

CONFIDENTIAL ITEMS 2003 – SEPTEMBER 2019

#	Date	Item Title	Confidential Order Details	Item being kept confidential - Agenda/ Attachment/ Minutes	Reason regarding retention or recommend-action to release	Resolution Regarding Action	Last Review Date	Next Review Date	Date Released
138	1 April 2019	Confidential Appointment to Adelaide Hills Reconciliation Working Group	<p>Item: Hills Reconciliation Working Group</p> <p>1. <u>Pursuant to Section 90(3)(a)</u> Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except (Chief Executive Officer, Deputy CEO/General Manager Governance, Strategic Projects, Wastewater/Recycled Water, Chief Financial Officer, General Manager Planning and Development, General Manager Community Services, General Manager Infrastructure and the Minute Secretary) be excluded from attendance at the meeting for Agenda Item 18.2 Appointment to Adelaide Hills Reconciliation Working Group.</p> <p>The Council is satisfied that pursuant to Section 90(3)(a) of the 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 people who expressed an interest in membership of the Adelaide Hills Reconciliation Working Group in that details of those nominated will be discussed.</p> <p>The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of details relating to personal information of people who expressed an interest in membership of the Working Group will be discussed.</p> <p>Section 91(7) Order</p> <p>5. <u>Pursuant to Section 91(7)</u> That having considered Agenda Item 18.2 Appointment to Adelaide Hills Reconciliation Working Group in confidence under 90(2) and 3(a) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that any discussion related to information not contained within this report, be retained in confidence until 1 April 2019 or such lesser</p>	That any discussion related to information not contained within this report, be retained in confidence until 1 April 2019 or such lesser period as may be determined by the Chief Executive Officer.	The Council is satisfied that pursuant to Section 90(3)(a) of the 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 people who expressed an interest in membership of the Adelaide Hills Reconciliation Working Group in that details of those nominated will be discussed.	That any discussion related to information not contained within this report, be retained in confidence until 1 April 2019 or such lesser period as may be determined by the Chief Executive Officer.			<i>Report, attachment and Minutes released on website 5 September 2019</i>

CONFIDENTIAL ITEMS 2003 – SEPTEMBER 2019

#	Date	Item Title	Confidential Order Details	Item being kept confidential - Agenda/ Attachment/ Minutes	Reason regarding retention or recommend-action to release	Resolution Regarding Action	Last Review Date	Next Review Date	Date Released
---	------	------------	----------------------------	------------------------------------------------------------	-----------------------------------------------------------	-----------------------------	------------------	------------------	---------------

			period as may be determined by the Chief Executive Officer.						
--	--	--	-------------------------------------------------------------	--	--	--	--	--	--

RELEASED

18.2	REPORT TITLE:	CONFIDENTIAL ITEM: APPOINTMENT TO ADELAIDE HILLS RECONCILIATION WORKING GROUP
	DATE OF MEETING:	1 APRIL 2019
	FILE NUMBER:	DOC/19/28899
	ATTACHMENTS:	NIL
	<u>Key Contact</u>	Peter McGinn, Senior Community Development Officer
	<u>Manager/Sponsor</u>	Ian Hildebrand, Manager Community Connections, Community Services

Mount Barker 2035 – District Strategic Plan:

Community Wellbeing

CW 1.8 Support and facilitate the development of community leaders

Annual Business Plan:

Nil

Purpose:

1. The purpose of this report is to seek a representative from Council and gain Council endorsement of the Community representatives selected to be part of the Adelaide Hills Region Reconciliation Working Group (AHRRWG).

Summary – Key Issues:

1. The Adelaide Hills Reconciliation Working Group is a forum for Aboriginal and non-aboriginal people to discuss information and actions that will progress the development and implementation of Reconciliation Action Plans and other relevant activities across the Adelaide Hills Region.
2. The community membership was selected by a panel of Council Officers, from both Councils, through an Expressions of Interest process.
3. Council member participation, from both Mount Barker District and Adelaide Hills Councils is an integral element of the composition and function of the Working Group.

Recommendation:

1. Pursuant to Section 90(3)(a)
Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except (Chief Executive Officer, Deputy CEO/General Manager Governance, Strategic Projects, Wastewater/Recycled Water, Chief Financial Officer, General Manager Planning and Development, General Manager Community Services, General Manager Infrastructure and the Minute Secretary) be excluded from attendance at the meeting for Agenda Item 18.2 Appointment to Adelaide Hills Reconciliation Working Group.

