

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 28 October 2019 at 6:00pm

The Mayor formally declared the meeting open at 6:00pm.

1. ATTENDANCE RECORD

1.1 Present:

Mayor Mark Wasley	
Councillor Marcus Strudwicke	Mallala/Dublin Ward
Councillor John Lush	Mallala/Dublin Ward
Councillor Terry-Anne Keen (from 6.17pm)	Mallala/Dublin Ward
Councillor Kay Boon	Two Wells Ward
Councillor Joe Daniele	Two Wells Ward
Councillor Frank Maiolo	Two Wells Ward
Councillor Margherita Panella	Lewiston Ward
Councillor Brian Parker	Lewiston Ward
Councillor Carmine Di Troia	Lewiston Ward

Also in Attendance:

Chief Executive Officer	Mr James Miller
General Manager – Governance and Executive Office	Ms Sheree Schenk
General Manager – Development and Community	Mr Robert Veitch
General Manager – Finance and Business	Mr Rajith Udugampola
Acting General Manager – Infrastructure and Environment	Ms Allison Down
Manager Governance and Administration/Minute Taker	Ms Alyssa Denicola
Community Development Officer	Ms Lynette Seccafien

1.2 Apologies/Not Present:

Nil

2. CONFIRMATION OF MINUTES

2.1 Confirmation of Council Minutes – Ordinary Council Meeting held on 23 September 2019

Moved Councillor Parker Seconded Councillor Maiolo **2019/ 417**

“that the minutes of the Ordinary Council Meeting held on 23 September 2019 (MB Folios 16968 to 16991 inclusive), be accepted as read and confirmed.”

CARRIED

3. BUSINESS ARISING

Nil

4. PUBLIC OPEN FORUM

The Mayor, with approval of two-thirds of members present suspended the meeting procedures pursuant to Regulation 20(1) of the *Local Government (Procedures at Meetings) Regulations 2013*, for a period of time sufficient to facilitate ‘Public Open Forum’.

The meeting was suspended at 6.02pm.

Greville Knight – Mallala

- Roadside slashing works

Tara McFayden – Lewiston

- Roadside drainage and house flooding
- Animal keeping issues (goats)
- Officers entering property

Alvin Jenkin – Parham

- Communication with Council
- Abandoned Vehicles
- Compliment regarding parks and gardens

Mick Tennant – Two Wells

- Drainage and tree planting
- Bakers Road fencing

David Groves – Two Wells

- Support for Item 14.7 – Draft By-law 6 – Motor Cycle Amenity – Public Consultation

The meeting resumed at 6.25pm.

5. DECLARATION OF MEMBERS' INTEREST

Mayor Wasley indicated that he would declare an interest in relation to Item 21.3 – Council Owned Units, Mallala – Rent Setting, prior to the Item being dealt with.

6. ADJOURNED BUSINESS

Nil

7. MAYOR'S REPORT

7.1 Mayor's Report

Reporting Period – Thursday 19 September 2019 to Wednesday 23 October 2019

Thursday 19 September 2019

Meeting – Mayor and Chief Executive Officer – Various Matters

Monday 23 September 2019

Pre-Council Meeting – Mayor, Chief Executive Officer and General Managers

Ordinary Council Meeting

Tuesday 24 September 2019

Friends of Middle Beach Meeting

Thursday 26 September 2019

Morning Tea and Tour of Xavier College – Mayor, Chief Executive Officer, General Manager Governance and Executive Office, General Manager Development and Community

Sunday 29 September 2019

Two Wells Bowling Club Opening

Tuesday 1 October 2019

Meeting – Mayor and Chief Executive Officer – Various Matters

Friday 4 October 2019

Port Parham Foreshore Meeting – Mayor, Chief Executive Officer, Representatives of Parham and District Action Group

Tuesday 8 October 2019

Pre-Meeting – Mayor, Chief Executive Officer and General Managers
Infrastructure and Environment Committee Meeting

Thursday 10 October 2019

Meeting – Mayor and Chief Executive Officer – Various Matters

Monday 14 October 2019

Plains Producer Photo-shoot – Mallala and Districts Lions Club

Tuesday 15 October 2019

Coastal Councils Executive Committee Meeting

Meeting – Regional Water Security – Mayor, Chief Executive Officer and Light Regional Council

Wednesday 16 October 2019

Adelaide Plains Crossroads Suicide Prevention Network Meeting

Thursday 17 October 2019

Plains Producer Photo-shoot – The Wells

Council Members' Strategic Planning Forum – Hewett

Friday 18 October 2019

Council Members' Strategic Planning Forum – Hewett

Wednesday 23 October 2019

Meeting – Mayor and Chief Executive Officer – Various Matters

8. REQUESTED DOCUMENTS/CORRESPONDENCE TO BE TABLED

Nil

9. DEPUTATIONS

Nil

10. PRESENTATIONS/BRIEFINGS

Nil

11. PETITIONS

Nil

12. COMMITTEE MEETINGS**12.1 Adelaide Plains Council Historical Committee Meeting – 2 October 2019**Moved Councillor Strudwicke Seconded Councillor Boon **2019/ 418****“that Council receives and notes the minutes of the Adelaide Plains Council Historical Committee Meeting held 2 October 2019.”****CARRIED****12.2 Infrastructure and Environment Committee Meeting – 8 October 2019**Moved Councillor Keen Seconded Councillor Parker **2019/ 419****“that Council receives and notes the minutes of the Infrastructure and Environment Meeting held 8 October 2019.”****CARRIED**

