

MINUTES

of

Ordinary Council Meeting



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

HELD

by electronic means

on

Tuesday 26 April 2022 at 6.30pm

The Mayor formally declared the meeting open at 6.31pm.

1. ATTENDANCE RECORD

1.1 Present:

Mayor Mark Wasley		<i>by electronic means</i>
Councillor Marcus Strudwicke	Mallala/Dublin Ward	<i>by electronic means</i>
Councillor John Lush	Mallala/Dublin Ward	<i>by electronic means</i>
Councillor Terry-Anne Keen	Mallala/Dublin Ward	<i>by electronic means</i>
Councillor Kay Boon	Two Wells Ward	<i>by electronic means</i>
Councillor Joe Daniele (<i>from 6.40pm</i>)	Two Wells Ward	<i>by electronic means</i>
Councillor Margherita Panella	Lewiston Ward	<i>by electronic means</i>
Councillor Brian Parker	Lewiston Ward	<i>by electronic means</i>
Councillor Carmine Di Troia	Lewiston Ward	<i>by electronic means</i>

Also in attendance by electronic means:

Chief Executive Officer	Mr James Miller
General Manager – Governance and Executive Office	Ms Sheree Schenk
General Manager – Infrastructure and Environment	Mr Thomas Jones
General Manager – Finance and Business	Mr Rajith Udugampola
Acting General Manager – Development and Community	Mr Brendon Schulz
Manager Governance and Administration/Minute Taker	Ms Alyssa Denicola
Strategic Project Officer (<i>for Item 14.4</i>)	Mr David Bailey
Property Officer (<i>for Item 21.2</i>)	Mr Robert Adam
Information Support Technology Officer	Mr Sean Murphy
Chief Executive Officer, Legatus Group (<i>for Item 14.2</i>)	Mr Simon Millcock

1.2 Apologies

Councillor Frank Maiolo	Two Wells Ward
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2. CONFIRMATION OF MINUTES

2.1 Confirmation of Council Minutes – Ordinary Council Meeting held 28 March 2022

Moved Councillor Parker Seconded Councillor Di Troia 2022/ 087

“that the minutes of the Ordinary Council Meeting held on 28 March 2022 (MB Folios 17549 to 17559 inclusive), be accepted as read and confirmed.”

CARRIED

3. BUSINESS ARISING

Nil

4. PUBLIC OPEN FORUM

Pursuant to Council's *Code of Practice – Meeting Procedures*, Council did not facilitate the holding of Public Open Forum due to the COVID-19 public health emergency.

5. DECLARATION OF MEMBERS' INTEREST

Councillor Parker declared a perceived conflict of interest in relation to Item 14.4 – *Dog Registration Fees 2022/2023*, on the basis that he is the President of Dogs SA, and indicated that he would deal with the perceived conflict of interest by disconnecting from the meeting for consideration of this item.

6. ADJOURNED BUSINESS

Nil

7. MAYOR'S REPORT

7.1 Mayor's Report

Reporting Period – Thursday 24 March 2022 to Thursday 21 April 2022

Friday 25 March 2022

Meeting – Mayor/Chief Executive Officer – Various Matters

Monday 28 March 2022

Pre-Council Meeting – Mayor/Chief Executive Officer/Executive Management Team
Ordinary Council Meeting

Monday 11 April 2022

Audit Committee Meeting

Tuesday 12 April 2022

Meeting – Mayor/Chief Executive Officer – Various Matters

Wednesday 13 April 2022

LGA Briefing – Local Government Reform – Zoom

Tuesday 19 April 2022

Meeting – Potential Motion to April Ordinary Council Meeting – Mayor/Councillor/Chief Executive Officer/General Manager – Governance and Executive Office/General Manager – Infrastructure and Environment

Meeting – Potential Motion to April Ordinary Council Meeting – Mayor/Councillor/Chief Executive Officer/General Manager – Governance and Executive Office

