In Attendance

Presiding Member: Mayor Bill Spragg

Members:

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

In Attendance:

Andrew Aitken	Chief Executive Officer
Terry Crackett	Director Corporate Services
Marc Salver	Director Development & Regulatory Services
David Waters	Director Community Capacity
Chris Janssan	Manager Open Space
Steven Watson	Governance & Risk Coordinator
Pam Williams	Minute Secretary

1. COMMENCEMENT

The meeting commenced at 6.32pm.

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".

Mayor	23 October 2018

3.	APOLOGIES/LEAVE OF ABSENCE
3.1	Apology
	Cr Kirrilee Boyd Cr Jan Loveday
3.2	Leave of Absence
	Nil
3.3	Absent
	Nil
4.	MINUTES OF PREVIOUS MEETINGS
4.1	Council Meeting – 28 August 2018
	Moved Cr Malcolm Herrmann S/- Cr Ian Bailey 240/18
	That the minutes of the Ordinary Council meeting held on 28 August 2018 as supplied, be confirmed as an accurate record of the proceedings of that meeting.
	Carried Unanimously
4.2	Special Council Meeting – 6 September 2018
	Moved Cr Nathan Daniell
	S/- Cr Lynton Vonow 241/18
	That the minutes of the Special Council meeting held on 6 September 2018 as supplied, be confirmed as an accurate record of the proceedings of that meeting.
	Carried Unanimously

4.3	Special Council Meeting – 11 September 2018
	Moved Cr Linda Green S/- Cr Ron Nelson 242/18
	That the minutes of the Special Council meeting held on 11 September 2018 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
5.1	Perceived Conflict of Interest, Cr Jan-Claire Wisdom, Item 12.3, Election for GAROC 2018-2020
	Under Section 75A of the <i>Local Government Act 1999</i> Cr Jan-Claire Wisdom disclosed a Perceived Conflict of Interest in Item 12.3, Election for GAROC 2018 – 2020, the nature of which is as follows:
	 I am a candidate for a position on the Greater Adelaide Region Organisation of Councils (GAROC)
	Cr Jan-Claire Wisdom intends to leave the Chamber when this matter is discussed.
6.	PRESIDING MEMBER'S OPENING REMARKS
	Mayor Spragg reminded Council Members that Council is in Caretaker mode.
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

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8.		U	e	Dι	ıta	lΤI	0	n	S

William Hannaford and Lew Brickhill re Charleston Conservation Park.

8.3 Public Forum

Mr Joe Frank re decision making

9. PRESENTATIONS

- Dr Emily Moskwa, UniSA, re results of bushfire vs biodiversity conservation study
- Tim Groves, Department Environment & Water re Update on Fuel Reduction burns

Leave of the meeting was granted to bring item 13.1, Department for Environment & Water Fuel Reduction on Private lands Program Annual Update, forward on the agenda.

13.1 Department for Environment & Water Fuel Reduction on Private lands Program Annual Update

Moved Cr John Kemp S/- Cr Ron Nelson

243/18

That Council resolves that the report be received and noted.

Carried Unanimously

7.44pm Cr Wisdom left the Chamber

10. QUESTIONS ON NOTICE

7.45pm Cr Wisdom returned to the Chamber

Mayor	23 October 2018

10.1 Milan Terrace Stirling 40km speed limit zone – Cr John Kemp

What progress has been made in discussions with the Department of Transport & Infrastructure regarding extending the 40km speed limit zone beyond the regulated distances in regard to the proposed wombat crossing adjacent to the Stirling Hospital?

Officer's Response - Peter Bice, Director Infrastructure & Operations

Discussions have occurred with DTI and no firm response has been received.

The 40km/h speed limit on Milan Terrace, Stirling would be part of the wombat crossing proposal.

Council staff have investigated options and subsequently met with the Stirling Hospital CEO and verbal agreement was given on the crossing proposal (wombat crossing) that includes the loss of some parking on Milan Terrace.

Council intends to undertake broader community consultation as per its resolution 68/18 on 27 March 2018. Following consultation staff would report to Council with a recommendation.

Currently, the installation of a pedestrian crossing (wombat crossing) and the associated 40km/h speed zone with that facility is unfunded.