- 12.2 Moved Councillor Parker Seconded Councillor Keen **2019/420**
 "that Council endorses resolution 2019/037 of the Infrastructure and Environment Committee and in doing so instructs the Chief Executive Officer to undertake public consultation, in accordance with Council's *Public Consultation Policy* on the proposed *Road Naming and Public Places Naming Policy* as presented at Attachment 2 to this Report."

CARRIED

- 12.2 Moved Councillor Boon Seconded Councillor Keen **2019/421**
 "that Council endorses resolution 2019/038 of the Infrastructure and Environment Committee, and in doing so, instructs the Chief Executive Officer to undertake public consultation, in accordance with Council's *Public Consultation Policy* on the proposed *Rural Property Addressing Policy* as presented at Attachment 3 to this Report."

CARRIED

- 12.2 Moved Councillor Parker Seconded Councillor Lush **2019/422**
 "that Council endorses resolution 2019/039 of the Infrastructure and Environment Committee, and in doing so adopts the revised *Water and Sewerage Services Hardship Policy* as presented at Attachment 4 to this Report."

CARRIED

- 12.2 Moved Councillor Boon Seconded Councillor Strudwicke **2019/423**
 "that Council endorses resolution 2019/040 of the Infrastructure and Environment Committee, and in doing so adopts the proposed *Leasing and Licencing Policy* as presented at Attachment 5 to this Report."

CARRIED

- 12.2 Moved Councillor Strudwicke Seconded Councillor Keen **2019/424**
 "that Council endorses resolution 2019/043 of the Infrastructure and Environment Committee, and in doing so instructs the Chief Executive Officer to:
1. Advise the Hickinbotham Group to either:
 - a. Undertake the stormwater management and landscaping infrastructure work and make necessary amendments to the Application; or
 - b. Provide the appropriate level of finance by way of a bonding agreement; or
 - c. Undertake other works/actions to satisfy Council's risk; and
 2. Seek legal advice in relation to bringing this matter to a conclusion including the preparation of any necessary legal instruments."

CARRIED

- 12.2 Moved Councillor Strudwicke Seconded Councillor Parker **2019/425**
 "that the letter from Hickinbotham Group dated 28 October 2019 be tabled."

CARRIED

- 12.2 Moved Councillor Parker Seconded Councillor Maiolo 2019/ 426
 "that Council endorses resolution 2019/030 of the Infrastructure and Environment Committee, and in doing so:

1. Rescinds the current *Community Wastewater Management System Policy*; and
2. Adopts the revised *Community Wastewater Management System Policy* as presented at Attachment 6 to this Report."

CARRIED

- 12.3 Infrastructure and Environment Committee Meeting – 18 October 2019

Moved Councillor Strudwicke Seconded Councillor Boon 2019/ 427

"that Council receives and notes the minutes of the Infrastructure and Environment Committee meeting held 18 October 2019."

CARRIED

- 12.3 Moved Councillor Parker Seconded Councillor Di Troia 2019/ 428

"that Council endorses resolution 2019/045 of the Infrastructure and Environment Committee, and in doing so:

1. Adopts the Eden Central Reserve landscape plans and outcomes of the open space assessment as presented in Attachment 2 and Attachment 3 to this Report;
2. Adopts the thrust and direction of Liberty Central Reserve, water bodies, swale and entrance reserve concept landscape plans as presented at Attachment 4 to this Report subject to:
 - a. Carrying out an open space assessment for Liberty Central Reserve, water bodies, swale and entrance reserve concept landscape plans to reflect a lower maintenance, higher biodiversity outcome for Liberty;
 - b. An alternative solution to turfed verges; and
 - c. The maintenance period being extended to no less than the end of the 2022/2023 financial year, to reduce the financial impact on Council; and
3. Instructs the Chief Executive Officer to seek legal advice in relation to landscaping works associated with Liberty estate including the preparation of any necessary legal instruments."

CARRIED

13. SUBSIDIARY MEETINGS

- 13.1 Gawler River Floodplain Management Authority Meeting – 17 October 2019

Moved Councillor Keen Seconded Councillor Lush 2019/ 429

"that Council receives and notes the minutes of the Gawler River Floodplain Management Authority Meeting held on 17 October 2019."

CARRIED

14. REPORTS FOR DECISION**14.1 Strategic Planning Forum**

Councillor Di Troia left the meeting at 7.09pm.

Councillor Di Troia returned to the meeting at 7.11pm.

Moved Councillor Panella Seconded Councillor Strudwicke **2019/430**

“that Council, having considered Item 14.1 – *Strategic Planning Forum*, dated 28 October 2019, receives and notes the report and in doing so acknowledges that a detailed report regarding horse management and horse float parking in coastal settlements is provided for within the Council Meeting Agenda of 28 October 2019 (this body of work will satisfy resolutions 2018/322 and 2018/080).”