Council Member Information/Briefing Session – Draft Annual Business Plan and Budget

Wednesday 20 April 2022

Light and Adelaide Plains Region Economic Development Authority Meeting – Adelaide Plains Council and Light Regional Council Chief Executive Officers, Mayors and Deputy Mayors

8. REQUESTED DOCUMENTS/CORRESPONDENCE TO BE TABLED

Nil

9. DEPUTATIONS

- 9.1 Mr Alvin Jenkin, Spokesperson for Coalition of Coastal Communities (CCC) gave a 15 minute deputation in relation to the CCC's Strategic Plan, including questions from Council Members.

Councillor Panella disconnected from the meeting at 6.37pm.

Councillor Daniele connected to the meeting at 6.40pm.

Councillor Panella reconnected to the meeting at 6.43pm.

- 9.2 Ms Anna White and Mr Jack Harris, Spokespersons for the Two Wells Regional Action Team – Christmas Sub-Committee, gave a 15 minute deputation in relation to a request for Council to assist with the Two Wells Twinkling 2022, including questions from Council Members.

Mayor Wasley disconnected from the meeting at 6.59pm.

Mayor Wasley reconnected to the meeting at 7.00pm.

10. PRESENTATIONS/BRIEFINGS

Nil

11. PETITIONS

Nil

12. COMMITTEE MEETINGS

- 12.1 Adelaide Plains Council Historical Committee Meeting – 6 April 2022

Moved Councillor Boon Seconded Councillor Keen 2022/088

“that Council receives and notes the minutes of the Adelaide Plains Council Historical Committee meeting held 6 April 2022.”

CARRIED

12.2 Audit Committee Meeting – 11 April 2022

Moved Councillor Di Troia Seconded Councillor Parker 2022/089

“that Council receives and notes the minutes of the Audit Committee Meeting held 11 April 2022.”

CARRIED

12.2 Moved Councillor Parker Seconded Councillor Boon 2022/090

“that Council endorses resolution 2022/021 of the Audit Committee and in doing so adopts the revised Credit Card Policy as presented at Attachment 2 to this Report.”

CARRIED

12.2 Moved Councillor Di Troia Seconded Councillor Panella 2022/091

“that Council endorses resolution 2022/023 of the Audit Committee and in doing so adopts the revised Treasury Management Policy as presented at Attachment 3 to this Report.”

CARRIED

12.2 Moved Councillor Parker Seconded Councillor Boon 2022/092

“that Council endorses resolution 2022/024 of the Audit Committee and in doing so adopts the revised Funding Policy as presented at Attachment 4 to this Report.”

CARRIED

12.2 Moved Councillor Keen Seconded Councillor Lush 2022/093

“that Council endorses resolution 2022/025 of the Audit Committee and in doing so adopts the revised Internal Financial Control Policy as presented at Attachment 5 to this Report.”

CARRIED

12.2 Moved Councillor Lush Seconded Councillor Parker 2022/094

“that Council endorses resolution 2022/026 of the Audit Committee and in doing so adopts the revised Rates Arrears and Debtor Management Policy as presented at Attachment 6 to this Report.”

CARRIED

12.2 Moved Councillor Keen Seconded Councillor Di Troia 2022/095

“that Council endorses resolution 2022/027 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

13. SUBSIDIARY MEETINGS

Nil

14. REPORTS FOR DECISION

14.1 Draft Annual Business Plan and Budget 2022/2023 – Release for Public Consultation

Moved Councillor Parker Seconded Councillor Daniele 2022/ 096

“that Council, having considered Item 14.1 – *Draft Annual Business Plan and Budget 2022/2023 – Release for Public Consultation*, dated 26 April 2022 receives and notes the report.”

