

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 24 September 2024
63 MT BARKER ROAD STIRLING**

In Attendance

Presiding Member: Mayor Jan-Claire Wisdom

Members:

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

In Attendance:

Greg Georgopoulos	Chief Executive Officer
Gary Lewis	Director Corporate Services
Jess Charlton	A/Director Community and Development
David Waters	Director Environment and Infrastructure
Tracy Riddle	Governance Support, Kelledy Jones Lawyers
Skye Ludzay	Minute Secretary
Tom Portas	Technical Support

1. COMMENCEMENT

The meeting commenced at 6.30pm.

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.

Mayor _____

8 October 2024

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 24 September 2024
63 MT BARKER ROAD STIRLING**

3. APOLOGIES/LEAVE OF ABSENCE

3.1 Apology

3.2 Leave of Absence

Cr Gill having previously been granted a leave of absence, was in attendance at the meeting and confirmed this brought her leave of absence to an end.

Moved Cr Pauline Gill

S/- Cr Adrian Cheater **338/24**

- 1 That a Leave of Absence from all duties of office be granted to Cr Malcolm Herrmann from 8 October 2024 to 8 October 2024.**
- 2 That any committee or panel membership currently held by Cr Malcolm Herrmann be undertaken by the Deputy during the leave of absence.**

Carried Unanimously

Moved Cr Adrian Cheater

S/- Cr Leith Mudge **339/24**

- 1 That a Leave of Absence from all duties of office be granted to Cr Mark Osterstock from 30 September 2024 to 30 September 2024.**
- 2 That any committee or panel membership currently held by Cr Mark Osterstock 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 – 10 September 2024

Moved Cr Nathan Daniell

S/- Cr Lucy Huxter **340/24**

Council resolves that the minutes of the Ordinary Council meeting held on 10 September 2024, as supplied, be confirmed as an accurate record of the proceedings of that meeting.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 24 September 2024
63 MT BARKER ROAD STIRLING**

5. DECLARATION OF CONFLICT OF INTEREST BY MEMBERS OF COUNCIL

5.1 General Conflict of Interest, Mayor Jan-Claire Wisdom, Item 12.8 – CEO Performance Review Panel Recommendations to Council – CEO Key Performance Indicators

Under section 74 of the Local Government Act 1999 Mayor Jan-Claire Wisdom confirmed she proposed to declare a General (section 74) Conflict of Interest in Item 12.8.

5.2 General Conflict of Interest, Mayor Jan-Claire Wisdom Item 19.1 - CEO Performance Review Panel Recommendations to Council – CEO Review Process

Under section 74 of the Local Government Act 1999 Mayor Jan-Claire Wisdom confirmed she proposed to declare a General (section 74) Conflict of Interest in Item 19.1.

5.3 Material Conflict of Interest, Mayor Jan-Claire Wisdom Item 19.2 – HR Consultant Update

Under section 75 of the Local Government Act 1999 Mayor Jan-Claire confirmed she proposed to declare a Material (section 74) Conflict of Interest in Item 19.2.

6. PRESIDING MEMBER'S OPENING REMARKS

The Mayor commented on Fabrik Arts and Heritage opening and offered congratulations and thanked all involved.

The Mayor also read a statement addressing part 5 of Council's resolution (308/24) which required the Mayor to publicly acknowledge she did not comply with the Mayor Seeking Legal Advice Policy and to attend training in relation to the Policy following its review.

In this statement, amongst other things, the Mayor expressed she unable to make the public acknowledgement due to concerns with the inquiry process as well as on the basis that she did not consider she had breached the Policy in the manner so found.

6.1 Motion Without Notice

Moved Cr Kirrilee Boyd
S/- Cr Pauline Gill

/24

Council resolves that the minutes of the meeting include a copy of the Mayors statement so read.

Lost

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 24 September 2024
63 MT BARKER ROAD STIRLING**

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

8.2 Speed and Traffic Review Longwood Road, Longwood

Moved Cr Nathan Daniell

S/- Cr Leith Mudge

341/24

Council resolves:

1. That the petition signed by 31 signatories requesting Adelaide Hills Council to conduct a speed and traffic review of the 4-way intersection at Woolcock Road, Wright Way and Longwood Road, Longwood be received and noted.
2. That staff undertake a detailed review of the proposal, and if deemed to have merit, progress the matter for consideration by the Department for Infrastructure and Transport.
3. 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

8.3 Deputations

Nil

8.4 Public Forum

Nil

9. PRESENTATIONS

Nil

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 24 September 2024
63 MT BARKER ROAD STIRLING**

10. QUESTIONS ON NOTICE

Nil

11. MOTIONS ON NOTICE**11.1 Cr Melanie Selwood – Pedestrian and Cycling Infrastructure at Inverbrackie**

This item has been withdrawn.

