

MINUTES

of the

Ordinary Council Meeting



Held, pursuant to the provisions of the
Local Government Act 1999, in the

Council Chamber
Redbanks Road
Mallala

on

Monday 23 October 2023 at 4.30pm

A handwritten signature in blue ink, appearing to be "A. M. A.", located in the bottom right corner of the page.

The Acting Mayor formally declared the meeting open at 4.30pm.

1 ACKNOWLEDGEMENT OF COUNTRY

Council acknowledges that we meet on the traditional country of the Kurna people of the Adelaide Plains and pays respect to elders past, present and emerging. We recognise and respect their cultural heritage, beliefs and relationship with the land and we acknowledge that they are of continuing importance to the Kurna people living today.

2 ATTENDANCE RECORD

Present:

Acting Mayor Marcus Strudwicke

Councillor Alana Bombardieri

Councillor Kay Boon

Councillor Terry-Anne Keen

Councillor Dante Mazzeo

Councillor Margherita Panella

Councillor David Paton

Councillor Eddie Stubing

Staff in Attendance:

Chief Executive Officer

Director Corporate Services

Director Finance

Director Growth and Investment

Director Infrastructure and Environment

Group Manager – Development and Community

Executive Assistant to the CEO and Mayor/Minute Taker

Administration Support Officer Infrastructure and Environment

Information Technology Officer

Marketing and Communications Officer

Mr James Miller

Ms Sheree Schenk

Mr Rajith Udugampola

Mr Darren Starr

Mr Thomas Jones

Mr Michael Ravno

Ms Susan Cook

Ms Lauren Bywaters

Mr Sean Murphy

Ms Clarisse Semler-Hanlon

Apologies:

Mayor Mark Wasley (Leave of Absence)



3 MINUTES**3.1 CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING - 25 SEPTEMBER 2023****RESOLUTION 2023/303****Moved: Councillor Keen****Seconded: Councillor Boon****"that the minutes of Ordinary Council Meeting held on 25 September 2023 be confirmed."****CARRIED****4 BUSINESS ARISING**

Nil

5 DECLARATION OF MEMBERS' INTEREST

Nil

6 ADJOURNED BUSINESS

Nil

7 MAYOR'S REPORT**7.1 MAYOR'S REPORT - OCTOBER 2023****RESOLUTION 2023/304****Moved: Councillor Mazzeo****Seconded: Councillor Boon****"that Council, having considered Item 7.1 – Mayor's Report – October 2023, dated 23 October 2023, receives and notes the report."****CARRIED****7.2 ACTING MAYOR'S REPORT - OCTOBER 2023****RESOLUTION 2023/305****Moved: Councillor Keen****Seconded: Councillor Mazzeo****"that Council, having considered Item 7.2 – Mayor's Report – October 2023, dated 23 October 2023, receives and notes the report."****CARRIED**
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8 REQUESTED DOCUMENTS/CORRESPONDENCE TO BE TABLED

Nil

9 DEPUTATIONS**9.1 DEPUTATION - JACK HARRIS - THE PLAINS COMMUNITY GROUP****RESOLUTION 2023/306****Moved: Councillor Keen****Seconded: Councillor Stubing**

"following a request from Mr Jack Harris, Council adjourns Item 9.1 Deputation Request – Jack Harris – The Plains Community Group."

CARRIED**10 PRESENTATIONS/BRIEFINGS**

Nil

11 PETITIONS

Nil

12 COMMITTEE MEETING MINUTES**12.1 MINUTES OF THE ADELAIDE PLAINS COUNCIL HISTORICAL COMMITTEE MEETING HELD 7 SEPTEMBER 2023****RESOLUTION 2023/307****Moved: Councillor Boon****Seconded: Councillor Mazzeo**

"that Council receives and notes the minutes of the Minutes of the Adelaide Plains Council Historical Committee Meeting held 7 September 2023."