The Council is satisfied that pursuant to Section 90(3)(a) of the 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 people who expressed an interest in membership of the Adelaide Hills Reconciliation Working Group in that details of those nominated will be discussed.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of details relating to personal information of people who expressed an interest in membership of the Working Group will be discussed.

2. Determine by show of hands and subsequently a motion whether it wishes to vote via:
 - (a) Show of hands; or
 - (b) Secret Ballot; or
 - (c) By a specific motion.
3. That Council appoint _____ to be Council's representative on the Adelaide Hills Reconciliation Working Group for the term of the current Council.
4. That Council endorse the following Community representatives – Parry Agius, Deanne Hanchant-Nichol, Tanya Michelle, Alucius Turner, Skye Akbar, Hayley Willis, Courtney Hebburnam and Helga Materne, as part of the initial working group for the term of the current Council.

Section 91(7) Order

5. Pursuant to Section 91(7)
That having considered Agenda Item 18.2 Appointment to Adelaide Hills Reconciliation Working Group in confidence under 90(2) and 3(a) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that any discussion related to information not contained within this report, be retained in confidence until 1 April 2019 or such lesser period as may be determined by the Chief Executive Officer.

Background:

1. The Mount Barker District Council is recognised for the work it has undertaken to recognise and increase community awareness of the Traditional Custodians of the Adelaide Hills Region – the Peramangk People. These efforts have been realised through its sponsorship and support of a number of diverse actions and activities including the Acknowledgment of Country at Council meetings and events, Reconciliation Week events, the Batpiori Art Project and the Just Too Deadly Education Awards and Ceremony.
2. Adelaide Hills Council has formalised its commitment to Reconciliation and adopted a Reflect Reconciliation Action Plan (RAP). The Mount Barker District Council is currently undertaking the work required to develop its own 'Reflect' RAP. Both Councils are committed to working in collaboration with Aboriginal and Torres Strait

Islander members of our community to have voice and be engaged in further progressing these processes.

Discussion:

3. The nomination of a Council member to the Adelaide Hills Reconciliation Working Group was foreshadowed in an Information Report presented to Council on the 3 September 2018. Therefore, the nomination of a Council Member to represent Council in the activity of the group and the endorsement of the community members of the group is now being sought. Reporting back to Council will be on an as required basis and in line with the recommendations of the working group.
4. The Adelaide Hills Reconciliation Working Group is not a formal Committee of Council but rather a supported forum, by both the Adelaide Hills and Mount Barker District Councils, to increase and clarify voice for Aboriginal People in the Adelaide Hills. It is seen that this group would support Council's commitment to the development of a Reconciliation Action Plan and provide a mechanism that is appropriate and of benefit to both staff and Elected Member representatives. The Adelaide Hills Council have appointed Cr. Kirilee Boyd as their representative.
5. The formation of this group is to create a forum for Aboriginal Peoples to gather and discuss matters around Reconciliation and recognition of Aboriginal Culture. The intention is to create a forum where information and ideas can be discussed in an organised manner to further the recognition and awareness of Aboriginal people in the Adelaide Hills. The meetings are intended, pending availability of members, to be held on a Wednesday evening commencing at 6pm. The site for the initial meeting is to be Fabrik, Adelaide Hills Arts & Heritage Precinct in Lobethal.

Nominations

6. There is one Mount Barker District Council Member position on the Working Group.
7. Council Members should consider whether they have a conflict of interest when nominating and whether they should participate in the vote.
8. If Council Members wish to nominate but will be absent from the meeting they may notify the Chief Executive Officer or the Executive Assistant to the CEO and Mayor via email or letter of their desire to nominate;
9. The Mayor will call for nominations.
10. If there are more nomination(s) than the one position the Mayor will allow up to 2 minutes each for those members to explain why they are the most appropriate nominee.

Voting Options

11. Council will need to determine whether it wishes to vote via:
 - Show of hands; or
 - Secret Ballot; or
 - By a motion for a specific Council Member.
12. To determine the preferred method it is recommended that the Mayor seek a show of hands on the above three voting options.

13. All members in the Chamber including the Mayor shall be eligible to vote via a show of hands as this is not a motion, it is to gauge the preferred voting option.
14. Once the preferred voting option is clear, the Mayor will then seek a motion in the normal manner to formalise that.

15. Show Of Hands

If via Show Of Hands is the preferred voting option, the Mayor will read out the name of each Councillor who has been nominated and ask Council Members to vote once for their preferred nominee. The Mayor is eligible to vote as this is not a motion it is to gauge the level of support for each of the nominees. The counting will be first past the post, majority vote. This will be followed by a request from the Mayor for a formal motion to confirm who is to be appointed.

