

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 23 JUNE 2020
VIA AUDIO/VISUAL LINK**

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 (via audio/visual link)	Chief Executive Officer
Terry Crackett (via audio/visual link)	Director Corporate Services
Peter Bice (via audio/visual link)	Director Infrastructure & Operations
Marc Salver (via audio/visual link)	Director Development & Regulatory Services
David Waters (via audio/visual link)	Director Community Capacity
Lachlan Miller (via audio/visual link)	Executive Manager Governance & Performance
Chris Janssan (via audio/visual link)	Manager Open Spaces
Jennifer Blake (via audio/visual link)	Manager Communications Engagement & Events
Renee O'Connor (via audio/visual link)	Sport & Recreation Planner
Deryn Atkinson (via audio/visual link)	Manager Development Services
Steven Watson (via audio/visual link)	Governance & Risk Coordinator
Pam Williams (via audio/visual link)	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 – 26 May 2020

Moved Cr Malcolm Herrmann
S/- Cr Ian Bailey

99/20

**That the minutes of the Ordinary Council meeting held on 26 May 2020 as supplied,
be confirmed as an accurate record of the proceedings of that meeting.**

Carried Unanimously

4.2 Special Council Meeting – 12 May 2020

Moved Cr Linda Green
S/- Cr Kirsty Parkin

100/20

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

5.1 Actual Conflict of Interest, Cr Andrew Stratford, Item 12.4, Local Roads and Community Infrastructure Program Projects

Under Section 75A of the *Local Government Act 1999* Cr Andrew Stratford disclosed an Actual Conflict of Interest in Item 12.4, Local Roads and Community Infrastructure Program Projects, the nature of which is as follows:

- Cr Stratford is an office holder of one of the groups listed.

Cr Stratford intends to leave the meeting when this item is discussed.

5.2 Actual Conflict of Interest, Cr Kirrilee Boyd, Item 12.5, Stirling Market Road Closure Permit Renewal

Under Section 75A of the *Local Government Act 1999* Cr Kirrilee Boyd disclosed an Actual Conflict of Interest in Item 12.5, Stirling Market Road Closure Permit Renewal, the nature of which is as follows:

- Cr Boyd has been a market stall holder in the past, and may engage in this activity again in the future.

Cr Boyd intends to leave the meeting when this item is discussed.

5.3 Perceived Conflict of Interest, Cr Malcolm Herrmann, Item 12.4, Local Roads and Community Infrastructure Program Projects

Under Section 75A of the *Local Government Act 1999* Cr Malcolm Herrmann disclosed a Perceived Conflict of Interest in Item 12.4, Local Roads and Community Infrastructure Program Projects, the nature of which is as follows:

One of the sites (Lobethal Centennial Hall) is to be considered for a grant, and his brother is Chairperson of the Management Committee.

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

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5.4 Perceived Conflict of Interest, Cr Chris Grant, Item 12.2, Support for Road Closures 2020 Adelaide Hills Rally

Under Section 75A of the *Local Government Act 1999* Cr Chris Grant disclosed a Perceived Conflict of Interest in Item 12.2 Support for Road Closures – 2020 Adelaide Rally, the nature of which is as follows:

- Cr Grant has previously raised concerns about some elements of the conduct of the Rally as he lives on the route of the 2019 Rally, however, he does not have the same concerns with this year's Rally as the route has changed. 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.

5.5 Actual Conflict of Interest, Cr Linda Green, Item 12.4, Local Roads and Community Infrastructure Program Projects, the nature of which is as follows:

Under Section 75A of the *Local Government Act 1999* Cr Linda disclosed an Actual Conflict of Interest in Item 12.4, Local Roads and Community Infrastructure Program Projects, the nature of which is as follows:

- Cr Green is a member of the Lobethal Hall Committee.

Cr Green intends to leave the meeting when this item is discussed.

6. PRESIDING MEMBER'S OPENING REMARKS

- Mayor Jan-Claire Wisdom informed Council that she and the Deputy Mayor, Cr Nathan Daniell, had presented a deputation to Campbelltown City Council on 2 June 2020, and that no formal response had been received yet.
- The Mayor referred to media reports about bushfire recovery and the hope that Council will receive further funding.
- The Mayor thanked John McArthur who presented to the Royal Commission into Natural Disaster Recovery today.
- Mayor Wisdom advised that Council won the Top Collector Award from MobileMuster for collecting the most mobile phones and accessories, and congratulated all those involved.

