

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 23 AUGUST 2022
63 MT BARKER ROAD STIRLING**

In Attendance

Presiding Member: Mayor Jan-Claire Wisdom

Members:

Councillor Ian Bailey
Councillor Kirrilee Boyd
Councillor Nathan Daniell
Councillor Pauline Gill
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
Ashley Curtis	A/Director Infrastructure & Operations
Natalie Armstrong	Director Development & Regulatory Services
David Waters	Director Community Capacity
Lachlan Miller	Executive Manager Governance & Performance
Lynne Griffiths	Community & Cultural Development Officer
Karen Cummings	Manager Property Services
Renee O'Connor	Coordinator Sport and Recreation
Mike Carey	Manager Financial Services
John McArthur	Manager Sustainability Waste & Emergency Management
Megan Sutherland	Executive Manager Organisational Development
Steven Watson	Governance & Risk Coordinator
Pam Williams	Minute Secretary

1. COMMENCEMENT

The meeting commenced at 6.33pm.

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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.

3. Apology

Nil

3.1 Leave of Absence

- Cr Chris Grant 29 July 2022 to 26 September 2022, approved at Council 26 July 2022

Moved Cr Pauline Gill

S/- Cr Mark Osterstock

203/22

- 1 That a Leave of Absence from all duties of office be granted to Mayor Jan-Claire Wisdom from 22 September to 14 October 2022.**
- 2 That any committee, panel or advisory group membership currently held by Mayor Jan-Claire Wisdom be undertaken by the Deputy during the leave of absence.**

Carried Unanimously

3.2 Absent

Nil

4. MINUTES OF PREVIOUS MEETINGS

4.1 Council Meeting – 26 July 2022

Moved Cr Malcolm Herrmann

S/- Cr Nathan Daniell

204/22

That the minutes of the Ordinary Council meeting held on 26 July 2022 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

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4.2 Special Council Meeting – 9 August 2022

**Moved Cr Linda Green
S/- Cr Mark Osterstock**

205/22

That the minutes of the Special Council meeting held on 9 August 2022 as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

5.1 Perceived Conflict of Interest, Cr Malcolm Herrmann, Item 12.2 Community & Recreation Facility Grants 2022-2023 Recommendations

Under Section 75A of the *Local Government Act 1999* Cr Malcolm Herrmann disclosed a Perceived (Section 75) Conflict of Interest in Item 12.2, the nature of which is as follows:

- Cr Herrmann's brother is President of the Lobethal Centennial Hall Management Committee

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

5.2 Perceived Conflict of Interest, Cr Malcolm Herrmann, Item 12.7 Draft Asset Management Plan – Community Wastewater Management Scheme 2023-2032 for public consultation

Under Section 75A of the *Local Government Act 1999* Cr Malcolm Herrmann disclosed a Perceived (Section 75) Conflict of Interest in Item 12.7, the nature of which is as follows:

- Cr Herrmann's property is connected to the CWM Scheme

Cr Herrmann advised that as the Item relates to the approval of the Draft Asset Management Plan for public consultation he believes that he is able to manage the conflict and therefore intends to remain in the Chamber when this item is discussed.

5.3 Perceived Conflict of Interest, Cr Andrew Stratford, Item 12.7 Draft Asset Management Plan – Community Wastewater Management Scheme 2023-2032 for public consultation

Under Section 75A of the *Local Government Act 1999* Cr Andrew Stratford disclosed an Perceived (Section 75) Conflict of Interest in Item 12.7, the nature of which is as follows:

- Cr Stratford owns a property connected to the CWM Scheme

Cr Stratford intends to remain in the Chamber when this item is discussed.

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5.4 Material Conflict of Interest, Cr Andrew Stratford, Item 12.2 Community & Recreation Facility Grants 2022-2023 Recommendations

Under Section 75A of the *Local Government Act 1999* Cr Andrew Stratford disclosed a Material (Section 74) Conflict of Interest in Item 12.2, the nature of which is as follows:

- Cr Stratford is a member of the management committee of the Woodside Hall as well as the Woodside Recreation Grounds

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

5.5 Material Conflict of Interest, Cr Mark Osterstock, Item 12.2 Community & Recreation Facility Grants 2022-2023 Recommendations

Under Section 75A of the *Local Government Act 1999* Cr Mark Osterstock disclosed a Material (Section 74) Conflict of Interest in Item 12.2, the nature of which is as follows:

- Cr Osterstock is an employee of the Crown (SA Police) in relation to the SA Police Pistol Club

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

5.6 Material Conflict of Interest, Cr Linda Green, Item 12.2 Community & Recreation Facility Grants 2022-2023 Recommendations