OR

16. Secret Ballot

Each Council Member in the Chamber including the Mayor will complete their voting slip with the name of the preferred Council Member. These will be collected and counted by a Council Officer present and an additional Council Officer acting as scrutineer.

17. The counting will be first past the post, majority vote.
18. The Mayor will announce the result of the ballot process and will call for a motion to formalise that.
19. Council Members will not be able to see the ballot papers after the vote is completed and the ballot papers will be destroyed by the scrutineers.

OR

20. A Motion

If via a motion is the preferred voting option (without following an informal process first), the Mayor will ask the Council for a motion (i.e. that Council appoint Councillor X and if seconded, members will vote on that motion in the normal manner. If that motion is lost, a further motion will be called for being for a different nominee(s).

21. Tied Vote

If there is a tie for the most votes using either (a) Show of Hands or (b) Secret Ballot, **but** there are also votes for other nominees, Council will undertake a further process (using the same voting option) with this then being restricted only to the two (or more) tied nominees who received the most votes.

22. If the subsequent result is a tied vote between candidates using either (a) Show of Hands or (b) Secret Ballot **and** no other candidates received any votes, the result will be decided by the scrutineer placing the Council Member names in a box and with the first name drawn out by the Presiding Member being the Council Member who is eliminated until there is only one name remaining. This will be followed by a motion and resolution.

Expression of Interest Process

23. The result of an extensive Expression of Interest process was a total of 18 applications being received from Community to have a place within this group. This included seven from people identifying as Aboriginal or Torres Strait Islander. As part of the selection criteria priority was be given to people who:

- are Peramangk or Kaurna as traditional custodians of the Adelaide Hills Region
- have Aboriginal or Torres Strait Islander heritage and identify as such and live, work or have a strong connection to the Adelaide Hills Region
- are not Aboriginal or Torres Strait Islander but have experience or expertise deemed beneficial to the role and function of the group.

A panel of Council officers from both Councils, being the Manager of Community Development and the Community and Cultural Development Officer from Adelaide Hills Council and the Community Connections Manager and a Senior Community Development Officer from Mount Barker District Council, met to consider the applications and present the following applicants to Council for endorsement.

Name	Identifies as Aboriginal	Background
Parry Agius	Yes	Facilitator and strategic advisor with significant experience in the area of Reconciliation and the development of Reconciliation Action Plans
Deanne Hanchant-Nichol	Yes	Member of UniSA RAP Secretariat and Steering Committee and has advised many other organisations on the development of RAPs
Tanya Michelle	Yes	Aboriginal Social Worker with Stolen Generation survivors across Australia.
Alucius Turner	Yes	Many years' experience working for Aboriginal and Torres Strait Islander communities.
Skye Akbar	Yes	Research Fellow at UniSA with a solid understanding of the context of Aboriginal business and economic development.
Hayley Willis	Yes	Works with Aboriginal school workers, has been involved in organising Reconciliation events in the Adelaide Hills. Organiser of the Just Too Deadly Awards
Courtney Hebbarnam	Yes	Law student. Peramangk person.
Helga Materne	No	Member of Reconciliation Action Group for Adelaide Hills Community Health Service and Mt Barker Waldorf School. Works with Aboriginal families as an Allied Health Assistant.

24. The composition of the working group is two Council members, (a representative from each of Mount Barker District Council and Adelaide Hills Council). The Adelaide Hills Council, at their March meeting, appointed a Council member to represent their Council and endorsed the recommended people from the expression of interest process.
25. Community members will be paid a travel allowance for the use of their private vehicle to travel to and from meetings with the said allowance being equal to the per kilometre rate prescribed for the purposes of calculating deductions for car expenses issued from time to time by the Australian Tax Office. Reimbursable journeys should be by the shortest or most practicable route from the place of residence or workplace.
26. Costs incurred by community members for travel to and from meetings on public transport will also be reimbursed. Costs incurred by community members for travel to and from RWG meetings by taxi or other form of paid travel may be reimbursed subject to the travel by these means being pre-approved by AHC and MBDC staff prior to those costs being incurred.
27. If RWG community members incur out of pocket expenses as a result of their attendance at meetings, these costs may be reimbursed subject to these costs being pre-approved by AHC and MBDC staff prior to those costs being incurred.
28. Costs incurred without pre-approval by AHC and MBDC staff may not be reimbursed.
29. This report is Confidential as the applicants from the Expression of Interest have not been contacted until the endorsement of the two Councils has been gained.

