MINUTES

of the

Ordinary Council Meeting



Held, pursuant to the provisions of the Local Government Act 1999, in the

Council Chamber Redbanks Road Mallala

on

Monday 26 February 2024 at 5:30pm



The Mayor formally declared the meeting open at 5:30pm.

ACKNOWLEDGEMENT OF COUNTRY 1

Council acknowledges that we meet on the traditional country of the Kaurna people of the Adelaide Plains and pays respect to elders past, present and emerging. We recognise and respect their cultural heritage, beliefs and relationship with the land and we acknowledge that they are of continuing importance to the Kaurna people living today.

2 ATTENDANCE RECORD

Present:

Mayor Mark Wasley

Councillor Alana Bombardieri

Councillor Kay Boon

Councillor Carmine Di Troia

Councillor Terry-Anne Keen

Councillor Dante Mazzeo

Councillor Margherita Panella

Councillor David Paton

Councillor Eddie Stubing

Staff in Attendance:

Chief Executive Officer Mr James Miller

Chief Financial Officer Mr Rajith Udugampola

Acting Director Corporate Services Ms Amy Fagan **Director Development & Community**

Director Infrastructure & Environment

Manager Governance

Manager Growth & Investment

Senior Information Technology Officer

Property Officer

Acting Executive Assistant to the CEO/Mayor

Governance Administration Officer/Minute Taker

Mr Michael Ravno

Mr Thomas Jones

Ms Rachel Kammermann

Mr David Bailey

Mr Sean Murphy

Mr Maurice Park

Ms Lauren Bywaters

Ms Paige Graham

Apologies:

Deputy Mayor Marcus Strudwicke

The Mayor sought leave of the meeting to allow Councillor Panella to stand and sit as needed due to a recent injury. Leave was granted.

The Mayor sought leave of the meeting to allow Councillor Keen to remain seated where a division is called and be able to indicate when voting in the affirmative for a motion by raising her hand. Leave was granted.

3 MINUTES

3.1 CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING - 29 JANUARY 2024

RESOLUTION 2024/24

Moved: Councillor Keen Seconded: Councillor Stubing

"that the minutes of the Ordinary Council Meeting held on 29 January 2024 (MB Folios 17951 to 17960 be accepted as read and confirmed."

CARRIED UNANIMOUSLY

3.2 CONFIRMATION OF MINUTES - SPECIAL COUNCIL MEETING - 20 FEBRUARY 2024

RESOLUTION 2024/25

Moved: Councillor Di Troia Seconded: Councillor Mazzeo

"that the minutes of the Special Council Meeting held on 20 February 2024 (MB Folios 17961 to 17965) be accepted as read and confirmed."

CARRIED UNANIMOUSLY

4 BUSINESS ARISING

Nil

5 DECLARATION OF MEMBERS' INTEREST

Nil

6 ADJOURNED BUSINESS

Nil

7 MAYOR'S REPORT

7.1 MAYOR'S REPORT - FEBRUARY 2024

RESOLUTION 2024/26

Moved: Councillor Mazzeo Seconded: Councillor Di Troia

"that Council, having considered Item 7.1 – *Mayor's Report*, dated 26 February 2024, receives and notes the report."

CARRIED UNANIMOUSLY

8 REQUESTED DOCUMENTS/CORRESPONDENCE TO BE TABLED

Nil



9 **DEPUTATIONS**

9.1 DEPUTATION - SPORTING CAR CLUB OF SOUTH AUSTRALIA INC - MALLALA STREET PARTY, FRIDAY 26 APRIL 2024

Mr Ziggy Cosic, Manager of Sporting Car Club of South Australia Inc, and Gordon Sweeney, Life Member of the Sporting Car Club of South Australia Inc, gave a 10-minute presentation, including taking questions of Members, in relation to the All Historic Mallala Street Party, and requested Council contribute traffic control, lighting, portable toilets and waste for the event.

