

MINUTES

of

Ordinary Council Meeting



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

HELD

by electronic means

on

Monday 26 July 2021 at 6.00pm

The Mayor formally declared the meeting open at 6.00pm.

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

2. CONFIRMATION OF MINUTES

2.1 Confirmation of Council Minutes – Ordinary Council Meeting held 28 June 2021

Moved Councillor Di Troia Seconded Councillor Parker **2021/ 279**

“that the minutes of the Ordinary Council Meeting held on 28 June 2021 (MB Folios 17373 to 17391 inclusive), be accepted as read and confirmed.”

CARRIED

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

Moved Councillor Parker Seconded Councillor Boon **2021/ 280**

“that the minutes of the Special Council Meeting held on 8 July 2021 (MB Folios 17392 to 17410 inclusive), be accepted as read and confirmed.”

CARRIED

2.3 Confirmation of Council Minutes – Special Council Meeting held 21 July 2021

Moved Councillor Lush Seconded Councillor Daniele **2021/ 281**

“that the minutes of the Special Council Meeting held on 21 July 2021 (MB Folios 17411 to 17413 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 24 June 2021 to Wednesday 21 July 2021

Friday 25 June 2021

Meeting – Mayor/Chief Executive Officer – Various Matters

Monday 28 June 2021

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

Thursday 1 July 2021

South Australian Coastal Communities Committee Meeting

Friday 2 June 2021

Meeting – Mayor/Chief Executive Officer – Various Matters

Thursday 8 July 2021

Meeting – Mayor/Chief Executive Officer – Various Matters
Special Council Meeting

Friday 9 July 2021

Citizenship Ceremony, Two Wells

Monday 19 July 2021

Meeting – Mayor/Chief Executive Officer – Various Matters
Informal Gathering

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 – 7 July 2021

Moved Councillor Boon Seconded Councillor Strudwicke **2021/ 282**

“that Council receives and notes the minutes of the Adelaide Plains Council Historical Committee meeting held 7 July 2021.”

CARRIED

13. SUBSIDIARY MEETINGS

Nil

Councillor Keen disconnected from the meeting at 6.06pm.

14. REPORTS FOR DECISION

14.1 Request to Fly the Rainbow Flag

Moved Councillor Boon Seconded Councillor Strudwicke **2021/ 283**

“that Council, having considered Item 14.1 – *Request to Fly the Rainbow Flag*, dated 26 July 2021, receives and notes the report and in doing so instructs the Chief Executive Officer to fly the rainbow flag on the flag pole at East Reserve, Mallala during business hours for the month of November 2021, and acknowledges that Adelaide Plains Council will be listed as a supporter in the Feast Program Guide and on the Feast website.”

CARRIED UNANIMOUSLY

14.2 Endorse Form to Submit Proposed Item of Business to Local Government Association Annual General Meeting – Northern Adelaide Irrigation Scheme Water Pricing and Connection Costs

Councillor Keen reconnected to the meeting at 6.08pm.

Moved Councillor Daniele Seconded Councillor Parker **2021/ 284**

“that Council, having considered Item 14.2 – *Endorse Form to Submit Proposed Item of Business to Local Government Association Annual General Meeting – Northern Adelaide Irrigation Scheme Water Pricing and Connection Costs*, dated 26 July 2021, receives and notes the report and endorses the Submission Form presented as Attachment 1 to this Report to be submitted to the South Australian Regional Organisation of Councils to give effect to Resolution 2021/238 subject to the inclusion of commentary surrounding water quality.”

CARRIED

14.3 Draft Lease for Public Consultation – Portion of Mallala Oval to Mallala and Districts Lions Club

Moved Councillor Lush Seconded Councillor Boon **2021/ 285**

“that Council, having considered Item 14.3 – *Draft Lease for Public Consultation – Portion of Mallala Oval to Mallala and Districts Lions Club*, dated 26 July 2021, receives and notes the report and in doing so endorses the draft Lease, presented as Attachment 1 to this report, to be released for public consultation in accordance with Council Resolution 2021/164, and notes that any future execution will be conditional upon the necessary approvals being granted.”

