

The Mayor formally declared the meeting open at 6.02pm.

1. ATTENDANCE RECORD

1.1 Present:

Mayor Mark Wasley		<i>By audio-visual link</i>
Councillor John Lush	Mallala/Dublin Ward	<i>By audio-visual link</i>
Councillor Marcus Strudwicke	Mallala/Dublin Ward	<i>By audio-visual link</i>
Councillor Terry-Anne Keen	Mallala/Dublin Ward	<i>By audio-visual link</i>
Councillor Kay Boon	Two Wells Ward	<i>By audio-visual link</i>
Councillor Joe Daniele	Two Wells Ward	<i>By audio-visual link</i>
Councillor Frank Maiolo	Two Wells Ward	<i>By audio-visual link</i>
Councillor Brian Parker	Lewiston Ward	<i>By audio-visual link</i>
Councillor Margherita Panella	Lewiston Ward	<i>By audio-visual link</i>
Councillor Carmine Di Troia	Lewiston Ward	<i>By audio-visual link</i>

Also in Attendance by audio-visual link:

Chief Executive Officer	Mr James Miller
General Manager – Governance and Executive Office	Ms Sheree Schenk
General Manager – Finance and Business	Mr Rajith Udugampola
General Manager – Infrastructure and Environment	Mr Thomas Jones
General Manager – Development and Community	Mr Darren Starr
Manager Governance and Administration/Minute Taker	Ms Alyssa Denicola
Manager Library and Community	Ms Anne Sawtell
Information Technology Officer	Mr Thomas Harris-Howson
Administration and Executive Support Officer	Ms Stacie Shrubsole

2. CONFIRMATION OF MINUTES

2.1 Confirmation of Council Minutes – Ordinary Council Meeting held on 23 November 2020

Moved Councillor Daniele Seconded Councillor Maiolo **2020/ 434**

“that the minutes of the Ordinary Council Meeting held on 23 November 2020 (MB Folios 17244 to 17261 inclusive), be accepted as read and confirmed.”

CARRIED

2.2 Confirmation of Council Minutes – Special Council Meeting held on 7 December 2020

Moved Councillor Keen Seconded Councillor Di Troia **2020/ 435**

“that the minutes of the Special Council Meeting held on 7 December 2020 (MB Folios 17262 to 17264 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 at a Council Meeting held by electronic means during the COVID-19 public health emergency.

5. DECLARATION OF MEMBERS’ INTEREST

Nil

6. ADJOURNED BUSINESS

Nil

7. MAYOR’S REPORT

7.1 Reporting Period – Thursday 19 November 2020 to Wednesday 9 December 2020

Thursday 19 November 2020

Special Council Meeting

Monday 23 November 2020

Meeting – Mayor/Chief Executive Officer – COVID-19 Update

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

Ordinary Council Meeting

Tuesday 24 November 2020

Photograph Opportunity – Two Wells Main Street

Wednesday 25 November 2020

Meeting – Deputy Prime Minister – Federal Funding Opportunities

Thursday 26 November 2020

Meeting – Mayor/Chief Executive Officer – Various Matters

Thursday 27 November 2020

Legatus Group Meeting

Tuesday 1 December 2020

SA Coastal Councils Executive Committee Meeting

Meeting – Mayor/Chief Executive Officer – Various Matters

Informal Gathering

Wednesday 2 December 2020

LGA Sector Briefing – Premier Steven Marshall

Monday 7 December 2020

Northern and Yorke Coastal Management/Legatus Group Strategic Planning Workshop, Port Broughton

Special Council Meeting

Wednesday 9 December 2020

Town of Gawler – Peri Urban Councils Forum

8. REQUESTED DOCUMENTS/CORRESPONDENCE TO BE TABLED

Nil

9. DEPUTATIONS

Nil

10. PRESENTATIONS/BRIEFINGS

Nil

11. PETITIONS

Nil

12. COMMITTEE MEETINGS

Nil

13. SUBSIDIARY MEETINGS

13.1 Legatus Group Ordinary Meeting – 27 November 2020

Moved	Councillor	Keen	Seconded	Councillor	Lush	2020/ 436
<p>“that Council receives and notes the minutes of the Legatus Group Ordinary Meeting held on 27 November 2020.”</p>						

CARRIED

14. REPORTS FOR DECISION

14.1 Review of Office Accommodation – Project Scope

Councillor Panella disconnected from the meeting at 6.11pm.