DEPUTATION - MICHEAL TENNANT 9.2

Mr Michael Tennant, a local community member, gave a 6-minute presentation raising concerns about safety issues with overgrown trees at intersections and sharing ideas about a wind break on Gawler Road. Concern was also raised regarding a designated bus drop off point for school children.

10 PRESENTATIONS/BRIEFINGS

Nil

11 **PETITIONS**

Nil

- 12 **COMMITTEE MEETING MINUTES**
- MINUTES OF THE ADELAIDE PLAINS COUNCIL HISTORICAL COMMITTEE MEETING HELD 1 12.1 **FEBRUARY 2024**

RESOLUTION 2024/27

Moved: **Councillor Keen**

Seconded: Councillor Mazzeo

"that Council receives and notes the minutes of the Adelaide Plains Council Historical Committee Meeting held 1 February 2024."

CARRIED UNANIMOUSLY

MINUTES OF THE AUDIT & RISK COMMITTEE MEETING HELD 12 FEBRUARY 2024 12.2

RESOLUTION 2024/28

Moved:

Councillor Boon

Seconded: Councillor Mazzeo

"that Council receives and notes the minutes of the Audit and Risk Committee Meeting held 12 February 2024."

CARRIED

RESOLUTION 2024/29

Moved: Councillor Di Troia Seconded: Councillor Paton

"that Council, having considered Item 12.2 – Minutes of the Audit and Risk Committee Meeting held 12 February 2024, dated 26 February 2024, receives and notes the report, and in doing so endorses resolution 2024/004 of the Audit and Risk Committee and in doing so acknowledges the progress made to complete the activities identified for the Audit and Risk Committee during the 2023/2024 Financial Year."

CARRIED UNANIMOUSLY

13 SUBSIDIARY MEETINGS

13.1 GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY - MINUTES OF BOARD MEETING -

RESOLUTION 2024/30

Moved: Councillor Keen
Seconded: Councillor Mazzeo

"that Council, receives and notes the draft minutes of the Gawler River Floodplain Management Authority Board Meeting held on 15 February 2024."

CARRIED UNANIMOUSLY

14 REPORTS FOR DECISION

14.1 COMMUNITY & CIVIC HUB INVESTIGATION - PHASE 2

RESOLUTION 2024/31

Moved: Councillor Mazzeo Seconded: Councillor Paton

"that Council, having considered Item 14.1 - Community and Civic Hub Investigation Phase 2 Summary Report prepared by Holmes Dyer, dated 26 February 2024, receives and notes the report."

CARRIED UNANIMOUSLY

RESOLUTION 2024/32

Moved: Councillor Keen Seconded: Councillor Paton

"that Council, having considered Item 14.1 - Community and Civic Hub Investigation Phase 2 Summary Report prepared by Holmes Dyer, dated 26 February 2024, endorses the Two Wells Office and Library site as the preferred location for the development of a Community and Civic Hub."

CARRIED UNANIMOUSLY

RESOLUTION 2024/33

Moved: Councillor Paton Seconded: Councillor Mazzeo

"that Council, having considered Item 14.1 - Community and Civic Hub Investigation Phase 2 Summary Report prepared by Holmes Dyer, dated 26 February 2024, in acknowledging the findings, conclusions and recommendations/next steps entailed within the report, determine to pause on any further advancements into the development of a Community and Civic Hub at this time to enable a suite of processes and initiatives to firstly occur, namely:

- 1. Develop, consult upon and adopt Council's Strategic Plan 2025-2028 (which may or may not include a pathway forward regarding the development of a Community and Civic Hub); and
- 2. Continue to advance Council's adopted position resolved at its 27 November 2023 Ordinary Council Meeting Item 22.2 Two Wells Service Centre Land Valuation (refer confidential resolutions 2023/373 and 2023/374).
- 3. Revisit the recommendations comprised within the report in early 2025 and following the completion of items 1 and 2 above."

