

**ADELAIDE HILLS COUNCIL  
MINUTES OF ORDINARY COUNCIL MEETING  
TUESDAY 26 MAY 2020  
63 MT BARKER ROAD STIRLING**

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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
Marc Salver	Director Development & Regulatory Services
David Waters	Director Community Capacity
Lachlan Miller	Executive Manager Governance & Performance
Mike Carey	Manager Financial Services
Jennifer Blake	Manager Communications, Engagement & Events
Kylie Hopkins	Minute Secretary

**1. COMMENCEMENT**

The meeting commenced at 6.31pm.

**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**  
Nil

**3.2 Leave of Absence**  
Nil

**3.3 Absent**  
Nil

**4. MINUTES OF PREVIOUS MEETINGS**

**4.1 Council Meeting – 28 April 2020**

Moved Cr Pauline Gill  
S/- Cr John Kemp

**85/20**

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

<b>Carried Unanimously</b>
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**4.2 Special Council Meeting – 12 May 2020**

Moved Cr Malcolm Herrmann  
S/- Cr Linda Green

**86/20**

**That the minutes of the Ordinary Council meeting held on 12 May 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**

Under Section 75A of the *Local Government Act 1999* Cr Chris Grant disclosed a Perceived Conflict of Interest in Item 12.4 Support for Road Closures – 2020 Shannons Adelaide Rally & 2020 Gorge Rallysprint, the nature of which is as follows:

- Cr Grant has engaged with residents and other councillors via email on this issue which may be perceived as a pre-determined position on this matter. Cr Grant intends to manage the perceived conflict of interest by judging the information provided on its merits and with an open mind when making his decision on this item.

Cr Grant intends to participate in discussions and vote when this item is discussed.

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Under Section 74 of the *Local Government Act 1999* Cr Linda Green disclosed a Material Conflict of Interest in Item 12.5 Council Assessment Panel Membership, the nature of which is as follows:

- Cr Green intends to nominate for the Member position on the Council Assessment Panel which has a sitting fee attached and therefore she has a pecuniary interest.

Under Section 74 of the *Local Government Act 1999* Cr John Kemp disclosed a Material Conflict of Interest in Item 12.5 Council Assessment Panel Membership, the nature of which is as follows:

- Cr Kemp intends to nominate for the Member position on the Council Assessment Panel which has a sitting fee attached and therefore he has a pecuniary interest.

Under Section 74 of the *Local Government Act 1999* Cr Leith Mudge disclosed a Material Conflict of Interest in Item 12.5 Council Assessment Panel Membership, the nature of which is as follows:

- Cr Mudge intends to nominate for the Deputy Member position on the Council Assessment Panel which has a sitting fee attached and therefore he has a pecuniary interest.

Under Section 75A of the *Local Government Act 1999* Cr Leith Mudge disclosed a Perceived Conflict of Interest in Item 12.3 Local Heritage Grant Fund Project Approvals and Guideline Amendments, the nature of which is as follows:

- Cr Mudge has a relative who has a business that provides services similar to those in a quotation attached to the report and there could be a perception of bias. He believes he will be able to manage the perceived conflict and make a decision in the best public interest.

Cr Mudge intends to participate in discussions and vote when this item is discussed.

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

The Mayor commented on important weeks in May, which included volunteer week and reconciliation week, and hoped that Council Members were able to participate in the celebrations.

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**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**