Under Section 75A of the *Local Government Act 1999* Cr Linda Green disclosed a Material (Section 74) Conflict of Interest in Item 12.2, the nature of which is as follows:

- Cr Green is a member of the Lobethal Centennial Hall

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

5.7 Material Conflict of Interest, Cr Linda Green, Item 12.7 Draft Asset Management Plan – Community Wastewater Management Scheme 2023-2032 for public consultation

Under Section 75A of the *Local Government Act 1999* Cr Linda Green disclosed a Material (Section 74) Conflict of Interest in Item 12.7, the nature of which is as follows:

- Cr Green owns a property at Mt Torrens that is connected to the CWM Scheme

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

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6. PRESIDING MEMBER'S OPENING REMARKS

Mayor Jan-Claire Wisdom welcomed everyone to the meeting and advised there was a large agenda tonight.

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

10.1 Flammable aluminium composite external cladding panels (Cr Malcolm Herrmann)

1. Since 2017, how many buildings within the council area have been identified as containing flammable aluminium composite panel cladding?
2. What action has been taken to eliminate any public safety risk?
3. Are there any buildings which still require rectification work?
4. Is there any existing reporting mechanism for advising members on this issue?

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Officer's Response, Natalie Armstrong, Director Development & Regulatory Services

1. Since 2017, how many buildings within the council area have been identified as containing flammable aluminium composite panel cladding?

All local government councils were required to undertake a building audit relating to residential buildings over 2 storeys (including hotels, motels, apartments and aged care facilities) hospitals, schools and assembly buildings with aluminium composite panel cladding to their facades. Three (3) buildings have been identified in the Adelaide Hills Council area as potentially containing flammable aluminium composite panel cladding to the exterior façade of the selected group of buildings.

2. What action has been taken to eliminate any public safety risk?

Due to the existing legislative processes and provisions within the repealed Development Act 1993 and more recently Planning, Development & Infrastructure Act 2016, it was agreed that Council's Building Fire Safety Committee's (BFSC) having the experience and skills in fire and life safety would be best placed to conduct the building audit. The BFSC have undertaken both desktop audits of the three (3) identified buildings and conducted inspections of the exterior elevations of these buildings in an attempt to establish the products approved have been installed and that no unauthorised product substitution has occurred. Post audit, one (1) of the buildings identified has received development approval for the complete removal of all combustibile cladding to the exterior façade and replacement with a non-combustible material, these works are being monitored by the BFSC.

3. Are there any buildings which still require rectification work?

Two (2) of the identified buildings are working collaboratively with the Building Fire Safety Committee in establishing what, if any, action is required to mitigate any risk identified, including testing of the cladding material to establish if it is aluminium composite panelling

4. Is there any existing reporting mechanism for advising members on this issue?

As part of Council's Annual Business Plan, the Building Fire Safety Committee reports on its activities throughout the year, which includes an update on the works associated with flammable aluminium composite panel cladding.

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11. MOTIONS ON NOTICE**11.1 Undergrounding of Power Lines Lobethal, Mt Torrens and Woodside**

Moved Cr Malcolm Herrmann
S/- Cr Andrew Stratford

206/22

That the CEO investigates the potential for undergrounding of power lines in:

- Main Street and portion of Lobethal Road, Lobethal;
- Onkaparinga Valley Road (Main Street) Woodside; and
- Townsend Street, Mount Torrens

and, after consultation with the Power Lines Environment Committee, provides a report to Council by 28 February 2023.

Carried Unanimously

12. OFFICER REPORTS – DECISION ITEMS**12.1 Community Development Grant 2022-23 Recommendations**

Moved Cr Kirsty Parkin
S/- Cr Linda Green

207/22

Council resolves:

1. That the report be received and noted.
2. That Council approve the awarding of Community Development Grants for 2022-2023 totalling \$37,270.00 as follows:

South Australian Athletic League	Conduct an all-abilities event	\$2,500.00
Adelaide Hills Cycling Club	Purchase safety lights and timing system	\$2,352.00
Kersbrook Soldiers Memorial Park Community & Sports Club	Replace air conditioner in volunteer run op shop	\$2,500.00
Gumeracha & Districts Community Resilience Group	Disaster resilience and preparedness calendar	\$2,400.00
Cudlee Creek Soldiers Memorial Ground & Hall	Display to recognise local veterans and service personnel	\$2,500.00