CARRIED**12.2 MINUTES OF THE ADELAIDE PLAINS COUNCIL HISTORICAL COMMITTEE MEETING HELD 5 OCTOBER 2023****RESOLUTION 2023/308****Moved: Councillor Keen****Seconded: Councillor Mazzeo**

"that Council receives and notes the minutes of the Minutes of the Adelaide Plains Council Historical Committee Meeting held 5 October 2023."

CARRIED

13 SUBSIDIARY MEETINGS

Nil

14 REPORTS FOR DECISION**14.1 ANNUAL REPORT 2022/2023****RESOLUTION 2023/309****Moved: Councillor Boon****Seconded: Councillor Keen**

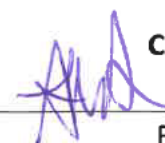
"that Council, having considered Item 14.1 – *Annual Report 2022/2023*, dated 23 October 2023, receives and notes the report and in doing so: -

- 1. Adopts the Annual Report 2022/2023 as presented in Attachment 1 to this report, subject to endorsement (and inclusion) of the 2022/2023 Audited Annual Financial Statements; and**
- 2. Authorises the Chief Executive Officer to:**
 - a. Insert the relevant statistical and factual data associated with the confidential items reporting requirements outlined in Regulation 35(1) of the *Local Government (General) Regulations 2013*; and**
 - b. Make any necessary final minor, administrative and/or design amendments to the Annual Report."**

CARRIED**14.2 DIGITAL MEDIA STRATEGY 2023-2024****RESOLUTION 2023/310****Moved: Councillor Bombardieri****Seconded: Councillor Paton**

"that Council, having considered Item 14.2–*Digital Media Strategy 2023-2024*, dated 23 October 2023, receives and notes the report and in doing so:

- 1. Adopts the Digital Media Strategy as presented at Attachment 1 to this report, noting that the Chief Executive Officer may make amendments as required to ensure that Council's digital media is effectively and efficiently managed and moderated to meet the digital communication needs and expectations of our community;**
- 2. Instructs the Chief Executive Officer to launch Adelaide Plains Council social media profiles (Facebook and Instagram) on 24 October 2023; and**
- 3. Acknowledges that further progress updates will be provided to Council in relation to its social media profiles, as required."**

CARRIED

14.3 POLICY REVIEW - SOCIAL MEDIA POLICY AND MEDIA POLICY**RESOLUTION 2023/311****Moved: Councillor Boon****Seconded: Councillor Mazzeo**

"that Council, having considered Item 14.3—*Policy Review - Social Media Policy and Media Policy*, dated 23 October 2023, receives and notes the report and in doing so adopts the revised *Social Media Policy* as presented as Attachment 1 to this report."

CARRIED**RESOLUTION 2023/312****Moved: Councillor Keen****Seconded: Councillor Boon**

"that Council, having considered Item 14.3—*Policy Review - Social Media Policy and Media Policy*, dated 23 October 2023, adopts the revised *Media Policy* as presented as Attachment 2 to this report."

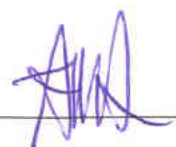
CARRIED**14.4 COUNCIL MEMBER - BEHAVIOURAL MANAGEMENT POLICY****RESOLUTION 2023/313****Moved: Councillor Mazzeo****Seconded: Councillor Stubing**

"that Council, having considered Item 14.4 —*Council Member - Behavioural Management Policy*, dated 23 October 2023, receives and notes the report."

CARRIED**RESOLUTION 2023/314****Moved: Councillor Boon****Seconded: Councillor Stubing**

"that Council, having considered Item 14.4 —*Council Member - Behavioural Management Policy*, dated 23 October 2023, and having reviewed the operational effectiveness of its existing *Behavioural Management Policy* (LGA Model) in accordance with section 262B(7) of the *Local Government Act 1999*:

- 1. Resolves to continue operating under the existing *Behavioural Management Policy* (LGA Model); and**
- 2. Acknowledges that a substantive review of the *Behavioural Management Policy* (LGA Model) will be undertaken in accordance with Council's Policy Review Schedule, or as otherwise required by legislative change."**

