

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 23 May 2022 at 6.30pm

The Mayor formally declared the meeting open at 6.31pm.

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 Mallala/Dublin Ward *by electronic means*

Councillor Kay Boon Two Wells Ward

Councillor Joe Daniele Two Wells Ward

Councillor Frank Maiolo Two Wells Ward

Councillor Brian Parker Lewiston Ward

Councillor Carmine Di Troia Lewiston Ward

Councillor Margherita Panella Lewiston Ward *by electronic means*

Also in Attendance:

Chief Executive Officer

Mr James Miller

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

Mr Thomas Jones

Manager Governance and Administration/Minute Taker

Ms Alyssa Denicola

Manager Library and Community (*for Items 14.4, 21.3 and 21.4*)

Ms Anne Sawtell

Strategic Project Officer (*for Item 21.4*)

Mr David Bailey

Administration and Executive Support Officer

Ms Stacie Shrubsole

Information Technology Support Officer

Mr Sean Murphy

2. CONFIRMATION OF MINUTES

2.1 Confirmation of Council Minutes – Ordinary Council Meeting held 26 April 2022

Moved Councillor Daniele Seconded Councillor Parker **2022/ 127**

“that the minutes of the Ordinary Council Meeting held on 26 April 2022 (MB Folios 17560 to 17573 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

Mayor Wasley declared an actual conflict of interest in relation to Item 21.3 – *Council Owned Units – Mallala, Rent Review*, on the basis that a very close relative occupies one of the units, and indicated that he would deal with the actual conflict of interest by leaving the meeting for consideration of this item.

The Chief Executive Officer declared an actual conflict of interest in relation to Item 14.3 – *Chief Executive Officer Performance Review – Qualified Independent Person* and indicated that he would deal with the actual conflict of interest by leaving the meeting for Council’s consideration of this item.

Councillor Boon declared a perceived conflict of interest in relation to Item 14.7 – *Request for Reimbursement of Printing Costs*, on the basis that she is a close friend of the person requesting reimbursement of printing costs, and indicated that she would deal with the perceived conflict of interest by leaving the meeting for consideration of this item.

6. ADJOURNED BUSINESS

Nil

7. MAYOR’S REPORT

7.1 Mayor’s Report

Reporting Period – Friday 22 April 2022 to Wednesday 18 May 2022

Friday 22 April 2022

Meeting – Mayor/Chief Executive Officer – Various Matters

Tuesday 26 April 2022

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

Ordinary Council Meeting

Thursday 28 April 2022

Meeting – Two Wells Regional Action Team – Two Wells Twinkling

Friday 29 April 2022

LGA Briefing – Local Government Reform – Zoom

Wednesday 4 May 2022

Meeting – Mayor/Chief Executive Officer – Various Matters

Thursday 5 May 2022

LGA Briefing – Local Government Reform – Zoom

Friday 6 May 2022

Meeting – Mayor/Chief Executive Officer – Various Matters

Monday 9 May 2022

Meeting – Mayor, Chief Executive Officer, Hickinbotham Group, Catholic Education SA – Infrastructure Leadership Strategy

Friday 13 May 2022

Meeting – Mayor/Chief Executive Officer/McArthur Management – CEO Annual Performance Review Discussions

Meeting – Mayor/Chief Executive Officer – Various Matters

LGA Briefing – Local Government Reform – Zoom

Monday 16 May 2022

Meeting – Mayor/Chief Executive Officer – Various Matters

Workshop – Legatus Group Mayors, Balaklava

Tuesday 17 May 2022

Adelaide Plains Council – National Volunteer Week Celebration Event, Gawler Cinema

8. REQUESTED DOCUMENTS/CORRESPONDENCE TO BE TABLED

Nil

9. DEPUTATIONS

Nil

10. PRESENTATIONS/BRIEFINGS

Ms Jaclyn Thorne, Director, McGregor Tan provided an 11 minute briefing to Elected Members regarding the upcoming Community Survey.

11. PETITIONS

Nil

12. COMMITTEE MEETINGS

12.1 Adelaide Plains Council Historical Committee Meeting – 4 May 2022

Moved Councillor Lush Seconded Councillor Parker **2022/ 128**

“that Council receives and notes the minutes of the Adelaide Plains Council Historical Committee meeting held 4 May 2022.”