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Sixth Creek Catchment Group	Redevelopment of the Sixth Creek Catchment Group website	\$2,500.00
Save Our Wildlife Foundation	Rescue equipment for possums, birds and koalas	\$2,475.00
The Forest Range & Lenswood History Group	Software system to allow online access to collection	\$2,500.00
Top of the Torrens Gallery Incorporated	Create and install public artwork in front garden area	\$2,500.00
Hills Little Athletics Centre	Outdoor shade with logo	\$1,748.00
Scout Social & Service Group, Scouts Australia S.A. Branch	Heritage interpretation and meeting place	\$2,500.00
Longwood Bradbury Progress Association	Recovery and resilience activities for community impacted by Cherry Gardens bushfire.	\$2,100.00
Gumeracha Group CFS Cadets	Woodhouse event for x 45 cadets from Gumeracha, Birdwood, Cudlee Creek and Mount Torrens	\$2,500.00
Adelaide Hills Hawks Football Club	Cultural workshops and unique playing strip to support Indigenous Round	\$2,500.00
Aldgate Brigade of the SA Country Fire Service	Television for community engagement and education programs	\$1,195.00
Parents and Friends Group Basket Range Primary School	Reconciliation Through Action workshops for children in the region	\$2,500.00

Carried Unanimously

Cr Malcolm Herrmann declared a Perceived Conflict of Interest at Agenda Item 4 'Declaration of Interest by Members of the Committee' in relation to Item 12.2.
6.56pm Cr Herrmann left the Chamber.

Cr Mark Osterstock, Cr Linda Green and Cr Andrew Stratford declared a Material Conflict of Interest at Agenda Item 4 'Declaration of Interest by Members of the Committee' in relation to Item 12.2.
6.56pm Cr Osterstock, Cr Green and Cr Stratford left the Chamber.

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12.2 Community & Recreation Facility Grants 2022-2023 Recommendations

Moved Cr John Kemp
S/- Cr Leith Mudge

208/22

Council resolves:

1. That the report be received and noted
2. That Council approves the awarding of Community Recreation and Facility Grants for 2022-2023 totalling \$179,910.10 as follows.

Mylor Citizens Friendship Club	Solar power storage battery	\$9,953.90
Oakbank Golf Club	Upgrade of golf course pathways	\$13,000.00
Lobethal Centennial Hall	Centennial Hall interior repaint	\$16,000.00
Cudlee Creek Tennis Club	Wheelchair ramp and retaining wall	\$21,010.00
Lobethal Bowling Club	Resurface playing green	\$36,500.00
Uraidla Bowling Club	Car park entrance upgrade	\$3,000.00
The Gumeracha and District Bowling Club	Safety paving	\$8,800.00
Lobethal Recreation Ground Sports Club	Fitout of community kitchen	\$6,000.00
Montacute Progress Association	Reverse cycle air conditioning	\$6,700.00
Gumeracha Sporting Club	Oval drainage	\$6,046.20
Scott Creek Progress Association	New kitchen in Scott Creek Hall	\$9,500.00
Uraidla Districts Football Club	Uraidla Oval lighting upgrade	\$36,500.00
Torrens Valley Little Athletics Centre	Equipment storage	\$4,400.00
South Australia Police Pistol Club	Toilet block	\$2,500.00

Carried unanimously

6.57pm Cr Herrmann, Cr Osterstock, Cr Stratford and Cr Green returned to the Chamber

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12.3 Proposed Road Closure – Unmade Public Road adjacent to 9 Fidlers Hill Road Inglewood

Moved Cr Malcolm Herrmann
S/- Cr Kirsty Parkin

209/22

Council resolves:

1. That the report be received and noted;
2. The land marked "A" in Preliminary Plan No. 22/0025 (known as the Road Land) be declared surplus to Council's requirements;
3. That the Chief Executive, or his delegate, are authorised to negotiate with the owners of 9 Fidlers Hill Road, Inglewood for the sale and transfer of the piece marked "A" in Preliminary Plan No. 22/0025 for the sum of \$27,250 plus GST, together with all fees and charges associated with the road closure process;
4. Subject to agreement from the owner of 9 Fidlers Hill Road, Inglewood to purchase the Road Land for the sum of \$27,250.00 plus GST, to make a Road Process Order pursuant to the *Roads (Opening & Closing) Act 1991* to close and merge the pieces of land identified as "A" in the Preliminary Plan No. 22/0025 attached to this report with Section 171 Hundred of Para Wirra comprised in Certificate of Title Volume 5426 Folio 204;
5. That upon the deposit of the Road Closure, the land will be excluded from the classification of Community Land and not be included in Council's Community Land Register;
6. Council staff to provide advice to the new landowner on how to best manage the biodiversity values of the site. If Agreement is not reached with the owner of 9 Fidlers Hill Road to transfer the land, then the land will continue to be held by Council;
7. That the Chief Executive Officer is authorised to finalise and sign all necessary documentation to close and sell the above portion of closed road pursuant to this resolution.