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

8.1 Petitions

8.1.1 Footpath, Redden Drive Cudlee Creek

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

101/20

Council resolves:

- 1. That the petition signed by 28 signatories requesting the sealing of Redden Drive footpath, from Gorge Road to the Gorge Wildlife Park, be received and noted.**
- 2. That the CEO advise the principal signatory of the Council's noting of the petition and of any resolutions relating to the matter.**

Carried Unanimously

8.2 Deputations

8.2.2 Andrew Admiraal & Michael Clements re 2020 AGI Adelaide Hills Rally

9. PRESENTATIONS

Nil

10. QUESTIONS ON NOTICE

10.1 Woodside Recreation Grounds – Cr Andrew Stratford

1. What is the status of the Woodside Recreation Grounds Masterplan?
2. What is the proposed time line for the Woodside Masterplan to be at a stage whereby individual lease holders to the Woodside Recreation Grounds can make key strategic decisions on their own future planning and development which are not likely to compromise the recommendations of this plan?
3. What is the proposed time line for the Woodside Masterplan to be at a stage where the Management Committee of the Recreation Grounds are able to make key strategic decisions in regard to future grounds development which are not likely to compromise

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the recommendations of this plan? (For example drainage, traffic flow, oval maintenance etc).

4. Which of Council's staff is the most appropriate contact person for the WRG Management Committee to liaise with on this matter?
5. Have there been specific allocations made against the \$70,000 included in Council's 2020/21 draft budget for the Woodside Recreation Grounds? If so what are these?

Officer's Response – Chris Janssan, Manager Open Space

1. The masterplan that has been formulated for the site is a high level, conceptual document that identifies some conceptual layouts and priorities. This is seen as the most appropriate level and structure for obtaining grant funding for various elements.
2. This is difficult to quantify at this point in time, as it depends on what funding opportunities become available, and what outcomes the funding bodies are trying to achieve. Considering the allocation of funding in Council's draft Annual Business Plan, some work will be undertaken in the coming financial year. However, it is unrealistic to set a start and end date at this point in time when funding opportunities are not yet clear. In relation to individual clubs making key strategic decisions on their own future planning and development, this will be able to be facilitated with input from Council's Sport & Recreation Planner.
3. The plan does highlight high level elements which include, Carparking & Traffic, Ovals & Pitches, Buildings & Facilities, Swimming Pool, BMX Track, Town Entrance and Creek line Park. These elements (along with discussions with Council staff) should provide context for future ground development. It should also be noted that in the last 12 months Council has undertaken the following work at the Woodside Recreation Ground:
 - Widened the access road that exits onto Nairne Road to 6 metres for approximately 100 metres
 - Works to the creek line running through the site, including rock lining the creek
 - Line marked the car parking areas in the entrance way off Onkaparinga Valley Road and near the playground / toilet
 - Minor pit and pipe cleaning
4. Renee O'Connor will take the lead on this project as of July 1 2020.
5. This funding will be used in a similar manner / approach to what we have taken with other Masterplans; where the Council funding, plus contribution from clubs is used as matched funding in grant applications to fund masterplan priorities. Alternatively, more detailed design for a particular element / action from the masterplan can be undertaken. Our approach will be determined, depending on what grant funding becomes available.

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11. MOTIONS ON NOTICE

11.1 Provision of information and assistance regarding the Rostrevor/Woodforde Boundary Change Proposal

Moved Cr Mark Osterstock
S/- Cr John Kemp

102/20

That in relation to the Campbelltown City Council boundary realignment proposal, and on the basis of the results of the Council Boundary Change Survey and the Campbelltown City Council's lack of timeliness in formally considering Adelaide Hills Council's request to withdraw the proposal, Council resolves to provide no further information or assistance to the Campbelltown City Council in relation to their proposal other than that required by legislation.

Carried Unanimously

12. OFFICER REPORTS – DECISION ITEMS

12.1 Adelaide Hills Region Waste Management Authority Charter Review

Moved Cr Leith Mudge
S/- Cr John Kemp

103/20

Council resolves:

1. That the report be received and noted
2. To approve the draft *Adelaide Hills Region Waste Management Authority Charter 2020*, as contained in Appendix 1.