CARRIED

14.1 Moved Councillor Lush Seconded Councillor Parker 2022/ 097

“that Council, having considered Item 14.1 – *Draft Annual Business Plan and Budget 2022/2023 – Release for Public Consultation*, dated 26 April 2022, endorses Audit Committee resolution 2022/019 and in doing so determines, for the purpose of its Draft Annual Business Plan and Budget 2022/2023, an average rate increase of 3.25% noting that same will be the subject of public consultation in accordance with the *Local Government Act 1999*.”

CARRIED

14.1 Moved Councillor Strudwicke Seconded Councillor Parker 2022/ 098

Councillor Boon disconnected from the meeting at 7.46pm.

Councillor Boon reconnected to the meeting at 7.47pm.

“that Council, having considered Item 14.1 – *Draft Annual Business Plan and Budget 2022/2023 – Release for Public Consultation*, dated 26 April 2022, endorses Audit Committee resolution 2022/020 and in doing so determines, for the purpose of its Draft Annual Business Plan and Budget 2022/2023, a fixed charge increase of 10% noting that same will be the subject of public consultation in accordance with the *Local Government Act 1999*.”

CARRIED

Councillor Daniele called for a division.

The Mayor declared the vote set aside.

Members voting in the **Affirmative**: Councillors Keen, Lush, Parker, Strudwicke, Di Troia and Boon.

Members voting in the **Negative**: Councillors Daniele and Panella.

The Mayor declared the motion **CARRIED**

14.1 Moved Councillor Parker Seconded Councillor Lush 2022/ 099

“that Council, having considered Item 14.1 – *Draft Annual Business Plan and Budget 2022/2023 – Release for Public Consultation*, dated 26 April 2022:

1. Instructs the Chief Executive Officer to undertake public consultation in relation to the Draft Annual Business Plan and Budget for the 2022/2023 Financial Year (presented as Attachment 1 to this Report and subject to Resolution 2022/097 and Recommendation 2022/098 above), in accordance with section 123 of the *Local Government Act 1999* and Council's *Public Consultation Policy*; and
2. Instructs the Chief Executive Officer to bring back a report on the outcome of public consultation for Council's consideration.”

CARRIED

14.2 Legatus Group – Draft Annual Business Plan and Budget 2022/2023

Mr Simon Millcock, Legatus Group Chief Executive Officer gave a 10 minute presentation in relation to the Legatus Group Draft Annual Business Plan and Budget 2022/2023.

Moved Councillor Keen Seconded Councillor Di Troia 2022/ 100

“that Council, having considered Item 14.2 – *Legatus Group – Draft Annual Business Plan and Budget 2022/2023*, dated 26 April 2022, receives and notes the report and in doing so instructs the Chief Executive Officer to advise the Legatus Group that Adelaide Plains Council approves the Draft Annual Business Plan and Budget 2022/2023.”

CARRIED

14.3 Consultation – Draft SAROC Annual Business Plan 2022-2023

Moved Councillor Boon Seconded Councillor Panella 2022/ 101

“that Council, having considered Item 14.3 – *Consultation – Draft SAROC Annual Business Plan 2022-2023*, dated 26 April 2022, receives and notes the report and acknowledges the opportunity to provide feedback on the Draft SAROC Annual Business Plan 2022-2023.”

CARRIED

14.3 Moved Councillor Panella Seconded Councillor Parker 2022/ 102

“that Council, having considered Item “that Council, having considered Item 14.3 – *Consultation – Draft SAROC Annual Business Plan 2022- 2023*, dated 26 April 2022, instructs the Chief Executive Officer to advise SAROC that Adelaide Plains Council supports the Draft SAROC Annual Business Plan 2022-2023 as presented at Attachment 1 to this Report.”

CARRIED

14.3 Moved Councillor Panella Seconded Councillor Daniele 2022/ 103

“that Council, having considered Item “that Council, having considered Item 14.3 – *Consultation – Draft SAROC Annual Business Plan 2022-2023*, dated 26 April 2022, instructs the Chief Executive Officer to advise SAROC that it considers the following issues should be considered priority areas to which SAROC should direct most of its resources and efforts:

1. Coastal management;
2. Circular economy and regional waste management; and
3. Housing supply and affordability.

CARRIED

14.4 Dog Registration Fees 2022/2023

Councillor Parker, having declared a perceived conflict of interest in relation to Item 14.4 – *Dog Registration Fees 2022/2023*, disconnected from the meeting at 8.11pm.