Carried

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12.4 2021-22 Preliminary End of Year Financial Results and Carry Forwards

Moved Cr Mark Osterstock
S/- Cr John Kemp

210/22

Council resolves:

- 1. That the report be received and the preliminary end of year financial results for 2021-22 be noted.**
- 2. That the Operating Initiatives Carry Forward projects from 2021-22 totalling an amount of \$144k of expenditure (Appendix 1 of this report) be approved for inclusion in the 2022-23 Budget.**
- 3. That the Operating Grants Carry Forward amounts from 2021-22 totalling \$385k of Grant Income and \$145k of grant expenditure (Appendix 2 of this report) be approved for inclusion in the 2022-23 Budget.**
- 4. That the Capital carry forward projects from 2021-22 totalling an amount of \$4.450m of expenditure and \$602k of income (Appendices 4 and 5 to this report) be approved for inclusion in the 2022-23 Budget.**
- 5. That the additional budget requests and changes resulting in a decrease in \$717k in Operating Income and an increase of \$64k in Operating Expenditure (Appendix 6) be approved for inclusion in the 2022-23 Budget.**
- 6. That the 2022-23 proposed Budgeted Uniform Presentation of Finances reflecting a revised budgeted Operating Surplus of \$676k before Capital Revenue and revised Net Borrowings of \$6.934m as summarised in Appendix 7 and 8 to this report be adopted.**

Carried unanimously

7.33pm Cr Mark Osterstock left the Chamber

7.36pm Cr Mark Osterstock returned to the Chamber

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12.5 Draft Community & Recreation Facilities Framework

Moved Cr Nathan Daniell
S/- Cr Pauline Gill

211/22

Council resolves:

1. That the report be received and noted
2. To receive and note the *Community and Recreation Facilities Framework and Play Space Framework Community Engagement Outcomes Report* contained in *Appendix 5*.
3. With an effective date on 1 July 2023, to adopt the draft *Community and Recreation Facilities Framework*, including the *Community and Recreation Facilities Policy (Appendix 1)*, the *Community and Recreation Facilities Service Levels (Appendix 2)*, the *Community and Recreation Facility Guidelines (Appendix 3)*, and the *Facility Maintenance Fund Guidelines (Appendix 4)*.
4. With an effective date on 1 July 2023, rescind the *Sport and Recreation Policy*.
5. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the draft *Community and Recreation Facilities Framework*, including the *Community and Recreation Facilities Policy (Appendix 1)*, the *Community and Recreation Facilities Service Levels (Appendix 2)*, the *Community and Recreation Facility Guidelines (Appendix 3)*, and the *Facility Maintenance Fund Guidelines (Appendix 4)* prior to the date of effect.

Carried unanimously

7.41pm Cr Malcolm Herrmann left the Chamber

7.41pm Cr Malcolm Herrmann returned to the Chamber

7.44pm Cr Ian Bailey left the Chamber

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12.6 Play Space Framework

Moved Cr Mark Osterstock
S/- Cr Kirrilee Boyd

212/22

Council resolves:

- 1. That the report be received and noted**
- 2. To receive and note the *Community and Recreation Facilities Framework and Play Space Framework Community Engagement Outcomes Report* contained in *Appendix 4*.**
- 3. To adopt the draft *Play Space Framework*, including the *Play Space Policy (Appendix 1)*, the *Guidelines for Maintenance and Upgrades of existing Play Spaces (Appendix 2)* and the *Service Levels for Play Spaces (Appendix 3)* from 6 September 2022.**
- 4. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the draft *Play Space Policy (Appendix 1)*, the *Guidelines for Maintenance and Upgrades of existing Play Spaces (Appendix 2)* and the *Service Levels for Play Spaces (Appendix 3)* prior to the date of effect.**

Carried unanimously

Cr Linda Green declared a Material Conflict of Interest at Agenda Item 4 'Declaration of Interest by Members of the Committee' in relation to Item 12.7.

7.45pm Cr Linda Green left the Chamber.

Cr Malcolm Herrmann & Cr Andrew Stratford declared a Perceived Conflict of Interest at Agenda Item 4 'Declaration of Interest by Members of the Committee' in relation to Item 12.7 and intend to participate in discussions and vote when this item is discussed.

7.47pm Cr Ian Bailey returned to the Chamber

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12.7 Draft Asset Management Plan – Community Wastewater Management Scheme 2023-2032 for public consultation

Moved Cr Leith Mudge
S/- Cr Malcolm Herrmann

213/22

Council resolves:

1. That the report be received and noted
2. That Council approve the *Draft Asset Management Plan Community Wastewater Management System 2023 - 2032* as contained in *Appendix 1* for community consultation.
3. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the *Draft Asset Management Plan Community Wastewater Management System 2023 - 2032* prior to the consultation commencement.