CARRIED

14.1 Moved Councillor Panella Seconded Councillor Boon **2019/431**

“that Council, having considered Item 14.1 – *Strategic Planning Forum*, dated 28 October 2019, instructs the Chief Executive Officer to bring back a brief for Council’s consideration in relation to the preparation of a Tourism and Economic Development Strategy, encompassing but not limited to the following key themes:

- 1. Increasing economic activity**
- 2. Enhancing local businesses**
- 3. Creating employment**
- 4. Improving amenity of the area**
- 5. Options for the establishment of a dedicated working party**

Further, Council acknowledges that resolutions 2017/293 and 2019/128 will be further explored as part of the Tourism and Economic Development Strategy.”

CARRIED

Councillor Boon left the meeting at 7.24pm.

14.1 Moved Councillor Keen Seconded Councillor Lush **2019/432**

“that Council, having considered Item 14.1 – *Strategic Planning Forum*, dated 28 October 2019, receives and notes the report and in doing so acknowledges that service levels, including but not limited to oval management regimes and road classifications, will be the subject of a detailed Infrastructure and Asset Management Plan review in 2020 (this body of work will satisfy resolution 2019/129).”

CARRIED

Councillor Boon returned to the meeting at 7.25pm.



- 14.1 Moved Councillor Keen Seconded Councillor Strudwicke **2019/ 433**
 “that Council, having considered Item 14.1 – *Strategic Planning Forum*, dated 28 October 2019, acknowledges that a report will be presented to Council at the November 2019 Ordinary Meeting regarding the 2020 Council Meeting schedule, including venue, date and time (this body of work will satisfy resolution 2019/183).”

CARRIED

- 14.1 Moved Councillor Panella Seconded Councillor Boon **2019/ 434**
 “that Council, having considered Item 14.1 – *Strategic Planning Forum*, dated 28 October 2019, acknowledges that strategic decisions affecting Council including but not limited to office accommodation or delivery of an accelerated infrastructure program funded through borrowings, as examples, will not be entertained unless firstly workshopped and consulted upon through the development of Council’s suite of strategic planning documents, namely:

- Strategic Plan 2020-2024
- Infrastructure and Asset Management Plan
- Long Term Financial Plan.”

CARRIED

- 14.1 Moved Councillor Panella Seconded Councillor Maiolo **2019/ 435**
 “that Council, having considered Item 14.1 – *Strategic Planning Forum*, dated 28 October 2019 acknowledges that a detailed report regarding Crown Land, Two Wells is provided for within the Council Meeting Agenda of 28 October 2019.”

CARRIED

- 14.1 Moved Councillor Panella Seconded Councillor Boon **2019/ 436**
 “that Council, having considered Item 14.1 – *Strategic Planning Forum*, dated 28 October 2019, instructs the Chief Executive Officer to formally request the Chairperson and Executive Officer of the Gawler River Floodplain Management Authority to attend Council’s November 2019 Ordinary Meeting to update Council on the activities of the Board and to receive questions and feedback from Council Members on related matters.”

CARRIED

14.2 Adoption of Annual Report 2018-2019

- Moved Councillor Strudwicke Seconded Councillor Maiolo **2019/ 437**
 “that Council, having considered Item 14.2 – *Adoption of Annual Report 2018-2019*, dated 28 October 2019, receives and notes the report and in doing so:-

1. Adopts the Annual Report 2018-2019 as presented in Attachment 1 to this Report, subject to endorsement of the Audited Annual Financial Statements 2018-2019; and
2. Authorises the Chief Executive Officer to make any necessary final amendments to the Annual Report.”

CARRIED

14.3 Appointment of Deputy Mayor

The Mayor, with approval of two-thirds of members present suspended the meeting procedures pursuant to Regulation 20(1) of the *Local Government (Procedures at Meetings) Regulations 2013*, for a period of time sufficient to facilitate informal discussions in relation to Item 14.3 – Appointment of Deputy Mayor.

The meeting was suspended at 7.39pm.

The meeting resumed at 7.43pm.

Councillor Strudwicke declared an interest in Item 14.3 – Appointment of Deputy Mayor on the basis that he was the only Council Member who was nominated for appointment as Deputy Mayor, and left the meeting at 7.44pm.

Moved Councillor Keen Seconded Councillor Panella **2019/ 438**

“that Council, having considered Item 14.3 – *Appointment of Deputy Mayor*, dated 28 October 2019, receives and notes the report and in doing so resolves that:-

- 1. The term of office for the position of Deputy Mayor for the Adelaide Plains Council be for a period of twelve (12) months from 21 November 2019; and**
- 2. The method of choosing a Deputy Mayor be by resolution.”**

CARRIED

14.3 Moved Councillor Panella Seconded Councillor Boon **2019/ 439**

“that Council, having considered Item 14.3 – *Appointment of Deputy Mayor*, dated 28 October 2019, appoints Councillor Strudwicke as Deputy Mayor for the Adelaide Plains Council from 21 November 2019 until 21 November 2020.”