CARRIED

13. SUBSIDIARY MEETINGS

13.1 Gawler River Floodplain Management Authority Board Meeting – 14 April 2022

Moved Councillor Lush Seconded Councillor Di Troia **2022/ 129**

“that Council receives and notes the minutes of Gawler River Floodplain Management Authority Board Meeting held on 14 April 2022.”

CARRIED

14. REPORTS FOR DECISION

14.1 Policy Review – Caretaker Policy

Moved Councillor Parker Seconded Councillor Daniele **2022/ 130**

“that Council, having considered Item 14.1 – *Policy Review – Caretaker Policy*, dated 23 May 2022, receives and notes the report and in doing so adopts the draft Caretaker Policy as presented at Attachment 1 to this Report.”

Councillor Di Troia left the meeting at 6.59pm.

Councillor Di Troia returned to the meeting at 7.01pm.

CARRIED

14.2 Governance Advisory Panel – Terms of Reference Review

Moved Councillor Strudwicke Seconded Councillor Di Troia **2022/ 131**

“that Council, having considered Item 14.2 – *Governance Advisory Panel – Terms of Reference Review*, dated 23 May 2022, receives and notes the report and in doing so adopts the revised Governance Advisory Panel Terms of Reference as presented at Attachment 1 to this Report.”

CARRIED

14.3 Chief Executive Officer Performance Review – Qualified Independent Person

The Chief Executive Officer, having declared an actual conflict of interest in relation to Item 14.3 – *Chief Executive Officer Performance Review – Qualified Independent Person*, left the meeting at 7.04pm.

Moved Councillor Strudwicke Seconded Councillor Parker **2022/ 132**

“that Council, having considered Item 14.3 – *Chief Executive Officer Performance Review – Qualified Independent Person*, dated 23 May 2022, receives and notes the report and in doing so determines, in relation to Chief Executive Officer’s annual performance review and for the purpose of Section 102A(2) of the *Local Government Act 1999*, that Ms Rebecca Hunt, General

Manager Recruitment and Human Resources Consulting, McArthur, is a 'qualified independent person' on the basis that she:

1. Is not a member or an employee of Council; and
2. Has appropriate qualifications and experience in human resource management as set out within Attachment 1 to this Report."

CARRIED

14.4 Draft Hart Reserve Master Plan – Feedback and Endorsement

The Chief Executive Officer returned to the meeting at 7.10pm.

Moved Councillor Strudwicke Seconded Councillor Parker **2022/ 133**

"that Council, having considered Item 14.4 – Draft Hart Reserve Master Plan – Feedback and Endorsement, dated 23 May 2022, receives and notes the report and in doing so:

1. Adopts 'Option 1' as the Hart Reserve Master Plan as presented at Attachment 1 to this Report; and
2. Instructs the Chief Executive Officer to undertake detailed investigation into the cost of a skate park ('Option 2') within Hart Reserve and bring back a report in relation to those investigations."

CARRIED

Councillor Daniele called for a division.

The Mayor declared the vote set aside.

Members Voting in the Affirmative – Councillors Maiolo, Strudwicke, Di Troia, Keen, Parker and Lush

Members Voting in the Negative – Councillors Boon, Panella and Daniele

The Mayor declared the motion **CARRIED**

14.5 Proposed Discretionary Fees & Charges for 2022/2023

Moved Councillor Boon Seconded Councillor Keen **2022/ 134**

"that Council, having considered Item 14.5 – Proposed Discretionary Fees & Charges for 2022/2023, dated 23 May 2022, receives and notes the report and in doing so adopts the draft Schedule of Discretionary Fees and Charges for the 2022/2023 Financial Year as provided at Attachment 1 to this Report."

CARRIED

14.6 Third Budget Update 2021/2022

Moved Councillor Parker Seconded Councillor Strudwicke **2022/ 135**

"that Council, having considered Item 14.6 – Third Budget Update 2021/2022, dated 23 May 2022, receives and notes the report and in doing so:

1. Receives and note the project progress reports contained in Attachments 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 and revised financial indicators as contained within Attachment 3 that has been updated

following the Third Budget Update changes identified in Table 1 of this report and Attachments 1 and 2.”

