

**ADELAIDE HILLS COUNCIL  
MINUTES OF ORDINARY COUNCIL MEETING  
TUESDAY 25 FEBRUARY 2020  
63 MT BARKER ROAD STIRLING**

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In Attendance

**Presiding Member:** Mayor Jan-Claire Wisdom

**Members:**

Councillor Ian Bailey
Councillor Kirrilee Boyd
Councillor Nathan Daniell
Councillor Pauline Gill
Councillor Chris Grant
Councillor Linda Green
Councillor Malcolm Herrmann
Councillor John Kemp
Councillor Leith Mudge
Councillor Mark Osterstock
Councillor Kirsty Parkin
Councillor Andrew Stratford

In Attendance:

Andrew Aitken	Chief Executive Officer
Terry Crackett	Director Corporate Services
Peter Bice	Director Infrastructure & Operations
Marc Salver	Director Development & Regulatory Services
David Waters	Director Bushfire Recovery
Natalie Westover	Director Community Capacity
Lachlan Miller	Executive Manager Governance & Performance
Megan Sutherland	Executive Manager Organisational Development
Ashley Curtis	Manager Civil Services
Mike Carey	Manager Financial Services
Steven Watson	Governance & Risk Coordinator
Kira-marie Laverty	Corporate Planning & Performance Coordinator
Pam Williams	Minute Secretary

**1. COMMENCEMENT**

The meeting commenced at 6.31pm.

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**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”.

**3. APOLOGIES/LEAVE OF ABSENCE**

**3.1 Apology**

Nil

**3.2 Leave of Absence**

Mayor Jan-Claire Wisdom (10 February to 26 February 2020) approved 28 January 2020.

**3.3 Absent**

Nil

**4. MINUTES OF PREVIOUS MEETINGS**

**4.1 Council Meeting – 28 January 2020**

**Moved Cr Nathan Daniell  
S/- Cr Ian Bailey**

**24/20**

**That the minutes of the Ordinary Council meeting held on 28 February 2020 as supplied, be confirmed as an accurate record of the proceedings of that meeting.**

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

Nil

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

See later in the meeting at Item 11.3.1.

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

**7.1 Questions Adjourned**

Nil

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**7.2 Questions Lying on the Table**

Nil

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

**8.1 Petitions**

**8.1.1 Council Reserve, Woodside**

Moved Cr Linda Green

S/- Cr Malcolm Herrmann

**25/20**

Council resolves that the petition signed by 48 signatories, concerning the council reserve near St Marks Drive, Clayfield Court and Grevillea Way Woodside, be received and noted.

<b>Carried Unanimously</b>
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**8.2 Deputations**

**8.2.2 Chelsea Lewis re Gumeracha Main Street Project**

**8.2.3 Susanne Koen, NBN Mylor**

**8.3 Public Forum**

Sherry Hargraves, flooding in Woodside

**9. PRESENTATIONS**

Nil

**10. QUESTIONS ON NOTICE**

**10.1 Woodside Hall Toilets – Cr Andrew Stratford**

- 1 Is the construction of purpose built toilets to the Woodside Hall an appropriate project which could be submitted as part of the SA Grant scheme, indicatively opening in April this year? <https://dhs.sa.gov.au/services/grants-for-organisations/grants-sa/major-round>
- 2 If so, and given that Council is the owner of this State Heritage listed property – is it more appropriate for Council to submit this application or the Hall Management Committee?
- 3 If not, is there a more appropriate grant opportunity?

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**Officer's Response – Natalie Westover, Manager Property Services**

The Grants SA program (major round) provides grants to not-for-profit organisations for programs, services and facility upgrades. Taken from the Grants SA website *"The priority groups for Grants SA funding are people and/or communities experiencing disadvantage, meaning those with less access to social and economic activities"*.

In response to the questions posed:

1. New toilets, as a facility upgrade, are likely to be eligible for the Grants SA funding program.

It is important to note the following requirements for eligibility for funding under the Grants SA program:

- Funding is up to 75% of the total project cost
- There needs to be a lease with a minimum 2 year term remaining at the close of the funding round
- Development Approval is required to be submitted with the application (Council consent as the land owner is not sufficient)

Consideration needs to be given to the following:

- Where the additional funding for the toilets will be sourced from
  - The current lease for the Woodside Institute is in "holding over" so would not meet the eligibility criteria (note that leases are being held in holding over until the Community & Recreation Facility Framework is adopted by Council)
  - A Development Approval is required for the application. As no scoping or designs have commenced at this time, it is highly unlikely that a Development Approval could be obtained to meet the timeframe required to submit in this next round of funding.
  - What is the proposal for the existing toilets at the rear of the Hall, noting that Council are undertaking a public toilet audit/review for the development of a framework for the delivery of these services?
2. The Grants SA funding is only eligible to not-for-profit associations, Local Government are not an eligible applicant. Whilst Council could assist with the preparation of the application, it will need to be submitted by the lessee of the building. Dependent on the intention of the Woodside Hall Committee Inc, it may be beneficial for the Country Women's Association and Meals on Wheels to either be joint applicants or supporters of the proposal.
  3. Funding for community associations is limited however there are a number of funding options worth exploring including the Office for Recreation & Sport (if a suitable grant is released), Council's facility grants, Federal Government Building Better Regions funding and the like.

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**11. MOTIONS ON NOTICE**

**11.1 NBN Access for greater Mylor district**

Moved Cr Leith Mudge  
S/- Cr Kirrilee Boyd

**26/20**

That the Mayor writes to the CEO of the NBN Co, the Federal Communications Minister and the Federal Member for Mayo, asking NBN Co to reconsider their decision to provide access to the NBN via Satellite technology in the greater Mylor area (outside of Mylor town boundaries), rather than the previously promised Fixed Wireless technology. This decision will have a detrimental effect on residents and businesses in this area as Satellite NBN suffers from high latency and low download limits and is a last resort technology designed to provide access to the NBN in remote areas.

<b>Carried Unanimously</b>
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**11.2 Bushfire Recovery – Lobethal**

*Administrative Action: CEO to provide response to Lobethal Community Association*

Moved Cr Malcolm Herrmann  
S/- Cr Linda Green

**27/20**

That the CEO provides a report on implementing the issues raised by Mr Lynton Vonow representing the Lobethal Community Association at the Council meeting held on 28 January 2020 viz

1. provide a fresh avenue of trees along Woodside Road leading into Lobethal
2. provide a subsidy program to assist businesses put a fresh coat of paint on their buildings, replace signage
3. Mr Vonow also raised the matter of holding a possible "Healing of the Land" ceremony near the bottom lake. The advice of the Adelaide Hills Reconciliation Working Group should be sought during the investigation.

Should the findings have financial implications, the report should inform the budget workshop on 27-28 March 2020.

<b>Carried on the casting vote of the Mayor</b>
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**DIVISION**

Cr Malcolm Herrmann called for a division.

The Mayor set aside the ruling.

In the affirmative (8)

Councillors Herrmann, Osterstock, Mudge, Kemp, Green, Boyd, Daniell, Wisdom

In the negative (5)

Councillors Gill, Parkin, Bailey, Stratford & Grant

On the basis of the results of the division, the Mayor declared the motion **CARRIED**

**11.3 Storm Water Management Grevillea Way Woodside**

**Moved Cr Malcolm Herrmann**

**S/- Cr Pauline Gill**

**28/20**

**That the CEO investigates storm water management in Grevillea Way Woodside and provides information for consideration with the preparation of the 2020/21 draft budget workshop on 27/28 March 2020.**

<b>Carried Unanimously</b>
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**11.3.1 Presiding Member's Opening Remarks**

Mayor Jan-Claire Wisdom reported on a visit to the City of Salisbury on Monday 24 February 2020, where she was presented with a cheque for \$10,000 to assist Council with the bushfire recovery process. Council Members and Staff expressed their appreciation with acclamation.

**12. OFFICER REPORTS – DECISION ITEMS****12.1 Gumeracha Main Street Project**

**Moved Cr Linda Green**

**S/- Cr Kirsty Parkin**

**29/20**

**Council resolves:**

- 1. That the report be received and noted.**
- 2. That the Detailed Design for streetscape improvements for Albert Street, Gumeracha be endorsed with the middle protuberance being option 2 which is between 20B & 27 Albert Street.**

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**AMENDMENT**

Moved Cr Herrmann  
S/- Cr Bailey

2. That the Detailed Design for streetscape improvements for Albert Street, Gumeracha be endorsed excluding the installation of the protuberances near the Medical Centre and Take Away shop, and
3. That the CEO provides a report on traffic management in Albert Street between Victoria and John Fisher Avenues (the road between the two end protuberances), 12 months after the completion of the Main Street Project.

<b>LOST</b>
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The Motion was put.