CARRIED

14.5 HOURS OF OPERATION – CHRISTMAS 2023**RESOLUTION 2023/315****Moved: Councillor Keen****Seconded: Councillor Paton**

“that Council, having considered Item 14.5–*Hours of Operation – Christmas 2023*, dated 23 October 2023, receives and notes the report and in doing so resolves the following hours of operation for the Christmas and New Year 2023/2024 period:

- 1. Mallala Principal Office, Two Wells Service Centre and Mallala Depot Administration to close at 12:00pm on Friday, 22 December 2023 and re-open at 9:00am on Tuesday, 2 January 2024.**
- 2. Two Wells Library to close at 5:00pm on Thursday, 21 December 2023 and re-open at 9:00am on Tuesday, 2 January 2024.**
- 3. Mallala Library to close at 12:00pm on Wednesday, 20 December 2023 and re-open at 10:00am on Wednesday, 3 January 2024.**
- 4. Two Wells Transfer Station to close at 3:30pm on Wednesday, 20 December 2023 and re-open at 9:00am on Saturday, 30 December 2023.”**

CARRIED**14.6 SUBMISSION TO GREATER ADELAIDE REGIONAL PLAN DISCUSSION PAPER****RESOLUTION 2023/316****Moved: Councillor Boon****Seconded: Councillor Mazzeo**

“that Council, having considered Item 14.6 – *Submission to Greater Adelaide Regional Plan Discussion Paper*, dated 23 October 2023, receives and notes the report and in doing so instructs the Chief Executive Officer to prepare a submission to the State Planning Commission based on the attached discussion paper and points raised within the body of this report, including: -

- Residential and Employment Growth;**
- Two Wells Growth;**
- Two Wells/Lewiston Rural Living and Animal Husbandry;**
- Dublin and Mallala;**
- Productive Land;**
- Open Space Proposals;**
- Environment Proposals;**
- Infrastructure Planning;**



- Hazard Management; and
- Private Land Investigation.”

CARRIED

14.7 RECRUITMENT OF AN INDEPENDENT MEMBER - INFRASTRUCTURE AND ENVIRONMENT COMMITTEE

RESOLUTION 2023/317

Moved: Councillor Keen

Seconded: Councillor Mazzeo

“that Council, having considered Item 14.7 – *Recruitment of an Independent Member - Infrastructure and Environment Committee*, dated 23 October 2023, receives and notes the report and in doing so instructs the Chief Executive Officer to undertake an Expressions Of Interest process for one (1) vacant independent member position on Council’s Infrastructure and Environment Committee and bring a report back to Council in order for Council to consider appointing a second independent member to the Committee.”

CARRIED

14.8 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM FUNDING

RESOLUTION 2023/318

Moved: Councillor Paton

Seconded: Councillor Stubing

“that Council, having considered Item 14.8–*Local Roads and Community Infrastructure Program Funding*, dated 23 October 2023, receives and notes the report and in doing so; -

1. Allocates the Local Roads and Community Infrastructure Program Round 4 Part B - \$199,268 to Hart Road construct and seal project (Port Wakefield Road to Devon Road);
2. Instructs the Chief Executive Officer to apply for Heavy Vehicle Safety and Productivity Program funding for the Hart Road construct and seal project (Port Wakefield Road to Devon Road); and
3. Instructs the Chief Executive Officer to bring back a report outlining the outcome of the funding application.”

CARRIED



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14.9 SIGNAGE AND WAYFINDING DESIGN STRATEGY**RESOLUTION 2023/319**

Moved: Councillor Boon

Seconded: Councillor Paton

"that Council, having considered Item 14.9–*Signage and Wayfinding Design Strategy*, dated 23 October 2023, receives and notes the report and in doing so: -

1. Adopts the Signage and Wayfinding Design Strategy as presented in Attachment 1 to this report; and
2. Authorises the Chief Executive Officer to make any necessary minor and administrative amendments to the Signage and Wayfinding Design Strategy."