Moved Councillor Keen Seconded Councillor Panella 2022/ 104

“that Council, having considered Item 14.4 – *Dog Registration Fees 2022/2023*, dated 26 April 2022, receives and notes the report and in doing so sets the 2022/2023 registration fee for a:

1. Non-Standard dog at \$75; and
2. Standard dog (desexed and microchipped) at \$37.50 (50% off the Non-Standard dog fee as previously recommended by the Dog and Cat Management Board).”

CARRIED

14.4 Moved Councillor Panella Seconded Councillor Daniele 2022/ 105

“that Council, having considered Item 14.4 – *Dog Registration Fees 2022/2023*, dated 26 April 2022, sets the 2022/2023 dog business registration fees at:

1. \$390 for 1-19 business dogs (no additional rebates)
2. \$505 for 20 or more business dogs (no additional rebates).”

CARRIED

14.4 Moved Councillor Panella Seconded Councillor Keen 2022/ 106

“that Council, having considered Item 14.4 – *Dog Registration Fees 2022/2023*, dated 26 April 2022, offers an Assistance Dog and Assistance Dog in Training registration category in 2022/2023, with no fees, as required by the *Dog and Cat Management Act 1995*.”

CARRIED

14.4 Moved Councillor Boon Seconded Councillor Daniele 2022/ 107

“that Council, having considered Item 14.4 – *Dog Registration Fees 2022/2023*, dated 26 April 2022, offers the following discretionary dog registration fee rebates in 2022/2023:

1. Working livestock dog – \$32 flat fee (no additional rebates)
2. Racing greyhound – \$32 flat fee (no additional rebates)
3. Concession card – 50%.”

CARRIED

14.4 Moved Councillor Daniele Seconded Councillor Panella 2022/ 108

“that Council, having considered Item 14.4 – *Dog Registration Fees 2022/2023*, dated 26 April 2022, offers dog registration fee rebates in 2022/2023 to holders of the following Centrelink concession cards :

1. DVA Gold Card
2. Pensioner Card – All
3. Seniors Health Card.”

CARRIED

- 14.4 Moved Councillor Keen Seconded Councillor Panella 2022/ 109
 “that Council, having considered Item 14.4 – *Dog Registration Fees 2022/2023*, dated 26 April 2022, sets the following dog management fees for 2022/2023:

1. Late registration – \$25
2. Impounding – \$65
3. Daily pound holding – \$25 Weekday and \$40 Weekends.”

CARRIED

- 14.4 Moved Councillor Panella Seconded Councillor Keen 2022/ 110
 “that Council, having considered Item 14.4 – *Dog Registration Fees 2022/2023*, dated 26 April 2022, sets the surrender fee for 2022/2023 to match the re-homing fee set by the Animal Welfare League (AWL) for 2022/2023 and provided by the AWL to Council prior to 30 June 2022.”

CARRIED

Councillor Parker reconnected to the meeting at 8.18pm.

- 14.5 Parham Float Parking
 Moved Councillor Di Troia Seconded Councillor Boon 2022/ 111
 “that Council, having considered Item 14.5 – *Parham Float Parking*, dated 26 April 2022, receives and notes the report and in doing so:

1. Affirms the strategic value of horses for recreation and visitors on a day by day basis and for events and that a preferred option for float parking is needed;
2. Notes the Background and Options – Parham Float Parking Paper in Attachment 1 to this Report includes:
 - a. Two float/car park options on Council land for further engagement to inform a preferred option:
 - i. Main Street western portion;
 - ii. West of Social Club;
 - b. A proposed upgrade to create a Levee Trail including for use by horses;
 - c. A draft Rider Information Sheet;
 - d. Information about Council’s approach to horse events;
 - e. An intent to install ‘Beware Horses’ signs;
3. Authorises the Chief Executive Officer to undertake editorial to the draft Background and Options Parham Float Parking Paper in Attachment 1 to this Report to make it suitable to inform consultation; and
4. Instructs the Chief Executive Officer to undertake public consultation in accordance with Council’s *Public Consultation Policy* and to bring back a subsequent report to Council.”