Carried Unanimously

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12.2 Support for Road Closures 2020 Adelaide Hills Rally

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 12.2 Support for Road Closures – 2020 Adelaide Hills Rally.

Moved Cr Leith Mudge

S/- Cr Kirsty Parkin

104/20

Council resolves:

- 1. That the report be received and noted**
- 2. That, in relation to the 2020 Adelaide Hills Rally, 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 and ingress 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 event, to be held on Saturday 17 October 2020 as follows:**
 - a. Saturday 17 October 2020**
 - i. Retreat Valley Stage
Closure 8:00am – 1:30pm
Retreat Valley Road, Odea Road, Berry Hill Road and Langley Road closed – from Gorge Road to Cudlee Creek Road**
 - ii. Kenton Valley Stage
Closure 8:20am – 1:50pm
Turner Road, Maidment Road, Lihou Road and Schocroft Road closed – from Burfords Hill Road to Schuberts Road**

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- iii. **Charlignate Short Stage**
Closure 11:40am – 5:10pm
Harrison Road, Pfeiffer Road, Teakle Road, Lewis Road, Bell Springs Road and Warmington Run closed – from Quarry Road to Black Heath Road

 - iv. **Blumberg Creek Stage**
Closure 12:00pm – 5:30pm
Hicks Road, Hanham Road, McVitties Road, Number Four Road and Burton Road closed – from Terlinga Road to Onkaparinga Valley Road
4. **That the Council confirm 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.**

Carried

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.

12.3 Community & Recreation Facility Framework Project Update

8.00pm Cr Kirrilee Boyd left the meeting room
 8.03pm Cr Kirrilee Boyd returned to the meeting room

Moved Cr Pauline Gill
S/- Cr Linda Green

105/20

Council resolves:

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

2. **That Council endorses the Community & Recreation Facilities Framework - Community Consultation Implementation Plan, contained in *Appendix 1*.**

Carried

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12.4 Local Roads and Community Infrastructure Program Projects

Cr Linda Green and Cr Andrew Stratford declared an Actual Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to item 12.4, Local Roads and Community Infrastructure Program Projects.

8.05pm Cr Linda Green and Cr Andrew Stratford left the meeting room and did not participate in the vote.

Cr Malcolm Herrmann declared a Perceived Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to it 12.4, Local Roads and Community Infrastructure Program Projects.

Moved Cr Pauline Gill

S/- Cr Malcolm Herrmann

106/20

Council resolves:

- 1. That the report be received and noted.**
- 2. To authorise the applications for the following projects to be submitted as the Adelaide Hills Council Local Roads and Infrastructure Program Projects for delivery in 2020/21 and the estimated associated expenditure to undertake those works:**
 - a. New Toilets – Woodside Institute (\$200,000)**
 - b. Lobethal Centennial Hall Toilet Upgrade (\$80,000)**
 - c. Fabrik – Building upgrades(\$230,000)**
 - d. Mill Road Corner Community Pocket Forest (\$40,000)**
 - e. Stirling to Crafers Bikeway (\$125,000)**
 - f. Footpath – Crafers (\$66,415)**
 - g. Footpath – Cudlee Creek, Redden Drive (\$40,000)**
- 3. Subject to approval, and in line with the above estimated costs, that the CEO or his delegate be authorised to commit expenditure to undertake the above works with any adjustments to income and expenditure be incorporated in an upcoming budget review.**
- 4. That should any projects be unsuccessful, or significant savings achieved, alternative projects will be recommended to Council for consideration.**
- 5. That the CEO be authorised to write a letter of acknowledgement to the Hon Michael McCormack MP, Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development thanking the Federal Government for this additional funding program and provide background information on the successful projects.**

Carried

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Cr Malcolm Herrmann voted in favour of the motion. The majority of persons who were entitled to vote at the meeting voted in favour of the motion.

8.13pm Cr Linda Green returned to meeting room

8.14pm Cr Andrew Stratford returned to the meeting room

12.5 Stirling Market Road Closure Permit Renewal

Cr Kirrilee Boyd declared an Actual Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to item 12.4, Stirling Market Road Closure Permit Renewal.

8.15pm Cr Kirrilee Boyd left the meeting room and did not participate in the vote.

