

MINUTES

of

Ordinary Council Meeting



Pursuant to the provisions of Section 84 (1) of the
Local Government Act 1999

HELD IN

**Council Chamber
Redbanks Road
Mallala**

on

Monday 22 August 2022 at 6.30pm

The Mayor formally declared the meeting open at 6.30pm.

1. ATTENDANCE RECORD

1.1 Present:

Mayor Mark Wasley	
Councillor Marcus Strudwicke	Mallala/Dublin Ward
Councillor Terry-Anne Keen	Mallala/Dublin Ward
Councillor John Lush	Mallala/Dublin Ward
Councillor Kay Boon	Two Wells Ward
Councillor Joe Daniele	Two Wells Ward
Councillor Frank Maiolo	Two Wells Ward
Councillor Brian Parker	Lewiston Ward
Councillor Carmine Di Troia	Lewiston Ward
Councillor Margherita Panella	Lewiston Ward

Also in Attendance:

Chief Executive Officer	Mr James Miller
General Manager – Development and Community	Mr Darren Starr
General Manager – Finance and Business	Mr Rajith Udugampola
General Manager – Infrastructure and Environment	Mr Thomas Jones
Acting General Manager – Governance and Executive Office	Ms Angie-Marie Fuss
Manager Governance and Administration	Ms Alyssa Denicola
Property Officer	Mr Rob Adam
Property Officer	Mr Maurice Park
Marketing and Communications Officer	Ms Clarisse Semler-Hanlon
Administration and Executive Support Officer/Minute Taker	Ms Stacie Shrubsole
Administration Support Officer – Infrastructure and Environment	Ms Lauren Bywaters
Information Technology Support Officer	Mr Sean Murphy
Chair, Norman Waterhouse Lawyers (<i>for Item 20.1</i>)	Mr Sean Keenihan



2. CONFIRMATION OF MINUTES

2.1 Confirmation of Council Minutes – Ordinary Council Meeting held 25 July 2022

Moved Councillor Maiolo Seconded Councillor Keen **2022/ 264**

“that the minutes of the Ordinary Council Meeting held on 25 July 2022 (MB Folios 17629 to 17646 inclusive) be accepted as read and confirmed.”

CARRIED UNANIMOUSLY

3. BUSINESS ARISING

Nil

4. DECLARATION OF MEMBERS' INTEREST

Nil

5. ADJOURNED BUSINESS

Nil

6. MAYOR'S REPORT

6.1 Mayor's Report

Reporting Period – Thursday 21 July 2022 to Friday 5 August 2022

Monday 25 July 2022

Pre-Council Meeting – Mayor, Chief Executive Officer and Executive Management Team

Ordinary Council Meeting

Monday 1 August 2022

Information/Briefing Session – Economic Development/Tourism Opportunity

Caretaker Training facilitated by Norman Waterhouse Lawyers

Thursday 4 August 2022

Meeting – Mayor and Chief Executive Officer – Various Matters

Friday 5 August 2022

Local Government Elections Breakfast hosted by Kelledy Jones Lawyers

6.2 Deputy Mayor's Report
Reporting Period – Saturday 6 August 2022 to Thursday 18 August 2022

Monday 8 August 2022

Regional Visit/Meeting – Deputy Mayor, Chief Executive Officer and Local Government Association of SA Chief Executive Officer

Meeting – Deputy Mayor and Chief Executive Officer – Various Matters

Audit Committee Meeting

Thursday 11 August 2022

Hosting of Libraries Board of South Australia at Two Wells Library

Meeting – Deputy Mayor and Chief Executive Officer – Various Matters

Monday 15 August 2022

Meeting – Deputy Mayor and Chief Executive Officer – Various Matters

Information/Briefing Session – Economic Development Modelling

Thursday 18 August 2022

Special Meeting of the Legatus Group

7. REQUESTED DOCUMENTS/CORRESPONDENCE TO BE TABLED

Nil

8. DEPUTATIONS

Nil

9. PRESENTATIONS/BRIEFINGS

Nil

10. PETITIONS

Nil

The Mayor sought leave of the meeting pursuant to Regulation 20(1) of the *Local Government (Procedures at Meetings) Regulations 2013* to bring forward Item 20.1 – *Crown Land, Two Wells – August 2022*. Leave was granted.

