

MINUTES

of

Ordinary Council Meeting



**Adelaide
Plains
Council**

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

HELD IN

**Council Chamber
Redbanks Road
Mallala**

on

Monday 16 December 2019 at 6:00pm

The Mayor formally declared the meeting open at 6:02pm.

1. ATTENDANCE RECORD

1.1 Present:

Mayor Mark Wasley	
Councillor John Lush	Mallala/Dublin Ward
Councillor Terry-Anne Keen	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
General Manager – Infrastructure and Environment	Mr Thomas Jones
Manager Governance and Administration/Minute Taker	Ms Alyssa Denicola
Manager Library and Community	Ms Anne Sawtell
Economic Development Officer	Mr David Cowell
Administration and Executive Support Officer	Ms Stacie Shrubsole

1.2 Apologies:

Councillor Marcus Strudwicke	Mallala/Dublin Ward
------------------------------	---------------------

Sunday 24 November 2019

Moquet Lee Pinery Fire Memorial Launch

Monday 25 November 2019

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

Ordinary Council Meeting

Wednesday 27 November 2019

Two Wells Photograph Opportunity – The Advertiser and Chief Executive Officer

Opening, Two Wells Community Nursery

Friday 29 November 2019

Legatus Group Meeting

7.2 Mayor's Report

Reporting Period – Thursday 21 November to Wednesday 11 December 2019

Thursday 14 November 2019 to Tuesday 3 December 2019

Leave of Absence

Wednesday 4 December 2019

Meeting – Two Wells Main Street – Chief Executive Officer, General Managers, Jensen Plus

Thursday 5 December 2019

Meeting – Mayor and Chief Executive Officer – Various

Mallala Christmas Parade

Monday 9 December 2019

Meeting – Mayor and General Manager Governance and Executive Office – Various
Informal Gathering

8. REQUESTED DOCUMENTS/CORRESPONDENCE TO BE TABLED

Nil

9. DEPUTATIONS

- 9.1 Tony Lange, Spokesperson for Two Wells Regional Action Team, gave a 15 minute deputation in relation to the Two Wells pump track/skate park in Hart Reserve.

10. PRESENTATIONS/BRIEFINGS

- 10.1 The Mayor sought leave of the meeting to defer the Presentation by Jensen Plus to Item 14.1 – *Drought Communities Programme Stage 2*. Leave was granted.

11. PETITIONS

Nil

14.3 *Delegations – Planning, Development and Infrastructure Act 2016*

Moved Councillor Panella Seconded Councillor Boon 2019/ 518

“that Council, having considered Item 14.3 – *Delegations – Planning, Development and Infrastructure Act 2016*, dated 16 December 2019, and having conducted a periodic review of the Council’s Delegations Register, receives and notes the report and in doing so:

Revocation

1. Hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the Planning, Development and Infrastructure Act 2016.

Delegation of Powers as Council, Designated Authority and Designated Entity

2. In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the Planning Development and Infrastructure Act 2016 contained in the proposed Instrument of Delegation (annexed to the Report dated 16 December 2019 and entitled *Delegations – Planning, Development and Infrastructure Act 2018* and marked Appendix 1) are hereby delegated this 16 of December 2019 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
3. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

Delegation of Powers as Relevant Authority

4. In exercise of the power contained in Section 100 of the Planning Development and Infrastructure Act 2016 the powers and functions under the Planning Development and Infrastructure Act 2016 contained in the proposed Instrument of Delegation (annexed to the Report dated 16 December 2019 and entitled *Delegations – Planning, Development and Infrastructure Act 2018* and marked Appendix 2) are hereby delegated this 16 of December 2019 to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
5. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.”

CARRIED

14.4 Legatus Group – 2019/2020 Budget Amendment

Moved Councillor Keen Seconded Councillor Lush 2019/ 519

“that Council, having considered Item 14.4 – *Legatus Group – 2019/2020 Budget Amendment*, dated 16 December 2019, receives and notes the report and in doing so instructs the Chief Executive Officer to advise the Legatus Group that it approves the Legatus Group’s revised budget for the 2019/2020 financial year.”

CARRIED

14.9 Infrastructure and Asset Management Plan and Long Term Financial Plan – Update on Progress of Review

Moved Councillor Keen Seconded Councillor Parker 2019/ 524

“that Council, having considered Item 14.9 – *Infrastructure and Asset Management Plan and Long Term Financial Plan – Update on Progress of Review*, dated 16 December 2019, receives and notes the report and in doing so recognises that in order to meet tight timeframes with the rollout of the Strategic Plan review, the Infrastructure and Asset Management Plan and Long Term Financial Plan reviews will be run in parallel with the Strategic Plan review process.”

