

**ADELAIDE HILLS COUNCIL  
MINUTES OF SPECIAL COUNCIL MEETING  
TUESDAY 14 JUNE 2022  
63 MT BARKER ROAD STIRLING**

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In Attendance

**Presiding Member:** Cr Malcom Herrmann

**Members:**

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| Councillor Ian Bailey       |
| Councillor Kirrilee Boyd    |
| Councillor Pauline Gill     |
| Councillor Chris Grant      |
| Councillor Linda Green      |
| Councillor John Kemp        |
| Councillor Leith Mudge      |
| Councillor Kirsty Parkin    |
| Councillor Andrew Stratford |

In Attendance:

|                    |   |
|--------------------|---|
| Andrew Aitken      | Chief Executive Officer                           |
| Peter Bice         | Director Infrastructure & Operations              |
| Melissa Bright     | Acting Director Development & Regulatory Services |
| David Waters       | Director Community Capacity                       |
| Lachlan Miller     | Executive Manager Governance & Performance        |
| Megan Sutherland   | Executive Manager Organisational Development      |
| Mike Carey         | Manager Financial Services                        |
| Kira-Marie Laverty | Corporate Planning & Performance Coordinator      |

**1. COMMENCEMENT**

The special meeting commenced at 6.30pm and was opened by the Chief Executive Officer.

In the absence of the Mayor and the Deputy Mayor, Council selected Cr Malcolm Herrmann to preside at the meeting.

**2. OPENING STATEMENT**

Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kurna people. They are Custodians of this ancient and beautiful land and so we pay our respects to Elders past, present and emerging. We will care for this country together by ensuring the decisions we make will be guided by the principle that we should never decrease our children's ability to live on this land.

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Mayor \_\_\_\_\_ 28 June 2022

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**3. APOLOGIES/LEAVE OF ABSENCE**

**3.1 Apology**

Acting Mayor Nathan Daniell  
Councillor Mark Osterstock

**3.2 Leave of Absence**

Mayor Jan-Claire Wisdom, 1 June to 15 June 2022, approved at Council 26 April 2022

**3.3 Absent**

Nil

**4. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL**

**4.1 Material Conflict of Interest, Cr John Kemp, Item 7.1, Annual Business Plan Consultation Board**

Under Section 74 of the *Local Government Act 1999* Cr John Kemp disclosed a Material Conflict of Interest in Item 7.1, the nature of which is as follows:

- I am a member of the Hut Board

Cr John Kemp intends to leave the Chamber when this item is discussed.

**4.2 Perceived Conflict of Interest, Cr Ian Bailey, Item 8, Adelaide Hills Region Waste Management Authority Board Appointments**

Under Section 75A of the *Local Government Act 1999* Cr Ian Bailey disclosed a Perceived Conflict of Interest in Item 8, the nature of which is as follows:

- I am a current member of the Adelaide Hills Region Waste Management Authority Board and the deputy member nominee for the next Adelaide Hills Region Waste Management Authority Board

Cr Ian Bailey intends to remain in the Chamber and vote when this item is discussed.

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

Nil

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**6. PUBLIC FORUM**

Nil

**7. BUSINESS OF THE MEETING**

**7.1 Annual Business Plan Consultation Results**

Council received a presentation on the consultation outcomes and proposed financial adjustments.

**Moved Cr Leith Mudge**

**S/- Cr John Kemp**

**143/22**

**Council resolves:**

- 1. That the report be received and noted**
- 2. To receive and note the outcomes of the *draft Annual Business Plan 2022-23* public consultation undertaken from 5 May - 1 June 2022 as contained in the *Annual Business Plan 2022-23 Community Engagement Outcomes Report* in Appendix 1.**
- 3. To endorse the following recommended changes to the *draft Annual Business Plan 2022-23*:**
  - a. Adjustments to budget/financial figures to account for:**
    - i. Additional Local Government Election costs: \$58k**
    - ii. Rates Oversight Scheme costs: \$13k**
    - iii. East Waste Budget adjustment: \$126k reduction**
    - iv. External funding increases for recently approved grants such as**
      - 1. Community Resilience Program \$484k**
      - 2. The Local Roads and Community Infrastructure Program \$1,362k**
  - b. Inclusion of the recently approved 2022-23 LRCIP projects**
  - c. Adopted Capital changes from BR3**

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| <b>Carried Unanimously</b> |
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Cr John Kemp declared a Material Conflict of Interest as per Item 4 and left the Chamber

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**7.2 Annual Business Plan Consultation Results - Additional**

**Moved Cr Linda Green  
S/- Cr Chris Grant**

**144/22**

**Council resolves:**

- 4. To endorse the following recommended change to the *draft Annual Business Plan 2022-23*:**
  - a. Adjustment to budget/financial figures to account for:**
    - i. The Hut 2022-23 Budget agreement: \$15k reduction**

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| <b>Carried Unanimously</b> |
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Cr John Kemp returned to the Chamber.

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**8. CONFIDENTIAL ITEM**

**8.1 Adelaide Hills Region Waste Management Authority Board Appointments – Exclusion of the Public**

Cr Ian Bailey declared a Perceived Conflict of Interest as per item 4 and remained in the Chamber.

**Moved Cr Linda Green  
S/- Cr Kirrilee Boyd**

**145/22**

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except:

- Chief Executive Officer, Andrew Aitken
- Acting Director Development & Regulatory Services, Melissa Bright
- Director Infrastructure & Operations, Peter Bice
- Director Community Capacity, David Waters
- Executive Manager Governance & Performance, Lachlan Miller
- Executive Manager Organisational Development, Megan Sutherland

be excluded from attendance at the meeting for Agenda Item 8.1: (Adelaide Hills Region Waste Management Authority Board Appointments) in confidence.

The Council is satisfied that it is necessary that the public, with the exception of Council staff in attendance as specified above, be excluded to enable Council to consider the report at the meeting on the following grounds:

Section 90(3)(a) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

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.

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| <b>Carried</b> |
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**8.1.1 Adelaide Hills Region Waste Management Authority Board Member Appointments – Confidential Item (Out of Confidence)**

**Moved Cr John Kemp  
S/- Cr Linda Green**

**146/22**

**Council resolves:**

- 1. That the report be received and noted**
- 2. To rescind the Adelaide Hills Region Waste Management Authority Board Member appointments as resolved in Resolution 193/20 of 8 September 2020.**
- 3. To appoint:**
  - a. John McArthur as an Adelaide Hills Region Waste Management Authority Board Member to commence from 15 June 2022 and conclude on 14 June 2024 (inclusive); and**
  - b. Councillor Ian Bailey as an Adelaide Hills Region Waste Management Authority Deputy Board Member to commence from 15 June 2022 and conclude at the end of the current Council term.**
- 4. To authorise the Chief Executive Officer to advise the Authority's Executive Officer of Council's appointments.**

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| <b>Carried Unanimously</b> |
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Cr Ian Bailey voted in favour of the motion and the majority of the Council Members voted in favour of the motion.

**9. CLOSE MEETING**

The meeting closed at 7.33pm.