**8.2.1 Tim Possingham, Adelaide Rally**

**8.2.2 Marg Schroder, Lobethal Recreation Ground Sports Club and South Australian Nip the Drought Initiative (SANDI)**

7.17pm Mark Osterstock left the meeting

7.19pm Mark Osterstock returned to the meeting

**9. PRESENTATIONS**

**9.1 Mr Graeme Martin, Southern & Hills Local Government Association (S&HLGA)**

**10. QUESTIONS ON NOTICE**  
Nil

**11. MOTIONS ON NOTICE**

**11.1 Citizen of the Year Location, Cr Pauline Gill**  
Motion was withdrawn

**12. OFFICER REPORTS – DECISION ITEMS**

**12.1 2019-20 Budget – Budget Review 3**

Moved Cr Malcolm Herrmann  
S/- Cr Linda Green

**87/20**

**Council resolves:**

**1. That the report be received and noted.**

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2. To adopt the proposed budget adjustments presented in Budget Review 3 which result in:
- a. a reduction in the Operating Surplus from \$411k to an Operating Deficit of \$13k for the 2019-20 financial year.
  - b. changes to capital resulting in a proposed capital expenditure budget of \$16.526m for the 2019-20 financial year from:
    - i. a reduction in Capital Expenditure of \$448k
    - ii. the proposed carry forward of capital project income of \$1.774m and expenditure of \$1.454m to the 2020-21 financial year.
  - c. an increase in Council's current Net Borrowing Result from \$4.100m to \$4.395m for the 2019-20 financial year as a result of the proposed operating and capital adjustments.

<b>Carried Unanimously</b>
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## 12.2 2020-21 Annual Business Plan and Budget Consultation

8.02pm Cr Kirsty Parkin left the meeting

8.06pm Cr Kirsty Parkin returned to the meeting

8.27pm Cr Mark Osterstock left the meeting

8.31pm Cr Mark Osterstock returned to the meeting

Moved Cr Malcolm Herrmann

S/- Cr Leith Mudge

Council resolves:

1. That the report be received and noted
2. To endorse the draft Annual Business Plan 2020-21 (ABP), as contained in Appendix 1, for community consultation in accordance with Section 123 of the Local Government Act 1999, after adjusting the budget financial information to reflect Capital Expenditure on New and Upgraded Assets of \$4.953m.
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*.

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Amendment:

Moved Cr Kirrilee Boyd  
Seconded Cr Ian Bailey

To insert the words 'with the removal of Strategic Initiative O5002 – Equipment to broadcast Council meetings' after the words "Appendix 1" in Part 2 of the motion.

Lost
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**Moved Cr Mark Osterstock  
Seconded Cr Kirsty Parkin** **88/20**

**That the question (motion) be put.**

Carried
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That motion was put

**Moved Cr Malcolm Herrmann  
S/- Cr Leith Mudge** **89/20**

**Council resolves:**

1. That the report be received and noted.
2. To endorse the draft Annual Business Plan 2020-21 (ABP), as contained in Appendix 1, for community consultation in accordance with Section 123 of the Local Government Act 1999, after adjusting the budget financial information to reflect Capital Expenditure on New and Upgraded Assets of \$4.953m.
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*.

Carried Unanimously
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**12.3 Local Heritage Grant Fund Project Approvals and Guideline Amendments**

Cr Leith Mudge declared a Perceived Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.3 Local Heritage Grant Fund Project Approvals and Guideline Amendments.

**Moved Cr Chris Grant**

**S/- Cr Ian Bailey**

**90/20**

**Council resolves:**

- 1. That the report be received and noted**
- 2. To approve the six projects shortlisted to receive grant funding to contribute to the works as detailed in Appendix 1 of this report and listed below:**
  - **Kinclaven Coach House**
  - **Former Thorpe Coachhouse**
  - **Former Aldgate Valley Church of Christ**
  - **Stonehedge Avenue House**
  - **Gwynne House**
  - **Ironbank Uniting Church**
- 3. To approve the proposed changes to the Local Heritage Grant Fund Guidelines as detailed in Appendix 2 of this report.**

<b>Carried Unanimously</b>
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Cr Leith Mudge voted in favour of the motion. The majority of persons who were entitled to vote at the meeting voted in favour of the motion.

**Moved Cr Kirsty Parkin**

**S/- Cr Malcolm Herrmann**

**91/20**

**Council resolves:**

**That the meeting be adjourned until 9pm.**

<b>Carried Unanimously</b>
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8.45pm The meeting adjourned

9.02pm the meeting resumed

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- 12.4 Support for Road Closures – 2020 Shannons Adelaide Rally & 2020 Gorge Rallysprint**  
Cr Chris Grant declared a Perceived Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.4 Support for Road Closures – 2020 Shannons Adelaide Rally & 2020 Gorge Rallysprint.