Carried unanimously

Cr Malcolm Herrmann and Cr Andrew Stratford voted “for” the motion. The majority of persons who were entitled to vote at the meeting voted in favour of the motion.

7.54pm Cr Linda Green returned to the Chamber

12.8 Policy Review – Disposal of Assets

Moved Cr Mark Osterstock
S/- Cr Leith Mudge

214/22

Council resolves:

1. That the report be received and noted
2. With an effective date of 06 September 2022, to revoke the 10 October 2019 *Disposal of Assets Policy* and to adopt the 23 August 2022 *Disposal of Assets Policy* as per Appendix 1.
3. That the Chief Executive Officer be authorised to make any formatting, nomenclature, or other minor changes to the Policy as per Appendix 1 prior to the date of effect.

Carried unanimously

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12.9 Policy Review – Procurement

Moved Cr Malcolm Herrmann
S/- Cr John Kemp

215/22

Council resolves:

1. That the report be received and noted
2. With an effective date of 06 September 2022, to revoke the 1 October 2019 *Procurement Policy* and to adopt the 23 August 2022 *Procurement Policy* as per Appendix 1.
3. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the Policy as per Appendix 1 prior to the date of effect.

Carried unanimously

12.10 Policy Review – Waste & Resource Recovery Services

Moved Cr Linda Green
S/- Cr John Kemp

216/22

Council resolves:

1. That the report be received and noted
2. With an effective date of 7 September 2022, to revoke the 27 March 2018 *Waste & Resource Recovery Service Policy* and to adopt the 23 August 2022 *Waste & Resource Recovery Services Policy* as per Appendix 1.
3. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 23 August 2022 *Waste & Resource Recovery Services Policy* as per Appendix 1 during the period of currency.

Carried unanimously

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12.11 Status Report – Council Resolutions Update

**Moved Cr Pauline Gill
S/- Cr Mark Osterstock**

217/22

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
28/07/2020	Ordinary Council	149/20	Road Widening Netherhill Road Kenton Valley	Nil
23/11/2021	Ordinary Council	250/21	Road Acquisition - Portion of Teringie Drive Teringie	Nil
22/03/2022	Ordinary Council	49/22	MON Parking Time Limit adjacent Stirling Hospital	Nil
28/06/2022	Ordinary Council	152/22	Annual Business Plan 2022-23 for Adoption	Nil
28/06/2022	Ordinary Council	154/22	East Waste Charter Amendment - Confidential Item	Nil
26/07/2022	Ordinary Council	183/22	Parking Time Limit adjacent Stirling Hospital	Nil
26/07/2022	Ordinary Council	185/22	Youth School Holiday Program Driver Education Temp Road Closures	Nil
26/07/2022	Ordinary Council	186/22	Service Review Civil Services Maintenance	Nil
26/07/2022	Ordinary Council	188/22	Nomination for GAROC Members	Perceived - Mayor Jan- Claire Wisdom

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26/07/2022	Ordinary Council	190/22	2021-22 CEO Performance Targets Final Outcome	Nil
26/07/2022	Ordinary Council	191/22	Proposed CEO Performance Targets 2022-2023	Nil
26/07/2022	Ordinary Council	192/22	Policy Review Models for Major Development	Nil
26/07/2022	Ordinary Council	194/22	Policy Review Internal Review of Council Decisions	Nil
9/08/2022	Special Council	200/22	Establishment of Boundary Change Committee	Material - Mayor Jan-Claire Wisdom
9/08/2022	Special Council	202/22	Establishment of Boundary Change Committee - Membership	Material - Mayor Jan-Claire Wisdom

Carried unanimously

13. OFFICER REPORTS - INFORMATION ITEMS

13.1 Circular Procurement Pilot Project Update

**Moved Cr Kirrilee Boyd
S/- Cr Leith Mudge**

218/22

Council resolves that the report be received and noted.

Carried unanimously

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14. QUESTIONS WITHOUT NOTICE

- Cr Malcolm Herrmann – Amy Gillett Bikeway update
- Cr Kirsty Parkin – update on development applications
- Cr Andrew Stratford – bushfire resilience program grants
- Cr John Kemp – location of SA Water hydrants for fire fighting
- Mayor Jan-Claire Wisdom – junction Sheoak & Waverley Ridge