12. OFFICER REPORTS – DECISION ITEMS**12.1 Adelaide Hills Council Submission to the Royal Commission into Domestic, Family and Sexual Violence**

Moved Cr Louise Pascale

S/- Cr Pauline Gill

342/24

Council resolves:

1. That the report be received and noted.
2. To endorse the Adelaide Hills Council's submission to the Royal Commission into Domestic, Family and Sexual Violence in South Australia provided in *Appendix 1*.

Carried Unanimously

12.2 Adelaide Hills Council Roadside Vegetation Management Plan

Moved Cr Leith Mudge

S/- Cr Pauline Gill

343/24

Council resolves:

1. That the report be received and noted.
2. The Roadside Vegetation Management Plan as contained in Appendix 1 and accompanying documents contained in Appendices 2 – 10 are endorsed for submission to the Native Vegetation Council.
3. That the Chief Executive Officer is authorised to make any minor changes to the Roadside Vegetation Management Plan arising from the review by the Native Vegetation Council in order to ensure it is acceptable for their approval.

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 24 September 2024
63 MT BARKER ROAD STIRLING**

Carried Unanimously

12.3 Proposed Road Widening of Council Road Corridor – Intersection Tiers Road and Vickers Road, Lenswood

Moved Cr Malcolm Herrmann
S/- Cr Lucy Huxter

344/24

Council resolves:

- 1. That the report be received and noted.**
- 2. That Council agrees to purchase the piece of land road totalling approximately 268m² outlined in red and identified as Allotment 101, Tiers Road on the New Land Acquisition Survey Plan attached as *Annexure 2*, from the adjoining landowner of 447 Tiers Road, Lenswood, for the purchase price of \$6,700 (exclusive of GST).**
- 3. That Council agrees to pay all reasonable costs for the process to vest the subject land as a public road.**
- 4. That the Chief Executive Officer (and Mayor if necessary) be authorised to finalise, sign, and seal (if necessary), all necessary documentation pursuant to this resolution.**

Carried Unanimously

12.4 Response to Review of the Single-use and other Plastic Products (Waste Avoidance) Act 2020

Moved Cr Mark Osterstock
S/- Cr Chris Grant

345/24

Council resolves:

- 1. That the report be received and noted.**
- 2. That the Council make a submission to the Review of the Single-use and Other Plastic Products (Waste Avoidance) Act 2020 in the form of the letter contained in Appendix 1.**

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 24 September 2024
63 MT BARKER ROAD STIRLING**

3. That the Chief Executive Officer be authorised to finalise the response, including making any minor changes not affecting the substantive nature of the response, and submit it on Council's behalf.

Carried Unanimously

12.5 Elections for LGFA Board of Trustees

7:14pm Mayor Jan-Claire Wisdom, with leave of at least two thirds of the members present at the meeting, suspended operations of the formal meeting procedures for the purposes of discussing the item.

7:17 pm Mayor Jan-Claire Wisdom determined that the period of suspension should be brought to an end and resumed the formal meeting procedures.

**Moved Mayor Jan-Claire Wisdom
S/- Cr Nathan Daniell**

346/24

Council resolves:

1. That the report be received and noted.
2. To vote for Michael Sedgeman and Grant Piggot as Representative Members of the Board of Trustees of the Local Government Finance Authority.
3. To authorise the Mayor to mark the ballot paper reflecting Council's determination and authorise the CEO (or their delegate) to lodge the ballot paper in accordance with the process set out in Appendix 1.

Carried Unanimously

12.6 Representation Review

**Moved Cr Nathan Daniell
S/- Cr Pauline Gill**

347/24

Council resolves:

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 24 September 2024
63 MT BARKER ROAD STIRLING**

1. That this report be received and noted.
2. To note that administration, under their delegation for the purposes of s12(5) of the *Local Government Act 1999*, was satisfied that C L Rowe and Associates Pty Ltd are qualified to address the representation and governance issues that may arise with respect to the representation review.
3. That the Representation Review Discussion Paper – August 2024 prepared by C L Rowe and Associates Pty Ltd (*Appendix 1*) be received and noted.
4. That in principle, Council should consult on Option 3 as detailed in *Appendix 1* for the future elector representation arrangement to come into effect at the next Local Government elections in 2026.
5. That a draft “Representation Report” be prepared presenting Option 3 as detailed in Appendix 1.
6. That the draft “Representation Report” be presented to Council, for consideration and endorsement, prior to the initiation of the public consultation process.