Moved Cr Pauline Gill  
S/- Cr Chris Grant

That this item be deferred to the June meeting to allow Council Members time to consult with the community.

Lost
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9.17 Cr Linda Green left the meeting  
9.17 Cr Linda Green returned to the meeting

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

**92/20**

**That the meeting be extended for 30 minutes.**

Carried
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**Moved Cr Nathan Daniel**  
**S/- Cr John Kemp**

**93/20**

10.04pm Cr Chris Grant left the meeting  
10.06pm Cr Chris Grant returned to the meeting

**Council resolves:**

1. **That the report be received and noted.**
2. **That, in relation to the 2020 Shannons Adelaide Rally and 2020 Gorge Rallysprint, Council supports the event contingent on the organisers, to the satisfaction of the Chief Executive Officer:**
  - a. **Providing evidence of satisfactory insurance to cover any damage to third party property caused by the event**
  - b. **Entering into a road repair agreement with Council to cover any rectification works required as a result of damage caused by the event**
  - c. **Providing confirmation that the affected business owners are aware of the road closures**
  - d. **Providing written confirmation that the concerns raised by affected residents have been adequately addressed and that arrangements for egress**



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and regress for those properties can be managed within the event where possible

- e. Written confirmation from the organisers that they will erect advance notice of road closures on the affected roads, at least three weeks prior to the event.
3. That subject to the requirements of item 2. being undertaken, Council provides consent for road closure orders in relation to the two events, to be held on Sunday 13 September and between Wednesday 25 and Saturday 28 November as follows:

**2020 Gorge Rallysprint**

- a. **Sunday 13 September**
- i. **Stage 1 - Pinkerton Gully**  
Approximate closure 9:00am – 4:30pm  
Gorge Road closed – from approximately King George Avenue to Pinkerton Gully Road
- ii. **Stage 2 – Paracombe**  
Approximate closure 9:00am – 4:30pm  
Gorge Road closed – from approximately Batchelor Road to 500m before Torrens Valley Road
- iii. **Stage 3 – Prairie**  
Approximate closure 9:00am – 4:30pm  
Gorge Road closed – from approximately Torrens Valley Road to Prairie Road

**2020 Shannons Adelaide Rally**

- b. **Wednesday 25 November**
- iv. **Stage 1 and 9 – Scott Bottom and Bradbury**  
Approximate closure 11:30am – 2:00pm and 3:45pm – 6:15pm  
Mount Bold Road and Dorset Vale Road closed – from AHC boundary to Gurr Road
- c. **Thursday 26 November**
- v. **Stage 11 and 14 – Anstey Hill Short**  
Approximate closure 8:45am – 2:30pm  
Lower North East Road closed – from Perseverance Road to Range Road
- vi. **Stage 12 and 15 – Chain of Ponds Plus**  
Approximate closure 9:00am – 2:45pm  
North East Road closed – from Fidlers Hill Road to Gorge Road
- vii. **Stage 13 – Corkscrew**  
Approximate closure 9:30am – 1:00pm  
Corkscrew Road closed – from Gorge Road to Montacute Road

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- viii. **Stage 16 – Lobethal**  
Approximate closure 11:30am – 3:00pm  
Cudlee Creek Road closed – from Fox Creek Road to Tabor Lane
  
- d. **Friday 27 November**
  - ix. **Stage 19 and 22 – Norton Summit**  
Approximate closure 8:30am – 1:45pm  
New Norton Summit Road closed – from Coach House Drive to Lobethal Road
  - x. **Stage 20 and 24 – Stafford Ridge and Heysen**  
Approximate closure 9:00am – 12:15pm and 12:45pm – 4:30pm  
Staffords Road and Fox Creek Road closed – from Lobethal Road to Fox Creek MTB carpark
  - xi. **Stage 21 and 23 – Castambul and Morialta**  
Approximate closure 9:30am -4:00pm  
Gorge Road, Corkscrew Road, Montacute Road and Marble Hill Road closed – from Prairie Road to Tembys Road
  - xii. **Stage 25 – Ironbank**  
Approximate closure 2:00pm – 5:00pm  
Morgan Road and Scott Creek Road closed – from Morgan Road to Evans Drive
  - xiii. **Stage 26 – Sturt Valley**  
Approximate closure 2:00pm – 5:15pm  
Sturt Valley Road closed – from 274 Sturt Valley Road to Longwood Rd
  - xiv. **Stage 27 and 32 – Eagle on the Hill and Leawood Gardens**  
Approximate closure 2:15pm – 5:45pm  
Mount Barker Road closed – from AHC boundary to 350 Mount Barker Rd
  
