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 November 2021 at 6.00pm



The Mayor formally declared the meeting open at 6.01pm.

1. ATTENDANCE RECORD

1.1 **Present:**

Mayor Mark Wasley

Councillor Marcus Strudwicke 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 by electronic means

Councillor Carmine Di Troia from 6.03pm Lewiston Ward by electronic means

Also in Attendance:

General Manager – Governance and Executive Office Ms Sheree Schenk

General Manager – Development and Community Mr Darren Starr

General Manager – Finance and Business Mr Rajith Udugampola

General Manager – Infrastructure and Environment

Manager – Governance and Administration Ms Alyssa Denicola

Administration and Executive Support Officer/Minute Taker

Information Technology Support Officer – by electronic means Mr Sean Murphy

1.2 Apologies:

Councillor Terry-Anne Keen Mallala/Dublin Ward

Councillor Margherita Panella Lewiston Ward

Mr Thomas Jones

Ms Stacie Shrubsole

2. CONFIRMATION OF MINUTES

2.1 Confirmation of Council Minutes – Ordinary Council Meeting held on 25 October 2021

Moved Councillor Maiolo Se

Seconded Councillor Lush

2021/405

"that the minutes of the Ordinary Council Meeting held on 25 October 2021 (MB Folios 17470 to 17482 inclusive), be accepted as read and confirmed."

CARRIED

2.2 Confirmation of Council Minutes – Special Council Meeting held 8 November 2021

Moved Councillor Boon

Seconded Councillor Daniele

2021/406

"that the minutes of the Special Council Meeting held on 8 November 2021 (MB Folios 17483 to 17488 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

Nil

6. ADJOURNED BUSINESS

Nil

7. MAYOR'S REPORT

7.1 Mayor's Report

Reporting Period – Thursday 21 October 2021 to Wednesday 17 November 2021

Thursday 21 October 2021

Gawler River Floodplain Management Authority Board Meeting

Sunday 24 October 2021

Official Naming of the Margaret Tiller Gallery, Mallala Museum

Monday 25 October 2021

Pre-Council Meeting – Mayor/Chief Executive Officer/Executive Management Team Information Briefing Session – Long Term Financial Plan Ordinary Council Meeting



Wednesday 27 October 2021

Presentation to Adelaide Plains Council All Staff Form, Two Wells Cricket Club Round Table Ministers Meeting, Parliament House Legatus Group Informal Gathering and Dinner

Thursday 28 October 2021

Local Government Association of South Australia Council Best Practice Showcase, Conference and Annual General Meeting, Adelaide Entertainment Centre

Local Government Association of South Australia Conference Dinner and Awards Evening, Adelaide Entertainment Centre

Friday 29 October 2021

Local Government Association of South Australia Council Best Practice Showcase, Conference and Annual General Meeting, Adelaide Entertainment Centre

Gawler River Floodplain Management Authority Strategic Plan Discussion

Wednesday 10 November 2021

Freedom Park Official Opening, Liberty, Two Wells

Meeting – Mayor/Chief Executive Officer – Various Matters

Saturday 13 November 2021

Meeting - Two Wells Golf Club

Wednesday 17 November 2021

Adelaide Plains Council Audit Committee Meeting

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 – 3 November 2021

Moved Councillor Strudwicke Seconded Councillor Boon 2021/407

"that Council receives and notes the minutes of the Adelaide Plains Council Historical Committee meeting held 3 November 2021."

CARRIED

12.2 Audit Committee Meeting – 17 November 2021

Moved Councillor Lush Seconded Councillor Strudwicke 2021/408

"that Council receives and notes the minutes of the Audit Committee Meeting held on 17 November 2021 as presented at Attachment 1 to this Report."

CARRIED

12.2 Moved Councillor Boon Seconded Councillor Maiolo 2021/409

"that Council receives and notes the Audited Annual Financial Statements and notes forming part of the Annual Financial Statements for the 2020/2021 Financial Year."

CARRIED

12.2 Moved Councillor Strudwicke Seconded Councillor Maiolo 2021/410

"that Council endorses resolution 2021/048 of the Audit Committee and in doing so formally adopts the Annual Financial Statements for the 2020/2021 Financial Year, presented as Attachment 2 to this Report, and authorises same to be certified on behalf of Council by the Mayor and Chief Executive Officer."

