

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 14 NOVEMBER 2023
63 MT BARKER ROAD STIRLING**

In Attendance

Presiding Member: Mayor Jan-Claire Wisdom

Members:

Councillor Kirrilee Boyd
Councillor Adrian Cheater
Councillor Nathan Daniell
Councillor Pauline Gill
Councillor Chris Grant
Councillor Malcolm Herrmann
Councillor Lucy Huxter
Councillor Mark Osterstock
Councillor Kirsty Parkin
Councillor Louise Pascale
Councillor Melanie Selwood

In Attendance:

Greg Georgopoulos	Chief Executive Officer
Terry Crackett	Director Corporate Services
Natalie Armstrong	Director Community and Development
David Waters	Director Environment and Infrastructure
Tracy Riddle (Kelledy Jones)	Governance Support
Kylie Hopkins	Minute Secretary
Tom Portas	Technical Support

1. COMMENCEMENT

The meeting commenced at 6.31pm

2. OPENING STATEMENT

Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kaurna 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. APOLOGIES/LEAVE OF ABSENCE

3.1 Apology

Nil

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3.2 Leave of Absence

Cr Leith Mudge from 13 November 2023 to 16 November 2023 approved at Council 10 October 2023

Moved Cr Pauline Gill

S/- Cr Malcolm Herrmann

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Council resolves:

- 1. That a Leave of Absence from all duties of office be granted to Cr Kirsty Parkin from 8 December 2023 to 15 December 2023.**
- 2. That any committee or panel membership currently held by Cr Kirsty Parkin be undertaken by the Deputy during the leave of absence.**

Carried Unanimously

3.3 Absent

Nil

4. MINUTES OF PREVIOUS MEETINGS

4.1 Council Meeting – 24 October 2023

Moved Cr Kirsty Parkin

S/- Cr Lucy Huxter

280/23

Council resolves the minutes of the Ordinary Council meeting held on 24 October 2023, as supplied, be confirmed as an accurate record of the proceedings of that meeting.

4.1.1 Special Council Meeting – 31 October 2023

Council resolves the minutes of the Special Council meeting held on 31 October 2023, as supplied, be confirmed as an accurate record of the proceedings of that meeting.

4.1.2 Special Council Meeting – 6 November 2023

Council resolves the minutes of the Special Council meeting held on 6 November 2023, 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 – 6 November 2023

Moved Cr Kirsty Parkin

S/- Cr Lucy Huxter

281/23

Council resolves the minutes of the Special Council meeting held on 6 November 2023, 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 General Conflict of Interest, Cr Lucy Huxter, Item 12.1 East Waste Independent Chair Appointment

Under section 75B of the Local Government Act 1999 Cr Lucy Huxter disclosed a General (section 74) Conflict of Interest in Item 12.1, the nature of which is as follows:

- I am the Council Member on the East Waste Board

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

5.2 General Conflict of Interest, Cr Louise Pascale, Item 12.3 Boundary Change Committee

Under section 75B of the Local Government Act 1999 Cr Louise Pascale disclosed a General (section 74) Conflict of Interest in Item 12.3 Boundary Change Committee, the nature of which is as follows:

- I am a resident of Woodforde.

Cr Pascale intends to leave the chamber when this item is discussed.

5.3 General Conflict of Interest, Cr Melanie Selwood, Item 12.1 Audit Committee – Council Member and Presiding Member Appointments

Under section 75B of the Local Government Act 1999 Cr Melanie Selwood disclosed a General (section 74) Conflict of Interest in Item 12.1, the nature of which is as follows:

- I am intending to nominate for Audit Committee Membership

Cr Selwood intends to leave the chamber when this item is discussed.

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5.4 Material Conflict of Interest, Cr Mark Osterstock, Item 12.3 Boundary Change Committee – Presiding Member Appointment

Under section 75C of the *Local Government Act 1999* Cr Mark Osterstock disclosed a Material (section 75) Conflict of Interest in Item 12.1, the nature of which is as follows:

- I am intending to nominate for Presiding Member which is a remunerated position.

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

5.5 Material Conflict of Interest, Cr Malcolm Herrmann, Item 12.1 Audit Committee – Council Member and Presiding Member Appointments

Under section 75C of the *Local Government Act 1999* Cr Malcolm Herrmann disclosed a Material (section 75) Conflict of Interest in Item 12.1, the nature of which is as follows:

- I am intending to nominate for Presiding Member which is a remunerated position.