CARRIED UNANIMOUSLY

14.2 DELEGATION UPDATE

RESOLUTION 2024/34

Moved: Councillor Boon
Seconded: Councillor Di Troia

"that Council, having considered Item 14.2 – *Delegation Update*, dated 26 February 2024, receives and notes the report and in doing so:

- 1. exercises the power contained in section 44 of the Local Government Act 1999 to hereby delegate, on 26 February 2024, the powers and functions under the following Acts and specified in the proposed Instruments of Delegation contained in this report to the person occupying the office of the Chief Executive Officer (and anyone acting in that position) subject to the conditions and/or limitations specified herein:
 - (a) Burial and Cremations Act 2013
 - (b) Expiation of Offences Act 1996
 - (c) Local Government Act 1999
 - (d) Road Traffic Act 1961
 - 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.
- 2. exercises the power contained in section 44 of the Local Government Act 1999, and section 100 of the Planning, Development and Infrastructure Act 2016 to hereby delegate, effective from 3 July 2023, the powers and functions under the Planning, Development and Infrastructure Act 2016 Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Council, a Designated Authority; a Designated Entity (Instrument A), 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.

3. exercises the power contained in section 44 of the Local Government Act 1999, and section 100 of the Planning, Development and Infrastructure Act 2016 to hereby delegate, effective from 3 July 2023, the powers and functions under the Planning, Development and Infrastructure Act 2016 Regulations, Planning & Design Code and Practice Directions of Powers of a Council as a Relevant Authority— (Instrument B), 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."

CARRIED UNANIMOUSLY

14.3 POLICY REVIEW - COMMUNICATION POLICY

Nil

14.4 POLICY REVIEW - PUBLIC CONSULTATION POLICY

Nil

14.5 POLICY REVIEW - COMMUNITY REQUESTS SERVICES, COMPLAINTS & FEEDBACK POLICY

Nil

14.6 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION - NATIONAL GENERAL ASSEMBLY 2024 - MAYOR AND CHIEF EXECUTIVE OFFICER ATTENDANCE

RESOLUTION 2024/35

Moved: Councillor Di Troia Seconded: Councillor Mazzeo

"that Council, having considered Item 14.6 – Australian Local Government Association - National General Assembly 2024 - Mayor and Chief Executive Officer Attendance, dated 26 February 2024, receives and notes the report."

CARRIED

RESOLUTION 2024/36

Moved: Councillor Paton
Seconded: Councillor Di Troia

"that Council, having considered Item 14.6 – Australian Local Government Association - National General Assembly 2024 - Mayor and Chief Executive Officer Attendance, dated 26 February 2024, endorses:

- 1. the attendance of Council's Mayor and Chief Executive Officer at the National General Assembly to be held in Canberra from 2 to 4 July 2024;
- 2. the Mayor's attendance at the Australian Council of Local Government Forum on 5 July 2024; and
- 3. all costs associated with registration, travel, accommodation and reasonable meal expenditure being incurred by Council."

CARRIED UNANIMOUSLY

14.7 CALL FOR MOTIONS - AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION - NATIONAL GENERAL ASSEMBLY 2024

RESOLUTION 2024/37

Moved: Councillor Bombardieri
Seconded: Councillor Di Troia

"that Council, having considered Item 14.7 – Call for Motions - Australian Local Government Association - National General Assembly 2024, dated 26 February 2024, receives and notes the report."

CARRIED UNANIMOUSLY

14.8 2024/2025 ANNUAL BUSINESS PLAN, BUDGET AND 2025-2034 LONG TERM FINANCIAL PLAN DEVELOPMENT FRAMEWORK

RESOLUTION 2024/38

Moved: Councillor Boon
Seconded: Councillor Mazzeo

"that Council, having considered Item 14.8 – 2024/2025 Annual Business Plan, Budget and 2025-2034 Long Term Financial Plan Development Framework, dated 26 February 2024, receives and notes the report and in doing so recommends that Council:

- endorse the budget parameters and assumptions set out in <u>Table 1</u> of this Report for the purpose of preparing the draft 2024/2025 Annual Business Plan, Budget and 2025-2034 Long Term Financial Plan; and
- endorse the schedule set out in <u>Table 2</u> of this report as the process to be undertaken in the preparation of the 2024/2025 Annual Business Plan, Budget and 2025-2034 Long Term Financial Plan, subject to any date changes the Chief Executive Officer determines necessary."