- e. **Saturday 28 November**
  - xv. **Stage 28 – Mt Lofty**  
Approximate closure 9:30am – 1:15pm  
Greenhill Road and Summit Road closed – 661 Greenhill Road to Cleland Wildlife Park
  - xvi. **Stage 29 – Basket Range**  
Approximate closure 10:00am – 1:30pm  
Lobethal Road closed – 374 Lobethal Road, Ashton to Basket Range Road
  - xvii. **Stage 30 – Carey Gully**  
Approximate closure 10:15am - 1:45pm  
Lobethal Road and Deviation Road closed – Fernglen Road to Boundary Drive (South)
  - xviii. **Stage 31 – Mt George**  
Approximate closure 10:30am – 2:15pm

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Gorge Road, Worden Road, Muller Road, Carey Gully Road, Tanamerah Road, Gum Flat Road, Badenoch Road closed – from Rangeview Drive to Beaumont Road, Verdun

- xix. Stage 32 – Summit Road  
Approximate closure 1:00pm – 3:45pm  
Summit Road closed – Greenhill road to Cleland Wildlife Park
- xx. Stage 33 – Athelstone  
Approximate closure 1:45pm – 4:45pm  
Gorge Road closed – from Corkscrew Road to Council boundary

4. That the Council confirms that the Chief Executive Officer may use existing powers under delegation to consider, and determine whether or not to provide consent to, any proposals for minor changes to the road closures in the lead up to the event.
5. That organisers of the 2020 Shannons Adelaide Rally be required to attend a Council workshop by February 2021 to provide feedback on the 2020 event and allow elected members the opportunity to ask questions in relation to the event.

<b>Carried</b>
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Cr Chris Grant voted against the motion. The majority of persons who were entitled to vote at the meeting voted in favour of the motion.

#### **12.5 Council Assessment Panel Membership**

Moved Cr Kirsty Parkin  
S/- Cr Nathan Daniell

**94/20**

**Council resolves:**

1. That the report be received and noted
2. To determine to retain the current Terms of Reference for the Council Assessment Panel, specifically for it to comprise one (1) member of the Council (with an Elected Member deputy) and (4) Independent Members.
3. To determine that the method of selecting the Council Assessment Panel Member and Deputy Member to be by an indicative vote to determine the preferred persons for the two Member positions utilising the process set out in this Agenda report.

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4. **To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred persons for the Council Assessment Panel Council Member roles and for the meeting to resume once the results of the indicative vote have been declared.**

<b>Carried Unanimously</b>
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10.15pm The meeting was adjourned for the purposes of conducting an indicative vote.

10.28pm The meeting resumed.

**Moved Cr John Kemp**

**S/- Cr Leith Mudge**

**95/20**

**That the meeting be extended for 30 minutes.**

<b>Carried</b>
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Cr Leith Mudge declared a Material Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.5 Council Assessment Panel Membership.

10.29pm - Cr Leith Mudge left the meeting and did not participate in the vote.

Cr John Kemp declared a Material Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.5 Council Assessment Panel Membership.

10.29pm - Cr John Kemp left the meeting and did not participate in the vote.

**Moved Cr Linda Green**

**S/- Cr Malcolm Herrmann**

**96/20**

5. **To appoint Cr John Kemp as Member and Cr Leith Mudge as Deputy Member of the Council Assessment Panel for a 24 month term to commence 1 June 2020 and conclude on 31 May 2022 (inclusive).**

<b>Carried Unanimously</b>
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10.30pm – Councillor John Kemp and Cr Leith Mudge returned to the meeting

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**12.6 Southern & Hills Local Government Association – 2020-21 Key Action Plan and Draft Budget**

Moved Cr Malcolm Herrmann  
S/- Cr Linda Green

97/20

Council resolves:

1. That the report be received and noted
2. That the Southern & Hills Local Government Association's 2020-21 Key Action Plan and proposed budget be received and noted.