CARRIED

15 REPORTS FOR INFORMATION**15.1 COUNCIL RESOLUTIONS - STATUS UPDATE****RESOLUTION 2023/320**

Moved: Councillor Keen

Seconded: Councillor Mazzeo

"that Council, having considered Item 15.1 – *Council Resolutions - Status Update*, dated 23 October 2023, receives and notes the report."

CARRIED

15.2 RESIGNATION OF ELECTED MEMBER COUNCILLOR JOHN LUSH**RESOLUTION 2023/321**

Moved: Councillor Keen

Seconded: Councillor Boon

"that Council, having considered Item 15.2 – *Resignation of Elected Member Councillor John Lush*, dated 23 October 2023, receives and notes the report."

CARRIED



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15.3 OMBUDSMAN SA FINDINGS**RESOLUTION 2023/322**

Moved: Councillor Keen

Seconded: Councillor Boon

"that Council, having considered Item 15.3–*Ombudsman SA Findings*, dated 23 October 2023, receives and notes the report."

CARRIED

15.4 TWO WELLS RECREATION AND SPORT PRECINCT MASTER PLAN UPDATE**RESOLUTION 2023/323**

Moved: Councillor Boon

Seconded: Councillor Mazzeo

"that Council, having considered Item 15.4 – *Two Wells Recreation and Sport Precinct Master Plan Update*, dated 23 October 2023, receives and notes the report."

CARRIED

15.5 WINDSOR INSTITUTE STATUS**RESOLUTION 2023/324**

Moved: Councillor Boon

Seconded: Councillor Mazzeo

"that Council, having considered Item 15.5 – *Windsor Institute Status*, dated 23 October 2023, receives and notes the report."

CARRIED

RESOLUTION 2023/325

Moved: Councillor Panella

Seconded: Councillor Keen

"that Council, having considered Item 15.5 – *Windsor Institute Status*, instructs the CEO to :-

1. Secure possession of all historical items including the machine gun, honour boards, photos and documentation.
2. Bring back a report to Council outlining the cost schedule of repairs sufficient to enable safe public access."

CARRIED



Councillor Paton declared an interest as a member of a trust interested in the potential purchase of the Windsor Institute should it become available for sale.

15.6 LIBRARY AND COMMUNITY QUARTERLY REPORT – JULY TO SEPTEMBER 2023

5:31pm Councillor Mazzeo left the meeting.

RESOLUTION 2023/326

Moved: Councillor Boon

Seconded: Councillor Bombardieri

“that Council, having considered Item 15.6 – *Library and Community Quarterly Report – July to September 2023*, dated 23 October 2023, receives and notes the Report.”

CARRIED

15.7 CAPITAL WORKS AND OPERATING PROGRAM MONTHLY UPDATE – OCTOBER 2023

RESOLUTION 2023/327

Moved: Councillor Boon

Seconded: Councillor Bombardieri

“that Council, having considered Item 15.7 – *Capital Works and Operating Program Monthly Update – October 2023*, dated 23 October 2023, receives and notes the report.”

CARRIED

15.8 SALT CREEK REMEDIATION

RESOLUTION 2023/328

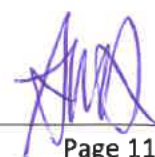
Moved: Councillor Keen

Seconded: Councillor Bombardieri

“that Council, having considered Item 15.8 – *Salt Creek Remediation*, dated 23 October 2023, receives and notes the Report.”

5.34 pm Councillor Mazzeo returned to the meeting.

CARRIED



15.9 ILLEGAL DUMPING**RESOLUTION 2023/329****Moved: Councillor Keen****Seconded: Councillor Paton**

“that Council, having considered Item 15.9 – *Illegal Dumping*, dated 23 October 2023, 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**RESOLUTION 2023/330****Moved: Councillor Keen****Seconded: Councillor Paton**

“that Council send a letter to former Councillor Lush thanking him for his services to Council.”