Carried Unanimously

12.7 Confidential Items Review

Moved Cr Nathan Daniell

S/- Cr Leith Mudge

348/24

Council resolves:

DECISION 1

1. That the report be received and noted.
2. That the items held as confidential in the Confidential Items Register (*Appendix 1*) be noted.

Carried Unanimously

Moved Cr Chris Grant

S/- Cr Mark Osterstock

349/24

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 24 September 2024
63 MT BARKER ROAD STIRLING**

Council resolves:

DECISION 2 – Resolution 263/23 – Electricity Procurement – Legal Matter

3. Pursuant to Section 91(7) of the *Local Government Act 1999*, Council orders that the following documents shall be kept confidential, being documents relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(i) of the Act:
 - The report, related attachments, minutes and other (presentation, documents or similar) of 10 October 2023, Item 18.1, Electricity Procurement – Legal Matter, 263/23, unless previously released, remain confidential until further order and that this order be reviewed every twelve (12) months.
 - On the grounds that the Agenda Item is information relating to actual litigation, or litigation that the Council believes on reasonable grounds will take place, involving the Council.
4. That the document referred to in part 3 of the resolution remain in confidence until further order.
5. 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

12.8 CEO Performance Review Panel Recommendations to Council – CEO KPI's

7:40pm Cr Louise Pascale left the meeting room and did not return.

Under section 75B of the Local Government Act 1999 Mayor Jan-Claire Wisdom declared a General (section 74) Conflict of Interest in Item 12.8.

- I am no longer a member of the CEO PRP but was previously and have a public duty to act in a manner not contrary to my public duty.

Mayor Jan-Claire Wisdom advised the meeting that in dealing with this General Interest in a transparent and account manner, she will leave the meeting room.

7:41pm Mayor Jan-Claire Wisdom left the meeting room.

7:42pm The Deputy Mayor Melanie Selwood assumed the Chair.

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 24 September 2024
63 MT BARKER ROAD STIRLING**

Moved Cr Kirsty Parkin
S/- Cr Chris Grant

350/24

Council resolves:

1. That the report be received and noted.
2. That the CEO has substantially met the September 2024 Key Performance Indicators.

Carried Unanimously

7:47pm The Mayor resumed the Chair.

13. OFFICER REPORTS - INFORMATION ITEMS

Nil

14. CORRESPONDENCE FOR INFORMATION

- 14.1 Letter from Hon Joe Szakacs MP, Minister for Local Government – Special Local Roads Program grant funding allocation to Adelaide Hills Council
- 14.2 Letter from Sam Telfer MP, Shadow Minister for Local Government – continuing as Shadow Minister for Local Government
- 14.3 Letter from Hon Joe Szakacs MP, Minister for Local Government – Adelaide Hills Council preliminary operating result
- 14.4 Letter of response to Hon Joe Szakacs MP, Minister for Local Government – Adelaide Hills Council preliminary operating result
- 14.5 Letter from Auditor General – Proposed review of the accounts of Adelaide Hills Council
- 14.6 Letter of Response from CEO to Auditor General re proposed review of the accounts of Adelaide Hills Council

Moved Cr Melanie Selwood
S/- Cr Adrian Cheater

351/24

Council resolves to receive and note the listed correspondence at Agenda Item 14.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 24 September 2024
63 MT BARKER ROAD STIRLING**

15. QUESTIONS WITHOUT NOTICE

Cr Malcolm Herrmann asked two questions, a progress report on stormwater management on Junction Rd Balhannah/Main St Oakbank and a progress report on the Adelaide Hills War Memorial Swimming Centre.

Moved Cr Malcolm Herrmann

S/- Cr Pauline Gill

352/24

Council resolves that the minutes of the meeting reflect the Questions Without Notice and the answers.