CARRIED

Councillor Strudwicke returned to the meeting at 7.46pm.

Councillor Parker left the meeting at 7.46pm.

14.4 Annual Review of Confidential Items

Councillor Parker returned to the meeting at 7.47pm.

Moved Councillor Panella Seconded Councillor Keen **2019/ 440**

“that Council, having considered Item 1.4. – *Annual Review of Confidential Items*, dated 28 October 2019, receives and notes the report and acknowledges that that a formal review of Council’s confidential items has been undertaken.”

CARRIED

14.4 Moved Councillor Boon Seconded Councillor Panella **2019/ 441**

“that Council, having considered Item 14.4 – *Annual Review of Confidential Items*, dated 28 October 2019, resolves that the Section 91(7) of the *Local Government Act 1999* order made on 17 September 2018 in relation to Item 21.1 – Rubble Ripping and Raising be revoked.”

CARRIED



- 14.4 Moved Councillor Panella Seconded Councillor Boon **2019/ 442**
"that Council, having considered Item 14.4 – Annual Review of Confidential Items, dated 28 October 2019, resolves that the Section 91(7) of the Local Government Act 1999 order made on 3 October 2018 in relation to Item 3.1 – Two Wells Transfer Station – Waste Matters be revoked."
CARRIED
- 14.4 Moved Councillor Panella Seconded Councillor Keen **2019/ 443**
"that Council, having considered Item 14.4 – Annual Review of Confidential Items, dated 28 October 2019, resolves that the Section 91(7) of the Local Government Act 1999 order made on 20 August 2018 in relation to Item 21.2 – Asbestos Contamination – Stony Point be revoked."
CARRIED
- 14.4 Moved Councillor Keen Seconded Councillor Boon **2019/ 444**
"that Council, having considered Item 14.4 – Annual Review of Confidential Items, dated 28 October 2019, resolves that the Section 91(7) of the Local Government Act 1999 order made on 15 October 2018 in relation to Item 21.1 – Stony Point – Historical Asbestos Finding and Site Remediation be revoked."
CARRIED
- 14.4 Moved Councillor Keen Seconded Councillor Panella **2019/ 445**
"that Council, having considered Item 14.4 – Annual Review of Confidential Items, dated 28 October 2019, resolves that the Section 91(7) of the Local Government Act 1999 order made on 8 November 2018 in relation to Item 21.1 – Stony Point – Historical Asbestos Finding and Site Remediation be revoked."
CARRIED
- 14.4 Moved Councillor Panella Seconded Councillor Di Troia **2019/ 446**
"that Council, having considered Item 14.4 – Annual Review of Confidential Items, dated 28 October 2019, resolves that the Section 91(7) of the Local Government Act 1999 order made on 15 November 2018 in relation to Item 21.1 – Stony Point – Historical Asbestos Finding and Site Remediation be revoked."
CARRIED
- 14.4 Moved Councillor Panella Seconded Councillor Di Troia **2019/ 447**
"that Council, having considered Item 14.4 – Annual Review of Confidential Items, dated 28 October 2019, resolves that the Section 91(7) of the Local Government Act 1999 order made on 29 January 2019 in relation to Item 21.1 – By-Law Review Update be revoked."
CARRIED



14.4 Moved Councillor Panella Seconded Councillor Boon 2019/ 448
 "that Council, having considered Item 14.4 – *Annual Review of Confidential Items*, dated 28 October 2019, resolves that:

1. Pursuant to Section 91(9)(a) of the *Local Government Act 1999*, having reviewed the confidential order made on 20 February 2019 under Sections 90(2) and 90(3)(h) of the *Local Government Act 1999*, the Council, pursuant to Section 91(7) of the *Local Government Act 1999* orders that the Attachment 1 and Attachment 2 relating to Item 19.2 – Gawler River Floodplain Management Authority – Charter dated 20 February 2017 continue to be retained in confidence and not available for public inspection until further order of Council, and that this order be reviewed every 12 months on the basis that it contains legal advice, and that resolutions 2017/050, 2017/051 and 2017/052 be released and made available for public inspection; and
2. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, Council delegates the authority to the Chief Executive Officer to revoke this confidentiality order."

CARRIED

14.4 Moved Councillor Panella Seconded Councillor Boon 2019/ 449
 "that Council, having considered Item 14.4 – *Annual Review of Confidential Items*, dated 28 October 2019, resolves that:

1. Pursuant to Section 91(9)(a) of the *Local Government Act 1999*, having reviewed the confidential order made on 17 July 2017 under Sections 90(2) and 90(3)(d) of the *Local Government Act 1999*, the Council, pursuant to Section 91(7) of the *Local Government Act 1999* orders that the report and attachments relating to Item 21.1 – Rubble Raising and Crushing dated 17 July 2017 continue to be retained in confidence and not available for public inspection until further order of Council, and that this order be reviewed every 12 months on the basis that it contains commercial information, and that resolutions 2017/225, 2017/226 and 2017/227 be released and made available for public inspection; and
2. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, Council delegates the authority to the Chief Executive Officer to revoke this confidentiality order."