15. MOTIONS WITHOUT NOTICE

Nil

16. REPORTS

16.1 Council Member Function or Activity on the Business of Council

Mayor Jan-Claire Wisdom

- 01 July, Mt Lofty History Group presentation, Stirling
- 11 July, Federal Member for Mayo, Rebekha Sharkie re Amy Gillett, Mt Barker
- 11 July, Adelaide City Council Christchurch Sister City networking event, Adelaide
- 22 July, Gumeracha Hospital/ Governor of SA meeting, Gumeracha
- 23 July, Make a difference presenter at LGA elections workshop, Adelaide
- 24 July, Australia Day Council Welcome event for Shane Fitzsimmons (Crisis Leader), Adelaide
- 25 July, LGA/SA Australia Day Council Leadership in Crisis workshop, LGA
- 25 July, Australia Day Council Leadership in Crisis presentation
- 01 August, Citizenship ceremony, Stirling
- 02 August, Making connections SA mental health workshop, Crafers
- 03 August, Adelaide City Council to sign letter about World Heritage project
- 04 August, Red Cross invitation Memorial Day for Hiroshima, Adelaide
- 07 August, Scott Creek Hall anniversary, Scott Creek

Cr Malcolm Herrmann

- 4 August, Top Of the Torrens Gallery, Birdwood
- 9 August, Opening Torrens Valley Soccer Club Toilet Block, Birdwood
- 22 August, Library refurbishment, Gumeracha
- 23 August, Consultation re Federation Park Upgrade, Gumeracha

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

Cr Malcolm Herrmann

- 8 August, GRFMA Audit Committee, North Adelaide
- 18 August, GRFMA, Gawler

16.3 CEO Report

Andrew Aitken, CEO, provided Council with a verbal Corporate Update, available via www.ahc.sa.gov.au, including:

- Heavy patch program
- Heathfield High School sports centre toilet block
- Crafers Pocket Park
- Road shoulder renewals
- Green organics drop off days
- Bush for Life
- Riparian restoration Cox Creek Reserve, Bridgewater
- New trucks and grader, elevated work platform
- Coventry Library window decals – Share Country

17. REPORTS OF COMMITTEES

17.1 Council Assessment Panel – 10 August 2022

Moved Cr John Kemp
S/- Cr Nathan Daniell

219/22

That the minutes of the Council Assessment Panel meeting held on 10 August 2022 as distributed, be received and noted.

Carried unanimously

17.2 Audit Committee – 15 August 2022

Moved Cr Leith Mudge
S/- Cr Malcolm Herrmann

220/22

That the minutes of the Audit Committee meeting held on 15 August 2022 as distributed, be received and noted.

Carried unanimously

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17.3 CEO Performance Review Panel – 4 August 2022

Moved Cr Mark Osterstock
S/- Cr Kirsty Parkin

221/22

That the minutes of the CEO Performance Review Panel meeting held on 4 August 2022 as distributed, be received and noted.

Carried unanimously

17.4 Boundary Change Committee

Nil

17.4.1 Adjournment of Council Meeting

Moved Cr Mark Osterstock
S/- Cr Kirsty Parkin

221/22

That the Council meeting adjourns for a short break from 8.26pm.

Carried unanimously

8.42pm the Council meeting resumed.

ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 23 AUGUST 2022
63 MT BARKER ROAD STIRLING

18. CONFIDENTIAL ITEMS

RELEASED 07 SEPTEMBER 2022

18.1 2022 CEO Performance & Remuneration Reviews – Exclusion of the Public

Moved Cr Ian Bailey
S/- Cr Linda Green

222/22

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
- Director Community Capacity, David Waters
- Director Corporate Services, Terry Crackett
- Director Development & Regulatory Services, Natalie Armstrong
- Acting Director Infrastructure & Operations, Ashley Curtis
- Executive Manager Governance & Performance, Lachlan Miller
- Governance & Risk Coordinator, Steven Watson
- Executive Manager Organisational Development, Megan Sutherland
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 18.1: (2022 CEO Performance and Remuneration Reviews) 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, 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), being the personal affairs of the Chief Executive Officer, in that details of his performance and remuneration reviews will be discussed.

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.

Carried unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 23 AUGUST 2022
63 MT BARKER ROAD STIRLING**

RELEASED 07 SEPTEMBER 2022

18.1 2022 CEO Performance & Remuneration Reviews – Confidential Item

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

223/22

Council resolves:

- 1. That the report be received and noted**
- 2. That the CEO ‘meets expectations’ in relation to the 2022 CEO Performance Review.**
- 3. To acknowledge that the CEO has recently tendered his resignation and that his performance over the 10 years of tenure has been exceptional and has regularly exceeded expectations in terms of his performance reviews.**
- 4. Regarding the performance outcome, that no specific performance improvement plan is needed.**
- 5. To increase the CEO’s TEC Package to \$282,252.92 being an increase of 2.5%, from 1 July 2022.**

Carried unanimously

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RELEASED 07 SEPTEMBER 2022

18.1 2022 CEO Performance & Remuneration Reviews – Duration of Confidentiality

Moved Cr Malcolm Herrmann
S/- Cr John Kemp

224/22

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)(a) 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* to retain the Items in confidence as detailed in the Duration of Confidentiality Table below:

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released
Report	Until the matter has been decided by Council and the CEO has been advised in writing of the decision.
Related Attachments	Until the matter has been decided by Council and the CEO has been advised in writing of the decision.
Minutes	Until the matter has been decided by Council and the CEO has been advised in writing of the decision.
Other	Nil

Pursuant to section 91(9)(c) of the *Local Government Act 1999*, the Council delegates the power to revoke the confidentiality order either partially or in full to the Executive Manager Governance and Performance.