CARRIED UNANIMOUSLY

14.9 STRATEGIC PLAN REVIEW

RESOLUTION 2024/39

Moved: Councillor Boon Seconded: Councillor Panella

"that Council, having considered Item 14.9 – *Strategic Plan Review*, dated 26 February 2024, receives and notes the report and in doing so:

- 1. notes the Strategic Plan 2025–2028 Engagement Plan presented as Attachment 2 and Review of the 2020–2024 Strategic Plan presented as Attachment 3 to this report; and
- 2. endorses the *Draft Discussion Paper* presented as Attachment 1 to this report and instructs the Chief Executive Officer to finalise the *Draft Discussion Paper* for the purpose of consultation in accordance with Council's Public Consultation Policy, further noting the output from this consultation will inform the preparation of a *Draft Strategic Plan 2025–2028* to be brought forward for Council consideration."

CARRIED UNANIMOUSLY

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14.10 TWO WELLS RECREATION AND SPORT PRECINCT MASTER PLAN FOR CONSULTATION

RESOLUTION 2024/40

Councillor Boon Moved: Seconded: Councillor Di Troia

"that Council, having considered Item 14.10 – Two Wells Recreation and Sport Precinct Master Plan for Consultation, dated 26 February 2024, receives and notes the report and in doing so:

- endorses the draft Two Wells Recreation and Sport Precinct Master Plan presented as Attachment 2 to this report and instructs the Chief Executive Officer to work with the consultants to make any necessary editorial and mapping alterations to finalise the document for the purpose of undertaking consultation in accordance with Council's Public Consultation Policy, further noting the output from consultation will be brought forward for Council consideration and endorsing a Master Plan; and
- 2. affirms an intent to work collaboratively with existing lessees and peak bodies on the physical design, funding, grant funding and precinct management solutions to lead to the realisation of an upgraded Precinct for the betterment of the growing Adelaide Plains community."

Councillor Boon called for a division:

In Favour:

Crs Mazzeo, Boon, Stubing and Di Troia

Against:

Crs Panella, Bombardieri, Paton and Keen

The Mayor declared the motion, on the casting vote of the Mayor, CARRIED

14.11 PRECINCT DEVELOPMENT GRANT APPLICATION

RESOLUTION 2024/41

Moved:

Councillor Keen

Seconded: Councillor Bombardieri

"that Council, having considered Item 14.11 - Precinct Development Grant Application, dated 26 February 2024, receives and notes the report and in doing so:

- 1. endorses the proposed Northern Adelaide Plains Precinct Planning Grant Application as presented as Attachment 1, 2 and 3 to this report;
- 2. instructs the Chief Executive Officer to finalise and lodge the Northern Adelaide Plains Precinct Planning Grant Application to the Australian Government's Regional Precincts and Partnerships Program; and
- 3. acknowledges and expresses thanks to the various groups expressing interest in partnering with Council in precinct planning."

CARRIED UNANIMOUSLY

Councillor Di Troia left the meeting at 7:08pm.