CARRIED

12.2 Moved Councillor Lush Seconded Councillor Daniele 2021/411

"that Council endorses resolution 2021/049 of the Audit Committee and in doing so notes that the Audit Committee has authorised the Audit Committee Chairperson to sign the Certification of Auditor Independence."

CARRIED

12.2 Moved Councillor Boon Seconded Councillor Lush 2021/412

"that Council endorses resolution 2021/050 of the Audit Committee and in doing so acknowledges that Council's Independent Auditor Mr Tim Muhlhausler of Galpins Accountants, Auditors & Business Consultants intends to issue an unmodified opinion in relation to the Financial Statements and the Internal Financial Controls of the Council for the 2020/2021 Financial Year."

CARRIED



12.2 Moved Councillor Parker

Seconded Councillor Di Troia

2021/413

"that Council endorses resolution 2021/053 of the Audit Committee and in doing so:

1. Notes that:

- a. The Long Term Financial Plan results in key financial indicators being substantially outside of the targets set by Council
- b. Until 2031/2032 the income included in the plan is not sufficient to pay for the proposed expenditure and the level of debt is outside what is conventionally considered prudent and
- c. When considering the projects included in the plan Council will need to be mindful of the impact the expenditure will have on future generations of residents, future elected Councils and of the financial risks which will emanate from the proposed expenditure and
- 2. In consideration of 1a, 1b and 1c above, instructs the Chief Executive Officer to bring a further report back to Council, via the Audit Committee, in relation to feedback gleaned through public consultation and how best to address 1a, 1b and 1c above."

CARRIED UNANIMOUSLY

12.2 Moved Councillor Maiolo Seconded Councillor Di Troia 2021/414

"that Council endorses resolution 2021/054 of the Audit Committee and in doing so acknowledges the progress made to complete the activities identified for Audit Committee during 2020/2021 Financial Year."

CARRIED

12.2 Moved Councillor Lush Seconded Councillor Boon 2021/415

"that Council endorses resolution 2021/055 of the Audit Committee and in doing so, and having considered the Mallala Football Club's request for a loan in accordance with Council's Treasury Management Policy:

- 1. Authorises the Chief Executive to negotiate and finalise a Loan Agreement between Council and the Mallala Football Club subject to following terms and conditions:
 - a. Council charge Mallala Football Club the same interest rate that it pays to Local Government Financing Authority
 - b. Limit maximum number of transactions between the Council and the Mallala Football Club to four (4) per year with regard to the operation of cash advance debenture loan
 - c. the cost of preparing the loan agreement with the Council and the Mallala Football is to be charged 100% to the Mallala Football Club
- 2. Authorises, pursuant to section 44 of the Local Government Act 1999, the Mayor and Chief Executive Officer to execute the Loan Agreement between the Adelaide Plains Council and the Mallala Football Club
- 3. Pursuant to the provisions of Sections 134 and 135 of the Local Government Act 1999, the Adelaide Plains Council does hereby order that the Council shall borrow by means of Convertible Cash Advance Debenture Loan, on the security of the general rate revenue of the Council, an amount up to the sum of \$70,000 from the Local Government Finance Authority of South Australia on a floating variable rate, the purpose of which is to finance Council's loan to Mallala Football Club and



4. Further, pursuant to Section 38 of the Local Government Act 1999, Council hereby authorises the Mayor and the Chief Executive Officer to execute under the Common Seal of Council, documentation associated with the aforementioned loan borrowing facility."

CARRIED

13. **SUBSIDIARY MEETINGS**

13.1 Gawler River Floodplain Management Authority Board Meeting - 21 October 2021

> Moved Councillor Daniele

Seconded Councillor Di Troia 2021/416

"that Council receives and notes the minutes of Gawler River Floodplain Management Authority Board Meeting held on 21 October 2021."