CARRIED

14.4 Moved Councillor Panella Seconded Councillor Boon 2019/ 450
 "that Council, having considered Item 14.4 – *Annual Review of Confidential Items*, dated 28 October 2019, resolves that:

1. Pursuant to Section 91(9)(a) of the *Local Government Act 1999*, having reviewed the confidential order made on 21 November 2017 under Sections 90(2) and 90(3)(a) of the *Local Government Act 1999*, the Council, pursuant to Section 91(7) of the *Local Government Act 1999* orders that the Attachment 1 relating to Item 21.3 – General Managers – Contractual Arrangements dated 21 November 2017 continue to be retained in confidence and not available for public inspection until further order of Council, and that this order be reviewed every 12 months on the basis that it contains confidential information relating to personal affairs of Council's General Managers, and that the report and minutes be released and made available for public inspection; and
2. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, Council delegates the authority to the Chief Executive Officer to revoke this confidentiality order."

CARRIED

14.4 Moved Councillor Panella Seconded Councillor Maiolo 2019/ 451

"that Council, having considered Item 14.4 – *Annual Review of Confidential Items*, dated 28 October 2019, resolves that:

1. Pursuant to Section 91(9)(a) of the *Local Government Act 1999*, having reviewed the confidential order made on 26 February 2018 under Sections 90(2) and 90(3)(h) of the *Local Government Act 1999*, the Council, pursuant to Section 91(7) of the *Local Government Act 1999* orders that Attachment 1 relating to Item 3.1 – Crown Land – Old Port Wakefield Road, Two Wells dated 26 February 2017 continue to be retained in confidence and not available for public inspection until further order of Council, and that this order be reviewed every 12 months on the basis that it contains legal advice, and that the report and resolutions 2018/076, 2018/077, 2018,078 be released and made available for public inspection; and
2. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, Council delegates the authority to the Chief Executive Officer to revoke this confidentiality order."

CARRIED

14.4 Moved Councillor Panella Seconded Councillor Lush 2019/ 452

"that Council, having considered Item 14.4 – *Annual Review of Confidential Items*, dated 28 October 2019, resolves that:

1. Pursuant to Section 91(9)(a) of the *Local Government Act 1999*, having reviewed the confidential order made on 22 July 2019 under Sections 90(2) and 90(3)(b) of the *Local Government Act 1999*, the Council, pursuant to Section 91(7) of the *Local Government Act 1999* orders that the report and Attachment 1 relating to Item 21.3 – Rubble Supply dated 22 July 2019 continue to be retained in confidence and not available for public inspection until further order of Council, and that this order be reviewed every 12 months on the basis that it contains confidential information relating to ongoing negotiations, and that Attachment 2 be released and made available for public inspection; and
2. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, Council delegates the authority to the Chief Executive Officer to revoke this confidentiality order."

CARRIED

14.4 Moved Councillor Boon Seconded Councillor Panella 2019/ 453

"that Council, having considered Item 14.4 – *Annual Review of Confidential Items*, dated 28 October 2019, resolves that:

1. Pursuant to Section 91(9)(a) of the *Local Government Act 1999*, having reviewed the confidential order made on 22 August 2019 under Sections 90(2) and 90(3)(a) of the *Local Government Act 1999*, the Council, pursuant to Section 91(7) of the *Local Government Act 1999* orders that the resolution 2019/345 relating to Item 4.1 – Final Summary Report on Chief Executive Officer Performance Review dated 22 August 2019 continue to be retained in confidence and not available for public inspection until further order of Council, and that this order be reviewed every 12 months on the basis that it contains information relating to the personal affairs of a person, and that resolutions 2019/342, 2019/343 and 2019/344 be released and made available for public inspection; and
2. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, Council delegates the authority to the Chief Executive Officer to revoke this confidentiality order."

CARRIED

14.4 Moved Councillor Panella Seconded Councillor Maiolo 2019/454
 "that Council, having considered Item 14.4 – *Annual Review of Confidential Items*, dated 28 October 2019, resolves that:

1. Pursuant to Section 91(9)(a) of the *Local Government Act 1999*, having reviewed the confidential order made on 26 August 2019 under Sections 90(2) and 90(3)(b) of the *Local Government Act 1999*, the Council, pursuant to Section 91(7) of the *Local Government Act 1999* orders that the Attachment 2 relating to Item 21.1 – Drought Communities Programme dated 26 August 2019 continue to be retained in confidence and not available for public inspection until further order of Council, and that this order be reviewed every 12 months on the basis that it contains information that may confer a commercial advantage on a third party, and that the report and Attachment 1 be released and made available for public inspection; and
2. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, Council delegates the authority to the Chief Executive Officer to revoke this confidentiality order."

CARRIED

14.5 Horse Management in Coastal Areas

Moved Councillor Keen Seconded Councillor Parker 2019/455

"that Council, having considered Item 14.5 – *Horse Management in Coastal Areas*, dated 28 October 2019, receives and notes the report, and in doing so instructs the Chief Executive Officer to:

1. Continue direct consultation with the adjoining land owner to the east, on final location of horse float parking area, within Section 631 The Esplanade, Parham, CR:6202/438; and
2. Subject to undertaking consultation outlined at 1 above, seek State Government approval to establish a horse float parking area at Section 631 The Esplanade, Parham, CR:6202/438."