Carried Unanimously

Question: Cr Malcolm Herrmann asked for a progress report on stormwater management on Junction Rd Balhannah/Main St Oakbank

Answer:

Mr David Waters, Director Environment and Infrastructure

Members will recall that Council resolved to increase its contribution to the stormwater works from \$200,000 to \$380,000, utilising Local Roads and Community Infrastructure Program funding. The total cost estimate for the works is in the order of \$750,000 - \$800,000. There have been numerous representations made to the State Government to seek their involvement in resolving a problem we believe they are partly responsible for, including a meeting involving our CEO and the Minister for Infrastructure and Transport. Subsequent to that meeting, a further meeting was held with the CEO of the Department who advised they would come back to Council with a funding proposal. As of last week, we were told that letter was imminent.

Question: Cr Malcolm Herrmann asked for a progress report on Adelaide Hills War Memorial Swimming Centre

Answer:

Mr David Waters, Director Environment and Infrastructure

The works have been out to tender. Staff are currently finalising the tender evaluation including some due diligence work, and working toward appointing a contractor as soon as possible. We are keeping the pool committee informed and engaged through this process. As a separate piece of work within the project, SA Power Networks have been engaged to do the necessary power supply upgrades required to ensure the site has suitable power supply for the upgraded facility.

16. MOTIONS WITHOUT NOTICE

Nil

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 24 September 2024
63 MT BARKER ROAD STIRLING**

17. REPORTS**17.1 Council Member Function or Activity on the Business of Council****Mayor Jan-Claire Wisdom**

- 16 September 2024, 50th Anniversary Dinner for Stirling Rotary Club, Stirling
- 19 September 2024, Metro Mayors Forum on Behavioural Issues for Mayors across the Local Government Sector, Adelaide
- 20 September 2024, Opening of Fabrik Arts and Heritage Centre, Lobethal

Deputy Mayor Melanie Selwood

- 13 September 2024, Tour of Fabrik Arts and Heritage Centre with Minister Bettison, Lobethal
- 14 September 2024, Upper Sturt Soldiers Memorial Hall Art Exhibition Opening, Upper Sturt
- 16 September 2024, Strategic Plan Consultation Session, Norton Summit
- 18 September 2024, Strategic Plan Consultation Session, Gumeracha
- 20 September 2024, Opening of Fabrik Arts and Heritage Centre, Lobethal

Cr Louise Pascale

- 13 September 2024, Meeting Kaye Parnell of Teringie Residents Association.
- 20 September 2024, Opening of Fabrik Arts and Heritage Centre, Lobethal.
- 23 September 2024, Woodforde Residents Association Meeting.

Cr Malcolm Herrmann

- 20 September 2024, Opening of Fabrik Arts and Heritage Centre, Lobethal.
- 21 September 2024, Birdwood CFS Brigade Dinner, Kersbrook.

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:

- Values Program.
- Recruitment progress for the Director Community and Development vacancy.
- Recent CEO focus on engaging with staff through site visits.
- Boundary Change Auditors BDO seeking input from Council.

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

Nil

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 24 September 2024
63 MT BARKER ROAD STIRLING**

18.2 Audit Committee

Nil

18.3 CEO Performance Review Panel - Special Meeting 18 September 2024

Moved Cr Nathan Daniell

S/- Cr Chris Grant

353/24

Council resolves that the minutes of the CEO Performance Review Panel special meeting held on 18 September 2024, as distributed, be received and noted.

Carried Unanimously

18.4 Boundary Change Committee

Nil

18A URGENT ITEM – REQUEST OF LEAVE OF ABSENCE

Moved Cr Adrian Cheater

S/- Cr Melanie Selwood

354/24

- 1 That a Leave of Absence from all duties of office be granted to Cr Kirrilee Boyd from 27 September 2024 to 3 October 2024.
- 2 That any committee or panel membership currently held by Cr Kirrilee Boyd be undertaken by the Deputy during the leave of absence.

Carried Unanimously

19. CONFIDENTIAL ITEMS**19.1 CEO Performance Review Panel Recommendations to Council – CEO Review Process – Exclusion of the Public**

Under section 75B of the Local Government Act 1999 Mayor Jan-Claire Wisdom declared a General (section 74) Conflict of Interest in Item 19.1.

- I am no longer a member of the CEO PRP but was previously and have a public duty to act in a manner not contrary to my public duty.

Mayor Jan-Claire Wisdom advised the meeting that in dealing with this General Interest in a transparent and account manner, she will leave the meeting room.

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 24 September 2024
63 MT BARKER ROAD STIRLING**

8:07pm The Mayor Jan-Claire Wisdom left the meeting room.