<b>Carried Unanimously</b>
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**12.2 West Street Mylor**

Moved Cr Mark Osterstock  
S/- Cr Chris Grant

**30/20**

**Council resolves:**

- 1. That the report be received and noted**
- 2. To approve an increase in the 2019/20 capital expenditure budget by \$162k and fund the upfront cost of designing and constructing West Street Mylor including associated stormwater works**
- 3. That Council recoup the costs of up to \$54k by entering into Infrastructure Agreements with the affected landowners along West Street Mylor, to a maximum value of \$9k each.**
- 4. That Council will not commence these works until such time as the Infrastructure Agreements have been executed with the affected landowners along West Street.**

<b>Carried Unanimously</b>
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8.44pm Cr Ian Bailey, Cr John Kemp, Cr Leith Mudge & Cr Kirsty Parkin left the Chamber  
8.45pm Cr Leith Mudge returned to the Chamber  
8.46pm Cr Kirsty Parkin returned to the Chamber  
8.47pm Crs Ian Bailey & John Kemp returned to the Chamber

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**12.3 Budget Review 2**

Moved Cr Pauline Gill

S/- Cr Malcolm Herrmann

31/20

Council resolves:

1. That the report be received and noted.
2. To adopt the Operating Budget adjustments presented in Budget Review 2 which result in no change to the Operating Surplus of \$411k for the 2019-20 financial year.
3. To adopt the proposed deferral of capital project income of \$1m and expenditure of \$496k to the 2020-21 financial year resulting in a revised capital expenditure budget for 2019-20 of \$18.626m.
4. To adopt the change in Council's current Net Borrowing Result of \$3.433m increasing to a Net Borrowing Result of \$3.938m for the 2019-20 financial year as a result of the operating budget and capital program adjustments.

<b>Carried Unanimously</b>
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**12.4 Long Term Financial Plan for Consultation**

Moved Cr Malcolm Herrmann

S/- Cr Leith Mudge

32/20

Council resolves:

1. That the report be received and noted
2. To endorse the Draft Long Term Financial Plan, as contained in Appendix 1 for community consultation in accordance with Section 122 of the *Local Government Act 1999*.
3. That the CEO be authorised to:
  - a. Make any formatting, nomenclature or other minor changes to the Plan prior to being released for public consultation and
  - b. Determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of applicable legislation and Council's *Public Consultation Policy*.

<b>Carried Unanimously</b>
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9.00pm Cr Mark Osterstock left the Chamber

9.01pm Cr Mark Osterstock returned to the Chamber



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**12.5 Strategic Plan for Consultation**

*Administrative Action: Director I & O to provide progress report on Milan Terrace works*

**Moved Cr Pauline Gill**

**S/- Cr Linda Green**

**33/20**

**Council resolves:**

1. That the report be received and noted
2. To endorse the draft *2020-24 Strategic Plan*, as contained in Appendix 1 for community consultation in accordance with Section 122 of the *Local Government Act 1999*
3. That the CEO be authorised to:
  - a. Make any formatting, nomenclature or other minor changes to the Plan prior to being released for public consultation and
  - b. Determine the consultation timings, media and processes while ensuring consistency and compliance with the provisions of applicable legislation and Council's *Public Consultation Policy*.

<b>Carried Unanimously</b>
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**Moved Cr Linda Green**

**S/- Cr Leith Mudge**

**34/20**

That Item 13.1, Quarterly Performance Report Q2, be considered at this point in the meeting.

<b>Carried Unanimously</b>
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**13.1 Quarterly Performance Report Q2**

**Moved Cr Leith Mudge**

**S/- Cr Mark Osterstock**

**35/20**

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

<b>Carried Unanimously</b>
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**12.5.1 Short Adjournment**

**Moved Cr Malcolm Herrmann**

**S/- Cr Leith Mudge**

**36/20**

**That the meeting adjourn for a 10 minute break at 9.05pm.**

<b>Carried Unanimously</b>
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9.16pm The Council meeting resumed.

**12.6 Safe Environments Policy**

Moved Cr Linda Green

S/- Cr Mark Osterstock

**37/20**

Council resolves:

1. That the report be received and noted.
2. With an effective date of 10 March 2020, to revoke the 5 June 2019 *Safe Environments Policy* and to adopt the 25 February 2020 *Safe Environments Policy* as per *Appendix 1*.
3. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 25 February 2020 *Safe Environments Policy* prior to the effective date.

<b>Carried Unanimously</b>
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**12.7 Confidential Items Review**

Moved Cr John Kemp

S/- Cr Leith Mudge

**38/20**

Council resolves:

1. That the report be received and noted.
2. Pursuant to Section 91(7) of the *Local Government Act 1999*, Council orders that the following document(s) (or part) shall be kept confidential, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(i) of the Act:
  - The Report of 27 February 2018, Item No. 19.2, Adelaide Hills Swimming Centre Shade Sail.