CARRIED

14.5 Moved Councillor Keen Seconded Councillor Parker 2019/456

"that Council having considered Item 14.5 – *Horse Management in Coastal Areas*, dated 28 October 2019, allocates the appropriate sum of money in the 2020/2021 budget for the establishment of a horse float parking area, following any necessary approvals, at Section 631 the Esplanade, Parham, CR:6202/438."

CARRIED

14.5 Moved Councillor Keen Seconded Councillor Lush 2019/457

"that Council having considered Item 14.5 – *Horse Management in Coastal Areas*, dated 28 October 2019, instructs the Chief Executive Officer to investigate with the Department of Environment and Water and Natural Resources Management and Department of Planning, Transport and Infrastructure, and introduce appropriate signage to promote Parham as an area suitable for well managed and environmentally sensitive horse float parking and horse riding, subject to a horse float parking area being approved at Section 631 The Esplanade, Parham, CR:6202/438."



CARRIED

14.6 SA Rural Roads Package, SA Livestock Exchange Access, Dublin

Moved Councillor Keen

Seconded Councillor Panella

2019/ 458

“that Council endorses resolution 2019/046 of the Infrastructure and Environment Committee, and in doing so:

- 1. Instructs the Chief Executive Officer to write to the Department of Planning, Transport and Infrastructure (DPTI) thanking them for the correspondence and offer to partner along with adjoining business owners and landowners on this very important infrastructure improvement project for the state; and**
- 2. Supports the initiative on the basis that on the successful completion of the project, DPTI becomes the Road Manager and Approving authority under the National Heavy Vehicle Law for route extensions to the restricted access vehicle network which entails the road network from the intersection of Port Wakefield Road-Carslake Road to the immediate east of the Livestock Markets Ltd access/egress point, including sealed crossovers and associated drainage;**
- 3. Supports the initiative on the basis that DPTI consider the Carslake Road/Port Wakefield Road/Thompson Road intersection further in regard to higher productivity vehicles being able to access and egress the Nasser Feedlot, to the western side of Port Wakefield Road;**
- 4. Supports the initiative on the basis that DPTI take over the master planning process for a Structure Plan for the Urban Employment Zone and environs, commenced by URPS on behalf of Council earlier this year, for the possible rezoning of properties directly abutting Port Wakefield Road (both sides of the highway) and with Council to assist with public consultation and negotiation with individual landowners in the vicinity; and**
- 5. Delegate to the Chief Executive Officer completion of direct negotiation with affected landowners on the projected increase in heavy vehicle numbers into the future, prior to Council’s formal response going back to DPTI by 31 October deadline.”**

CARRIED

14.7 Draft By-law 6 – Motor Cycle Amenity – Public Consultation

Moved Councillor Panella

Seconded Councillor Keen

2019/ 459

“that:

- 1. Council endorse draft By-law No 6 – Motor Cycle Amenity as attached to the report entitled Draft By-law 6 – Motor Cycle Amenity – Public Consultation for the purposes of public consultation in accordance with Section 249 of the *Local Government Act 1999*.**
- 2. The Chief Executive Officer be authorised to make copies of the draft By-law available for public inspection without charge at the principal office of the Council during ordinary office hours.**
- 3. The Chief Executive Officer be authorised to publish notice informing the public of the availability of the draft By-law in The Bunyip and Plains Producer newspapers.”**

CARRIED



14.8 Proclamation of Planning Regions – Recommendations Report by the Minister

Moved Councillor Strudwicke Seconded Councillor Lush 2019/ 460

“that Council, having considered Item 14.8 – Proclamation of Planning Regions – Recommendations Report by the Minister, dated 28 October 2019, receives and notes the report and in doing so authorises the Chief Executive Officer to write to the Minister for Planning confirming Adelaide Plains Council’s withdrawal from the process of establishing a Joint Planning Board for the region.”

CARRIED

14.9 SA Coastal Council Alliance – Endorsement

Moved Councillor Strudwicke Seconded Councillor Keen 2019/ 461

“that Council, having considered Item 14.9 – SA Coastal Councils Alliance – Endorsement, dated 28 October 2019, receives and notes the report and in doing so formally endorses the establishment of the South Australian Coastal Councils Alliance and authorises the Chief Executive Officer to write to the Local Government Association (LGA) and seek their support to escalate coastal issues as part of the LGA’s future advocacy priorities.”

CARRIED

15. REPORTS FOR INFORMATION

15.1 Council Resolutions – Status Report

Moved Councillor Keen Seconded Councillor Di Troia 2019/ 462

“that Council, having considered Item 15.1 – Council Resolutions - Status Report, dated 28 October 2019, receives and notes the report.”