CARRIED

14.7 Request for Reimbursement of Printing Costs

Councillor Boon, having declared a perceived conflict of interest in Item 14.7 – *Request for Reimbursement of Printing Costs*, left the meeting at 7.37pm.

Moved Councillor Strudwicke Seconded Councillor Parker **2022/ 136**

“that Council, having considered Item 14.7 – *Request for Reimbursement of Printing Costs*, dated 23 May 2022, receives and notes the report and in doing so:

1. Resolves to reimburse \$300 printing costs of the April 2022 edition of the Mallala Crossroads Chronicle as a goodwill gesture and
2. Instructs the Chief Executive Officer to advise the Mallala Crossroads Chronicle that no further reimbursements will be provided.”

AMENDMENT TO MOTION 2022/136

Moved Councillor Keen Seconded Councillor Maiolo **2022/ 137**

“At paragraph 1, replace “\$300” with “\$600”.”

AMENDMENT CARRIED

MOTION 2022/136 AS AMENDED

Moved Councillor Strudwicke Seconded Councillor Parker **2022/ 136**

“that Council, having considered Item 14.7 – *Request for Reimbursement of Printing Costs*, dated 23 May 2022, receives and notes the report and in doing so:

1. Resolves to reimburse \$600 printing costs of the April 2022 edition of the Mallala Crossroads Chronicle as a goodwill gesture and
2. Instructs the Chief Executive Officer to advise the Mallala Crossroads Chronicle that no further reimbursements will be provided.”

CARRIED

Councillor Boon returned to the meeting at 7.56pm.

15. REPORTS FOR INFORMATION

15.1 Council Resolutions – Status Report

Moved Councillor Parker Seconded Councillor Keen **2022/ 138**

“that Council, having considered Item 15.1 – *Council Resolutions – Status Report*, dated 23 May 2022, receives and notes the report.”

CARRIED

15.2 Infrastructure and Environment Department – Monthly Report – May 2022

Moved Councillor Strudwicke Seconded Councillor Maiolo **2022/ 139**

“that Council, having considered Item 15.2 – Infrastructure and Environment Department – Monthly Report – May 2022, dated 23 May 2022, receives and notes the report.”

CARRIED

15.3 APC Community Satisfaction Survey 2022

Moved Councillor Parker Seconded Councillor Keen **2022/ 140**

“that Council, having considered Item 15.3 – APC Community Satisfaction Survey 2022, dated 23 May 2022, receives and notes the report and in doing so, acknowledges the Chief Executive Officer’s appointment of consultant McGregor Tan to undertake the Adelaide Plains Council Community Satisfaction Survey for 2022.”

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

18.1 Motion on Notice – Campground/Caravan Park at Dublin

Moved Councillor Lush Seconded Councillor **2022/ 141**

“that Council instruct the Chief Executive Officer to bring back a report outlining the options for the establishment of a Campground/Caravan Park located on the land between South Terrace and Parklands Road, Dublin (Portion of Section 637 comprised in Certificate of Title Volume 5392 Folio 9 between South Terrace and Parklands Road Dublin).”

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 up to 10 minutes to facilitate informal discussions in relation to Item 18.1 – *Motion on Notice – Campground/Caravan Park at Dublin*.

The meeting was suspended at 8.12pm.

The meeting resumed at 8.23pm.

18.1 Motion on Notice – Campground/Caravan Park at Dublin

Moved Councillor Lush Seconded Councillor Strudwicke **2022/ 141**

“that Council instruct the Chief Executive Officer to bring back a report outlining the options for Council to facilitate the establishment and management of a Campground/Caravan Park located on the land between South Terrace and Parklands Road, Dublin (Portion of Section 637 comprised in Certificate of Title Volume 5392 Folio 9 between South Terrace and Parklands Road Dublin).”

Councillor Strudwicke raised a Point of Order on the basis that Councillor Panella cannot speak to the motion more than once. The Mayor accepted the Point of Order, ruling that there should not be ‘to and fro’ debate between councillors; it should be through the Chair.

CARRIED

Councillor Panella called for a division.

The Mayor declared the vote set aside.