<b>Carried Unanimously</b>
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**12.7 Membership Extension of Commonwealth Home Support Service Funding**

Moved Cr Ian Bailey  
S/- Cr Leith Mudge

98/20

Council resolves:

1. That the report be received and noted
2. That the Council agrees to enter into the Deed of Variation in relation to the Commonwealth Home Support Program which extends the Commonwealth Government funding as follows:
  - a. for the provision of home and social support elements of the program, from 1 July 2020 until 30 June 2022
  - b. for the provision of our Sector Support and Development program, from 1 July 2020 until 30 June 2021
3. That the Council authorise the Mayor and Chief Executive Officer to affix the seal of Council and execute the Deed of Variation in relation to Home Support

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

This item was deferred to the next meeting

**13. OFFICER REPORTS - INFORMATION ITEMS**

**13.1 Quarterly Council Performance Report – Q3**

This item was deferred to the next meeting

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**13.2 Ombudsman Correspondence - – Complaint regarding Internal Review of Council Decision and Unreasonable Complainant Conduct Policy**

This item was deferred to the next meeting

**13.3 Publishing Council Meeting Recordings**

This item was deferred to the next meeting

**14. QUESTIONS WITHOUT NOTICE**

Cr Malcolm Herrmann asked a question regarding the bid process for grant monies awarded from the bids for the \$781,000 of grant money recently awarded.

10.44pm - Cr John Kemp left the meeting

**15. MOTIONS WITHOUT NOTICE**

Nil

**16. REPORTS**

**16.1 Council Member Function or Activity on the Business of Council**

**Mayor Jan-Claire Wisdom**

- 29 April 2020, Filming for National Volunteers Week @ Stirling
- 29 April 2020, Local Recovery Committee meeting via zoom
- 29 April 2020, Budget Review meeting via zoom
- 30 April 2020, SHLGA meeting via webex
- 30 April 2020, Business Support and Eco recovery LGA session via zoom
- 4 May 2020, GAROC committee meeting via zoom
- 5 May 2020, Introduction meeting with East Waste Chair via zoom
- 6 May 2020, Film interview for Reconciliation Video @Woorabinda, Stirling
- 6 May 2020, Meeting with Josh Teague via zoom
- 7 May 2020, Virtual visit by NBRA via zoom
- 7 May 2020, Interview with Radio National re bushfire grants allocation and funding received via phone
- 8 May 2020, Meeting with John Gardener MP for Morialta via zoom
- 11 May 2020, Interview with The Courier about Bushfire grant funding
- 13 May 2020, Online meeting with Karen Raffin RDA Metro via zoom
- 13 May 2020, Local Recovery Committee meeting #14 via zoom
- 13 May 2020, COVID-19 briefing with Premier Steven Marshall via zoom
- 19 May 2020, Private meeting with His Excellency the Governor of SA (with CEO AHC) via zoom
- 19 May 2020, Agenda briefing and CEO catchup @ Stirling
- 20 May 2020, AHC internal meeting re AHC deputation to Campbelltown re boundary

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- 21 May 2020, LGA SA Board meeting via zoom
- 22 May 2020, AHC internal meeting re bushfire funding progress
- 22 May 2020, Where we Build What we build webinar via zoom
- 26 May 2020, AHC internal meeting re Community Ready initiative possible funding via zoom

**Cr Malcolm Herrmann**

- 7 May 2020, GRFMA Meeting with consultant
- 25 May 2020 Audit Committee Meeting

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

10.47pm - Cr John Kemp returned to the meeting

**16.3 CEO Report**

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

**17. REPORTS OF COMMITTEES**

**17.1 Council Assessment Panel**

Nil

**17.2 Strategic Planning & Development Policy Committee**

Nil

**17.3 Audit Committee**

Nil

**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 23 June 2020 from 6.30pm in the Zoom Virtual Meeting Room.

**20. CLOSE MEETING**

The meeting closed at 10.50pm.