CARRIED

15.2 South Australian Planning Reforms – Planning and Design Code Consultation

Moved Councillor Keen Seconded Councillor Parker 2019/ 463

“that Council, having considered Item 15.2 – South Australian Planning Reforms – Planning and Design Code Consultation, dated 28 October 2019, receives and notes the report.”

CARRIED

15.3 Drought Communities Programme Extension – Monthly Report – October 2019

Moved Councillor Lush Seconded Councillor Di Troia 2019/ 464

“that Council, having considered Item 15.3 – Adelaide Plains Business Advisory Group – Update, dated 28 October 2019, receives and notes the report.”

CARRIED



15.4 Infrastructure and Environment Department – Monthly Report – October 2019

Councillor Panella left the meeting at 8.30pm.

Councillor Panella returned to the meeting at 8.32pm.

Moved Councillor Lush Seconded Councillor Parker 2019/ 465

“that Council, having considered Item 15.4 – Infrastructure and Environment Department – Monthly Report – October 2019, dated 28 October 2019, receives and notes the report.”

CARRIED

15.5 Library and Community – Quarterly Report – July to September 2019

Moved Councillor Boon Seconded Councillor Keen 2019/ 466

“that Council, having considered Item 15.5 – Library and Community – Quarterly Report – July to September 2019, dated 28 October 2019, receives and notes the report and in doing so acknowledges the work of Library and Community staff.”

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 Mallala Campground Lease Update

Moved Councillor Keen Seconded Councillor Di Troia 2019/ 467

“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, General Manager – Governance and Executive Office, General Manager – Development and Community, General Manager – Finance and Business, Acting General Manager – Infrastructure and Environment, Manager Governance and Administration/Minute Taker and Community Development

Officer be excluded from attendance at the meeting of the Council for Agenda Item 21.1 – *Mallala Campgrounds Lease Update*;

2. Council is satisfied that pursuant to section 90(3)(b) of the *Local Government Act 1999*, Item 21.1 – *Mallala Campgrounds Lease Update* concerns information the disclosure of which could reasonably be expected to prejudice the commercial position of Council, being information relating to negotiations currently on foot, the disclosure of which would, on balance be contrary to 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 Strudwicke Seconded Councillor Parker 2019/468

"that Council, having considered Item 21.1 – *Mallala Campgrounds Lease Update*, dated 28 October 2019, receives and notes and in doing so:

1. Authorises Council staff to commence the public consultation process pursuant to Section 202 of the *Local Government Act 1999*, in regard to the leasing of a portion of land over two titles and adjacent to the Mallala Oval on Wasleys Road Mallala, and comprised in Certificates of Title Volume 6163, Folios 219 and 218, to the Mallala and District Lions Club
2. and in the event that objections are received to the leasing of a portion of land over two titles and adjacent to the Mallala Oval on Wasleys Road Mallala, and comprised in Certificates of Title Volume 6163, Folios 219 and 218 to the Mallala & District Lions Club, by the conclusion of the public consultation process, a report be presented to Council for consideration,
3. and in the event that no objections are received to the a portion of land over two titles and adjacent to the Mallala Oval on Wasleys Road Mallala, and comprised in Certificates of Title Volume 6163, Folios 219 and 218, to the Mallala and District Lions Club, by the conclusion of the public consultation process, the Chief Executive Officer be authorised to seek the assistance of Norman Waterhouse Lawyers if and as required, to negotiate and finalise the terms and conditions of the lease
4. authorises, pursuant to Section 44 of the *Local Government Act 1999*, the Mayor and Chief Executive Officer to execute the lease agreement between the Adelaide Plains Council and the Mallala and District Lions Club
5. In accordance with Section 166(1)(j) of the *Local Government Act 1999*, Council, being satisfied that the portion of land over two titles and adjacent to the Mallala Oval on Wasleys Road Mallala, and comprised in Certificates of Title Volume 6163, Folios 219 and 218, is being used by an organisation which, in the opinion of Council, provides a benefit or service to the local community, grants a discretionary rebate of 100% of the rates imposed, effective from the 2019/20 rating year."

CARRIED



21.1 Moved Councillor Keen Seconded Councillor Maiolo 2019/ 469

"that Council, having considered the matter of Agenda Item 21.1 – *Mallala Campgrounds Lease Update* in confidence under sections 90(2) and 90(3)(b) of the *Local Government Act 1999*, resolves that:-

1. The staff report pertaining to Agenda 21.1 – *Mallala Campgrounds Lease Update* remains confidential and not available for public inspection until further order of Council;
1. Pursuant to section 91(9)(a) of the *Local Government Act 1999*, the confidentiality of the matter will be reviewed every 12 months; and
2. 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

21.2 Crown Land Investigations Two Wells

Moved Councillor Parker Seconded Councillor Maiolo 2019/ 470

"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 – Development and Community, General Manager – Finance and Business, Acting General Manager – Infrastructure and Environment, Manager Governance and Administration/Minute Taker and Community Development Officer be excluded from attendance at the meeting of Council for Agenda Item 21.2 – *Crown Land Investigations Two Wells*.
2. Council is satisfied that pursuant to section 90(3)(b) of the *Local Government Act 1999*, Item 21.2 – *Crown Land Investigations Two Wells* 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
3. Council is satisfied that the principle that Committee 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 Lush left the meeting at 8.54pm.

