

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 28 APRIL 2020
ZOOM VIRTUAL MEETING ROOM**

In Attendance

Presiding Member: Mayor Jan-Claire Wisdom (via audio/visual link)

Members:

Councillor Ian Bailey (via audio/visual link)
Councillor Kirrilee Boyd (via audio/visual link)
Councillor Nathan Daniell (via audio/visual link)
Councillor Pauline Gill (via audio/visual link)
Councillor Chris Grant (via audio/visual link)
Councillor Linda Green (via audio/visual link)
Councillor Malcolm Herrmann (via audio/visual link)
Councillor John Kemp (via audio/visual link)
Councillor Leith Mudge (via audio/visual link)
Councillor Mark Osterstock (via audio/visual link)
Councillor Kirsty Parkin (via audio/visual link)
Councillor Andrew Stratford (via audio/visual link)

In Attendance:

Andrew Aitken	Chief Executive Officer
Terry Crackett	Director Corporate Services
Peter Bice	Director Infrastructure & Operations
Natalie Westover	Director Community Capacity
David Waters	Director Bushfire Recovery
Lachlan Miller	Executive Manager Governance & Performance
Megan Sutherland	Executive Manager Organisation Development
John McArthur	Manager Sustainability Waste & Emergency Management
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 6.33pm. Mayor Jan-Claire Wisdom welcomed Council Members and the public to our first full Council meeting held via an audio/visual link.

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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

Nil

3.3 Absent

Nil

4. MINUTES OF PREVIOUS MEETINGS

4.1 Council Meeting – 24 March 2020

Moved Cr Ian Bailey

S/- Cr Malcolm Herrmann

65/20

That the minutes of the Ordinary Council meeting held on 24 March 2020 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

4.2 Special Council Meeting – 21 April 2020

Moved Cr Leith Mudge

S/- Cr John Kemp

66/20

That the minutes of the Ordinary Council meeting held on 21 April 2020 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

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5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

Nil

6. PRESIDING MEMBER'S OPENING REMARKS

Mayor Jan-Claire Wisdom welcomed everyone to our first full Council meeting held via audio/visual link. The Mayor advised that an update on the Cudlee Creek Bushfire Recovery would be given by David Waters, Director Bushfire Recovery, later in the meeting.

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

8.2 Deputations

Nil

8.3 Public Forum

Nil

9. PRESENTATIONS

Nil

10. QUESTIONS ON NOTICE

Nil

11. MOTIONS ON NOTICE

Nil

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12. OFFICER REPORTS – DECISION ITEMS

12.1 East Waste 2020-21 Annual Business Plan & Budget

Moved Cr Chris Grant
S/- Cr John Kemp

67/20

Council resolves:

1. That the report be received and noted
2. To provide consent to the Eastern Waste Management Authority Draft Annual Plan 2020-21.

Carried Unanimously

12.2 AHRWMA 2020-21 Annual Business Plan & Budget

Moved Cr Malcolm Herrmann
S/- Cr Ian Bailey

68/20

Council resolves:

1. That the report be received and noted
2. To approve the Adelaide Hills Region Waste Management Authority Draft Annual Business Plan and Budget 2020-21.

Carried Unanimously

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12.3 2020 – 2024 Strategic Plan Adoption

Moved Cr Linda Green
S/- Cr Kirsty Parkin

69/20

Council resolves:

1. That the report be received and noted
2. To adopt the *2020-24 Strategic Plan*, as contained in Appendix 1, in accordance with *Section 122 of the Local Government Act 1999*.
3. That the CEO, or delegate, be authorised to:
 - a. Make any necessary formatting, nomenclature or other minor changes to the Plan prior to being published and
 - b. Determine the publishing timings, format, and media processes while ensuring consistency and compliance with the provisions of applicable legislation.

Carried Unanimously

12.4 2020 – 2021 Long Term Financial Plan Adoption

Moved Cr Kirsty Parkin
S/- Cr Leith Mudge

70/20

Council resolves:

1. That the report be received and noted.
2. To adopt the *2020-21 Long Term Financial Plan*, as contained in Appendix 1 to this report, in accordance with *Section 122 of the Local Government Act 1999*.
3. To note that additional documentation will be provided as part of the *2020-21 Annual Business Plan and Budget* to illustrate the impact of the *2020-21 budget settings* on the long term financial performance of the Council, and hence whether financial sustainability is being achieved.
4. That the CEO or delegate, be authorised to make any formatting, nomenclature or other minor changes to the Long Term Financial Plan prior to being published.