20. CONFIDENTIAL ITEMS

20.1 Crown Land, Two Wells – August 2022

Moved Councillor Lush Seconded Councillor Strudwicke 2022/ 265

“that:

1. Pursuant to section 90(2) of the *Local Government Act 1999*, Council orders that all members of the public, except Chief Executive Officer, General Manager – Finance and Business, General Manager – Development and Community, General Manager – Infrastructure and Environment, Acting General Manager – Governance and Executive Office, Manager Governance and Administration, Property Officers, Marketing and Communications Officer, Administration and Executive Support Officer/Minute Taker, Administration Support Officer – Infrastructure and Environment, Information Technology Support Officer and Mr Sean Keenihan of Norman Waterhouse Lawyers be excluded from attendance at the meeting of Council for Agenda Item 20.1 – *Crown Land, Two Wells – August 2022*
2. Council is satisfied that pursuant to section 90(3)(b) and 90(3)(h) of the *Local Government Act 1999*, Item 20.1 – *Crown Land, Two Wells – August 2022* concerns:
 - a. Commercial information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting business, or to prejudice the commercial position of Council, being information relating to ongoing negotiations, and would on balance be contrary to the public interest and
 - b. Legal advice, being a verbal briefing by Mr Sean Keenihan, Chair, Norman Waterhouse Lawyers in relation to the matter of Crown Land at Two Wells and
3. Council is satisfied that the principle that Council meetings should be conducted in a place open to the public has been outweighed by the need to keep the information, matter and discussion confidential.”

CARRIED UNANIMOUSLY

The Chief Executive Officer gave a 13 minute presentation in relation to Item 20.1 – *Crown Land, Two Wells – August 2022*.

20.1 Moved Councillor Keen Seconded Councillor Boon 2022/ 266

“that Council, having considered Item 20.1 – *Crown Land, Two Wells – August 2022*, dated 22 August 2022, receives and notes the report and in doing so acknowledges that, in accordance with the Contract for the Sale and Purchase, the settlement date for the purchase of Section 180 Old Port Wakefield Road, Two Wells (being the whole of the land in Crown Record Volume 5984, Folio 730) and Section 716 Buckland Park Road, Two Wells (being portion of the land in Crown Record Volume 5755, Folio 739) is Monday 24 October 2022.”

CARRIED UNANIMOUSLY

20.1 Moved Councillor Parker Seconded Councillor Strudwicke 2022/ 267

"that Council, having considered Item 20.1 – Crown Land, Two Wells – August 2022, dated 22 August 2022:

1. Resolves that, having due regard to the relevant principles underpinning Council's approach to procurement set out in Council's Procurement Policy, it is appropriate to engage Alinea Group to undertake the next tranche of the market engagement exercise on the basis of the matters set out within the Report to Council
2. Appoints Alinea Group to undertake Stages 1-4 of the transaction strategy as set out within the Letter of Offer to Council dated 10 June 2022 and presented as Attachment 2 to this Report, being a detailed market engagement and expression of interest campaign, including preparation of a land development concept plan which will largely reflect Council's previously adopted guiding principles for the subject land
3. Acknowledges that the necessary budget revisions will occur at the 2022/2023 first quarter budget review (with a forecast budget variation of \$180,000) and
4. Acknowledges that appointment of an appropriate consultant for Stages 5-8 (being request for detailed plans and transaction management to contractual close) will be determined by resolution at an appropriate time in the future and in accordance with Council's Procurement Policy."

CARRIED UNANIMOUSLY

20.1 Moved Councillor Boon Seconded Councillor Di Troia 2022/ 268

"that Council, having considered Item 20.1 – Crown Land, Two Wells – August 2022, dated 22 August 2022:

1. Acknowledges that it is not sustainable or realistic for the Chief Executive Officer (nor his Executive) to drive delivery of this project in the absence of commensurate resourcing being made available, while simultaneously managing primary workload duties and
2. Authorises the Chief Executive Officer to adequately resource the significant workload associated with catalysing and activating town centre investment and expansion in Two Wells, consistent with Council's responsibilities pursuant to Section 6 and 7 of the Local Government Act 1999, with the necessary budget revisions to occur at the 2022/2023 first quarter budget review (with a forecast budget variation of \$180,000)."