Councillor Lush returned to the meeting at 8.55pm.

21.2 Moved Councillor Keen Seconded Councillor Maiolo 2019/ 472

“that Council, having considered Item 21.2 – *Crown Land Investigations Two Wells* in confidence under sections 90(2) and 90(3)b) of the *Local Government Act 1999*, resolves that:

1. The staff report, Attachments and the minutes of this meeting pertaining to Agenda Item 21.2 – *Crown Land Investigations Two Wells* 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.”

MOTION WITHDRAWN

It being 8.56pm, Council resolved to extend the meeting for a further 30 minutes in accordance with Division 2, Clause 7(6) of Council’s *Code of Practice – Meeting Procedures*.

21.2 Moved Councillor Parker Seconded Councillor Boon 2019/ 473

“that the meeting be extended by 30 minutes.”

CARRIED

21.3 Council Owned Units, Mallala – Rent Setting

Mayor Wasley declared an actual conflict of interest in relation to Item 21.3 – *Council Owned Units, Mallala – Rent Setting* on the basis that his family member is a tenant of one of the Council owned units subject of the report.

Mayor Wasley left the meeting at 8.57pm.

Deputy Mayor Strudwicke presided the meeting.

Moved Councillor Keen Seconded Councillor Lush 2019/ 474

“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, General Manager – Governance and Executive Office, General Manager – Development and Community, General Manager – Finance and Business, Acting General Manager – Infrastructure and Environment and Manager Governance, Administration/Minute Taker and Community Development Officer be excluded from attendance at the meeting of the Council for Agenda Item 21.3 – *Council Owned Units, Mallala – Rent Setting*;

2. Council is satisfied that pursuant to section 90(3)(h) of the *Local Government Act 1999*, Item 21.3 – *Council Owned Units, Mallala – Rent Setting* concerns legal advice in relation to the setting of rent; 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

Councillor Di Troia left the meeting at 9.05pm.

Councillor Di Troia returned to the meeting at 9.10pm.

21.3 Moved Councillor Parker Seconded Councillor Keen 2019/ 475

"that Council, having considered Item 21.3 – *Council Owned Units, Mallala – Rent Setting*, dated 28 October 2019, instructs the Chief Executive Officer to calculate rent for the Council owned units as follows:

- 10-12 Aerodrome Road, Mallala (known as Dunstan Court) \$140 per week
- Unit 2/7 Chivell Street, Mallala \$160 per week."

CARRIED

21.3 Moved Councillor Keen Seconded Councillor Boon 2019/ 476

"that Council, having considered the matter of Agenda Item 21.3 – *Council Owned Units, Mallala – Rent Setting* in confidence under sections 90(2) and 90(3)(h) of the *Local Government Act 1999*, resolves that:

1. Attachment 1 remains confidential and not available for public inspection until further order of Council;
2. The staff report and the minutes of this meeting pertaining to Agenda 21.3 – *Council Owned Units – Rent Setting* remains confidential and not available for public inspection until all tenants have been notified of the outcome;
3. Pursuant to section 91(9)(a) of the *Local Government Act 1999*, the confidentiality of the matter will be reviewed every 12 months; and
4. 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

Mayor Wasley returned to the meeting at 9.26pm.

21.4 Sale of Primary Production Property for Non-Payment of Rates

Moved Councillor Keen Seconded Councillor Boon 2019/ 477

"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, General Manager – Governance and Executive Office, General Manager – Development and Community, General Manager – Finance and Business, Acting General Manager – Infrastructure and Environment and Manager Governance, Administration/Minute Taker and Community Development

Officer be excluded from attendance at the meeting of the Council for Agenda Item 21.4 – *Sale of Primary Production Property for Non-Payment of Rates*;

2. Council is satisfied that pursuant to section 90(3)(a) and 90(3)(h) of the *Local Government Act 1999*, Item 21.4 – *Sale of a Primary Production Property for Non-Payment of Rates* concerns information of a confidential nature the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), constituting information relevant to the sale of land for non-payment of rates, and legal advice in relation to the sale of property for non-payment of rates; 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

21.4 Moved Councillor Parker Seconded Councillor Boon 2019/ 478

"that Council, having considered Item 21.4 – *Sale of Primary Production Property for Non-Payment of Rates*, dated 28 October 2019, receives and notes the report."

CARRIED

21.4 Moved Councillor Keen Seconded Councillor Parker 2019/ 479

"that Council, having considered the matter of Item 21.4 – *Sale of Primary Production Property for Non Payment of Rates* in confidence under sections 90(2) and 90(3)(a) and 90(3)(h) of the *Local Government Act 1999*, resolves that:

1. The Attachment 1 and Attachment 2 and any other associated information submitted to this meeting pertaining to Agenda Item 21.4 – *Sale of Primary Production Property for Non Payment of Rates* remain confidential and not available for public inspection until further order of the 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

There being no further business, the Mayor declared the meeting closed at 9.27pm.

Confirmed as a true record.

Mayor:



Date: 23/03/2020