Carried Unanimously

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12.5 Road Land Acquisition from DPTI – Houghton & Aldgate

Moved Cr Leith Mudge
S/- Cr Malcolm Herrmann

71/20

Council resolves:

1. That the report be received and noted
2. To accept a transfer of land from the Commissioner of Highways for Allotment 13 in Deposited Plan No. 26030 contained in Certificate of Title Volume 5741 Folio 518 being Lot 13 Horn Street, Houghton from the Commissioner of Highways for nil consideration.
3. To accept a transfer of land from the Commissioner of Highways for Allotment 51 in Deposited Plan No. 82071 contained in Certificate of Title Volume 6058 Folio 751 being Lot 51 Strathalbyn Road, Aldgate from the Commissioner of Highways for nil consideration.
4. To exclude the land described in 2 & 3 above as community land pursuant to section 193(4) of the *Local Government Act 1999*.
5. To delegate to the Chief Executive Officer to execute the necessary documentation to give effect to this resolution.

Carried Unanimously

12.6 Range Road South Houghton Pedestrian Movements

Moved Cr Chris Grant
S/- Cr Pauline Gill

72/20

Council resolves:

1. That the report be received and noted.
2. That Council write to the City of Tea Tree Gully indicating that Council will not be providing additional pedestrian infrastructure on Range Road South.

Carried Unanimously

7.33pm Cr Kemp left the meeting room

7.35pm Cr Kemp returned to the meeting room

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12.7 CEO Performance Review Process & Panel Schedule

Moved Cr Mark Osterstock
S/- Cr Kirrilee Boyd

73/20

Council resolves:

1. That the report be received and noted
2. That the 2020 CEO Performance Review and TEC package review be undertaken using an external consultant.
3. That the 2020 CEO Performance Review Panel Meeting and Process Schedule (as amended), as contained in Appendix 1, be adopted.

Carried Unanimously

12.8 CEO Performance Target Update

Moved Cr John Kemp
S/- Cr Kirsty Parkin

74/20

Council resolves:

1. That the report be received and noted
2. That the Community Perception Survey performance target be deferred until the impact of the COVID-19 restrictions has sufficiently abated.
3. That the Boundary Reform performance target be modified for the final stage of consultation to be deferred until the social distancing restrictions associated with COVID-19 are sufficiently reduced/removed, and once the consultation is complete, the final report will be brought to Council for consideration.
4. That the Community and Recreation Facilities Framework performance target be modified to reflect the overall complexity of this target; and for delivery of a community consultation implementation plan to be presented by 30 June 2020 instead.

Carried Unanimously

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12.9 CEO PRP Independent Member Deferral

Moved Cr Linda Green
S/- Cr John Kemp

75/20

Council resolves:

1. That the report be received and noted
2. To defer the recruitment of an Independent Ordinary Member until the social distancing restrictions associated with COVID-19 are sufficiently reduced/removed.

Carried Unanimously

12.10 Draft Fraud Corruption Misconduct & Maladministration Policy

Moved Cr Malcolm Herrmann
S/- Cr Chris Grant

76/20

Council resolves:

1. That the report be received and noted.
2. With an effective date of 12 May 2020, to revoke the 13 June 2017 *Fraud & Corruption Prevention Policy* and to adopt the 28 April 2020 *Draft Fraud, Corruption, Misconduct and Maladministration Policy* as per Appendix 1 with the deletion of point 4.1.
3. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 28 April 2020 *Draft Fraud, Corruption, Misconduct and Maladministration Policy* as per Appendix 1 prior to the effective date.

Carried

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12.11 Confidential Items Review

Moved Cr Linda Green
S/- Cr John Kemp

77/20

DECISION 1

Council resolves that the report be received and noted.

DECISION 2

1. 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)(d) of the Act:
 - The Report of 07 May 2019, Item No. 19.1, Unsolicited Approach to Purchase Community Land

On the grounds that the document(s) (or part) relates to commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party.
2. 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

12.11.1 Confidential Items Review 2

Moved Cr John Kemp
S/- Cr Linda Green

78/20

DECISION 3

1. 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)(d) of the Act:

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- **The Report of 22 August 2017, Item No. 19.1, Adelaide Hills Region Waste Management Authority Tender Landfill Compactor**

On the grounds that the document(s) (or part) relates to information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council and would, on balance, be contrary to the public interest.