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

5.6 Material Conflict of Interest, Cr Chris Grant, Item 12.2 CEO PRP Council Member Appointments

Under section 75C of the *Local Government Act 1999* Cr Chris Grant disclosed a Material (section 75) Conflict of Interest in Item 12.1, the nature of which is as follows:

- I am the Presiding Member of the CEO PRP Committee which is a remunerated position.

Cr Grant intends to leave the chamber when this item is discussed.

6. PRESIDING MEMBER'S OPENING REMARKS

The Mayor commented on the various remembrance services held in the District and expressed her sadness about the vandalism of the memorial in Stirling and advised that Council is supporting the RSL through this time.

The Mayor advised Council Members that Mel Bright, Manager Economic Development, will be leaving Adelaide Hills Council and thanked Mel for her service to the region.

The Mayor presented a 25 year service award to Cr Mark Osterstock and acknowledged and congratulated him on his service to local government.

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7. QUESTIONS ADJOURNED/LYING ON THE TABLE

7.1 Questions Adjourned

Nil

7.2 Questions Lying on the Table

Nil

8. PETITIONS/DEPUTATIONS/PUBLIC FORUM

8.1 Petitions

Nil

8.2 Deputations

Nil

8.3 Public Forum

Nil

9. PRESENTATIONS

9.1 Stirling Oval Pavilion Presentation – Stirling Oval Pavilion Committee

10. QUESTIONS ON NOTICE

Nil

11. MOTIONS ON NOTICE

11.1 Council Position on Pyrotechnics - Fireworks

This item was withdrawn prior to the meeting.

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11.2 Integrated Strategy - Electric Vehicles

Moved Cr Adrian Cheater

S/- Cr Kirsty Parkin

282/23

Council resolves that:

- 1. The CEO develop, for council consideration, an integrated Electric Vehicle Strategy to support the rollout of electric vehicles (EV) and EV charging infrastructure for Adelaide Hills Council including, but not limited to, the following:**
 - i. Detailed analysis of the current and future vehicle fleet, including types of vehicles, usage patterns, and energy requirements;**
 - ii. The development of Net Present Value analysis to quantify the financial and environmental impact of the transition to electric vehicles;**
 - iii. Assessment of current solar panel infrastructure and its capacity to support the EV fleet considering capacity, efficiency, and potential upgrades;**
 - iv. Assessment of battery storage solutions to optimise energy utilisation and charging capabilities, including current market opportunities for such infrastructure outside of the councils existing LGAP energy agreement; and**
 - v. Exploration of government and private sector incentives, grants, and subsidies available for transitioning to EVs and renewable energy integration.**
 - vi. The required charging infrastructure for a fleet transition to EV, with consideration for a public access initiative.**
 - vii. Assessment of potential vehicle manufacturers fleet management, serviceability and availability performance.**
- 2. An immediate cessation of internal combustion vehicle acquisition for light fleet vehicles that are primarily used to transport passengers (noting this does not include light commercial vehicles at this time), with discretionary authority of the CEO should an appropriate EV be unviable.**
- 3. That key outcomes captured within the Electric Vehicle Strategy be presented to a workshop of Council concurrently with the Carbon Management Plan.**
- 4. That funding of \$20,000 be included as part of 2023/24 Budget Review 1 to undertake the development of the Integrated Electric Vehicle Strategy.**

Carried Unanimously

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12. OFFICER REPORTS – DECISION ITEMS

12.1 Audit Committee – Council Member and Presiding Member Appointments

Moved Cr Nathan Daniell
S/- Cr Chris Grant

283/23

Council resolves:

- 1. That the report be received and noted.**
- 2. To retain the Audit Committee Terms of Reference as previously adopted by Council on 14 February 2023 and as contained in Appendix 1.**
- 3. To determine that the method of selecting the Audit Committee Members to be by an indicative vote to determine the preferred persons for the two Council Member positions utilising the process set out in this Agenda report.**
- 4. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred persons for the Audit Committee Member roles and for the meeting to resume once the results of the indicative vote have been declared.**

Carried Unanimously

7.14 pm The Council meeting adjourned.

7.16 pm The Council meeting resumed.