10.2 SA Power Networks – Tree Trimming – Cr John Kemp

Would it be appropriate for Council to have discussions with SA Power Networks regarding the diligence with which the tree trimming contractors apply the regulations contained in the SA Government publication "Trees and powerlines" (Office of the Technical Regulator) to ensure unsightly excessive trimming does not occur?

Officer's Response - Peter Bice, Director Infrastructure & Operations

Council staff continue to work with SAPN for the best outcomes in relation to tree pruning, SAPN are required under the Section 551 of the *Electricity Act 1996* to take reasonable steps to keep vegetation of all kinds clear of public powerlines under its control. Council staff attend information sessions and Council's arborist is on the SAPN LGA working group which looks at powerlines and trees, including things such as tree species suitable for under powerlines.

A protocol for vegetation management near powerlines has been developed by SAPN to outline their approach to vegetation management, and to provide guidance on how vegetation around powerlines should be managed. The protocol has been developed in partnership with the Local Government Association (LGA) following extensive consultation and feedback from Local Government and key stakeholders. The protocol was endorsed by the LGA Board at its May 2016 meeting.

Mayor	23 October 2018	;

11.	MOTIONS ON NOTICE Nil
	INII
12.	OFFICER REPORTS – DECISION ITEMS
12.1	Development Application Fee Refund Policy Review
	Moved Cr Ian Bailey
	S/- Cr Malcolm Herrmann 244/18
	Council resolves:
	 That the report be received and noted To revoke the 12 May 2015 Development Application Fee Refund Policy and to adopt the draft September 2018 Development Application Fee Refund Policy with an effective date of 9 October 2018.
	Carried Unanimously
	MATTER ARISING
	Moved Cr Ian Bailey
	S/- Cr Lynton Vonow 245/18
	Council resolves to move items 12.2, Election of LGA President, and 12.3, Election for GAROC 2018 – 2020, to the end of the meeting to allow confidential discussions.
	Carried Unanimously
12.2	Election of LGA President
	This item was considered at the end of the meeting.
12.3	Election for GAROC 2018-2020
	This item was considered at the end of the meeting.

12.4 Delegation Review September 2018

Moved Cr Linda Green S/- Cr Ian Bailey

246/18

Council resolves:

- 1. That the report be received and noted.
- 2. That, having conducted its quarterly review of Council's Delegations Register, in accordance with Section 44(6) of the *Local Government Act 1999*, the Council:
- 2.1 Revocation

Hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the following Acts:

- 2.1.1 Electronic Conveyancing National Law (SA) Act
- 2.1.2 Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005
- 2.1.3 Planning, Development and Infrastructure Act 2016
- 2.1.4 Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules Ancillary and Miscellaneous Provisions) Regulations 2014
- 2.1.5 Roads (Opening & Closing) Act 1991
- 2.1.6 South Australian Public Health Act 2011, South Australian Public Health (Legionella)
 Regulations 2013 and the South Australian Public Health (Wastewater) Regulations
 2013
- 2.2 Delegations made under the Local Government Act 1999
- 2.2.1 In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following Acts and specified in the proposed Instruments of Delegation contained in Appendices 3, 4, 5, 6, 7, and 8 (each of which is individually identified as indicated below) are hereby delegated this 25th day of September 2018 to the person occupying the office of Chief Executive Officer subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation.