CARRIED UNANIMOUSLY

20.1 Moved Councillor Keen Seconded Councillor Strudwicke 2022/ 269

"that Council, having considered Item 20.1 – Crown Land, Two Wells – August 2022, dated 22 August 2022, authorises the Chief Executive Officer to publish the following information as part of the public statement in relation to the Crown Land, Two Wells initiative notwithstanding the existence and operation of the various Section 91(7) orders pertaining to that information:

1. Council and the Minister for Climate, Environment and Water have entered into a Contract for the Sale and Purchase Section 180 Old Port Wakefield Road Two Wells (being the whole of the land in Crown Record Volume 5984, Folio 730) and Section 716 Buckland Park Road Two Wells (being portion of the land in Crown Record Volume 5755, Folio 739) (the Subject Land), with a settlement date of Monday 24 October 2022
2. Council has engaged of Alinea Group to undertake a detailed market engagement and expression of interest process, with commentary to aid and assist the community in

understanding the next tranche of the process and what it means in realising investment for Two Wells (likely timelines also to be disclosed) and

3. An overview of the various, diligent and detailed preparatory work/steps that have been undertaken in relation to the Crown Land, Two Wells initiative from 2017 to present and including:
 - a. Retail Supply and Demand Study prepared by Property and Advisory in December 2019
 - b. Relocation of the community groups previously occupying the Subject Land (Adelaide Plains Kennel and Obedience Club and Adelaide Plains Trotting Owners and Trainers Association) into new facilities at Lewiston (noting that this process and outcome is not subject to Section 91(7) orders)
 - c. Revocation of Community Land Classification over the Subject Land (noting that this process and outcome is not subject to Section 91(7) orders)
 - d. Negotiations with the Minister leading to a commitment to deal exclusively with Council in the disposal of the land
 - e. Ministerial declaration that the Subject Land is surplus to Government requirements
 - f. Ministerial declaration to revoke the Crown dedication over the Subject Land
 - g. Adoption of guiding principles by Council (not to disclose their extent but to inform the community that a framework for the orderly development of the site has been established)."

CARRIED UNANIMOUSLY

20.1 Moved Councillor Keen Seconded Councillor Boon 2022/ 270

"that Council, having considered the matter of Item 20.1 – *Crown Land, Two Wells – August 2022* in confidence under sections 90(2), 90(3)(b) and 90(3)(h) of the *Local Government Act 1999*, resolves that:

1. The staff report and Attachments 1 and 2 pertaining to Item 20.1 – *Crown Land, Two Wells – August 2022* remain confidential and not available for public inspection until further order of the Council except such disclosure as the Chief Executive Officer determines necessary or appropriate for the purpose of furthering the discussions or actions contemplated
2. Pursuant to section 91(9)(a) of the *Local Government Act 1999*, the confidentiality of the matter will be reviewed every 12 months and
3. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, the Council delegates the power to revoke this confidentiality order to the Chief Executive Officer."

CARRIED UNANIMOUSLY

11. COMMITTEE MEETINGS

11.1 Adelaide Plains Council Historical Committee Meeting – 2 August 2022

Moved Councillor Strudwicke Seconded Councillor Boon 2022/ 271

"that Council receives and notes the minutes of the Adelaide Plains Council Historical Committee Meeting held 2 August 2022."

CARRIED UNANIMOUSLY



11.2 Audit Committee Meeting – 8 August 2022

Moved Councillor Lush Seconded Councillor Keen 2022/ 272

“that Council receives and notes the minutes of the Audit Committee Meeting held on 8 August 2022 as presented at Attachment 1 to this Report.”

CARRIED UNANIMOUSLY

11.2 Moved Councillor Parker Seconded Councillor Di Troia 2022/ 273

“that Council endorses resolution 2022/047 of the Audit Committee and in doing so acknowledges the progress made to complete the activities identified for Audit Committee during 2021/2022 Financial Year.”

CARRIED

11.3 Infrastructure and Environment Committee Meeting – 15 August 2022

Moved Councillor Parker Seconded Councillor Keen 2022/ 274

“that Council receives and notes the minutes of the Infrastructure and Environment Committee Meeting held 15 August 2022.”

CARRIED UNANIMOUSLY

11.3 Moved Councillor Boon Seconded Councillor Di Troia 2022/ 275

“that Council endorses resolution 2022/023 of the Infrastructure and Environment Committee and in doing so instructs the Chief Executive Officer to write to the Chair of the LGA CWMS Board requesting that the Mallala CWMS infrastructure shortfall (\$942,000) identified within Attachment 2 to this report be fully funded by the LGA CWMS program.”