Members voting in the Affirmative – Councillors Maiolo, Strudwicke, Di Troia, Keen, Parker and Lush

Members voting Against – Councillors Boon, Panella and Daniele

The Mayor declared the motion **CARRIED**

18. MOTIONS WITHOUT NOTICE

Nil

19. URGENT BUSINESS

Nil

20. CONFIDENTIAL ITEMS

21.1 Crown Land, Two Wells – May 2022

Moved Councillor Keen Seconded Councillor Parker **2022/ 142**

“that:

1. Pursuant to section 90(2) of the *Local Government Act 1999*, Council orders that all members of the public, except Chief Executive Officer, General Manager – Governance and Executive Office, General Manager – Finance and Business, General Manager – Infrastructure and Environment, General Manager – Development and Community, Manager Governance and Administration/Minute Taker, Administration and Executive Support Officer and Information Technology Support Officer, be excluded from attendance at the meeting of Council for Agenda Item 21.1 – *Crown Land, Two Wells – May 2022*.
2. Council is satisfied that pursuant to section 90(3)(b) of the *Local Government Act 1999*, Item 21.1 – *Crown Land, Two Wells – May 2022* concerns commercial information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting business, or to prejudice the commercial position of Council, being information relating to ongoing negotiations and would on balance be contrary to the public interest; and

3. Council is satisfied that the principle that Council meetings should be conducted in a place open to the public has been outweighed by the need to keep the information, matter and discussion confidential.”

CARRIED

Councillor Parker left the meeting at 8.39pm.

Councillor Di Troia left the meeting at 8.39pm

Councillor Parker returned to the meeting at 8.41pm.

Councillor Di Troia returned to the meeting at 8.41pm.

- 21.1 Moved Councillor Parker Seconded Councillor Keen **2022/ 143**
“that Council, having considered Item 21.1 – Crown Land, Two Wells – May 2022, dated 23 May 2022, receives and note the report.”

CARRIED

Councillor Maiolo left the meeting at 8.47pm.

- 21.1 Moved Councillor Keen Seconded Councillor Di Troia **2022/ 144**
“that Council, having considered the matter of Item 21.1 – Crown Land, Two Wells – May 2022 in confidence under sections 90(2) and 90(3)(b) of the Local Government Act 1999, resolves that:
1. The report pertaining to Item 21.1 – Crown Land, Two Wells – May 2022 remain confidential and not available for public inspection until further order of the Council except such disclosure as the Chief Executive Officer determines necessary or appropriate for the purpose of furthering the discussions or actions contemplated;
 2. Pursuant to section 91(9)(a) of the Local Government Act 1999, the confidentiality of the matter will be reviewed every 12 months; and
 3. Pursuant to section 91(9)(c) of the Local Government Act 1999, the Committee delegates the power to revoke this confidentiality order to the Chief Executive Officer.”

CARRIED

- 21.2 International Translational Horticulture Centre – May 2022

Councillor Maiolo returned to the meeting at 8.49pm.

- Moved Councillor Daniele Seconded Councillor Di Troia **2022/ 145**
“that:

1. Pursuant to section 90(2) of the Local Government Act 1999, Council orders that all members of the public, except Chief Executive Officer, General Manager – Governance and Executive Office, General Manager – Finance and Business, General Manager – Infrastructure and Environment, General Manager – Development and Community, Manager Governance and Administration/Minute Taker, Administration and Executive Support Officer and Information Technology Support Officer be excluded from attendance at the meeting of Council for Agenda Item 21.2 – International Translational Horticulture Centre – May 2022;
2. Council is satisfied that pursuant to section 90(3)(b) of the Local Government Act 1999, Item 21.2 – International Translational Horticulture Centre – May 2022 concerns

commercial information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting business, or to prejudice the commercial position of Council, being information relating to the proposed International Translational Horticulture Centre;

3. Council is satisfied that the principle that Council meetings should be conducted in a place open to the public has been outweighed by the need to keep the information, matter and discussion confidential.”