On the grounds that the document(s) (or part) relates to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council, the disclosure of which could reasonably be expected to prejudice the commercial position of person/agency/business involved with any litigation that may be undertaken.
3. 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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**12.8 Permission to Use Council Minutes**

Moved Cr John Kemp

S/- Cr Kirrilee Boyd

39/20

Council resolves:

1. That the report be received and noted
2. To approve the use of Minutes from the District Council of Stirling as requested in Appendix 1 for a publication on the history of Silver Lake, Mylor, subject to acknowledging Council's ownership and permission.
3. That the review of the *Records and Information Management Policy* that is currently underway addresses the matter of Council's Copyright Protected material.

<b>Carried Unanimously</b>
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**12.9 2019/20 External Audit Plan**

Moved Cr Malcolm Herrmann

S/- Cr Kirsty Parkin

40/20

Council resolves:

1. That the report be received and noted
2. To approve the *2019/20 External Audit Plan* by Galpins Accountants, Auditors and Business Consultants as contained in Appendix 1.

<b>Carried Unanimously</b>
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**12.10 Strategic Internal Audit Plan 2018 – 2023 Revision**

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

41/20

**Council resolves:**

- 1. That the report be received and noted.**
- 2. To acknowledge that cyber security threats are serious issues that have the potential to significantly impact on Council operations and therefore a need to ensure that risk mitigation systems are in place, resourced & managed in line with Strategic and Operational Management Plans.**
- 3. That Council approves the revised Strategic Internal Audit Plan (v1.3a) as contained in Appendix 1.**

<b>Carried Unanimously</b>
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**12.11 Status Report – Council Resolutions Update**

*Administrative Action: Director I & O to provide updates on Croft Road and Masterplan for Stonehenge*

**Moved Cr Kirrilee Boyd  
S/- Cr Ian Bailey**

42/20

**Council resolves:**

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

Meeting Date	Meeting	Res No.	Item Name
25/06/2019	Ordinary Council	164/19	2018 – 2019 Play Space Upgrades – Confidential Item
23/07/2019	Ordinary Council	186/19	Naming of Reserve, Houghton
27/08/2019	Ordinary Council	219/19	Bridgewater Retirement Village - Trust Variation Scheme (Carripook Park)
27/08/2019	Ordinary Council	220/19	Road Closure Portion Road Reserve adjacent 38-42 Sturt Valley Road Stirling

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24/09/2019	Ordinary Council	247/19	11.2 Boundary Reform Proposal Survey of Residents in Rostrevor & Woodforde
17/12/2019	Ordinary Council	310/19	MON Median Rule Land Division Tool for Country Living Zone
17/12/2019	Ordinary Council	317/19	Uraidla Safer Place Signs
17/12/2019	Ordinary Council	331/19	Citizen of the Year Award 2020 - Confidential
17/12/2019	Ordinary Council	332/19	Citizen of the Year Award 2020 - Period of Confidentiality
17/12/2019	Ordinary Council	335/19	Appointment of East Waste Chair - period of confidentiality
28/01/2020	Ordinary Council	4/20	Petition - Council Boundary Reform
28/01/2020	Ordinary Council	5/20	Petition - Gumeracha Main Street Masterplan
28/01/2020	Ordinary Council	9/20	Council Boundary Change Survey Responses
28/01/2020	Ordinary Council	10/20	Draft Public Consultation Policy
28/01/2020	Ordinary Council	14/20	Council Member Conduct Policy - Realignment of Complaint Handling Procedure
28/01/2020	Ordinary Council	15/20	DA Fee Waiver Request - Lobethal & District Aged Homes, Oakbank Racing Club, DA 473/995/19
28/01/2020	Ordinary Council	17/20	Code of Practice for Meeting Procedures
28/01/2020	Ordinary Council	22/20	Open Office Pty Ltd Contract Novation Deed
28/01/2020	Ordinary Council	23/20	Open Office Pty Ltd Contract Novation Deed - Period of Confidentiality

**Carried Unanimously**

**12.12 Nomination for Casual Vacancy of GAROC**

**Moved Cr Mark Osterstock  
S/- Cr John Kemp**

**43/20**

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

**Carried Unanimously**

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**13. OFFICER REPORTS - INFORMATION ITEMS****13.1 Quarterly Performance Report Q2**

This item was discussed earlier in the meeting.

