – Advertiser article re Council Members' Code of Conduct

**16. MOTIONS WITHOUT NOTICE**

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

**16.1. Pedestrian Crossing, Milan Terrace Stirling**

Moved Cr John Kemp **16/18**  
S/- Cr Jan Loveday

That Council resolves that an assessment be undertaken and a report back to the March 2018 Council meeting on the feasibility of installing a zebra crossing on Milan Terrace Stirling, adjacent to the Stirling Hospital and reducing the speed limit in this precinct.

**Carried unanimously**

**16.2. Balhannah Railway Station – Officer's Response to Motions on Notice**

Moved Cr Malcolm Herrmann **17/18**  
S/- Cr Ian Bailey

That Council resolves that the Officer's response to Item 11.1, Motions on Notice, Balhannah Railway Station, be incorporated in the minutes.

**Carried Unanimously**

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*Balhannah Railway Station – Officer’s Response to Motions on Notice*

*The Department of Planning, Transport and Infrastructure (DPTI) has determined that the site is surplus to its requirements.*

*DPTI made an application for demolition for the building however the State Heritage Unit did not support that due to the heritage significance of the building.*

*DPTI undertook a land division of the site to create 3 allotments, including an allotment for the old station building.*

*The building assessment undertaken by DPTI revealed that the likely costs to restore the building would be in the vicinity of \$2M as 80% of the structure would need to be replaced and there are significant issues.*

*DPTI approached Council to ascertain if Council had any interest in obtaining ownership of the building. A condition of DPTI to Council taking ownership was that Council undertook the building restoration. An assessment of the size of the land parcel, location, costs to restore the building and likely community benefit was undertaken and it was determined that this site was not suitable for consideration. The option was discussed with the Property Advisory Group and a letter was sent to DPTI in April 2017 advising that Council was not interested in taking ownership of the building/site.*

*In a phone conversation with DPTI on 15 January 2018 it was confirmed that:*

- *The land/building was still determined to be surplus to requirements*
- *The requirement by the State Heritage Unit to restore the building and the cost to do so made the site unsuitable for sale*
- *DPTI are considering their options for the site and will likely be seeking Ministerial direction about the State Heritage Unit position*

**16.3. Balhannah Railway Station – Results of Assessment**

**Moved Cr Andrew Stratford  
S/- Cr Linda Green**

**18/18**

**That the CEO provide a report to the March 2018 Council meeting outlining the results of the assessment made on the disused Balhannah railway station including, but not limited to, building restoration works, size of the land parcel, location, estimated cost to restore the building, likely community benefit and State Heritage Listing status and implications.**

**Carried Unanimously**

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**17. REPORTS**

Leave was granted by Council for Cr Ian Bailey to read a statement from Cr Val Hall containing her public apology as requested at the 22 August 2017 Council meeting. The apology was read out by Cr Ian Bailey.

**17.1. Council Member Activities**

**Mayor Bill Spragg**

- 13 December, AHC Volunteers lunch @ Hahndorf
- 15 December 2017, The Hut Volunteers breakfast @ Aldgate, Southern & Hills LGA @ Stirling
- 20 December 2017, Woodside Christmas Pageant @ Woodside
- 21 December 2017, AHC Christmas lunch @ Balhannah
- 11 January 2018, Women's Santos Tour Down Under stage 1 start @ Gumeracha
- 13 January, Launch of Frog Mural @ Gumeracha
- 17 January 2018, Santos Tour Down Under Stage 2 Finish @ Stirling, Metropolitan Local Government Group meeting @ Adelaide
- 19 January 2018, Santos Tour Down Under Stage 4 Finish @ Uraidla
- 22 January 2018, Australia Day Council South Australian awards @ Adelaide

**Cr Jan-Claire Wisdom**

- 12 January, Briefing meeting re Arts and Cultural Hub @ Stirling
- 13 January, Launch of Frog Mural @ Gumeracha
- 17 January, Santos Tour Down Under corporate support @ Stirling
- 19 January, Santos Tour Down Under corporate support @ Uraidla

**Cr John Kemp**

- 14 December, National Trust Mt Lofty Branch Christmas Drinks Stangate House
- 15 December, The Hut Community Centre Christmas Breakfast on the platform
- 17 January, Santos Tour Down Under, Stirling

**Cr Lynton Vonow**

- 21 December, Christmas Pageant, Woodside
- 23 December, Christmas Pageant, Lobethal
- 17 January, Santos Tour Down Under, Stirling

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

**Mayor Bill Spragg**

Report on S&HLGA meeting 15 December 2017

- Mayor Keith Parke from Alexandrina elected as President and Mayor Glen Rowland from Yankalilla as Deputy President
- The Southern & Hills Local Government Association charter is to be review in 2018
- Adelaide Hills, Fleurieu, Kangaroo Island Regional Development Australia Chair to be appointed in March and they will then select the Regional Development Australia (RDA) board
- RDA funding approved through to 2020.