CARRIED

21.2 Moved Councillor Keen Seconded Councillor Daniele 2022/ 147

“that Council, having considered the matter of Item 21.2 – *International Translational Horticulture Centre – May 2022* in confidence under section 90(2), 90(3)(b) of the *Local Government Act 1999*, resolves that:

1. The report, minutes and attachment pertaining to Item 21.2 – *International Translational Horticulture Centre – May 2022* remain confidential and not available for public inspection until further order of the Council except such disclosure as the Chief Executive Officer determines necessary or appropriate for the purpose of furthering the discussions or actions contemplated;
2. Pursuant to section 91(9)(a) of the *Local Government Act 1999*, the confidentiality of the matter will be reviewed every 12 months; and
3. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, the Committee delegates the power to revoke this confidentiality order to the Chief Executive Officer.”

CARRIED

21.3 Council Owned Units – Mallala, Rent Review

Having declared an actual conflict of interest in relation to Item 21.3 – *Council Owned Units – Mallala, Rent Review*, Mayor Wasley left the meeting at 8.56pm.

Deputy Mayor Strudwicke assumed the role of Presiding Member.

Moved Councillor Boon Seconded Councillor Parker 2022/ 148

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

Officer be excluded from attendance at the meeting of the Council for Agenda Item 21.3 – *Council Owned Units – Mallala, Rent Review*;

2. Council is satisfied that pursuant to section 90(3)(a) of the *Local Government Act 1999*, Item 21.3 – *Council Owned Units – Mallala, Rent Review* concerns information of a confidential nature the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person, and it would be unreasonable to disclose this information; 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

21.3 Moved Councillor Keen Seconded Councillor Daniele **2022/ 149**

“that Council, having considered Item 21.3 – *Council Owned Units – Mallala, Rent Review* dated 23 May 2022, receives and notes the report and in doing so:

1. Increases current tenant rent in line with 5% CPI;
2. Increases tenant rent annually in line with Adelaide CPI prior to the beginning of each financial year;
3. Sets rent for incoming tenants in line with current rental fees at the time of entry; and
4. Instructs the Chief Executive Officer to write to all tenants advising them of Council’s decision.”

CARRIED

Mayor Wasley returned to the meeting 9.09pm and resumed the role of Presiding Member.

21.4 Heritage Survey Review

Moved Councillor Boon Seconded Councillor Strudwicke **2022/ 150**

“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, General Manager – Infrastructure and Environment, Manager Governance and Administration/Minute Taker, Manager Library and Community, Strategic Projects Officer, Administration and Executive Support Officer and Information Technology Support Officer be excluded from attendance at the meeting of the Council for Agenda Item 21.4 – *Heritage Survey Review*;
2. Council is satisfied that pursuant to section 90(3)(a) of the *Local Government Act 1999*, Item 21.4 – *Heritage Service Review* concerns information of a confidential nature the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person, and it would be unreasonable to disclose this information; 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 9.11pm.

Councillor Daniele declared an actual conflict of interest in relation to Item 21.4 – *Heritage Survey Review*, on the basis that he owns property subject of the Heritage Review. Councillor Daniele left the meeting at 9.13pm and did not return.

Di Troia returned to the meeting at 9.12pm.

- 21.4 Moved Councillor Strudwicke Seconded Councillor Keen **2022/ 151**
- “that Council, having considered Item 21.4 – *Heritage Survey Review*, dated 23 May 2022, receives and notes the report and in doing so:**
- 1. Notes the Heritage Review Report in Attachment 1 to this Report includes:**
 - a. The Local Heritage Assessment Sheets identifying 34 properties as being of local heritage value;**
 - b. The Buckland Park State Heritage Assessment identifying the property as being of State heritage value;**
 - 2. Endorses in principle commencing an Amendment to the Planning and Design Code:**
 - a. To formally designate as local heritage places the 34 properties identified in Attachment 1 to this report;**
 - b. With early commencement of the Amendment to enable the buildings being listed on an interim basis to prevent risk of demolition during consultation.**
 - 3. Endorses in principle nominating the Buckland Park Station complex of buildings to the SA Heritage Council for consideration as a potential State heritage place;**
 - 4. Authorises the Chief Executive Officer to commence the statutory processes:**
 - a. To initiate an amendment to the Planning and Design Code including engagement with property owners under the *Planning, Development and Infrastructure Act 2016*;**
 - b. To nominate the Buckland Park Station complex of buildings to the SA Heritage Council for consideration as a potential State heritage place, noting the Department of Environment and Water are the lead agency for engagement with property owners, under the *Heritage Places Act 1993*;**
 - 5. Notes administration intent to include an allocation of up to \$10,000 in the draft budget for 2023/24 for the purpose of a local heritage incentives and advisory service.”**
- CARRIED**

It being 9.27pm, Council resolved to extend the meeting for 30 minutes in accordance with Division 2, Clause 7(6) of Council’s *Code of Practice - Meeting Procedures*.