Moved Cr John Kemp

S/- Cr Kirsty Parkin

107/20

Council resolves:

1. **That the report be received and noted**
2. **That a permit for Business Use of a Road under Section 222 of the *Local Government Act 1999* be issued to Stirling Market Incorporated for a five year period for use of a portion of Druid Avenue Stirling and the service lane between Martha Street and Mt Barker Road, for a monthly market**
3. **That pursuant to Section 33(2) of the *Road Traffic Act 1961* the Council provides consent to the making of a road closure order by the Minister, or delegate, to enable the closure of Druid Avenue between Mount Barker Road and Martha Street, Stirling, as per permit conditions for the same five (5) year period covered by the Business Use Permit issued to Stirling Market Inc.**
4. **That the Chief Executive Officer be authorised to act for and on behalf of the Council to consider and provide consent to any minor changes to the permit conditions or road closure order in response to legislative changes, the results of annual permit reviews or for special road closure orders, such as if the market is rescheduled to another Sunday in a particular month, or if a special once-off market is held, over the same five (5) year period.**

Carried

8.22pm Cr Kirrilee Boyd returned to the meeting.

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12.6 Resumption of Physical Council Meetings, Workshops & Community Forums

Moved Cr Kirrilee Boyd
S/- Cr Nathan Daniell

108/20

Council resolves:

1. That the report be received and noted
2. That in relation to Ordinary Council Meetings:
 - a. To revoke Part 4 of Resolution 63/20 from its 21 April 2020 Council Meeting being "That, as from 21 April 2020 and until the expiry of the provisions of Notice No 1, meetings of the Council will take place by electronic means using the audio and visual functionality of the Zoom virtual meeting room as the electronic location"; and
 - b. To note that the Chief Executive Officer will determine the 'place' of Council Meetings in accordance with the provisions of Section 81(3a) of the *Local Government Act 1999*.
3. That in relation to Council Workshops and Professional Development Informal Gatherings to note that the Chief Executive Officer, via resolution 245/19, maintains the authorisation to make changes to the informal gathering schedule, timings and locations.
4. That in relation to Community Forums:
 - a. To note that the Chief Executive Officer, via resolution 245/19, maintains the authorisation to make changes to the Community Forum schedule to accommodate venue availability or other matters airing to necessitate change.
 - b. To resolve that the order of venues for upcoming Community Forums will be:
 - i. Mylor
 - ii. Basket Range
 - iii. Birdwood

Carried Unanimously

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12.7 Policy of Notification – Accredited Professionals

Moved Cr Linda Green
S/- Cr John Kemp

109/20

Council resolves:

1. That the report be received and noted
2. To adopt the draft Policy of Notification – Accredited Professionals as detailed in *Appendix 2* of this report with a commencement date being the designated date of Phase 3 of the Planning & Design Code (and full implementation of the PDI Act) to be announced by the Minister for Planning in due course.
3. That the CEO be permitted to make any formatting, nomenclature or other minor changes to the Policy before the designated date for Phase 3 of the Planning & Design Code.

Carried Unanimously

12.8 Disclosure of Interest – Adelaide Hills Tourism

Moved Cr Mark Osterstock
S/- Cr Malcolm Herrmann

110/20

Council resolves:

1. That the report be received and noted
2. To note the declaration of interest by Chief Executive Officer, Andrew Aitken, in relation to being a Board Member of Adelaide Hills Tourism.
3. To determine that Chief Executive Officer, Andrew Aitken, is authorised to act in relation to his official duties as Chief Executive Officer of the Adelaide Hills Council in matters relating to Adelaide Hills Tourism.

Carried Unanimously

8.41pm Cr Mark Osterstock left the meeting room
8.45pm Cr Mark Osterstock returned to the meeting room
8.45pm Cr Ian Bailey left the meeting room
8.47pm Cr Ian Bailey returned to the meeting room

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12.9 Delegations Review

Moved Cr John Kemp
S/- Cr Malcolm Herrmann

111/20

Council resolves:

1. That the report be received and noted
2. That, having considered a review of Council's Delegations as presented, 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 Development Act 1993, Development (Development Plans) Amendment Act 2006 and Development Regulations 2008, Development (Waste Reform) Variation Regulations 2019
 - 2.1.2 Local Government Act 1999
 - 2.1.3 Planning, Development and Infrastructure Act 2016
 - 2.2 Delegations made under the *Development Act 1993, Development (Development Plans) Amendment Act 2006 and Development Regulations 2008, Development (Waste Reform) Variation Regulations 2019*
 - 2.2.1 In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the *Development Act 1993, Development (Development Plans) Amendment Act 2006 and Development Regulations 2008, Development (Waste Reform) Variation Regulations 2019* contained in the proposed Instrument of Delegation (annexed to the Report dated 23 June 2020 and entitled *Instrument of Delegation under the Development Act 1993, Development (Development Plans) Amendment Act 2006 and Development Regulations 2008, Development (Waste Reform) Variation Regulations 2019 and marked Appendix 2*) are hereby delegated this 23rd day of June 2020 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
 - 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 the proposed Instrument of Delegation.

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2.3 Delegations made under the *Local Government Act 1999*:

2.3.1 In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the *Local Government Act 1999* contained in the proposed Instrument of Delegation (annexed to the Report dated 23 June 2020 and entitled *Instrument of Delegation under the Local Government Act 1999 and marked Appendix 3*) are hereby delegated this 23rd day of June 2020 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.

2.3.2 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 the proposed Instrument of Delegation.

2.4 Delegations made under the *Local Government Act 1999* the powers and functions under *Planning Development and Infrastructure Act 2016 – Powers of a Council as: A Council: A Designated Authority: A Designated Entity (until full PDI commencement)*:

2.4.1 In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the *Planning Development and Infrastructure Act 2016 – Powers of a Council as: A Council: A Designated Authority: A Designated Entity (until full PDI commencement)* contained in the proposed Instrument of Delegation (annexed to the Report dated 23 June 2020 and entitled *Instrument of Delegation under the Planning Development and Infrastructure Act 2016 – Powers of a Council as: A Council: A Designated Authority: A Designated Entity (until full PDI commencement) and marked Appendix 4*) are hereby delegated this 23rd day of June 2020 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.

2.4.2 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 the proposed Instrument of Delegation.

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- 2.5 Delegations made under the *Local Government Act 1999 the powers and functions under Planning Development and Infrastructure Act 2016 – Instrument A1 Powers of the Council as a Council, Designated Authority and Designated Entity*:**
- 2.5.1** In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the *Planning Development and Infrastructure Act 2016* contained in the proposed Instrument of Delegation (annexed to the Report dated 23 June 2020 and entitled *Instrument of Delegation under the Planning Development and Infrastructure Act 2016 – Instrument A1 Powers of the Council as a Council, Designated Authority and Designated Entity and marked Appendix 5*) are hereby delegated this 23rd day of June 2020 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
- 2.5.2** 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 the proposed Instrument of Delegation.
- 2.6 Delegations made under the *Planning Development and Infrastructure Act 2016 - Instrument B1, Powers of the Council as a Relevant Authority*:**
- 2.6.1** In exercise of the power contained in Section 100 of the *Planning Development and Infrastructure Act 2016* the powers and functions under the *Planning Development and Infrastructure Act 2016* contained in the proposed Instrument of Delegation (annexed to the Report dated 23 June 2020 and entitled *Instrument of Delegation under the Planning Development and Infrastructure Act 2016 - Instrument B1, Powers of the Council as a Relevant Authority and marked Appendix 6*) are hereby delegated this 23rd day of June 2020 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
- 2.6.2** Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

Carried Unanimously

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12.10 Status Report – Council Resolutions Update

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

112/20

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
25/07/2017	Ordinary Council	155/17	Reserve Gifting Proposal - Dunnfield Estate, Mt Torrens	Cr Linda Green (Material)
23/01/2018	Ordinary Council	4/18	Road Exchange - Mt Torrens Walking Loop	None declared
26/11/2019	Ordinary Council	278/19	Pomona Road Bike Trial	Perceived - Cr Leith Mudge
17/12/2019	Ordinary Council	311/19	MON Range Road South, Houghton, Pedestrian Movements	None declared
28/01/2020	Ordinary Council	12/20	Naming of Houghton Village Green	None declared
28/1/2020	Ordinary Council	13/20	Road Closure adj 307 Scott Creek Road Longwood	None declared
28/01/2020	Ordinary Council	19/20	Natural Disaster Provision	None declared
25/02/2020	Ordinary Council	27/20	MON Bushfire Recovery - Lobethal	None declared
24/03/2020	Ordinary Council	56/20	Cudlee Creek Bushfire Service & Project Continuity Impacts	None declared