Community Engagement:

Informing only	Nomination for the RWG were sought through Expression of Interest Advertisements placed in the Weekender Herald, Courier and also the Koori Mail and Adelaide Advertiser. The opportunity was also available on Council websites and through email invitation to known networks and individuals.
----------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Policy:

The Adelaide Hills Reconciliation Working Group will be responding to Council's Reconciliation Action Plan which is currently being composed.

Long Term Financial Plan:

All activities and other outputs from the function and discussions of this group will be brought forward through appropriate mechanisms of Council for support or funding.

Budget:

The administration costs of this group will be borne equally across the two participating Councils. MBDC contribution will be from the Community Connections' Aboriginal programs budget, estimated to be less than \$1,000 pa.

Statutory/Legal:

It is better practice for all organisations and services in Australia to adopt a Reconciliation Plan.

Staff Resource Requirements:

Work required will fall under the responsibilities of the Community Connections team, Council Services.

Environmental:

The group will be a valuable resource for environmental projects requiring input from Australian Aboriginal people.

Social:

The formation of this group is important in terms of recognition and the enablement of voice for Australian Aboriginal people who reside in the Adelaide Hills. The group will also be beneficial to others who wish to be part of reconciliatory process or activity.

Risk Assessment:

No risks are evident in conducting this activity.

Asset Management:

Not applicable to this report

Conclusion:

The formation of the Adelaide Hills Region Reconciliation Working group will enable more effective communication and engagement with Aboriginal Peoples and assist in the Council and community endeavours to further their increased understanding, inclusion and awareness of the Traditional Custodians of the Adelaide Hills Region.

Previous Decisions By/Information Reports to Council

Meeting Date	3 September 2018	HPRM Reference	DOC/18/87289
Title	Adelaide Hills Aboriginal Reconciliation Working Group		
Purpose	Information		

18.2	REPORT TITLE:	CONFIDENTIAL ITEM: APPOINTMENT TO ADELAIDE HILLS RECONCILIATION WORKING GROUP
	DATE OF MEETING:	1 APRIL 2019
	FILE NUMBER:	DOC/19/28899
	ATTACHMENTS:	NIL

Moved Councillor Seager that Council:

Pursuant to Section 90(3)(a)

Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except (Chief Executive Officer, Deputy CEO/General Manager Governance, Strategic Projects, Wastewater/Recycled Water, Chief Financial Officer, Acting General Manager Planning and Development, General Manager Community Services, General Manager Infrastructure and the Minute Secretary be excluded from attendance at the meeting for Agenda Item 18.2 Appointment to Adelaide Hills Reconciliation Working Group.

The Council is satisfied that pursuant to Section 90(3)(a) of the 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 people who expressed an interest in membership of the Adelaide Hills Reconciliation Working Group in that details of those nominated will be discussed.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of details relating to personal information of people who expressed an interest in membership of the Working Group will be discussed.

Seconded Councillor Bailey

CARRIED
OM20190401.19

Moved Councillor Leach that Council determine by show of hands and subsequently a motion Council's representative on the Adelaide Hills Reconciliation Working Group.

Seconded Councillor Orr

CARRIED
OM20190401.20

The Mayor called for nominations to be Council's representative on the Adelaide Hills Reconciliation Working Group for the term of the current Council.

Councillor Jones was nominated

Moved Councillor Morrison that Council appoint Councillor Jones to be Council's representative on the Adelaide Hills Reconciliation Working Group for the term of the current Council.

Seconded Councillor Hardingham

CARRIED
OM20190401.21

Moved Councillor Orr that Council endorse the following Community representatives – Parry Agius, Deanne Hanchant-Nichol, Tanya Michelle, Alucius Turner, Skye Akbar, Hayley Willis, Courtney Hebbberman and Helga Materne, as part of the initial working group for the term of the current Council.

Seconded Councillor Leach

CARRIED
OM20190401.22

Moved Councillor Morrison that Council:

Section 91(7) Order

Pursuant to Section 91(7)

That having considered Agenda Item 18.2 Appointment to Adelaide Hills Reconciliation Working Group in confidence under 90(2) and 3(a) of the Local Government Act 1999, the Council pursuant to Section 91(7) of the Act orders that any discussion related to information not contained within this report, be retained in confidence until 1 April 2020 or such lesser period as may be determined by the Chief Executive Officer.

Seconded Councillor Leach

CARRIED
OM20190401.23

MEETING DECLARED CLOSED AT 8.55PM

MAYOR

DATE