- Moved Councillor Keen Seconded Councillor Boon **2022/ 152**
- “that the meeting be extended by 30 minutes.”**
- CARRIED**

21.4 Moved Councillor Boon Seconded Councillor Maiolo **2022/ 153**
“that Council, having considered the matter of Agenda Item 21.4 – *Heritage Survey Review 2022* in confidence under sections 90(2) and 90(3)(a) of the *Local Government Act 1999*, resolves that:

1. The report, Attachment 1 and Attachment 2 pertaining to Agenda 21.4 – *Heritage Survey Review 2022* remain confidential and not available for public inspection until further order of the Council except such disclosure as the Chief Executive Officer determines necessary or appropriate for the purpose of furthering the discussions or actions contemplated;
2. Pursuant to section 91(9)(a) of the *Local Government Act 1999*, the confidentiality of the matter will be reviewed every 12 months; and
3. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, Council delegates the power to revoke this confidentiality order to the Chief Executive Officer.”

CARRIED

21.5 Feedback on ESCOSA Proposed Framework and Approach – S122 Strategic Management Plan Advice Scheme

Moved Councillor Keen Seconded Councillor Lush **2022/ 154**

“that:

1. Pursuant to section 90(2) of the *Local Government Act 1999*, Council orders that all members of the public, except Chief Executive Officer, General Manager – Governance and Executive Office, General Manager – Finance and Business, General Manager – Infrastructure and Environment, General Manager – Development and Community, Manager Governance and Administration/Minute Taker, Administration and Executive Support Officer and Information Technology Support Officer be excluded from attendance at the meeting of Council for Agenda Item 21.5 – *Feedback on ESCOSA Proposed Framework and Approach – S122 Strategic Management Plan Advice Scheme*;
2. Council is satisfied that pursuant to section 90(3)(j) of the *Local Government Act 1999*, Item 21.5 – *Feedback on ESCOSA Proposed Framework and Approach – S122 Strategic Management Plan Advice Scheme* concerns information the disclosure of which would:
 - Divulge information provided on a confidential basis by a public authority, being the Local Government Association of SA (LGA);
 - On balance, be contrary to the public interest, being information provided by the LGA in relation to proposed advocacy and sector wide submission in response to the Essential Services Commission of SA ‘Draft Framework and Approach’ that the LGA has requested be kept confidential at this stage; and
 - On balance, be contrary to the public interest because it is in the public interest for the Council to be able to communicate on a confidential basis with the LGA about proposed sector advocacy and thereby act cooperatively with the LGA in achieving positive outcomes for the local government sector 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

Subject to confirmation

21.5 Moved Councillor Keen Seconded Councillor Boon 2022/ 156

“that Council, having considered the matter of Item 21.5 – *Feedback on ESCOSA Proposed Framework and Approach – S122 Strategic Management Plan Advice Scheme* in confidence under sections 90(2) and 90(3)(j) of the *Local Government Act 1999*, resolves that:

- 1. The report, the attachments and the minutes pertaining to Item 21.5 – *Feedback on ESCOSA Proposed Framework and Approach – S122 Strategic Management Plan Advice Scheme* 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 on the grounds that the documents relate to information provided on a confidential basis by a public authority, being the Local Government Association of SA (LGA) the disclosure of which would, on balance be contrary to the public interest, being information provided by the LGA in relation to proposed sector advocacy that the LGA has requested be kept confidential at this stage;**
- 2. Pursuant to section 91(9)(a) of the *Local Government Act 1999*, the confidentiality of the matter shall operate until 30 June 2022; and**
- 3. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, the Council delegates to the Chief Executive Officer the power to revoke this order in whole or part.”**

CARRIED

There being no further business, the Mayor declared the meeting closed at 9.39pm.

Confirmed as a true record.

Mayor:

Date: ____/____/____