CARRIED UNANIMOUSLY

11.3 Moved Councillor Di Troia Seconded Councillor Parker 2022/ 276

“that Council endorses resolution 2022/024 of the Infrastructure and Environment Committee and in doing so:

- 1. Instructs the Chief Executive Officer to progress with centre median lighting for stage 2 design, noting that community consultation will be a necessary first step in the process prior to arriving at a final determination and**
- 2. Acknowledges that further reports will be presented to Council on the progress of the Undergrounding of Power – Two Wells Main Street.”**

CARRIED UNANIMOUSLY

11.3 Moved Councillor Strudwicke Seconded Councillor Di Troia 2022/ 277

“that Council endorses resolution 2022/025 of the Infrastructure and Environment Committee and in doing so instructs the Chief Executive Officer to undertake the necessary process to enable the development of CR6249/280 (Attachment 3) for stormwater and passive recreation uses.”

CARRIED UNANIMOUSLY

- 11.3 Moved Councillor Parker Seconded Councillor Keen **2022/278**
"that Council endorses resolution 2022/026 of the Infrastructure and Environment Committee and in doing so recommends to Council that it assign the road name Wake Road to the road reserve marked Lot 103 – Blue line (St Andrews Road to Western boundary of Land division) in Attachment 4."

CARRIED UNANIMOUSLY

- 11.3 Moved Councillor Daniele Seconded Councillor Maiolo **2022/279**
"that Council endorses resolution 2022/027 of the Infrastructure and Environment Committee and in doing so recommends to Council that it assign the road name Gazzola Court to the road reserve marked Lot 104 – Red line (Lot 103 to Western boundary of Land division) in Attachment 4."

CARRIED UNANIMOUSLY

- 11.3 Moved Councillor Boon Seconded Councillor Keen **2022/280**
"that Council endorses resolution 2022/028 of the Infrastructure and Environment Committee and in doing so recommends to Council that it assign the road name Fielke Road to the road reserve marked Lot 105 – Green Line (St Andrews Road to Lot 103) in Attachment 4."

CARRIED UNANIMOUSLY

12. SUBSIDIARY MEETINGS

- 12.1 Legatus Group – Special Meeting – 18 August 2022

- Moved Councillor Keen Seconded Councillor Di Troia **2022/281**
"that Council receives and notes the minutes of the Legatus Group Special Meeting held on 18 August 2022."

CARRIED UNANIMOUSLY

13. REPORTS FOR DECISION

- 13.1 Community Engagement Strategy (Forums across Adelaide Plains Council)

- Moved Councillor Lush Seconded Councillor Strudwicke **2022/282**
"that Council, having considered Item 13.1 – *Community Engagement Strategy (Forums across Adelaide Plains Council)*, dated 22 August 2022, receives and notes the report and in doing so acknowledges that:

- 1. Due to the (recently ceased) COVID-19 public health emergency, the upcoming election/caretaker period (and indeed the election itself) and the need to prioritise induction and training immediately post the November 2022 election, there will not be three (3) Community Engagement Forums (Forums) held in 2022 and**
- 2. The Chief Executive Officer intends to revisit the Community Engagement Strategy in early-mid 2023 and at such time that more is known about the content and timing of the Charter and the results of the APC Community Survey have been properly considered, in order to ensure that moving forward Council takes a strategic and holistic approach to community engagement that will be of benefit to the community and to Council's decision making process."**

CARRIED UNANIMOUSLY

13.2 Policy Review – Internal Review of Council Decisions Policy and Procedure

Moved Councillor Strudwicke Seconded Councillor Boon 2022/ 283

“that Council, having considered Item 13.2 – Policy Review – Internal Review of Council Decisions Policy and Procedure, dated 22 August 2022, receives and notes the report and in doing so adopts the revised Internal Review of Council Decisions Policy as presented at Attachment 1 to this Report.”

CARRIED UNANIMOUSLY

13.2 Moved Councillor Parker Seconded Councillor Strudwicke 2022/ 284

“that Council, having considered Item 13.2 – Policy Review – Internal Review of Council Decisions Policy and Procedure, dated 22 August 2022, adopts the revised Internal Review of Council Decisions Procedure as presented at Attachment 2 to this Report.”