14.12 ADELAIDE NORTH TRANSPORT STUDY CONSULTATION

RESOLUTION 2024/42

Moved: Councillor Bombardieri

Seconded: Councillor Keen

"that Council, having considered Item 14.12 – Adelaide North Transport Study Consultation, dated 26 February 2024, receives and notes the report and in doing so:

- 1. endorses the following comments to be provided to the Department of Infrastructure and Transport:
 - (a) supports the investigations and engagement by the Department of Infrastructure and Transport in order to plan ahead for transport needs associated with envisaged population, business and agribusiness growth in Adelaide's north.
 - (b) requests the Department of Infrastructure and Transport to:
 - i. give priority to improving community transport and establishing public transport services to the rapidly growing Two Wells and Lewiston areas.
 - ii. consider the role of the train line long term for public transport in the northern region and for increasing freight movement from business growth within Adelaide Plains.
 - iii. improve safety within Two Wells on Gawler and Mallala Roads, drawing on the Two Wells Township Traffic Impact Assessment Report January 2023 by BE Engineering Solutions and the Two Wells Walking Cycling Plan.
 - iv. investigate improving bypass options from Redbanks Road to Port Wakefield Highway reducing impact of trucks within increasing residential living of Two Wells and Mallala whilst improving freight connectivity, as outlined in Attachment 3 to this report.
 - v.plan for a network of quiet country roads enabling walking, cycling, and horseriding connections across Adelaide Plains and connecting to the wider region
 - vi. review studies and strategies relevant to transport, as outlined in Attachment 2 to this report.
 - (c) Council looks to work with the Department of Infrastructure and Transport to action these priorities.
- 2. authorises the Chief Executive officer to prepare a submission based on (1) above to be forwarded to the Department of Infrastructure and Transport;
- 3. notes that these comments will form an input to the preparation of a Transport Network Action Plan to be prepared for Council consideration, when resources permit."

CARRIED

Councillor Di Troia returned to the meeting at 7:10pm.



14.13 MID-YEAR BUDGET REVIEW 2023/2024

RESOLUTION 2024/43

Moved: Councillor Mazzeo Seconded: Councillor Di Troia

"that Council, having considered Item 14.13 – *Mid-Year Budget Review 2023/2024*, dated 26 February 2024, receives and notes the report and in doing so:

- 1. receives and notes the project progress reports presented as Attachment 1 and 2 to this report; and
- pursuant to regulation 9 (1)(a) of the Local Government (Financial Management) Regulations 2011, adopts the revised 2023/2024 Budgeted Financial Statements as contained within Attachment 3 that has been updated following the Mid-Year Budget Review changes identified in Table 1, 2 and Table 3 of the report."

CARRIED UNANIMOUSLY

15 REPORTS FOR INFORMATION

15.1 COUNCIL RESOLUTIONS - MONTHLY STATUS UPDATE

RESOLUTION 2024/44

Moved: Councillor Keen
Seconded: Councillor Mazzeo

"that Council, having considered Item 15.1 – Council Resolutions - Monthly Status Update, dated 26 February 2024, receives and notes the report."

CARRIED UNANIMOUSLY

15.2 SOCIAL MEDIA UPDATE

RESOLUTION 2024/45

Moved: Councillor Keen Seconded: Councillor Di Troia

"that Council, having considered Item 15.2 – *Social Media Update*, dated 26 February 2024, receives and notes the report."

CARRIED UNANIMOUSLY

15.3 CAMPGROUNDS - OPERATIONS & EXPENDITURE

RESOLUTION 2024/46

Moved: Councillor Keen Seconded: Councillor Troia

"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;
 - Chief Financial Officer;
 - Acting Director Corporate Services;
 - Director Development and Community;
 - Director Infrastructure and Environment;
 - Manager Governance;
 - Senior Information Technology Officer;
 - Property Officer (via electronic means);
 - Acting Executive Assistant to the CEO/Mayor;
 - Governance Administration Officer/Minute Taker; and
 - Mr Michael Kelledy (Kelledy Jones Lawyers) (via electronic means);

be excluded from attendance at the meeting of Council for Item 15.3-Campgrounds-Operations & Expenditure;

- 2. Council is satisfied that pursuant to section 90(3)(h) of the *Local Government Act 1999*, Item 15.3–*Campgrounds–Operations & Expenditure* concerns information of a confidential nature, the disclosure of which would involve the unreasonable disclosure of legal advice;
- 3. Council is satisfied 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 UNANIMOUSLY

RESOLUTION 2024/47

Moved: Councillor Keen Seconded: Councillor Boon

"that Council, having considered Item 15.3 – *Campgrounds - Operations & Expenditure*, dated 26 February 2024, receives and notes the report."