Лayor	23 October 2018

- Electronic Conveyancing National Law (SA) Act
- Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005
- Planning, Development and Infrastructure Act 2016
- Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014
- Roads (Opening & Closing) Act 1991
- South Australian Public Health Act 2011, South Australian Public Health (Legionella) Regulations 2013 and the South Australian Public Health (Wastewater) Regulations 2013
- 2.2.2 Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.
- 2.4 Authorisations and Subdelegation under the Road Traffic Act 1961
- 2.4.1 In accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure (the 'Instrument') the Council authorises the following person(s) pursuant to Clause A.7 of the Instrument to endorse Traffic Impact Statements for the purposes of Clause A of the Instrument provided that such person(s) shall take into account the matters specified in Clause A.7 of the Instrument in respect of Traffic Impact Statements: to the persons occupying the positions of Director Infrastructure and Operations, Peter Bice, Manager Civil Services, Ashley Curtis.
- 2.4.2 In accordance with Clause A.7 of the Instrument, the Council is of the opinion that the following person(s) is/are experienced traffic engineering practitioner(s) for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the Instrument: to the persons occupying the positions of Director Infrastructure and Operations, Peter Bice, Manager Civil Services, Ashley Curtis.
- 2.4.3 In exercise of the power contained in, and in accordance with, Clause G.1 of the Instrument, the power contained in Section 33(1) of the Road Traffic Act 1961 and delegated to the Council pursuant to Clause G of the Instrument and contained in the proposed Instrument of Subdelegation (Appendix 10) is hereby sub-delegated this 25 day of September 2018 to the person occupying the office of Chief Executive Officer of the Council subject to:

(i) the conditions contained in the Instrument; and

- (ii) any conditions contained in this Resolution or in the Instrument of Subdelegation; and
- (iii) the creation of a separate instrument in writing reflecting such subdelegation under the Instrument and this Resolution.
- 2.4.4 In accordance with Clause E.2 of the Instrument, the Council is of the opinion that the following person(s) has (have) an appropriate level of knowledge and expertise in the preparation of traffic management Plans: to the persons occupying the positions of Director Infrastructure and Operations, Peter Bice, Manager Civil Services, Ashley Curtis.

Carried Unanimo	usly
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12.5 Status Report – Council Resolutions Update

Moved Cr Lynton Vonow S/- Cr Nathan Daniell

247/18

Council resolves:

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

Date	Meeting	No	Heading
24/05/2016	Ordinary Council	91/16	Road Closure portion Sinkinson Road
			Mt Torrens
26/09/2017	Ordinary Council	209/17	Road Realignment - Bonython Road
			Summertown
26/09/2017	Ordinary Council	233c/17	CWMS Review Update
26/09/2017	Ordinary Council	233d/17	CWMS Review Update
24/10/2017	Ordinary Council	261/17	Sale of Land at Adelaide Hills
			Business and Tourism Centre -
			CONFIDENTIAL ITEM
24/10/2017	Ordinary Council	262/17	Sale of Land at Adelaide Hills
			Business and Tourism Centre -
			Period of Confidentiality

Date	Meeting	No	Heading
27/02/2018	Ordinary Council	34/18	Mobile Food Vending Businesses
27/02/2018	Ordinary Council	54/18	Confidential Item - Retirement
	·		Village Review
27/02/2018	Ordinary Council	55/18	Retirement Village Review - Period of
	·		Confidentiality
27/03/2018	Ordinary Council	65/18	Memorial for late Cr Val Hall
24/04/2018	Ordinary Council	100/18	CEO Performance Review Panel
19/06/2018	Special Council	131/18	CWMS EOI Outcomes
26/06/2018	Ordinary Council	138/18	Draft Annual Business Plan 2018
			2019 Adoption
26/06/2018	Ordinary Council	145/18	World Heritage Bid Annual Report
26/06/2018	Ordinary Council	152/18	Special Event - Period of
			Confidentiality
24/07/2018	Ordinary Council	166/18	Cities Power Partnership
			Membership Application
28/08/2018	Ordinary Council	190/18	Petition - Deloraine Road Kersbrook
28/08/2018	Ordinary Council	192/18	MON Kangaroo Management on
			Public Lands
28/08/2018	Ordinary Council	198/18	Community Grants 2018 - 2019
28/08/2018	Ordinary Council	204/18	Mobile Food Vending
28/08/2018	Ordinary Council	206/18	Road Closures Young Driver
			Awareness Course 2018-2019
28/08/2018	Ordinary Council	208/18	Revocation of Community Land
			Lobethal Retirement Village
28/08/2018	Ordinary Council	209/18	Ombudsman SA - Final Investigation
			Report
28/08/2018	Ordinary Council	220/18	CEO Performance & Remuneration
			Review - Confidential Item
28/08/2018	Ordinary Council	221/18	CEO Performance & Remuneration
			Review - Period of Confidentiality
28/08/2018	Ordinary Council	209/18	Ombudsman SA Final Investigation
			Report Cr Herrmann
11/09/2018	Special Council	226/18	Parliamentary Inquiry into the
			Heritage System regarding Places or
44/00/2046	6	220/40	Objects
11/09/2018	Special Council	228/18	2017-18 Preliminary End of Year
44/00/2046	Constitution of the	226/40	Financial Results and Carry Forwards
11/09/2018	Special Council	236/18	East Waste Kerbside Recycling
			Contract