Under section 75B of the *Local Government Act 1999* Cr Melanie Selwood disclosed a General (section 74) Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.1, the nature of which is as follows:

- I am intending to nominate for Audit Committee Membership

Under section 75C of the *Local Government Act 1999* Cr Malcolm Herrmann disclosed a Material (section 75) Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.1, the nature of which is as follows:

- I am intending to nominate for Presiding Member which is a remunerated position.

7:16pm Cr Melanie Selwood and Cr Malcolm Herrmann left the Chamber and did not participate in the vote.

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12.1.1 Audit Committee – Council Member Appointments

Moved Cr Mark Osterstock

S/- Cr Chris Grant

284/23

Council resolves:

- 1. To appoint Cr Malcolm Herrmann and Cr Melanie Selwood as members of the Audit Committee for a 24 month term to commence 30 November 2023 and conclude on 30 November 2025 (inclusive).**
- 2. To determine that the method of selecting the Audit Committee Presiding Member to be by an indicative vote to determine the preferred person utilising the process set out in this Agenda report.**
- 3. To adjourn the Council meeting for the purposes of seeking nominations for and, if necessary, conducting an indicative vote to determine the preferred person for the Audit Committee Presiding Member role and for the meeting to resume once the results of the indicative vote have been declared.**

Carried Unanimously

7:20pm Cr Malcolm Herrmann & Cr Melanie Selwood returned to the meeting room.

7.21 pm The Council Meeting adjourned.

7.22 pm The Council meeting resumed.

Under section 75C of the *Local Government Act 1999* Cr Malcolm Herrmann disclosed a Material (section 75) Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.1, the nature of which is as follows:

- I am intending to nominate for Presiding Member which is a remunerated position.

7:24pm Cr Malcolm Herrmann left the Chamber and did not participate in the vote.

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12.1.2 Audit Committee – Presiding Member Appointment

Moved Cr Mark Osterstock

S/- Cr Kirsty Parkin

285/23

Council resolves:

- 1. To appoint Cr Malcolm Herrmann to the position of Audit Committee Presiding Member for a 24 month term to commence 30 November 2023 and conclude on 30 November 2025 (inclusive).**

Carried Unanimously

7:25pm Cr Malcolm Herrmann returned to the meeting room.

12.2 CEO PRP Council Member Appointments

Under section 75C of the *Local Government Act 1999* Cr Chris Grant disclosed a Material (section 75) Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.2, the nature of which is as follows:

- I am the Presiding Member of the CEO PRP which is a remunerated position.

7:29pm Cr Chris Grant left the Chamber and did not participate in the vote.

Moved Cr Malcolm Herrmann

S/- Cr Kirsty Parkin

286/23

Council resolves:

- 1. That the report be received and noted.**
- 2. To extend the term of the CEO Performance Review Panel members for a period of one month following the end of the CEO Probationary Review Process or six months, whichever is the earliest.**
- 3. That Cr Nathan Daniell continue as a member of the CEOPRP when his term as Deputy Mayor concludes on 30 November 2023.**

Carried Unanimously

7.29PM Cr Chris Grant returned to the meeting room.

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12.3 Boundary Change Committee – Presiding Member Appointment

Under section 75B of the Local Government Act 1999 Cr Louise Pascale disclosed a General (section 74) Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.3, the nature of which is as follows:

- I am a resident of Woodforde

Under section 75C of the *Local Government Act 1999* Cr Mark Osterstock disclosed a Material (section 75) Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.3, the nature of which is as follows:

- I am intending to nominate for Presiding Member which is a remunerated position.

7.31pm Cr Osterstock and Cr Pascale left the Chamber and did not participate in the vote.

Moved Cr Melanie Selwood
S/- Cr Chris Grant

Council resolves:

1. That the report be received and noted
2. To retain the Boundary Change Committee for the term of the Council with the Terms of Reference, as contained in Appendix 1.
3. To appoint Cr Mark Osterstock to the position of Boundary Change Committee Presiding Member for a 12 month term to commence 30 November 2023 and conclude on 30 November 2024 (inclusive).

AMENDMENT 1 (red text)

Moved Cr Malcolm Herrmann
S/- Lucy Huxter

Council resolves:

1. That the report be received and noted.
2. To retain the Boundary Change Committee for the term of the Council with the Terms of Reference, as contained in Appendix 1.
3. To appoint Cr Mark Osterstock to the position of Boundary Change Committee Presiding Member for a ~~12-24~~ month term to commence 30 November 2023 and conclude on 30 November ~~2024~~ **2025** (inclusive).