CARRIED UNANIMOUSLY

15.4 UPDATE ON SALE OF LAND FOR NON-PAYMENT OF RATES

RESOLUTION 2024/48

Moved: Councillor Paton

Seconded: Councillor Bombardieri

"that Council, having considered Item 15.4 – *Update on Sale of Land for Non-payment of Rates*, dated 26 February 2024, receives and notes the report."

CARRIED

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15.5 CAPITAL WORKS AND OPERATING PROGRAM - MONTHLY UPDATE - FEBRUARY 2024

RESOLUTION 2024/49

Moved:

Councillor Keen

Seconded: Councillor Di Troia

"that Council, having considered Item 15.5 - Capital Works and Operating Program - Monthly Update - February 2024, dated 26 February 2024, receives and notes the report."

CARRIED UNANIMOUSLY

16 **QUESTIONS ON NOTICE**

Nil

17 **QUESTIONS WITHOUT NOTICE**

Nil

18 MOTIONS ON NOTICE

18.1 **NOTICE OF MOTION - CONDOLENCES TO GAMEAU FAMILY**

RESOLUTION 2024/50

Moved:

Councillor Boon

Seconded: Councillor Keen

"that Council extend condolences to the family of the late Margaret and Graeme Gameau."

CARRIED UNANIMOUSLY

19 **MOTIONS WITHOUT NOTICE**

RESOLUTION 2024/51

Moved:

Councillor Paton

Seconded: Councillor Panella

"that the Chief Executive Officer bring back a report to the chamber detailing the costings and/or assistance for the All Historic Mallala Street Party regarding Council providing traffic control, toilets, lighting and waste."

CARRIED

Councillor Keen left the meeting at 8:09pm. Councillor Keen returned to the meeting at 8:11pm.

20 **URGENT BUSINESS**

Nil

21 CONFIDENTIAL ITEMS

21.1 FUNDING REQUEST - NAIS STUDY

RESOLUTION 2024/52

Moved: Councillor Keen Seconded: Councillor Boon

"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;
 - Chief Financial Officer;
 - Acting Director Corporate Services;
 - Director Development and Community;
 - Director Infrastructure and Environment;
 - Manager Governance;
 - Manager Development Assessment (via electronic means);
 - Senior Information Technology Officer;
 - Acting Executive Assistant to the CEO/Mayor;
 - Governance Administration Officer/Minute Taker;

be excluded from attendance at the meeting of Council for Item 21.1 - Funding request - NAIS study:

- 2. Council is satisfied that pursuant to sections 90(3)(c), (d)(i)(ii) of the Local Government Act 1999, Item 21.1 Funding request NAIS study concerns information of a confidential nature, the disclosure of which would reveal a trade secret AND commercial information (not being a trade secret) which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party AND on balance, be contrary to the public interest; and
- 3. Council is satisfied 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 UNANIMOUSLY

21.1 FUNDING REQUEST - NAIS STUDY

Councillor Paton left the meeting at 8:27pm. Councillor Paton returned to the meeting at 8:28pm.



RESOLUTION 2024/54

Moved: Councillor Keen Seconded: Councillor Boon

"that Council, having considered the matter of Item 21.1 – Funding Request – NAIS Study in confidence under sections 90(2) and (3)(c), (d)(i)(ii) of the Local Government Act 1999, resolves that:

- 1. The report, Attachment 1 and minutes pertaining to Item 21.1 Funding Request NAIS Study, 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 UNANIMOUSLY

22 CLOSURE

There being no further business, the Mayor declared the meeting closed at 8:29pm.

Confirmed as a true re