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Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI
24/03/2020	Ordinary Council	61/20	Mylor Community Survey Report	None declared
21/04/2020	Special Council	63/20	6.1 Electronic participation in Council Meetings (Notice 1/2020) – proposed compliance arrangement	None declared
21/04/2020	Special Council	64/20	6.2 Public Access and Public Consultation (Notice 2/2020) – proposed compliance arrangements	None declared
28/04/2020	Ordinary Council	67/20	East Waste 2020-21 Annual Business Plan & Budget	None declared
28/04/2020	Ordinary Council	68/20	AHRWMA 2020-21 Annual Business Plan & Budget	None declared
28/04/2020	Ordinary Council	69/20	2020 - 2024 Strategic Plan Adoption	None declared
28/04/2020	Ordinary Council	70/20	2020 - 2021 Long Term Financial Plan Adoption	None declared
28/04/2020	Ordinary Council	72/20	Range Road South Houghton Pedestrian Movements	None declared
28/04/2020	Ordinary Council	74/20	CEO Performance Target Updates	None declared
28/04/2020	Ordinary Council	76/20	Draft Fraud Corruption Misconduct & Maladministration Policy	None declared
28/04/2020	Ordinary Council	77/20	Confidential Items Review	None declared

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 23 JUNE 2020
VIA AUDIO/VISUAL LINK**

Meeting Date	Meeting	Res No.	Item Name	Previously Declared COI
28/04/2020	Ordinary Council	78/20	Confidential Items Review 2	None declared
28/04/2020	Ordinary Council	79/20	Confidential Items Review 3	None declared
12/05/2020	Special Council	84/20	Bushfire Royal Commission Notices	None
26/05/2020	Ordinary Council	87/20	2019-20 Budget - Budget Review 3	None declared
26/05/2020	Ordinary Council	89/20	2020-21 Annual Business Plan & Budget Consultation	None declared
26/05/2020	Ordinary Council	96/20	Council Assessment Panel Membership	Cr Leith Mudge - Material Cr John Kemp - Material
26/05/2020	Ordinary Council	98/20	Membership Extension of Commonwealth Home Support Service Funding	None declared

Carried Unanimously

13. OFFICER REPORTS - INFORMATION ITEMS

13.1 Ombudsman Correspondence

**Moved Cr Pauline Gill
S/- Cr John Kemp**

113/20

Council resolves that the report be received and noted.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
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13.1.1 Adjournment of Meeting

Moved Cr Ian Bailey
S/- Cr Kirsty Parkin

114/20

That the meeting adjourn for 10 minutes at 9.00pm.

Carried

9.12pm The Council meeting resumed.

13.2 Quarterly Council Performance

Moved Cr Linda Green
S/- Cr Kirsty Parkin

115/19

Council resolves that the report be received and noted.

Carried Unanimously

13.3 Publishing Council Meeting Recordings

Moved Cr Kirsty Parkin
S/- Cr John Kemp

116/20

Council resolves that the report be received and noted.

Carried Unanimously

13.4 Policy Register Review

Moved Cr Mark Osterstock
S/- Cr Chris Grant

117/20

Council resolves that the report be received and noted.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
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14. QUESTIONS WITHOUT NOTICE

Cr Leith Mudge – Local Government Reform Bill
Cr Andrew Stratford – Woodside Recreation Grounds Masterplan

15. MOTIONS WITHOUT NOTICE

Nil

16. REPORTS

16.1 Council Member Function or Activity on the Business of Council

Mayor Jan-Claire Wisdom

- 27 May, Cudlee Creek Recovery Committee meeting via zoom
- 27 May, Shortlisting meeting for candidates for Council Assessment Panel via zoom
- 28 May, Heathfield Courts photo session with Josh Teague MP, Member for Heysen, re new netball courts
- 31 May, Interview with Advertiser re next steps in bushfire recovery
- 2 June, Deputation to Campbelltown Council re Boundary survey via zoom
- 4 June, Media release re CCC Boundary survey Deputation via zoom
- 9 June, Interview with Advertiser re bushfire recovery
- 11 June, Interviews for Council Assessment Panel candidates via zoom
- 17 June, Cudlee Creek Recovery Committee meeting via zoom
- 22 June, Media comment for Courier re new Local Government Bill
- 23 June, Meeting with Senator A McLachlan re Bushfire recovery