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FORMAL MOTION

**Moved Cr Adrian Cheater
S/- Pauline Gill**

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That proceedings be halted to adjourn the item until 28 November 2023

Carried Unanimously

7.44pm Cr Osterstock and Cr Pascale returned to the meeting room.

12.4 East Waste Independent Chair Appointment

Under section 75B of the Local Government Act 1999 Cr Lucy Huxter disclosed a General (section 74) Conflict of Interest at Agenda Item 5 'Declaration of Interest by Members of the Council' in relation to Item 12.4, the nature of which is as follows:

- I am the Council Member on the East Waste Board

Cr Huxter participated in discussions and voted.

7:45 Cr Kirsty Parkin left the meeting room.

7:47 Cr Kirsty Parkin returned to the meeting room.

**Moved Cr Lucy Huxter
S/- Cr Louise Pascale**

288/23

Council resolves:

- 1. That the report on the East Waste Independent Chair Appointment be received and noted.**
- 2. That Council approves Mr Fraser Bell being appointed as Independent Chairperson of East Waste for a term of two years commencing 1 January 2024.**
- 3. That the Chief Executive Officer inform East Waste of Council's decision.**

Carried Unanimously

Cr Lucy Huxter voted 'for' the motion.

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

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12.5 Emergency Management Policy

7:49pm Cr Pauline Gill left the meeting room.

**Moved Cr Melanie Selwood
S/- Cr Kirrilee Boyd**

289/23

Council resolves:

- 1. That the report be received and noted.**
- 2. With an effective date of 28 November 2023, adopt the 14 November 2023 Emergency Management Policy as contained in Appendix 1.**
- 3. That the Chief Executive Officer be authorised to make any formatting, nomenclature or other minor changes to the 14 November 2023 Emergency Management Policy as per Appendix 1 prior to the date of effect.**

Carried Unanimously

12.6 2023-2024 Australian Government Black Spot Program

7:51pm Cr Osterstock left the meeting room

7:52pm Cr Pauline Gill returned to the meeting room.

**Moved Cr Chris Grant
S/- Cr Adrian Cheater**

290/23

7:53pm Cr Osterstock returned to the meeting room.

Council resolves:

- 1. That the report be received and noted.**
- 2. To execute the Funding Deed for the 2023-24 South Australia Black Spot Program – Jones Road, Balhannah Safety Improvements (\$242,000 GST Inclusive).**
- 3. The Chief Executive Officer and Mayor are authorised to affix the seal of the Adelaide Hills Council to the respective Funding Deed under the State Blackspot Program.**
- 4. That Council notes that in signing the Deed, that \$242,000 (GST Inclusive) will be available to Council in the 2023-24 financial year to complete the shoulder sealing and delineation improvements at Jones Road, Balhannah.**

Carried Unanimously

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12.7 Status Report – Council Resolutions Update

7:54pm Cr Cheater left the meeting room.

7:56pm Cr Cheater returned the meeting room.

Moved Cr Pauline Gill

S/- Cr Kirsty Parkin

291/23

Council resolves:

- 1. That the Council Resolutions Update report dated 14 November 2023 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
26/04/2023	Ordinary Council	91/23	Foothills Suburbs - Community Connections	General - Cr Louise Pascale
23/05/2023	Ordinary Council	129/23	Yanagin Road Consultation Outcomes & Revocation of Community Land Classification	Nil
13/06/2023	Ordinary Council	148/23	Kerbside Bin System Option & Trial (FOGO)	Nil
19/06/2023	Audit Committee	AC27/23	Development Services - Service Review	Nil
27/06/2023	Ordinary Council	176/23	Stirling Business Association Three Year Funding Agreement	Nil
6/07/2023	CEO Performance Review Panel	PRP5/23	Quarterly Performance Report	Nil
25/07/2023	Ordinary Council	195/23	Proposed Date Change Citizenship and Award Ceremonies	Nil
8/08/2023	Ordinary Council	210/23	Mt Lofty Golf Resort Stirling	General - Cr Adrian Cheater
8/08/2023	Ordinary Council	217/23	Confidential - Country Cabinet August 2023	Nil
21/08/2023	Audit Committee	AC29/23	Action Report & Work Plan Update	Nil
21/08/2023	Audit Committee	AC30/23	End of Financial Year Update	Nil