Carried Unanimously

13.	OFFICER REPORTS - INFORMATION ITEMS	
13.1	Department for Environment & Water Fuel Reduction on Private Update	lands Program Annual
	This item was discussed earlier in the agenda.	
13.2	Harms Avenue Birdwood	
	Moved Cr Malcolm Herrmann S/- Cr Linda Green	248/18
	 That Council resolves that the report be received and noted That the CEO provides a further report to Council by the en 	
		Carried Unanimously
13.3	Age Friendly Community Strategic Plan – Status Report	
	Moved Cr John Kemp	
	S/- Cr Linda Green	249/18
	That Council resolves that the report be received and noted.	
		Carried Unanimously
13.4	Corporate Plan 2017 – 2010 - Status Report	
	Moved Cr John Kemp	
	S/- Cr Jan-Claire Wisdom	250/18
	That Council resolves that the report be received and noted.	
		Carried Unanimously

Local G	overnment Election Update			
	Cr Nathan Daniell ohn Kemp			251/18
That Co	uncil resolves that the repo	ort be received a	and noted.	
			Ca	rried Unanimously
MISCEL	LANEOUS ITEMS			
Nil				
QUEST	ONS WITHOUT NOTICE			
Cr Baile	y re Bike Event at Yarrabee I	Road Greenhill		
мотіо	NS WITHOUT NOTICE			
_	taken into account the Guid t Notice.	ing Principles, th	ne Mayor accepted th	e following Motion
Unmad	e Road Reserves, Charlesto	n Conservation	Park	
	Cr Malcolm Herrmann inda Green			252/18
	e CEO provides a report to 0 unmade road reserves adja	-	-	
			Ca	nrried Unanimously

17. REPORTS

17.1 Council Member Activities

Cr Malcolm Herrmann

- 29 August, Play Space Consultation, Paracombe
- 3 September, Citizenship Ceremony, Stirling
- 10 September, Men's Shed, Kersbrook
- 12 September, Park Association, Birdwood
- 13 September, Residents Association, Kersbrook
- 17 September, RSL sub branch, Gumeracha
- 18 September, TV Lions Club, Gumeracha
- 24 September, Hills Justices Group AGM, Cudlee Creek
- 30 August, Val Hall's memorial seat unveiling, Gumeracha

Cr Linda Green

• 30 August, Val Hall's memorial seat unveiling, Gumeracha

Cr Jan-Claire Wisdom

- 28 July, Candidate Session for Women on Council, Charles Sturt Council
- 2 August, Woodside Friends of Library AGM, Woodside
- 7 August, SATIC & CTLM Tourism forum, Adelaide
- 8 August, MCFC AGM, Mylor
- 9 August, Meeting with Member for Kavel, Mt Barker
- 10 August, Special LGASA meeting re rates, Adelaide
- 17 August, SHLGA Board Meeting, Victor Harbor
- 3 September, LG elections candidate session, Stirling
- 3 September, Citizenship ceremony, Stirling
- 5 September, State Budget presentation lunch, Adelaide
- 5 September, MLGG meeting, Adelaide
- 7 September, SLSA China exhibition, Adelaide
- 12-13 September, LGA Board meeting, Pt Lincoln
- 17 September, Peace Run lap, Bridgewater Primary School
- 18 September, Peace Run 2018 final destination, Mt Lofty
- 30 August, Val Hall's memorial seat unveiling, Gumeracha

Cr Ian Bailey

• 30 August, Val Hall's memorial seat unveiling, Gumeracha

Mayor	23 October 2018

Cr John Kemp

- 19 September, Stirling Business Association AGM
- 19 September, Mt Lofty Branch National Trust SA AGM