CARRIED

14.6 Two Wells Land Division – Road Naming

Moved Councillor Boon Seconded Councillor Panella 2022/ 112

“that Council, having considered Item 14.6 – *Two Wells Land Division – Road Naming*, dated 26 April 2022, receives and notes the report and in doing so assigns the road name Arnold Court to the road reserve marked with red line in Attachment 1, being Fisher Street to 170m South of Fisher Street.”

CARRIED

14.7 Audit Committee – Independent Membership and Sitting Fees

Moved Councillor Parker Seconded Councillor Keen 2022/ 113

“that Council, having considered Item 14.7 – *Audit Committee – Independent Membership and Sitting Fees*, dated 26 April 2022, receives and notes the report and in doing so extends the appointment of Mr Alan Rushbrook and Mr Peter Fairlie-Jones as Independent Members of the Audit Committee until 30 November 2024.”

CARRIED

14.7 Moved Councillor Keen Seconded Councillor Di Troia 2022/ 114

“that Council, having considered Item 14.7 – *Audit Committee – Independent Membership and Sitting Fees*, dated 26 April 2022, appoints Mr Alan Rushbrook as the Independent Chairperson of the Audit Committee until 30 November 2024.”

CARRIED

14.7 Moved Councillor Boon Seconded Councillor Panella 2022/ 115

“that Council, having considered Item 14.7 – *Audit Committee – Independent Membership and Sitting Fees*, dated 26 April 2022, determines the following Audit Committee sitting fees (exclusive of GST) effective from 1 July 2022:

1. Independent Chairperson - \$1,075 per meeting
2. Independent Member (non-Chairperson) - \$645 per meeting.”

CARRIED

15. REPORTS FOR INFORMATION

15.1 Council Resolutions – Status Report

Moved Councillor Boon Seconded Councillor Parker 2022/ 116

“that Council, having considered Item 15.1 – *Council Resolutions – Status Report*, dated 26 April 2022, receives and notes the report.”

CARRIED

15.2 Infrastructure and Environment Department – Monthly Report – April 2022

Moved Councillor Keen Seconded Councillor Di Troia 2022/ 117

“that Council, having considered Item 15.2 – *Infrastructure and Environment Department – Monthly Report – April 2022*, dated 26 April 2022, receives and notes the report.”

CARRIED

15.3 Amendments to the Local Government (Elections) Act 1999 – LG Reform

Moved Councillor Parker Seconded Councillor Daniele 2022/ 118

“that Council, having considered Item 15.3 – *Amendments to the Local Government (Elections) Act 1999 – LG Reform*, dated 26 April 2022, receives and notes the report.”

CARRIED

15.4 Library and Community Services Report – January to March 2022

Moved Councillor Boon Seconded Councillor Daniele 2022/ 119

“that Council, having considered Item 15.4 – *Library and Community Services Report – January to March 2022*, dated 26 April 2022, receives and notes the report.”