CARRIED

14. **REPORTS FOR DECISION**

14.1 First Budget Update 2021/2022

> Moved Councillor Maiolo

Seconded Councillor Parker

2021/417

"that Council, having considered Item 14.1 - 2021/2022 - First Budget Update, dated 22 November 2021, receives and notes the report and in doing so:

- 1. Receives and note the project progress reports contained in Attachment 1 and 2 to this Report and
- 2. Pursuant to Regulation 9 (1)(a) of the Local Government (Financial Management) Regulations 2011, adopts the revised 2021/2022 Budgeted Financial Statements as contained within Attachment 3 that has been updated following the first budget review changes identified in Table 1, Table 2 and Table 3 and
- 3. Instructs the Chief Executive Officer to allocate budget savings from operating and capital projects to other operating and capital projects where necessary earmarked for delivery in 2021/2022 Financial Year."

CARRIED UNANIMOUSLY

14.2 Draft Tourism and Economic Development Strategy – Public Consultation

> Moved Councillor Boon

Seconded

Councillor Lush

2021/ 418

"that Council, having considered Item 14.2 – Draft Tourism and Economic Development Strategy - Public Consultation, dated 22 November 2021, receives and notes the report and in doing so instructs the Chief Executive Officer to:

- 1. Commence public consultation on the draft Tourism and Economic Development Strategy presented as Attachment 1 and Tourism and Economic Development Issues and Opportunities Paper presented as Attachment 2 to this report, in accordance with **Council's Public Consultation Policy and**
- 2. Report back to Council following completion of the public consultation process."

CARRIED UNANIMOUSLY



14.3 Two Wells Scout Facility Relocation – Lease – Public Consultation

Moved Councillor Parker Seconded Councillor Strudwicke 2021/ 419

"that Council, having considered Item 14.3 – Two Wells Scout Facility Relocation – Lease – Public Consultation, dated 22 November 2021, receives and notes the report and in doing so instructs the Chief Executive Officer to:

- 1. Prepare a draft lease agreement (the Draft Lease) between Council and Scouts SA in relation to a portion of Lot 103 DP comprised in CR Volume 5753 Folio 647, incorporating the following key elements:
 - a. Ground lease for the purposes of a Scout Hall/Facility and associated activities
 - b. Lease period of 15 years with option for renewal for a further 5 years
 - Defined lease area that provides approximately 2000m² while preserving the potential for future access within the Two Wells Oval Complex (Refer Attachment 1 to this Report)
 - d. Rent of \$1.00 per annum (exclusive of GST)
 - e. Permitted use Scout Hall and
- 2. Undertake public consultation, in accordance with Council's Public Consultation Policy, in relation to the Draft Lease and report back to Council accordingly."

CARRIED UNANIMOUSLY

15. REPORTS FOR INFORMATION

15.1 Council Resolutions – Status Report

Moved Councillor Di Troia

Seconded Councillor Daniele

2021/ 420

"that Council, having considered Item 15.1 – Council Resolutions – Status Report, dated 22 November 2021, receives and notes the report."

CARRIED

15.2 Infrastructure and Environment Department – Monthly Report – November 2021

Moved Councillor Lush

Seconded Councillor Maiolo

2021/421

"that Council, having considered Item 15.2 – *Infrastructure and Environment Department – Monthly Report – November 2021*, dated 22 November 2021 receives and notes the report."

CARRIED

15.3 Adelaide Plains Council Representation Review Update – Certification by Electoral Commissioner – November 2021

Moved Councillor Boon

Seconded Councillor Daniele

2021/422

"that Council, having considered Item 15.3 – Adelaide Plains Council Representation Review Update – Certification by Electoral Commissioner – November 2021, dated 22 November 2021, receives and notes the report."

CARRIED



15.4 Local Government Reform Update – November 2021

Moved Councillor Daniele Seconded Councillor Maiolo 2021/423

"that Council, having considered Item 15.4 – Local Government Reform Update – November 2021, dated 22 November 2021, receives and notes the report."

CARRIED UNANIMOUSLY

15.5 Water Costs for the Cricket Pitch

MOTION WITHOUT NOTICE

Moved Councillor Lush 2021/424

"that we pick up the costs for watering the cricket pitch in Mallala."

MOTION REFUSED

Councillor Strudwicke raise a Point of Order on the basis that the purpose of requiring motions on notice is so that Council is unsurprised by possible motions, and Council has had notice on the Agenda by way of Item 15.5 – Water Costs for the Cricket Pitch. The Mayor accepted the Point of Order on the basis that Item 15.5 contained various costings.