Metropolitan Local Government Group meeting 17 January 2018

- Mayor Karen Redman from Gawler elected Metropolitan Local Government Group (MLGG) Chair
- An addition \$5000 allocated to the Smart Cities Snapshot budget
- 2018 MLGG Priorities were discuss and a final decision was defer to a future meeting
- Mr Klinton Devenish from the City of Adelaide was appointed to the Metropolitan Strategic Roads Committee.

**17.3. CEO Report**

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

- Aldgate pedestrian crossing, footpaths, parking & stormwater
- Swamp Road Lenswood
- Lobethal Road
- Olivedale Street Birdwood footpath
- Township Burning Permits
- Electronic Development Approvals
- Inverbrackie development
- SA Employment Tribunal appointment of Cr Loveday
- Rural Property Addressing Upper Hermitage
- Gawler River Floodplain Management Authority, letter to Minister for Local Government
- Australia Day Citizenship Ceremony
- Santos Tour Down Under 2018

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**18. REPORTS OF COMMITTEES**

**18.1. Council Assessment Panel – 13 December 2017**

Moved Cr Nathan Daniell  
S/- Cr Ian Bailey

**19/18**

That the minutes of the Council Assessment Panel meeting of 13 December 2017 as distributed, be received and noted.

**Carried Unanimously**

**18.1.1. Council Assessment Panel – 10 January 2018**

Moved Cr Linda Green  
S/- Cr Ian Bailey

**20/18**

That the minutes of the Council Assessment Panel meeting of 10 January 2018 as distributed, be received and noted.

**Carried Unanimously**

**18.2. Strategic Planning & Development Policy Committee**  
Nil

**18.3. Audit Committee**  
Nil

**18.4. CEO Performance Review Panel**  
Nil

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**19. CONFIDENTIAL ITEMS**

**19.1. CEO Performance Review Committee and Audit Committee Independent Members Appointments – Exclusion of the Public**

Moved Cr Linda Green

21/18

S/- Cr Lynton Vonow

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

- CEO, Andrew Aitken
- Director Engineering & Assets, Peter Bice
- Director Strategy & Development, Marc Salver
- Director Corporate Services, Terry Crackett
- Director Community & Customer Service, David Waters
- Executive Manager Governance & Performance, Lachlan Miller
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 19.1: (CEO Performance Review Panel and Audit Committee Independent Member Appointments) 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), because it would disclose the personal details of candidates who have expressed an interest to be on the CEO Performance Review Panel and the Audit Committee.

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

**Carried Unanimously**

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**19.1.1. CEO Performance Review Committee and Audit Committee Independent Members Appointments – Confidential Item**

**RELEASED 1 FEBRUARY 2018**

Moved Cr John Kemp 22/18  
S/- Cr Malcolm Herrmann

Council resolves:

1. That the report be received and noted
2. To appoint Paula Davies to the CEO Performance Review Panel for a term to commence immediately until 30 November 2020 (inclusive)
3. That in relation to the Audit Committee Independent Membership:
  - a. To appoint Peter Brass to the position of Independent Member for a term to commence immediately until 30 November 2019 (inclusive)
  - b. To appoint Geoff Purdie to the position of Independent Member for a term to commence immediately until 30 November 2019 (inclusive)
  - c. To appoint Paula Davies to the position of Independent Member for a term to commence immediately until 30 November 2020 (inclusive).

Carried Unanimously

**19.1.2. Audit Committee Independent Members Appointments, Presiding Member – Confidential Item**

**RELEASED 1 FEBRUARY 2018**

Moved Cr Jan Loveday 23/18  
S/- Cr John Kemp

Council resolves to appoint Paula Davies as the Audit Committee Presiding Member for a term to commence immediately until 30 November 2018 (inclusive).

Carried Unanimously



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**19.1.3. CEO Performance Review Committee and Audit Committee Independent Members Appointments – Period of Confidentiality**

Moved Cr Ian Bailey  
S/- Cr Jan Loveday

**24/18**

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing Council's decision(s) in this matter in the performance of the duties and responsibilities of office, Council, having considered Agenda Item 19.1 in confidence under sections 90(2) and 90(3) (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, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until the appointment have been confirmed with the applicants, but not longer than 2 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.

**Carried Unanimously**

**20. NEXT MEETING**

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 27 February 2018 from 6.30pm at 63 Mt Barker Road, Stirling.

**21. CLOSE MEETING**

The meeting closed at 9.08pm.