Carried unanimously

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RELEASED 23 AUGUST 2022

18.2 Acting and Substantive Chief Executive Officer Recruitment – Exclusion of the Public

Moved Cr Nathan Daniell

S/- Cr Linda Green

225/22

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
- Executive Manager Governance & Performance, Lachlan Miller
- Executive Manager Organisational Development, Megan Sutherland
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 18.2: Acting and Substantive Chief Executive Officer Recruitment 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), being the personal affairs of the Chief Executive Officer, in that details of his separation arrangements and remuneration review will be discussed.

Section 90(3)(b) 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) 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
- (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.

Carried unanimously

ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 23 AUGUST 2022
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RELEASED 23 AUGUST 2022

18.2.1 Acting and Substantive Chief Executive Officer Recruitment

(This item is not in confidence)

Moved Cr Nathan Daniell

S/- Cr John Kemp

226/22

1. That the report be received and noted
2. To determine that, as a result of negotiation in accordance with clause 14.3.2 of the Employment Agreement, the termination (separation) date for Chief Executive Officer, Andrew Aitken, will be 4.00pm, Friday, the 30th day of September 2022.
3. That in relation to the Acting CEO Recruitment:
 - a. To manage the recruitment process without the engagement of a Recruitment Consultant.
 - b. To adopt an Internal Recruitment Candidate identification strategy.
 - c. To adopt a Bespoke Selection Panel model for the Acting CEO Selection Panel.
 - d. To establish the Acting CEO Selection Panel, for the purposes of s98(4) of the *Local Government Act 1999*, which will commence on 23 August 2022 and remain in effect until Council appoints the Acting CEO.
 - e. That the Acting CEO Selection Panel will have the following functions:
 - i. To develop and implement an Expression of Interest process consistent with the resolved Candidate Identification Strategy;
 - ii. To shortlist applications and conduct interviews with a view to identifying a preferred candidate(s);
 - iii. To report back and make a recommendation to Council with regard to a preferred candidate(s) and terms & conditions of appointment.
 - f. To note that the Acting CEO Selection Panel may request advice from an external recruitment consultant as required and that will be procured within existing delegations and budgets.
 - g. That the Acting CEO Selection Panel will consist of five (5) members as follows: Mayor; Deputy Mayor; Presiding Member of the CEO Performance Review Panel; and two (2) Ordinary Members. The Presiding and Deputy Presiding Member of the Acting CEO Selection Panel will be the Mayor and Deputy Mayor respectively.

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- h. That a Total Remuneration Package of \$260,000 will be able to be communicated to potential applicants for the role and will form the basis for negotiations with the preferred candidate.
- i. That the method of selecting the Acting CEO Selection Panel Ordinary Members will be by an indicative vote to determine the preferred persons for the two (2) positions utilising the Appointments to Positions Process contained in Clause 4.7 Council's *Code of Practice for Council Meeting Procedures*.
- j. 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 Acting CEO Selection Panel Ordinary Member roles and for the meeting to resume once the results of the indicative vote have been declared.

Carried unanimously

9.22pm The Council meeting adjourned

9.38pm The Council meeting resumed

RELEASED 23 AUGUST 2022

18.2.3 Acting and Substantive Chief Executive Officer Recruitment – Acting CEO Selection Panel - Confidential item

(This item is not in confidence)

Moved Cr Mark Osterstock

S/- Cr Kirrilee Boyd

227/22

1. To appoint Cr Leith Mudge and Cr Ian Bailey as Ordinary Members of the Acting CEO Selection Panel.
2. That in relation to the Substantive CEO Recruitment, that this matter is referred to the incoming Council for decision in December 2022.

Carried unanimously

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9.41pm Cr Osterstock left the Chamber and did not return.

18.3. East Waste Recycling Contract – Exclusion of the Public

Moved Cr Pauline Gill

S/- Cr Nathan Daniell

228/22

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
- Director Community Capacity, David Waters
- Director Corporate Services, Terry Crackett
- Director Development & Regulatory Services, Natalie Armstrong
- Acting Director Infrastructure & Operations, Ashley Curtis
- Executive Manager Governance & Performance, Lachlan Miller
- Governance & Risk Coordinator, Steven Watson
- Manager Sustainability, Waste and Emergency Management, John McArthur
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 18.3: (East Waste Recycling Contract) 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)(d) 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 who supplied the information.