CARRIED UNANIMOUSLY**20 URGENT BUSINESS**

Nil

21 CONFIDENTIAL ITEMS

Due to availability of invited guests for Item 21.1, the Acting Mayor brought forward Item 21.2.



21.2 TWO WELLS WEST LAND DEVELOPMENT PROPOSAL**RESOLUTION 2023/331**

Moved: Councillor Keen

Seconded: Councillor Paton

“that:

1. Pursuant to section 90(2) of the *Local Government Act 1999*, the Council orders that all members of the public, except Chief Executive Officer, Director Corporate Services, Director Finance, Director Infrastructure and Environment, Director Growth and Investment, Group Manager Development and Community, Executive Assistant to the Chief Executive Officer and Mayor/Minute Taker, Information Technology Officer, Administration Support Officer Infrastructure and Environment be excluded from attendance at the meeting of Council for Item *21.2 Two Wells West Land Development Proposal*;
2. Council is satisfied that pursuant to section 90(3)(d) of the *Local Government Act 1999*, Item *21.2 Two Wells West Land Development Proposal* concerns 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.; 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.”

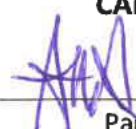
CARRIED



RESOLUTION 2023/335**Moved: Councillor Keen****Seconded: Councillor Mazzeo**

“that Council, having considered the matter of Item 21.2 *Two Wells West Land Development Proposal* in confidence under section 90(2) and 90(3)(d) of the *Local Government Act 1999*, resolves that:-

- 1. Pursuant to section 91(7), the report, Attachment 1 and the minutes pertaining to Item 21.2 *Two Wells West Land Development Proposal*, remain confidential and not available 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 (twelve) 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

21.1 TWO WELLS TOWN CENTRE DEVELOPMENT - LAND FACILITATION AGREEMENT (TERM SHEET) BETWEEN PREFERRED PROPONENT AND ADELAIDE PLAINS COUNCIL**RESOLUTION 2023/336****Moved: Councillor Keen****Seconded: Councillor Mazzeo****“that:**

- 1. Pursuant to section 90(2) of the *Local Government Act 1999*, the Council orders that all members of the public, except Chief Executive Officer, Director Corporate Services, Director Finance, Director Infrastructure and Environment, Director Growth and Investment, Group Manager Development and Community, Ms Yari McCall, Special Counsel, Norman Waterhouse Lawyers, Mr Declan McCarron, Solicitor, Norman Waterhouse Lawyers, Mr Ben Koop, Principal, Alinea Group, Executive Assistant to the Chief Executive Officer and Mayor/Minute Taker, Information Technology Officer, Administration Support Officer Infrastructure and Environment be excluded from attendance at the meeting of Council for Item 21.1 *Two Wells Town Centre Development - Land Facilitation Agreement (Term Sheet) between Preferred Proponent and Adelaide Plains Council*;**
- 2. Council is satisfied that pursuant to section 90(3)(b) of the *Local Government Act 1999*, Item 21.1 *Two Wells Town Centre Development - Land Facilitation Agreement (Term Sheet) between Preferred Proponent and Adelaide Plains Council* concerns information of a confidential nature, the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and**
- 3. Council is satisfied of 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

RESOLUTION 2023/338**Moved: Councillor Mazzeo****Seconded: Councillor Keen**

"that Council, having considered the matter of Item 21.1 *Two Wells Town Centre Development - Land Facilitation Agreement (Term Sheet) between Preferred Proponent and Adelaide Plains Council* in confidence under section 90(2) and 90(3)(b) of the *Local Government Act 1999*, resolves that:-

- 1. Pursuant to section 91(7), the report, Attachment 1 and the minutes pertaining to Item 21.1 *Two Wells Town Centre Development - Land Facilitation Agreement (Term Sheet) between Preferred Proponent and Adelaide Plains Council*, 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 twelve (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**22 CLOSURE**

There being no further business, the Acting Mayor declared the meeting closed at 6.21pm.

Confirmed as a true record.

Mayor:.....

Date: 27/11/2023