CARRIED UNANIMOUSLY

13.3 Policy Review – Code of Practice – Access to Council Meetings and Documents

Moved Councillor Keen Seconded Councillor Di Troia 2022/ 285

“that Council, having considered Item 13.3 – Policy Review – Code of Practice – Access to Council Meetings and Documents, dated 22 August 2022, receives and notes the report and in doing so instructs the Chief Executive Officer to undertake public consultation, in accordance with Council’s Public Consultation Policy, on the draft Code of Practice – Access to Council Meetings and Documents as presented at Attachment 1 to this Report.”

CARRIED UNANIMOUSLY

13.4 Request to Fly the Rainbow Flag

Moved Councillor Strudwicke Seconded Councillor Parker 2022/ 286

“that Council, having considered Item 13.4 – Request to Fly the Rainbow Flag, dated 22 August 2022, receives and notes the report and in doing so instructs the Chief Executive Officer to fly the rainbow flag on the flag pole at East Reserve, Mallala during business hours for the month of November 2022 and acknowledges that Adelaide Plains Council will be listed as a supporter in the Feast Program Guide and on the Feast website.”

CARRIED UNANIMOUSLY

13.5 Revocation of Community Land Classification and Transfer of Land to Minister – Port Prime Township – Adelaide International Bird Sanctuary National Park

Moved Councillor Strudwicke Seconded Councillor Parker 2022/ 287

“that Council, having considered Item 13.5 – Revocation of Community Land Classification and Transfer of Land to Minister – Port Prime Township – Adelaide International Bird Sanctuary National Park, dated 22 August 2022, receives and notes the report and in doing so:

- 1. Pursuant to Section 194(3)(b) of the Local Government Act 1999, revokes the Community Land Classification of 27 Allotments within the Port Prime Township, comprised in Certificate of Title Volume 5687 Folio 238 and remove the land from its Community Land Register.**

- 13.8 Handover of Drought Communities Program Assets to Adelaide Plains Equestrian Club Incorporated
 Moved Councillor Strudwicke Seconded Councillor Lush 2022/ 291

"that Council, having considered Item 13.8 – Handover of Drought Communities Program Assets to Adelaide Plains Equestrian Club Incorporated, dated 22 August 2022, receives and notes the report and in doing so:

1. Resolves to hand over the benefit of the works and assets as presented in Table 1 to this report to the Adelaide Plains Equestrian Club Incorporated
2. Resolves to charge the Adelaide Plains Equestrian Club Incorporated a \$1.00 fee for the handover of the assets, in recognition of the Adelaide Equestrian Club Incorporated taking full financial and legal responsibility for the works and assets from the date of handover and
3. Authorises the Chief Executive Officer to document the handover of the works and assets in a manner the Chief Executive Officer considers appropriate."

CARRIED UNANIMOUSLY

14. REPORTS FOR INFORMATION

- 14.1 Council Resolutions – Status Report

Moved Councillor Daniele Seconded Councillor Maiolo 2022/ 292

"that Council, having considered Item 14.1 – Council Resolutions – Status Report, dated 22 August 2022, receives and notes the report."

CARRIED UNANIMOUSLY

- 14.2 Infrastructure and Environment Department – Monthly Report – August 2022

Moved Councillor Parker Seconded Councillor Keen 2022/ 293

"that Council, having considered Item 14.2 – Infrastructure and Environment Department – Monthly Report – August 2022, dated 22 August 2022 receives and notes the report."

CARRIED UNANIMOUSLY

- 14.3 Tourism and Economic Development Opportunity

Moved Councillor Lush Seconded Councillor Boon 2022/ 294

"that Council, having considered Item 14.3 – Tourism and Economic Development Opportunity, dated 22 August 2022, receives and notes the report and in doing so acknowledges the opportunity to pursue tourism and economic development-related investment along the coastal foreshores for campground activity to occur and instructs the Chief Executive Officer to bring back a further report on the matter following the expiration of caretaker period and post the November 2022 Local Government Elections."

CARRIED UNANIMOUSLY

MW

14.4 Dublin Oval Precinct Concept Plan

Moved Councillor Keen Seconded Councillor Di Troia 2022/ 295

“that Council, having considered Item 14.4 – Dublin Oval Upgrade Concept Plan, dated 22 August 2022, receives and notes the report.”

CARRIED UNANIMOUSLY

14.5 State Government Initiated Planning Review 2022

Moved Councillor Di Troia Seconded Councillor Maiolo 2022/ 296

“that Council, having considered Item 14.5 – State Government Initiated Planning Review 2022, dated 22 August 2022, receives and notes the report.”