Cr Pauline Gill

- 27 May, Cudlee Creek Bushfire (CCBF) Local Recovery Committee via video
- 17 June, CCBF Local Recovery Committee via video

Cr John Kemp

- 27 May, CAP Independent Member Shortlisting meeting
- 11 June, CAP Independent Member Interviews

**ADELAIDE HILLS COUNCIL
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Cr Kirrilee Boyd

- 27 May, Reconciliation SA 2020 National Reconciliation Week Virtual Breakfast

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

Mayor Jan-Claire Wisdom

- 1 June, GAROC Board meeting via zoom
- 17 June, GAROC Covid-19 workshop via zoom
- 18 June, LGASA Board meeting via zoom
- 19 June, SHLGA Board meeting via zoom

Cr Malcolm Herrmann

- 9 June, GRFMA Audit Committee
- 11 June, GRFMA, Nuriootpa

Cr John Kemp

- 2 June, AHRWMA Special Meeting

9.30pm Cr Mark Osterstock left the meeting and did not return

16.3 CEO Report

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

- Houghton Oval Committee State Government grant funding \$435,000
- Projects - bus shelters, solar lights, retaining walls and fences, kerb renewal, stormwater work, safety barriers and cemeteries
- Green Organics Days held
- Waste Education webinars held
- PDI update, development statistics following Cudlee Creek bushfire

**ADELAIDE HILLS COUNCIL
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17. REPORTS OF COMMITTEES

17.1 Council Assessment Panel – 10 June 2020

Moved Cr John Kemp
S/- Cr Kirsty Parkin

118/20

That the minutes of the Council Assessment Panel meeting of 10 June 2020 as distributed, be received and noted.

Carried Unanimously

17.2 Strategic Planning & Development Policy Committee

Nil

17.3 Audit Committee – 25 May 2020

Moved Cr Malcolm Herrmann
S/- Cr Kirrilee Boyd

119/20

That the minutes of the Audit Committee meeting of 25 May 2020 as distributed, be received and noted.

Carried Unanimously

17.4 CEO Performance Review Panel – 4 June 2020

Moved Cr Ian Bailey
S/- Cr Kirsty Parkin

120/20

That the minutes of the CEO Performance Review Panel meeting of 4 June 2020 as distributed, be received and noted.

Carried Unanimously

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18. CONFIDENTIAL ITEMS

18.1 Event Opportunity – Exclusion of the Public

Moved Cr Ian Bailey
S/- Cr Kirrilee Boyd

121/20

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 Infrastructure & Operations, Peter Bice
- Director Development & Regulatory Services, Marc Salver
- Director Corporate Services, Terry Crackett
- Director Community Capacity, David Waters
- Executive Manager Governance & Performance, Lachlan Miller
- Manager Communications, Engagement & Events, Jennifer Blake
- Governance & Risk Coordinator, Steven Watson
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 19.1: (Event Opportunity) 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)(j) 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 –

- (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
- (ii) would, on balance, be contrary to the public interest.

Accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

Section 90(3)(j) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is 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/agency/business who supplied the information by disclosing specific quotes and modelling by the tenderer.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
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18.1.1 Event Opportunity - Confidential Item

**ADELAIDE HILLS COUNCIL
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18.1.2 Event Opportunity - Period of Confidentiality

Moved Cr Ian Bailey

S/- Cr Malcolm Herrmann

123/20

Subject to the CEO, or his delegate, disclosing information or any document (in whole or in part) for the purpose of implementing Council's decision(s) in this matter in the performance of the duties and responsibilities of office, Council, having considered Agenda Item 18.1 in confidence under sections 90(2) and 90(3) (j) of the *Local Government Act 1999*, resolves that an order be made under the provisions of sections 91(7) and (9) of the *Local Government Act 1999* that the report, related attachments and the minutes of Council and the discussion and considerations of the subject matter be retained in confidence until the event agreements are signed and the relevant event details are announced by the relevant Minister, but not longer than 31 December 2021.

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

19. NEXT ORDINARY MEETING

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 28 July 2020, venue to be advised.

20. CLOSE MEETING

The meeting closed at 10.00pm.