8:08pm The Deputy Mayor Melanie Selwood assumed the chair.

Moved Cr Adrian Cheater

S/- Cr Kirrilee Boyd

355/24

Council resolves:

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, Gary Lewis
- Acting Director Community & Development, Jess Charlton
- Governance Support, Tracy Riddle, Kelledy Jones Lawyers
- Minute Secretary, Skye Ludzay
- IT Support, Tom Portas

be excluded from attendance at the meeting for Agenda Item 19.1: (CEO Performance Review Panel Recommendations to Council – CEO Review Process) 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.

Carried Unanimously

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 24 September 2024
63 MT BARKER ROAD STIRLING**

**19.1.1 CEO Performance Review Panel Recommendations to Council – CEO Review Process
Confidential Item**

**19.1.2 CEO Performance Review Panel Recommendations to Council – CEO Review Process –
Duration of Confidentiality**

Moved Cr Chris Grant

S/- Cr Malcolm Herrmann

357/24

Council resolves:

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)(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:

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 24 September 2024
63 MT BARKER ROAD STIRLING**

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released
Report	Until Further Order
Related Attachments	Until Further Order
Minutes	Until Further Order
Other (presentation, documents, or similar)	Until Further Order

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

8:20pm The Deputy Mayor as Chair, with leave of at least two thirds of the members present at the meeting, granted a break until 8:30pm.

19.2 HR Consultant Update – Exclusion of the Public

8:30pm Mayor Jan-Claire Wisdom resumed the Chair.

Under section 75C of the Local Government Act 1999 Mayor Jan-Claire declared a Material (section 74) Conflict of Interest in Item 19.2.

- I have a direct personal and pecuniary interest in this item as I could suffer a loss or gain a benefit regarding the matter of the meeting.

Mayor Jan-Claire Wisdom advised the meeting that she will leave the meeting room.

8:31pm Mayor Jan-Claire Wisdom left the meeting room and did not return.

8:31pm Deputy Mayor Melanie Selwood assumed the chair.

Moved Cr Adrian Cheater

S/- Cr Lucy Huxter

358/24

Council resolves:

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

Mayor _____

8 October 2024

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 24 September 2024
63 MT BARKER ROAD STIRLING**

- Director Corporate Services, Gary Lewis
- Snow Legal, Will Snow
- Red Wagon Workplace Solutions, Susan Sadler
- Minute Secretary, Skye Ludzay

be excluded from attendance at the meeting for Agenda Item 19.2: (HR Consultant Update) 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) and (h) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this Agenda Item is:

- (a) Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
- (h) legal advice;

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

19.2.1 HR Consultant Update – Confidential Item

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 24 September 2024
63 MT BARKER ROAD STIRLING**

19.2.2 HR Consultant Update – Duration of Confidentiality

Moved Cr Malcolm Herrmann

S/- Cr Chris Grant

360/24

Council resolves:

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 19.2 in confidence under sections 90(2) and 90(3)(a) and (h) 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	31 December 2024, must be reviewed by Council prior to release.
Related Attachments	31 December 2024, must be reviewed by Council prior to release.
Minutes	31 December 2024, must be reviewed by Council prior to release.
Other (presentation, documents, or similar)	31 December 2024, must be reviewed by Council prior to release.

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.

VARIATION

Through the Chair, Cr Nathan Daniel, with the consent of the Mover and Seconder, sought and was granted leave of the meeting to vary the motion.

Council resolves:

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 19.2 in confidence under sections 90(2) and 90(3)(a) and (h) 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:

**ADELAIDE HILLS COUNCIL
MINUTES OF ORDINARY COUNCIL MEETING
TUESDAY 24 September 2024
63 MT BARKER ROAD STIRLING**

Item	Duration of Confidentiality NB: Item to be reviewed every 12 months if not released
Report	31 December 2025 , must be reviewed by Council prior to release.
Related Attachments	31 December 2025 , must be reviewed by Council prior to release.
Minutes	31 December 2025 , must be reviewed by Council prior to release.
Other (presentation, documents, or similar)	31 December 2025 , must be reviewed by Council prior to release.

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

20. NEXT ORDINARY MEETING

The next ordinary meeting of the Adelaide Hills Council will be held on Tuesday 8 October 2024 from 6.30pm at 63 Mt Barker Road, Stirling.

21. CLOSE MEETING

The meeting closed at 9.27pm.