2. **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

12.11.2 Confidential Items Review 3

Moved Cr Malcolm Herrmann
S/- Cr Linda Green

79/20

DECISION 4

1. **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)(b) of the Act:**

- **The Report of 01 August 2018, Item No. 7.1, Retirement Village Review**

On the grounds that the document(s) (or part) relates to information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council and would, on balance, be contrary to the public interest.

2. **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

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12.12 Status Report – Council Resolutions Update

**Moved Cr Kirsty Parkin
S/- Cr John Kemp**

80/20

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	Previously Declared COI
25/02/2020	Ordinary Council	28/20	Storm Water Management Grevillea Way Woodside	None declared
25/02/2020	Ordinary Council	29/20	Gumeracha Main Street Project	None declared
25/02/2020	Ordinary Council	33/20	Strategic Plan for Consultation	None declared
25/02/2020	Ordinary Council	37/20	Safe Environments Policy	None declared
24/03/2020	Ordinary Council	52/20	Petition Assessment of Trees in Mabel Street, Stirling	None declared
24/03/2020	Ordinary Council	54/20	MON Road Safety Warren Road & Martin Hill/Lucky Hit Road For	None declared
24/03/2020	Ordinary Council	57/20	GRFMA Annual Budget & Business Plan 2020 – 2021	None declared
24/03/2020	Ordinary Council	58/20	Election for GAROC 2020	None declared
24/03/2020	Ordinary Council	59/20	Nomination to Adelaide Cemeteries Authority Board	Material - Cr Mark Osterstock
24/03/2020	Ordinary Council	61/20	Mylor Community Survey Report	None declared

Carried Unanimously

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13. OFFICER REPORTS - INFORMATION ITEMS

13.1 Adelaide Hills Council COVID-19 Response

Moved Cr Malcolm Herrmann
S/- Cr John Kemp

81/20

Council resolves that the report be received and noted.

Carried Unanimously

14. QUESTIONS WITHOUT NOTICE

Cr Malcolm Herrmann – road accident Warren Road, Martins Hill/Lucky Hit Road Forreston

15. MOTIONS WITHOUT NOTICE

Nil

16. REPORTS

16.1 Council Member Function or Activity on the Business of Council

Mayor Jan-Claire Wisdom

- 25 April, ANZAC Day laying of 10 wreaths throughout the district, with assistance of Council Members at various locations
- LGA panel discussions
- Bushfire Royal Commission

Cr Malcolm Herrmann

- 20 April, Audit Committee (via Zoom audio/visual)

Cr Pauline Gill

- 25 March, Rural Land Management Advisory Group
- 15 April, Local Recovery Committee
- 21 April, Community & Recreation Funding Framework Internal Working Group

Cr Linda Green

- 1 April, Cudlee Creek Fire Local Recovery Committee

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Cr Kirsty Parkin

- 21 April, Community & Recreation Funding Framework Internal Working Group
- 9 April, CEO PRP meeting

Cr Kirrilee Boyd

- 2 April, Sustainability Advisory Group teleconference

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

Cr Malcolm Herrmann

- 16 April, Gawler River Flood Management Authority (via Zoom audio/visual)

Cr Linda Green

- 24 April, East Waste Board Meeting

Cr John Kemp

- 26 March, AHRWMA Board meeting

16.3 CEO Report

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

- Solar bins installation trial
- Green organics collection days
- Infrastructure projects at Woodside, Stirling, Forest Range
- No enforcement notices required for current COVID-19 emergency
- Development Applications for bushfire affected residents
- Burning Permit applications
- Pomona Road Stirling Road now reopened after closure for culvert construction

Administrative Action: CEO to follow up request by Cr Ian Bailey for flu injections for Council Members.

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

Nil

17.2 Strategic Planning & Development Policy Committee

Nil

17.3 Audit Committee – 20 April 2020

Moved Cr Malcolm Herrmann
S/- Cr Leith Mudge

82/20

That the minutes of the Audit Committee meeting held on 20 April 2020 as supplied, be received and noted.

Carried Unanimously

17.4 CEO Performance Review Panel – 9 April 2020

Moved Cr Mark Osterstock
S/- Cr Kirsty Parkin

83/20

That the minutes of the CEO Performance Review Panel meeting held on 9 April 2020 as supplied, be received and noted.

Carried Unanimously

18. CONFIDENTIAL ITEMS

Nil

19. NEXT ORDINARY MEETING

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 26 May 2020 from 6.30pm, in the Zoom virtual meeting room.

20. CLOSE MEETING

The meeting closed at 9.10pm.