Moved Councillor Boon Seconded Councillor Strudwicke **2020/ 437**

"that Council, having considered Item 14.1 – *Review of Office Accommodation – Project Scope*, dated 14 December 2020, receives and notes the report and in doing so instructs the Chief Executive Officer (CEO) to:

- 1. Proceed with the tender process to engage a suitably qualified consultant;**
- 2. Include the following key areas in the scope for the tender brief:**
 - a. Review of current office facilities and efficiencies/functionality of same**
 - b. The incorporation of Council-owned community facilities**
 - c. Future options and considerations for office accommodation, including growth projections for the region**
 - d. Overall cost benefit analysis; and**
- 3. Include any other matters the CEO believes necessary for inclusion in the tender brief.”**

14.2 Ordinary Council Meeting Schedule 2021

Councillor Panella reconnected to the meeting at 6.18pm.

Moved	Councillor Parker	Seconded	Councillor Keen	2020/ 438
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“that Council, having considered Item 14.2 – *Ordinary Council Meeting Schedule 2021*, dated 14 December 2020, receives and notes the report and in doing so resolves that Ordinary Council Meetings for the 2021 calendar year will be held at 6.00pm on the fourth Monday of the month with the exception of:

- 1. January 2021, where the Ordinary Council Meeting will be held on the fourth Wednesday of the month due to the Australia Day public holiday;**
- 2. April 2021, where the Ordinary Council Meeting will be held on the fourth Tuesday of the month due to the Easter Monday public holiday; and**
- 3. December 2021, where the Ordinary Council Meeting will be held on the second Monday of the month due to the Christmas closure/holiday period.”**

14.2 Moved Councillor Parker Seconded Councillor Keen 2020/ 439

“that Council, having considered Item 14.2 – *Ordinary Council Meeting Schedule 2021*, dated 14 December 2020, resolves that Ordinary Council Meetings for the 2021 calendar year will be held via electronic means until such time that the relevant declarations (under the South Australian Public Health Act 2011 and the Emergency Management Act 2004) have been revoked.”

CARRIED

Councillor Boon called for a division.

The Mayor declared the vote set aside.

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

Members voting in the Negative: Councillors Boon, Panella and Daniele.

The Mayor declared the motion **CARRIED**

14.3 Planning Reform Update December 2020 – Phase 3 Planning and Design Code Consultation

Council’s General Manager – Development and Community gave a 34 minute presentation, including questions from Council Members, in relation to Item 14.3 – *Planning Reform Update December 2020 – Phase 3 Planning and Design Code Consultation*.

Councillor Panella disconnected from the meeting at 6.49pm.

Councillor Panella reconnected to the meeting at 6.58pm.

Moved Councillor Parker Seconded Councillor Lush 2020/ 440

“that Council, having considered Item 14.3 – *Planning Reform Update December 2020 – Phase 3 Planning and Design Code Consultation*, dated 14 December 2020 receives and notes the report and in doing so instructs the Chief Executive Officer to finalise and lodge a submission to the State Government by Friday 18 December 2020. The submission should include the key themes provided for within the body of this report.’

AMENDMENT

Moved Councillor Strudwicke Seconded Councillor Keen 2020/ 441

“After the words ‘body of this report’, insert the words ‘subject to the following:

- 1. Review of small scale v large scale dog kennelling development within the Animal Husbandry sub-zone**
- 2. Need for buffers in agriculture zones to protect dwellings with buffers to be contained on subject land**
- 3. Rural development to not make adjacent land unviable through proposed activities and**
- 4. Other points raised in this meeting.”**

AMENDMENT CARRIED

MOTION 2020/440 AS AMENDED

Moved Councillor Parker Seconded Councillor Lush **2020/ 440**
“that Council, having considered Item 14.3 – *Planning Reform Update December 2020 – Phase 3 Planning and Design Code Consultation*, dated 14 December 2020 receives and notes the report and in doing so instructs the Chief Executive Officer to finalise and lodge a submission to the State Government by Friday 18 December 2020. The submission should include the key themes provided for within the body of this report subject to the following:

- 1. Review of small scale v large scale dog kennelling development within the Animal Husbandry sub-zone**
- 2. Need for buffers in agriculture zones to protect dwellings with buffers to be contained on subject land**
- 3. Rural development to not make adjacent land unviable through proposed activities and**
- 4. Other points raised in this meeting.”**

CARRIED

14.4 Windsor Depot Library – Future Operation

Moved Councillor Boon Seconded Councillor Strudwicke **2020/ 442**
“that Council, having considered Item 14.4 – *Windsor Depot Library – Future Operation* dated 14 December 2020 receives and notes the report and in doing so acknowledges that the Windsor Depot Library will be closed from Sunday 19 December 2020 due to the retirement of its only current volunteer.”