Moved Councillor Boon Seconded Councillor Strudwicke 2021/425

"that Council, having considered Item 15.5 – Water Costs for the Cricket Pitch on the Mallala Oval, dated 22 November 2021, receives and notes the report."

CARRIED

MOTION WITHOUT NOTICE

Moved Councillor Lush Seconded Councillor Strudwicke 2021/426

"that the Adelaide Plains Council fund the watering costs for the Mallala Cricket Pitch which is currently being paid by the Mallala Cricket Club."

The Mover, with consent of the Seconder, sought leave of the meeting to vary motion 2021/426. Leave was granted.

MOTION 2021/426 AS VARIED

Moved Councillor Lush Seconded Councillor Strudwicke 2021/426

"that Council reimburses the Mallala Cricket Club the watering costs for the Mallala Oval cricket pitch which is currently funded by the Mallala Cricket Club."

The Mover, with consent of the Seconder, sought leave of the meeting to vary motion 2021/426. Leave was granted.



MOTION 2021/426 AS VARIED

Moved Councillor Lush Seconded Councillor Strudwicke 2021/426

"that Council not pass on the costs to the Mallala Cricket Club for the watering of the turf wicket."

The Mayor sought leave of the meeting to suspend meeting procedures pursuant to Regulation 20(1) of the Local Government (Procedures at Meetings) Regulations 2013 for a period of up to 10 minutes to facilitate informal discussions in relation to Item 15.5 – *Water Costs for the Cricket Pitch on the Mallala Oval*. Leave was granted.

The meeting was suspended at 6.52pm.

The meeting resumed at 7.04pm.

The Mover sought leave of the meeting to withdraw motion 2021/426. Leave was granted.

MOTION WITHDRAWN

MOTION WITHOUT NOTICE

Moved Councillor Lush Seconded Councillor Strudwicke 2021/427

"that Council:

- Resolves to not pass on the invoice to the Mallala Cricket Club for the cost of watering, from the next invoice received, on the basis that Council considers, with reference to clause 10 of its Lease and Licence for Community Land and Building Policy, the Turf Wicket is not a 'dedicated playing surface' and allows 'general public access' and/or 'use of the playing surface' and
- 2. Instructs the Chief Executive Officer to undertake a review of the lease between Council and the Mallala Cricket Club, in particular to give effect to paragraph 1 above."

CARRIED UNANIMOUSLY

15.6 Regional Development Australia Barossa Gawler Light Adelaide Plains – Annual Report 2020-2021

Moved Councillor Strudwicke Seconded Councillor Di Troia 2021/428

"that Council, having considered Item 15.6 – Regional Development Australia Barossa Gawler Light Adelaide Plains Annual Report 2020-2021, dated 22 November 2021, receives and notes the report."

CARRIED UNANIMOUSLY

15.7 Horse Management within Adelaide Plains

Moved Councillor Strudwicke Seconded Councillor Boon 2021/429

"that Council, having considered Item 15.7 – Horse Management within Adelaide Plains, dated 22 November 2021, receives and notes the report."

CARRIED UNANIMOUSLY



15.8	Two Wells Community Fund Fifth Round Outcomes														
	Moved	Councillor	Boon	Seconded	Councillor	Parker	2021/ 430								
	"that Council, having considered Item 15.8 – Two Wells Community Fund Fifth Round Outcomes, dated 22 November 2021, receives and notes the report."														
							CARRIED								
16.	QUESTIONS ON NOTICE														
	Nil														
17.	OLIESTIO	NS WITHOUT	NOTICE												
17.	QUESTIONS WITHOUT NOTICE Not recorded in Minutes in accordance with Regulation 9(5) of the Local Government (Procedures at Meetings) Regulations 2013.														
					VI,										
18.	MOTIONS	S ON NOTICE		60.1											
	Nil														
19.	MOTIONS WITHOUT NOTICE														
	Nil														
20.	URGENT	RUSINESS	.0												
20.	Nil	DO3111233													
21.	CONFIDENTIAL ITEMS														
	Nil														
There being no further business, the Mayor declared the meeting closed at 7.18pm. Confirmed as a true record.															
Mayor:															
Date:/															