CARRIED

15. REPORTS FOR INFORMATION

15.1 Council Resolutions – Status Report

Moved Councillor Boon Seconded Councillor Daniele 2019/ 525

“that Council, having considered Item 15.1 – *Council Resolutions – Status Report*, dated 16 December 2019, receives and notes the report.”

CARRIED

15.2 Section 41 Committee Performance Review Survey Results

Moved Councillor Boon Seconded Councillor Panella 2019/ 526

“that Council, having considered Item 15.2 – *Section 41 Committee Performance Review Survey Results*, dated 16 December 2019, receives and notes the report.”

CARRIED

15.3 Drought Communities Programme Extension – Monthly Report – December 2019

Moved Councillor Panella Seconded Councillor Maiolo 2019/ 527

“that Council, having considered Item 15.3 – *Drought Communities Programme Extension – Monthly Report – December 2019*, dated 16 December 2019, receives and notes the report.”

CARRIED

15.4 Infrastructure and Environment Department – Monthly Report – December 2019

Moved Councillor Panella Seconded Councillor Maiolo 2019/ 528

“that Council, having considered Item 15.4 – *Infrastructure and Environment Department – Monthly Report – December 2019*, dated 16 December 2019, receives and notes the report.”

CARRIED

16. QUESTIONS ON NOTICE

Nil

- 21.1 Moved Councillor Daniele Seconded Councillor Panella 2019/ 535
 “that Council, having considered Item 21.1 – *Australia Day Awards 2020*, dated 16 December 2019, determines Rae Corston as the recipient of the Citizen of the Year Award.”

MOTION WITHDRAWN

The Mayor sought leave of the meeting to suspend 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 21.1 – *Australia Day Awards 2020*. Leave was granted.

The meeting was suspended at 8.16pm.

The meeting resumed at 8.23pm.

- 21.1 Moved Councillor Daniele Seconded Councillor Panella 2019/ 536
 “that Council, having considered Item 21.1 – *Australia Day Awards 2020*, dated 16 December 2019, determines Rae Corston as the recipient of the Citizen of the Year Award.”

CARRIED

- 21.1 Moved Councillor Keen Seconded Councillor Lush 2019/ 537
 “that Council, having considered Item 21.1 – *Australia Day Awards 2020*, dated 16 December 2019, determines Pinery Fire Memorial Grand Opening as the recipient of the Community Event of the Year Award.”

CARRIED

- 21.1 Moved Councillor Keen Seconded Councillor Boon 2019/ 538
 “that Council, having considered Item 21.1 – *Australia Day Awards 2020*, dated 16 December 2019, determines Pinery Fire Memorial and History of Grace Plains as the recipient of the Community Project of the Year Award.”

CARRIED

Having declared a material interest in Item 21.1 – *Australia Day Awards 2020* on the basis that she is a member of one of the groups nominated for the Community Group of the Year Award, Councillor Boon left the meeting at 8.25pm.

- 21.1 Moved Councillor Parker Seconded Councillor Lush 2019/ 539
 “that Council, having considered Item 21.1 – *Australia Day Awards 2020*, dated 16 December 2019, determines Two Wells Melodrama Group as the recipient of the Community Group of the Year Award.”

CARRIED

Councillor Boon returned to the meeting at 8.26pm.

21.1 Moved Councillor Keen Seconded Councillor Parker 2019/ 540

“that Council, having considered the matter of Agenda Item 21.1 – *Australia Day Awards 2019* in confidence under sections 90(2) and 90(3)(a) of the *Local Government Act 1999*, resolves that:

1. The staff report and the minutes pertaining to Agenda 21.1 – *Australia Day Awards 2020* remain confidential and not available for public inspection until all nominees/award recipients have been advised of the outcome;
2. Attachments 1-13 pertaining to Agenda 21.1 – *Australia Day Awards 2020* remain confidential and not available for public inspection until further order of Council;
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

21.2 Crown Land Investigations, Two Wells

Moved Councillor Parker Seconded Councillor Di Troia 2019/ 541

“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, General Manager – Infrastructure and Environment, Manager Governance and Administration/Minute Taker and Administration, Manager Library and Community and Executive Support 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

21.2 Moved Councillor Keen Seconded Councillor Boon 2019/ 543

“that Council, having considered the matter of Agenda 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, annexures and the minutes pertaining to Agenda 21.2 – *Crown Land Investigations, Two Wells* remain confidential and not available for public inspection until further order of Council;
2. Pursuant to section 91(9)(a) of the *Local Government Act 1999*, the confidentiality of the matter will be reviewed every 12 months; and
3. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, Council delegates the power to revoke this confidentiality order to the Chief Executive Officer.”

CARRIED

The Mayor formally acknowledged the efforts of Elected Members and Council Staff for 2019.

There being no further business, the Mayor declared the meeting closed 8.43pm.

Confirmed as a true record.

Mayor:

Date: ___/___/___

Subject to Confirmation