CARRIED

16. QUESTIONS ON NOTICE

Nil

17. QUESTIONS WITHOUT NOTICE

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

18. MOTIONS ON NOTICE

Nil

19. MOTIONS WITHOUT NOTICE

Nil

20. URGENT BUSINESS

Nil

21. CONFIDENTIAL ITEMS

21.1 Crown Land, Two Wells – April 2022

Moved Councillor Di Troia

Seconded Councillor Boon

2022/ 120

“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 – Governance and Executive Office, General Manager – Finance and Business, General Manager – Infrastructure and Environment, Acting General Manager – Development and Community, Manager Governance and Administration/Minute Taker and Information Technology Support Officer be excluded from attendance at the meeting of Council for Agenda Item 21.1 – *Crown Land, Two Wells – April 2022*;
2. Council is satisfied that pursuant to section 90(3)(b) of the *Local Government Act 1999*, Item 21.1 – *Crown Land, Two Wells – April 2022* 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 and would on balance be contrary to the public interest; 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

21.1 Moved Councillor Keen Seconded Councillor Boon 2022/ 122

“that Council, having considered the matter of Item 21.1 – *Crown Land, Two Wells – April 2022* in confidence under sections 90(2) and 90(3)(b) of the *Local Government Act 1999*, resolves that:

1. The report and Attachment 1 and the minutes of this meeting pertaining to Item 21.1 – *Crown Land, Two Wells – April 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 Committee delegates the power to revoke this confidentiality order to the Chief Executive Officer.”

CARRIED

21.2 Parham Camping Reserve – Management and Road Closure

Moved Councillor Daniele Seconded Councillor Lush 2022/ 123

“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 – Governance and Executive Office, General Manager – Finance and Business, General Manager – Infrastructure and Environment, General Manager – Development and Community, Manager Governance/Minute Taker and Administration, Property Officer and Information Technology Support Officer be excluded from attendance at the meeting of Council for Agenda Item 21.2 – *Parham Camping Reserve – Management and Road Closure*;
2. Council is satisfied that pursuant to section 90(3)(b) of the *Local Government Act 1999*, Item 21.2 – *Parham Camping Reserve – Management and Road Closure* concerns commercial information the disclosure of which could reasonably be expected to prejudice the commercial position of Council, being information relating to ongoing negotiations regarding management of the Parham Camping Reserve and would on balance be contrary to the public interest; 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

21.2 Moved Councillor Lush Seconded Councillor Parker 2022/ 124

“that Council, having considered Item 21.2 – *Parham Camping Reserve – Management and Road Closure*, dated 26 April 2022, receives and notes the report and in doing so:

1. Instructs the Chief Executive Officer to undertake a road closure pursuant to Section 5 of the *Roads (Opening and Closing) Act 1991* in relation to the relevant Portion of Esplanade, Parham; and
2. Acknowledges that a budget variation of \$10,000 will be incorporated into the third quarter budget review 2021/2022.”

CARRIED

21.2 Moved Councillor Keen Seconded Councillor Boon 2022/ 125

“that Council, having considered Item 21.2 – *Parham Camping Reserve – Management and Road Closure*, dated 26 April 2022, receives and notes the report and in doing so instructs the Chief Executive Officer to:

1. Undertake public consultation, pursuant to Section 223 of the *Local Government Act 1999* and Council’s *Public Consultation Policy*, in relation to the Draft Permit (presented at Attachment 1 to this Report) to the Mallala and Districts Lions Club to authorise the use of a public road for business purposes pursuant to Section 222 of the *Local Government Act*; and
2. If:
 - a. Any submissions are received, bring back a report for Council to consider same; or
 - b. No submissions are received, finalise the Draft Permit and issue same to the Mallala and Districts Lions Club.”

CARRIED

21.2 Moved Councillor Keen Seconded Councillor Di Troia 2022/ 126

“that Council, having considered the matter of Item 21.2 – *Parham Camping Reserve – Management and Road Closure*, in confidence under sections 90(2) and 90(3)(b) of the *Local Government Act 1999*, resolves that:

1. The report pertaining to Item 21.2 – *Parham Camping Reserve – Management and Road Closure* 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 Committee delegates the power to revoke this confidentiality order to the Chief Executive Officer.”

CARRIED

There being no further business, the Mayor declared the meeting closed at 9.23pm.

Confirmed as a true record.

Mayor:

Date: ____/____/____