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.

Carried unanimously

**ADELAIDE HILLS COUNCIL
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18.3.1 East Waste Recycling Contract – Confidential Item

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18.3.2 East Waste Recycling Contract – Duration of Confidentiality

Moved Cr Linda Green
S/- Cr Nathan Daniell

230/22

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 18.3 in confidence under sections 90(2) and 90(3)(d) 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* to retain the Items in confidence as detailed in the Duration of Confidentiality Table below:

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released
Report	23 August 2024
Related Attachments	23 August 2024
Minutes	23 August 2024
Other	23 August 2024

Pursuant to section 91(9)(c) of the *Local Government Act 1999*, the Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.

Carried unanimously

18.3.3 Extension of Meeting Time (9.54pm)

Moved Cr Nathan Daniell
S/- Cr Linda Green

231/22

That the meeting be extended by up to 30 minutes.

Carried

9.54pm Cr Pauline Gill left the Chamber and did not return.

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RELEASED 23 AUGUST 2022 – EXCEPT APPENDIX 1

18.4 Revised East Waste 2022-23 Annual Plan & Budget – Exclusion of the Public

Moved Cr Nathan Daniell
S/- Cr Linda Green

232/22

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
- Director Community Capacity, David Waters
- Director Corporate Services, Terry Crackett
- Director Development & Regulatory Services, Natalie Armstrong
- Acting Director Infrastructure & Operations, Ashley Curtis
- Executive Manager Governance & Performance, Lachlan Miller
- Governance & Risk Coordinator, Steven Watson
- Manager Sustainability, Waste and Emergency Management, John McArthur
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 18.4: (Revised East Waste 2022-23 Annual Business Plan and Budget) 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)(d) 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 business who supplied the information.

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.

Carried

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RELEASED 23 AUGUST 2022 – EXCEPT APPENDIX 1

18.4.1 Revised East Waste 2022-23 Annual Plan & Budget – Confidential Item

Moved Cr Kirsty Parkin
S/- Cr Linda Green

233/22

Council resolves:

1. That the report be received and noted.
2. To provide consent to the Eastern Waste Management Authority *Draft Annual Plan 2022-23 (Revised)*.

Carried unanimously

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RELEASED 23 AUGUST 2022 – EXCEPT APPENDIX 1

18.4.2 Revised East Waste 2022-23 Annual Plan & Budget – Duration of Confidentiality

Moved Cr Leith Mudge
S/- Cr Nathan Daniell

234/22

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 18.4 in confidence under sections 90(2) and 90(3)(d) 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* to retain the Items in confidence as detailed in the Duration of Confidentiality Table below:

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released
Report	Nil
Related Attachments Appendix 1 Appendix 2	23 August 2024 Nil
Minutes	Nil
Other	Nil

Pursuant to section 91(9)(c) of the *Local Government Act 1999*, the Council delegates the power to revoke the confidentiality order either partially or in full to the Chief Executive Officer.

Carried unanimously

**ADELAIDE HILLS COUNCIL
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18.5 Ministerial Exemption – Exclusion of the Public

Moved Cr Linda Green

S/- Cr Nathan Daniell

235/22

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
- Director Community Capacity, David Waters
- Director Corporate Services, Terry Crackett
- Director Development & Regulatory Services, Natalie Armstrong
- Acting Director Infrastructure & Operations, Ashley Curtis
- Executive Manager Governance & Performance, Lachlan Miller
- Governance & Risk Coordinator, Steven Watson
- Manager Sustainability, Waste and Emergency Management, John McArthur
- Minute Secretary, Pam Williams

be excluded from attendance at the meeting for Agenda Item 18.5: (Ministerial Exemption) 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)(i) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is information relating 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 legal position of the council in relation to legal proceedings.

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.

Carried

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18.5.1 Ministerial Exemption – Confidential Item

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18.5.2 Ministerial Exemption – Duration of Confidentiality

Moved Cr Kirsty Parkin

S/- Cr John Kemp

237/22

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 18.5 in confidence under sections 90(2) and 90(3)(i) 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* to retain the Items in confidence as detailed in the Duration of Confidentiality Table below:

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released
Report	23 August 2024
Related Attachments	23 August 2024
Minutes	23 August 2024
Other	23 August 2024

Pursuant to section 91(9)(c) of the *Local Government Act 1999*, the 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 27 September 2022 from 6.30pm at 63 Mt Barker Road, Stirling.

20. CLOSE MEETING

The meeting closed at 10.03pm.