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21/08/2023	Audit Committee	AC35/23	Risk Management Quarterly Report	Nil
22/08/2023	Ordinary Council	223/23	Recovery Ready Halls Grant	General - Crs Mudge & Selwood
22/08/2023	Ordinary Council	224/23	Preliminary End of Year Financial Results and Carry Forwards	Nil
22/08/2023	Ordinary Council	226/23	Accredited Professionals Policy	Nil
26/09/2023	Ordinary Council	252/23	MWN - Hills Football League Premierships	Nil
16/10/2023	Audit Committee	AC40/23	2022-23 Annual Financial Statements and End of Year Report	Nil
16/10/2023	Audit Committee	Not Applicable	Stirling Mall Fire - Rates query	Nil

Carried Unanimously

13. OFFICER REPORTS - INFORMATION ITEMS

Nil

14. CORRESPONDENCE FOR INFORMATION

14.1 Landscape Board SA – Hills and Fleurieu Business Plan 2023-24

14.2 Landscape Board SA – Hills and Fleurieu Achievements Reports 2023-24

14.3 Hon Geoff Brock MP – Local Government Advice Scheme

Moved Cr Malcolm Herrmann

S/- Chris Grant

292/23

Council resolves that the correspondence is received and noted.

Carried Unanimously

15. QUESTIONS WITHOUT NOTICE

Cr Chris Grant asked a question about FABRIK

Cr Melanie Selwood asked a question about the 20 Year State Infrastructure Study

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16. MOTIONS WITHOUT NOTICE

Nil

17. REPORTS**17.1 Council Member Function or Activity on the Business of Council****Cr Melanie Selwood**

- 28 October 2023 - Pride March, Adelaide
- 29 October 2023 – Charleston Emergency and Recovery Response Group Operation Test Load - A trial of the operation of the Recovery Centre operations
- 11 November 2023 - Houghton Remembrance Day Service

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

Nil

17.3 CEO Report

Greg Georgopoulos, CEO, provided Council with a verbal update, including:

- A reminder to any members attending the Community group forum that RSVPs are required
- Advice regarding the Strategic planning session being held on Saturday and the pre-reading required before the session

18. REPORTS OF COMMITTEES**18.1 Council Assessment Panel**

Moved Cr Chris Grant

S/- Cr Louse Pascale

293/23

Council resolves that the minutes of the Council Assessment Panel meeting held on 8 November 2023, as distributed, be received and noted.

Carried Unanimously

18.2 Audit Committee

Nil

18.3 CEO Performance Review Panel

Nil

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18.4 Boundary Change Committee

Nil

19. CONFIDENTIAL ITEMS

19.1 Provision of Spray Sealed Services Contract – Exclusion of the Public

Moved Cr Lucy Huxter

S/- Cr Adrian Cheater

294/23

Council resolves that:

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

- Chief Executive Officer, Greg Georgopoulos
- Director Environment & Infrastructure, David Waters
- Director Corporate Services, Terry Crackett
- Director Community & Development, Natalie Armstrong
- Governance Support, Tracy Riddle (Kelledy Jones)
- Minute Secretary, Kylie Hopkins
- Technical Support, Tom Portas

be excluded from attendance at the meeting for Agenda Item 19.1: (Contract for the Provision of Spray Seal Services) 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)(k) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is tenders for the supply of goods, the provision of services or the carrying out of works the disclosure of which could reasonably be expected to prejudice the commercial position of the business who supplied the information by disclosing specific quotes and modelling by the tenderer.

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

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19.1.1 Provision of Spray Sealed Services Contract – Confidential Item

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19.1.2 Provision of Spray Sealed Services Contract – Duration of Confidentiality

Moved Cr Pauline Gill

S/- Cr Chris Grant

296/23

Council resolves that:

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 19.1 in confidence under sections 90(2) and 90(3)(k) 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 Contracts are signed, but not longer than 12 months
Related Attachments	Until Contracts are signed, but not longer than 12 months
Minutes	Until Contracts are signed, but not longer than 12 months
Other	Until Contracts are signed, but not longer than 12 months

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

20. NEXT ORDINARY MEETING

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 28 November 2023 from 6.30pm at 63 Mt Barker Road, Stirling.

21. CLOSE MEETING

The meeting closed at 8:28pm.