CARRIED UNANIMOUSLY

14.6 Two Wells Community Fund Sixth Round Outcomes

Moved Councillor Parker Seconded Councillor Keen 2022/ 297

“that Council, having considered Item 14.6 – Two Wells Community Fund Sixth Round Outcomes, dated 22 August 2022, receives and notes the report.”

CARRIED UNANIMOUSLY

14.7 ESCOSA Local Government Advice – Final Framework and Approach

Moved Councillor Di Troia Seconded Councillor Lush 2022/ 298

“that Council, having considered Item 14.7 – ESCOSA Local Government Advice – Final Framework and Approach, dated 22 August 2022, receives and notes the report.”

Councillor Di Troia left the meeting at 8.24pm.

CARRIED

14.8 Update on the Request for a Community Loan from Mallala Football Club

Councillor Di Troia returned to the meeting at 8.25pm.

Moved Councillor Strudwicke Seconded Councillor Boon 2022/ 299

“that Council, having considered Item 14.8 – Update on the Request for a Community Loan from Mallala Football Club, dated 22 August 2022, receives and notes the report.”

CARRIED UNANIMOUSLY

15. QUESTIONS ON NOTICE

Nil

16. QUESTIONS WITHOUT NOTICE

Not recorded in Minutes in accordance with Regulation 9(5) of the *Local Government (Procedures at Meetings) Regulations 2013*.

17. MOTIONS ON NOTICE**17.1 Motion on Notice – Amendment to Resolution 2022/015**

Moved Councillor Lush

Seconded Councillor Parker

2022/ 300**“that Council Resolution 2022/015:**

‘that Council, having considered Item 14.9 – State and Federal Funding Opportunities, dated 31 January 2022, receives and notes the report and in doing so:

- 1. Instructs the Chief Executive Officer to advise the Mallala and Districts Lions Club that Council supports its funding application under the Building Better Regions Fund funding stream for the Mallala and Districts Lions Club – Mallala Community Complex project**
- 2. Acknowledges that, subject to an offer of funding under the Building Better Regions Fund, Council’s contribution of \$70,000 (being 25% of the total cost of the project, \$280,000) will be incorporated into the third quarter 2021/2022 budget revision.’**

be amended as follows:

‘that Council, having considered Item 14.9 – State and Federal Funding Opportunities, dated 31 January 2022, receives and notes the report and in doing so:

- 1. Instructs the Chief Executive Officer to advise the Mallala and Districts Lions Club that Council supports its funding application under the Building Better Regions Fund funding stream for the Mallala and Districts Lions Club – Mallala Community Complex project and**
- 2. Acknowledges that subject to an offer of funding under the Building Better Regions Fund, or the Mallala and Districts Lions Club otherwise funding the project, Council’s contribution of \$70,000 (being 25% of the total cost of the project, \$280,000) will be incorporated into the next budget revision.”**

CARRIED UNANIMOUSLY**17.2 Motion on Notice – Purchase of Plaque – Mallala War Memorial 100th Anniversary**

Moved Councillor Strudwicke

Seconded Councillor Keen

2022/ 301

“that Council purchase a suitable small plaque acknowledging the monument centenary, that can be permanently fixed to the base of the monument.”

CARRIED UNANIMOUSLY**18. MOTIONS WITHOUT NOTICE**

Nil

19. URGENT BUSINESS

Nil



20. CONFIDENTIAL ITEMS

20.2 Infrastructure and Environment Committee Meeting – 15 August 2022 – Confidential Minutes

Moved Councillor Keen

Seconded Councillor Boon

2022/ 302**“that:**

1. Pursuant to section 90(2) of the *Local Government Act 1999*, Council orders that all members of the public, except Chief Executive Officer, General Manager – Finance and Business, General Manager – Infrastructure and Environment, General Manager – Development and Community, Acting General Manager – Governance and Executive Office, Manager Governance and Administration, Marketing and Communications Officer, Administration and Executive Support Officer/Minute Taker, Information Technology Support Officer, and Administration Support Officer – Infrastructure and Environment be excluded from attendance at the meeting of the Council for Agenda Item 20.2 – *Infrastructure and Environment Committee Meeting – 15 August 2022 – Confidential Minutes*
2. Council is satisfied that pursuant to section 90(3)(b) and 90(3)(h) of the *Local Government Act 1999*, Item 20.2 – *Infrastructure and Environment Committee Meeting – 15 August 2022 – Confidential Minutes* concerns commercial information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting business, or to prejudice the commercial position of Council, being information relating to ongoing negotiations in relation to Mallala Road Roundabouts second deed of variation
3. Council is satisfied that the principle that meetings should be conducted in a place open to the public has been outweighed by the need to keep the information, matter and discussion confidential.”