CARRIED

14.4 Moved Councillor Keen Seconded Councillor Parker **2020/ 443**
“that Council, having considered Item 14.4 – *Windsor Depot Library – Future Operation* dated 14 December 2020, resolves that Mrs Barbara Kennedy’s 25 years of service as a volunteer will be acknowledged at the 2021 Australia Day Awards ceremony.”

CARRIED UNANIMOUSLY

14.4 Moved Councillor Parker Seconded Councillor Boon **2020/ 444**
“that Council, having considered Item 14.4 – *Windsor Depot Library – Future Operation*, dated 14 December 2020, instructs the Chief Executive Officer to:

- 1. Undertake a targeted consultation with its Windsor Depot Library users in relation to the proposed closure of the Windsor Depot Library and:**
- 2. In the event that:**
 - a. Objections to the proposed closure are received, bring a report back to Council for consideration (noting that that the Windsor Depot Library cannot operate without a volunteer) and**
 - b. No objections to the proposed closure are received, make the necessary arrangements to permanently close the Windsor Library.”**

CARRIED

14.5 Mallala Council Chamber Recording Options

Moved Councillor Boon Seconded Councillor Strudwicke 2020/ 445

“that Council, having considered Item 14.5 – *Mallala Council Chamber Recording Options*, dated 14 December 2020, receives and notes the report.”

CARRIED

14.5 Moved Councillor Parker Seconded Councillor Lush 2020/ 446

“that Council having considered Item 14.5 – *Mallala Council Chamber Recording Options*, dated 14 December 2020, instructs the Chief Executive Officer to engage a contractor to carry out acoustic assessment of the Mallala Chamber and bring back a further report on options available and associated costs to record and live stream meetings at the Mallala Chamber.”

CARRIED

14.6 Recommence Review of Infrastructure and Asset Management Plan

Moved Councillor Lush Seconded Councillor Parker 2020/ 447

“that Council, having considered Item 14.6 – *Recommencement Review of Infrastructure and Asset Management Plan*, dated 14 December 2020, receives and notes the report and in doing so instructs the Chief Executive Officer to recommence work on the review of Infrastructure and Asset Management Plan post adoption of the Strategic Plan 2020-2024.”

CARRIED

14.7 Third Creek Road Closure – Outcome of Public Consultation

Moved Councillor Di Troia Seconded Councillor Daniele 2020/ 448

“that Council, having considered Item 14.7 – *Third Creek Road Closure – Outcome of Public Consultation*, dated 14 December 2020, receives and notes the report and in doing so:

- 1. Acknowledges that public consultation was undertaken in relation to the proposed closure of Third Creek Road and that no submissions were received; and**
- 2. Instructs the Chief Executive Officer to finalise Third Creek Road closure in accordance with the Roads (Opening and Closing) Act 1991.”**

CARRIED

15. REPORTS FOR INFORMATION

15.1 Council Resolutions – Status Report

Moved Councillor Di Troia Seconded Councillor Boon 2020/ 449

“that Council, having considered Item 15.1 – *Council Resolutions – Status Report*, dated 14 December 2020, receives and notes the report.”

CARRIED

15.2 Infrastructure and Environment Department – Monthly Report – December 2020

Moved Councillor Di Troia Seconded Councillor Daniele **2020/ 450**

“that Council, having considered Item 15.2 – *Infrastructure and Environment Department – Monthly Report – December 2020*, dated 14 December 2020 receives and notes the report.”

CARRIED

15.3 Drought Communities Programme – Monthly Report – December 2020

Moved Councillor Daniele Seconded Councillor Boon **2020/ 451**

“that Council, having considered Item 15.3 – *Drought Communities Programme – Monthly Report – December 2020*, dated 14 December 2020 receives and notes the report.”

CARRIED

15.4 Donation Box at Parham

Moved Councillor Daniele Seconded Councillor Keen **2020/ 452**

“that Council, having considered Item 15.4 – *Donation Box at Parham*, dated 14 December 2020, receives and notes the report.”

CARRIED

15.5 Local Roads and Community Infrastructure Programs – Update and Extension

Moved Councillor Keen Seconded Councillor Strudwicke **2020/ 453**

“that Council, having considered Item 15.5 – *Local Roads and Community Infrastructure Program – Update and Extension*, dated 14 December 2020, receives and notes the report.”

CARRIED

16. QUESTIONS ON NOTICE

16.1 Councillor Parker gave notice of his intention to ask the following question:

Question: Can you provide the full cost both known and estimated for the Village Green as provided in the 100% detailed design? The costings are to include but not limited to:

1. All feasibility and design consultancies;
2. Project Management both in house and external;
3. Council costs including Labour, Disposal costs, equipment hire and sundry items;
4. Landscaping, and
5. Construction

Answer: 1. All feasibility and design consultancies expenditure to date is \$76,538. Council, at its 25 May 2020 Ordinary Council Meeting, endorsed the Third Quarter 2019/2020 Budget Revision, which included allocating \$142,000 for the Two Wells Main Street Upgrade feasibility and design consultancies.