**13.2 Risk Management Plan – Quarterly Update Report**

**Moved Cr Malcolm Herrmann  
S/- Cr Leith Mudge**

**44/19**

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

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

Cr Chris Grant – Clean up of property on Lobethal Road  
Cr Ian Bailey – road safety in Crafers, fruit bats and problems for orchard industry  
Cr Kirrilee Boyd – median land division tool

**14.1 Extension of Meeting**

**Moved Cr Chris Grant  
S/- Cr Nathan Daniell**

**45/20**

**That the meeting be extended for 30 minutes from 10.00pm.**

<b>Carried Unanimously</b>
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**15. MOTIONS WITHOUT NOTICE****15.1 Woodside Hall Toilets**

**Moved Cr Andrew Stratford  
S/- Cr Pauline Gill**

**46/20**

**That Council assists the Woodside Hall Management Committee in attempting to achieve compliance with the eligibility criteria for the submission of a Grants SA program (major round) grant application for the construction of dedicated toilets at the Woodside Hall.**

<b>Carried Unanimously</b>
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**15.2 Petition Reports**

**Moved Cr John Kemp  
S/- Cr Kirrilee Boyd**

47/20

**Council resolves that**

- 1. All future petitions included in Council agendas are accompanied by a staff report addressing the issues raised in the petition and possible solutions or actions that can be taken to address them.**
- 2. Any consequential amendments to policies are approved.**

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

Mayor Wisdom tabled her report.

**Cr Malcolm Herrmann**

- 2 February, Top Of The Torrens Exhibition Launch, Birdwood
- 9 February, Bushfire Resilience Concert, Birdwood
- 11 February, Cemetery Advisory Group, Woodside

**Cr Pauline Gill**

- 5 February, Rural Land Management Advisory Group
- 5 February, Local Recovery Committee
- 5 February, Mt Torrens Community Information Session
- 6 February, Kersbrook Residents Association
- 11 February, Cemetery Advisory Group
- 12 February, Local Recovery Committee
- 13 February, Woodside Recreation Ground Committee
- 13 February, Lenswood Forest Range Community Association
- 16 February, Broadcast of Fire Fight Concert and Solastalgia exhibition
- 18 February, Community & Recreation Funding Framework Internal Working Group
- 19 February, Northern Adelaide Hills Community Leaders Group
- 20 February, Cudlee Creek Community Information Session
- 21 February, Stirling Fringe Opening night

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**Cr Linda Green**

- 3 February, Lights of Lobethal committee
- 5 February, Community recovery meeting, Springhead
- 9 February, National Motor Museum, concert in support of fire, Birdwood
- 9 February, Fabrik, Lobethal
- 19 February, Cudlee Creek Leadership meeting

**Cr Leith Mudge**

- 27 January, Morialta Residents Association AGM, Rostrevor
- 16 February, Fire Fight Australia Live Broadcast Cross, Mill Square, Lobethal
- 21 February, Stirling Fringe Opening, Stirling

**Cr Kirrilee Boyd**

- 19 February, Reconciliation Working Group, Fabrik
- 21 February, Opening of Stirling Fringe
- 22 February, propagation of plants for fire victims with the Old School Community Garden in Stirling

**Cr Kirsty Parkin**

- 21 February, Stirling Fringe opening
- 20 February, ALGWA Committee Meeting
- 17 February, Property Advisory Group meeting Tuesday
- 18 February, CRRFWG Meeting
- 9 February, Bushfire Resilience Concert, Birdwood

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

**Cr Malcolm Herrmann**

- 29 January, Gawler River Flood Management Authority Risk Management Workshop, Burton
- 12 February, Gawler River Flood Management Authority Audit Committee, Adelaide

**Cr Linda Green**

- 20 February, East Waste meeting

**16.3 CEO Report**

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



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**17. REPORTS OF COMMITTEES****17.1 Council Assessment Panel**

Nil

**17.2 Special Strategic Planning & Development Policy Committee – 18 February 2020**

Moved Cr Kirsty Parkin

S/- Cr Linda Green

48/20

That the minutes of the Special Strategic Planning & Development Policy Committee meeting of 18 February 2020 as distributed, be received and noted.

<b>Carried Unanimously</b>
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**17.3 Audit Committee – 17 February 2020**

Moved Cr Malcolm Herrmann

S/- Cr Leith Mudge

49/20

That the minutes of the Audit Committee meeting of 17 February 2020 as distributed, be received and noted.

<b>Carried Unanimously</b>
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**17.4 CEO Performance Review Panel**

Nil

**18. CONFIDENTIAL ITEMS**

Nil

**19. NEXT ORDINARY MEETING**

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 24 March 2020 from 6.30pm at 63 Mt Barker Road, Stirling.

**20. CLOSE MEETING**

The meeting closed at 10.25pm.