CARRIED UNANIMOUSLY


20.2 Moved Councillor Keen Seconded Councillor Parker 2022/ 305

"that Council, having considered the matter of Item 20.2 – *Infrastructure and Environment Committee Meeting – 15 August 2022 – Confidential Minutes* in confidence under sections 90(2), 90(3)(b) and 90(3)(h) of the Local Government Act 1999, resolves that:

- 1. The report, minutes and Attachment 1 pertaining to Item 20.2 – *Infrastructure and Environment Committee Meeting – 15 August 2022 – Confidential Minutes* remain confidential and not available for public inspection until further order of the Council except such disclosure as the Chief Executive Officer determines necessary or appropriate for the purpose of furthering the discussions or actions contemplated**
- 2. Pursuant to section 91(9)(a) of the *Local Government Act 1999*, the confidentiality of the matter will be reviewed every 12 months and**
- 3. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, the Council delegates the power to revoke this confidentiality order to the Chief Executive Officer."**

CARRIED

20.3 Contract Extension – Provision of Bulk Haulage Services

Moved Councillor Keen Seconded Councillor Di Troia 2022/ 306

"that:

- 1. Pursuant to section 90(2) of the *Local Government Act 1999*, Council orders that all members of the public, except Chief Executive Officer, General Manager – Finance and Business, General Manager – Development and Community, General Manager – Infrastructure and Environment, Acting General Manager – Governance and Executive Office, Manager Governance and Administration, Marketing and Communications Officer, Administration and Executive Support Officer/Minute Taker, Administration**

Support Office – Infrastructure and Environment and Information Technology Support Officer be excluded from attendance at the meeting of Council for Agenda Item 20.3 – *Contract Extension – Provision of Bulk Haulage Services*

2. Council is satisfied that pursuant to section 90(3)(d)(i) of the *Local Government Act 1999*, Item 20.3 – *Contract Extension – Provision of Bulk Haulage Services* concerns 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, or to confer a commercial advantage on a third party
3. Council is satisfied that the principle that Council meetings should be conducted in a place open to the public has been outweighed by the need to keep the information, matter and discussion confidential."

CARRIED

Councillor Boon returned to the meeting at 9.11pm.

20.3 Moved Councillor Strudwicke Seconded Councillor Lush 2022/ 307

"that Council, having considered Item 20.3 – *Contract Extension – Provision of Bulk Haulage Services*, dated 22 August 2022, receives and notes the report and in doing so:

1. Resolve to appoint Quality Construction Services Pty Ltd for the provision of bulk haulage service for a two (2) year period from 1 November 2022 to 31 October 2024 with the same terms and conditions as contained in Attachment 1 and
2. Authorise the Chief Executive Officer to execute contract extension."

CARRIED UNANIMOUSLY

20.3 Moved Councillor Keen Seconded Councillor Maiolo 2022/ 308

"that Council, having considered the matter of Agenda Item 20.3 – *Contract Extension – Provision of Bulk Haulage Services* in confidence under sections 90(2) and 90(3)(d)(i) of the *Local Government Act 1999*, resolves:

1. That Attachment 1 remains confidential and not available for public inspection until further order of Council
2. Pursuant to section 91(9)(a) of the *Local Government Act 1999*, the confidentiality of the matter will be reviewed every 12 months and
3. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, Council delegates the power to revoke this confidentiality order to the Chief Executive Officer."

CARRIED

20.4 Gawler River Floodplain Management Authority – August 2022 Update

Moved Councillor Keen Seconded Councillor Boon 2022/ 309

"that:

1. Pursuant to section 90(2) of the *Local Government Act 1999*, Council orders that all members of the public, except Chief Executive Officer, General Manager – Finance and Business, General Manager – Infrastructure and Environment, General Manager – Development and Community, Acting General Manager – Governance and Executive Office, Manager Governance and Administration, Marketing and Communications Officer, Administration and Executive Support Officer/Minute Taker, Information

or: mm Wesley
Date: 26/9/2022

Date: 26/9/2022