- ## 17. QUESTIONS WITHOUT NOTICE

18. MOTIONS ON NOTICE

- Moved Councillor Lush Seconded Councillor Parker **2020/ 454**

CARRIED

Nil

Councillor Keen disconnected from the meeting at 8.02pm.

Moved Councillor Parker Seconded Councillor Panella **2020/ 455**

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, Manager Governance and Administration/Minute Taker, Information Technology Officer and Administration and Executive Support Officer

be excluded from attendance at the meeting of Council for Agenda Item 21.1 – *Crown Land, Two Wells*;

2. Council is satisfied that pursuant to section 90(3)(b) of the Local Government Act 1999, Item 21.1 – *Crown Land, 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 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 Lush Seconded Councillor Panella **2020/ 457**

“that Council, having considered the matter of Item 21.1 – *Crown Land, Two Wells* in confidence under sections 90(2) and 90(3)(b) of the Local Government Act 1999, resolves that:

1. The report, Attachment 1 and the minutes of the meeting pertaining to Item 21.1 – *Crown Land, Two Wells* 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, the Committee delegates the power to revoke this confidentiality order to the Chief Executive Officer.”

CARRIED

21.2 Australia Day Awards 2021

Moved Councillor Daniele Seconded Councillor Boon **2020/ 458**

“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,

Information Technology Officer and Administration and Executive Support Officer be excluded from attendance at the meeting of the Council for Agenda Item 21.2 – *Australia Day Awards 2021*;

2. Council is satisfied that pursuant to section 90(3)(a) of the Local Government Act 1999, Item 21.2 – *Australia Day Awards 2021* concerns information of a confidential nature the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person, constituting information relevant to the nominees' potential to be awarded relevant Australia Day Awards 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

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 time sufficient to facilitate informal discussions in relation to Item 21.2 – Australia Day Awards 2021. Leave was granted.

The meeting was suspended at 8.12pm.

The meeting resumed at 8.21pm.

21.2 Moved Councillor Keen Seconded Councillor Lush **2020/ 459**
"that Council, having considered Item 21.2 – Australia Day Awards 2021, dated 14 December 2020, receives and notes the report."

CARRIED

21.2 Moved Councillor Keen Seconded Councillor Parker **2020/ 460**
"that Council, having considered Item 21.2 – Australia Day Awards 2021, dated 14 December 2020, determines Pat Thompson as the recipient of the Citizen of the Year Award."

CARRIED

21.2 Moved Councillor Di Troia Seconded Councillor Daniele **2020/ 461**
"that Council, having considered Item 21.2 – Australia Day Awards 2021, dated 14 December 2020, determines Jack Harris as the recipient of the Young Citizen of the Year Award."

CARRIED

21.2 Moved Councillor Daniele Seconded Councillor Di Troia **2020/ 462**
"that Council, having considered Item 21.2 – Australia Day Awards 2021, dated 14 December 2020, determines Two Wells Community Garden Official Opening as the recipient of the Community Event of the Year Award."

CARRIED

Councillor Boon left the meeting at 8.22pm.

- 21.2 Moved Councillor Parker Seconded Councillor Panella **2020/ 463**
“that Council, having considered Item 21.2 – Australia Day Awards 2021, dated 14 December 2020, determines Adelaide Plains Equestrian Club as the recipient of the Community Group of the Year Award.”

CARRIED

Councillor Boon returned to the meeting at 8.22pm.

- 21.2 Moved Councillor Lush Seconded Councillor Keen **2020/ 464**
“that Council, having considered Item 21.2 – Australia Day Awards 2021, dated 14 December 2020, determines Mallala and Districts Lions Club – Mallala Campground as the recipient of the Community Project of the Year Award.”

CARRIED

- 21.2 Moved Councillor Di Troia Seconded Councillor Parker **2020/ 465**
“that Council, having considered the matter of Agenda Item 21.2 – Australia Day Awards 2021 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 21.2 – Australia Day Awards 2021 remain confidential and not available for public inspection until all award recipients have been advised of the outcome;**
 - 2. Attachments 1-10 pertaining to Agenda 21.2 – Australia Day Awards 2021 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

There being no further business, the Mayor declared the meeting closed at 8.28pm.

Confirmed as a true record.



Mayor:

Date: 27 January 2021

