

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL MEETING
TUESDAY 13 MARCH 2018
36 NAIRNE ROAD WOODSIDE**

In Attendance:

Presiding Member: Mayor Bill Spragg

Members:

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| Councillor | Ward |
| Councillor Ron Nelson Councillor Jan-Claire Wisdom | Manoah |
| Councillor Jan Loveday | Marble Hill |
| Councillor Kirrilee Boyd Councillor Nathan Daniell Councillor John Kemp | Mt Lofty |
| Councillor Lynton Vonow | Onkaparinga Valley |
| Councillor Linda Green Councillor Malcolm Herrmann | Torrens Valley |

In Attendance:

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| 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 |

1. COMMENCEMENT

The special council meeting commenced at 6.33pm.

2. OPENING STATEMENT

“Council acknowledges that we meet on the traditional lands of the Peramangk and Kaurna 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 Ian Bailey

3.2. Leave of Absence

Cr Andrew Stratford

3.3. Absent

Nil

4. DECLARATION OF INTEREST BY MEMBERS OF THE COMMITTEE

4.1. Perceived Conflict of Interest – Mayor Bill Spragg

Under Section 75A of the *Local Government Act 1999* Mayor Spragg disclosed a Perceived Conflict of Interest in Item 5.1, Kurna Native Title Claim Settlement, the nature of which is as follows:

- Mr Tim Campbell, the lawyer for the Kurna, was a work colleague and fellow AEU representative when I worked at Tea Tree Gully TAFE and there may be a perception that I may have a bias in consideration of the matter. I note that this would only be a perception and will stay and preside over the meeting.

Mayor Spragg intends to remain in the Chamber and preside over the meeting when this item is discussed.

5. BUSINESS OF THE MEETING

5.1. Kurna Native Title Claim Settlement

Council granted leave of the meeting to have a short-term suspension of proceeding for up to 30 minutes for the purposes of discussing the report, including the seeking of input from interested parties.

Speakers:

Michael Hunter Coughlan
Michel Gray
Courtney Hunter

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The Mayor determined that the period of suspension be brought to an end.

**Moved Cr Nathan Daniell
S/- Cr Kirrilee Boyd**

62/18

Council resolves:

1. That the report be received and noted.
2. To withdraw as a respondent to the Kurna Native Title Claim.

The mover, with the consent of the seconder and with the leave of the meeting, agreed to a variation as follows:

Council resolves:

1. **That the report be received and noted.**
2. **To withdraw as a respondent to the Kurna Native Title Claim as it does not support the State's anthropological position due to Peramangk traditional interests in the area.**
3. **That if it is not permitted to withdraw, that Council instructs Norman Waterhouse Lawyers to execute the determination document on the basis that it is purely procedural and is not an endorsement of the State's anthropological position.**

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| | Carried Unanimously |
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6. CLOSE SPECIAL COUNCIL MEETING

The meeting closed at 8.32pm.