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

Cr Linda Green

- 3 September, East Waste Board meeting
- 20 September, East Waste Board meeting

17.3 CEO Report

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

- Footpath and driveway renewal works, Stirling
- Kerbing and guttering
- Mt Torrens Heritage Reserve
- Public Libraries
- System Integration
- Take 5 for Safety Campaign
- Cr Val Hall's memorial seat in Gumeracha
- Installation of 5 defibrillators in Stirling, Gumeracha, Woodside, Norton Summit & Heathfield Depot

18. REPORTS OF COMMITTEES

18.1 Council Assessment Panel – 12 September 2018

Moved Cr Nathan Daniell S/- Cr Jan-Claire Wisdom

253/18

That the minutes of the Council Assessment Panel meeting of 12 September 2018 as distributed, be received and noted.

Carried Unanimously

18.2 Strategic Planning & Development Policy Committee

Nil

Mayor	23 October 2018

Audit Committee Nil	
CEO Performance Review Panel Nil	
CONFIDENTIAL ITEMS	
Item 12.2, Election of LGA President, was considered at this point in the meeting.	
Election for LGA President – Exclusion of the Public	
Moved Cr Linda Green S/- Cr Jan-Claire Wisdom	254/18
Pursuant to section 90(2) of the <i>Local Government Act 1999</i> the Council orders that members of the public, except:	t all
 CEO, Andrew Aitken Director Development & Regulatory Services, Marc Salver Director Corporate Services, Terry Crackett Director Community Capacity, David Waters Governance & Risk Coordinator, Steven Watson Minute Secretary, Pam Williams 	
be excluded from attendance at the meeting for Agenda Item 12.2: (Election of LGA President) in confidence.	4
The Council is satisfied that it is necessary that the public, with the exception of Co in attendance as specified above, be excluded to enable Council to consider the remeeting on the following grounds:	
Section 90(3)(a) of the <i>Local Government Act 1999</i> , the information to be received, or considered in relation to this Agenda Item is information the disclosure of which involve the unreasonable disclosure of information concerning the personal affairs person (living or dead), being the personal affairs of the Chief Executive Officer, in details of his performance review and remuneration package will be discussed.	would of any
Carried Unani	mously

12.2 Election of LGA President

Moved Cr John Kemp S/- Cr Jan-Claire Wisdom

255/18

Council resolves:

- 1. That the report be received and noted
- 2. For the Mayor to mark the ballot paper with the Adelaide Hills Council's vote for Mayor Erika Vickery and to lodge the completed ballot paper in accordance with the process set out in *Appendix 1*.

Carried Unanimously

Item 12.3, Election for GAROC 2018 - 2020, was considered at this point in the meeting.

9.14pm Cr Wisdom declared a Perceived Conflict of Interest in item 12.3, Election for GAROC 2018 – 2020, and left the Chamber.

19.2 Election for GAROC 2018 – 2020 – Exclusion of the Public

Moved Cr Malcolm Herrmann S/- Cr Ian Bailey

256/18

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 Development & Regulatory Services, Marc Salver
- Director Corporate Services, Terry Crackett
- Director Community Capacity, David Waters
- Governance & Risk Coordinator, Steven Watson
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 12.2: (Election of LGA President) 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).

	Carried Unanimously
Mayor	23 October 2018
ıvıayor	23 October 2018

9.26pm Cr Malcolm Herrmann left the Chamber and did not return.

12.3 Election for GAROC 2018 – 2020

Moved Cr Linda Green S/- Cr John Kemp

257/18

Council resolves:

- 1. That the report be received and noted
- 2. For the Mayor to mark the ballot paper with the Adelaide Hills Council's vote for:

Karen Redman
Grant Piggot
Jan-Claire Wisdom
David O'Loughlin
Christel Mex
Gillian Aldridge
Kevin Knight
Neville Grigg

and to lodge the completed ballot paper in accordance with the process set out in *Appendix 1*.

Carried Unanimously

9.35pm Cr Wisdom returned to the Chamber.

20. NEXT MEETING

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 23 October 2018 from 6.30pm at 63 Mt Barker Road, Stirling.

21. CLOSE MEETING

The meeting closed at 9.35pm.