CARRIED UNANIMOUSLY

- f. Council is open to the Environment and Food Production Area continuing in place over Two Wells / Rural Living Zone and Animal Husbandry Subzone until, noting further detailed investigations on the impact of the EFPA restrictions over time to be undertaken, subject to:
 - i. The barrier of the Environment and Food Production Area limiting subdivision for low intensity residential living where associated with horse or dog keeping being corrected.
 - ii. The lack of the Environment and Food Production Area being explicitly communicated directly in the Rural Living Zone and Animal Husbandry Subzone of the Planning and Design Code (perhaps as an Overlay) being corrected.
- g. The 30 Year Plan for Greater Adelaide should better reflect the Animal Husbandry Zone as a business cluster and the envisaged development of horticulture in the southern third of Adelaide Plains.
- h. Recognising the Environment and Food Production Area surrounds Two Wells' planned urban growth, Council intend to continue investigating, planning, delivering and advocating for the necessary economic and social infrastructure to support liveable growth at Two Wells. Council welcomes further dialogue with the Commission about this."

CARRIED

14.5 Draft Hart Reserve Master Plan Community Consultation

Moved Councillor Parker Seconded Councillor Strudwicke 2021/ 287

"that Council, having considered Item 14.5 – *Draft Hart Reserve Masterplan*, dated 26 July 2021, receives and notes the report and in doing so receives the final Hart Reserve Master Plan Draft Report from Jensen PLUS and hereby endorses the Draft Plan for public consultation and instructs the Chief Executive Officer to commence Community Consultation as per Council's Public Consultation Policy."

CARRIED UNANIMOUSLY

14.6 Adelaide Plains Historical Committee – Membership Appointment

Moved Councillor Boon Seconded Councillor Keen 2021/ 288

"that Council, having considered Item 14.6 – *Adelaide Plains Council Historical Committee – Membership Appointment*, dated 26 July 2021, receives and notes the report and in doing so appoints Mr Vaughan Chenoweth to the Adelaide Plains Council Historical Committee until 1 January 2023."

CARRIED UNANIMOUSLY

15. REPORTS FOR INFORMATION**15.1 Council Resolutions – Status Report**

Moved Councillor Daniele Seconded Councillor Di Troia **2021/ 289**

“that Council, having considered Item 15.1 – *Council Resolutions – Status Report*, dated 26 July 2021, receives and notes the report.”

CARRIED

15.2 Access to Confidential Subsidiary Documents

Moved Councillor Parker Seconded Councillor Lush **2021/ 290**

“that Council, having considered Item 15.2 – *Access to Confidential Subsidiary Documents*, dated 26 July 2021, receives and notes the report.”

CARRIED UNANIMOUSLY

15.3 Thompson Beach Vehicle Access

Moved Councillor Lush Seconded Councillor Parker **2021/ 291**

“that Council, having considered Item 15.3 – *Thompson Beach Vehicle Access*, dated 26 July 2021, receives and notes the report.”

CARRIED UNANIMOUSLY

Councillor Panella disconnected from the meeting at 6.53pm.

15.4 Review of Dogs By-Law 2019

Councillor Panella reconnected to the meeting at 6.55pm.

Moved Councillor Strudwicke Seconded Councillor Di Troia **2021/ 292**

“that Council, having considered Item 15.4 – *Review of Dogs By-Law 2019*, dated 26 July 2021, receives and notes the report.”

CARRIED UNANIMOUSLY

15.5 Library and Community Services Report – May to June 2021

Moved Councillor Boon Seconded Councillor Keen **2021/ 293**

“that Council, having considered Item 15.5 – *Library and Community Services – Report – May to June 2021*, dated 26 July 2021, receives and notes the report.”

CARRIED UNANIMOUSLY

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 – Vanuatu Friendship City Arrangement**

Moved Mayor Wasley Seconded Councillor Boon **2021/ 294**

“that a report come back to Council with further information on a proposal for a Friendship City arrangement with Vanuatu to encourage social, welfare, educational and cultural links to strengthen the bond with Vanuatu workers here in the Adelaide Plains.”

CARRIED

18.2 Motion on Notice – Rescind Motion 2019/529

Moved Councillor Boon Seconded Councillor Panella **2021/ 295**

“that the following Resolution be rescinded:

2019/529:

“that Members instruct the Chief Executive Officer to provide a letter of support to Port Parham Sports and Social Club in relation to their application to remove the restriction on the newly issued Liquor Licence which restricts liquor sales for consumption of the licenced premises to members only.”

CARRIED

18.3 Motion on Notice – Lift Motion Off Table – 2021/175

Moved Councillor Lush Seconded Councillor Keen **2021/ 296**

“that motion 2021/175 be lifted from the table.”

CARRIED

18.1 Motion on Notice – Sealing Coastal Roads

Moved Councillor Lush Seconded Councillor Keen **2021/ 175**

“that Council:

- 1. Instructs the Chief Executive Officer to undertake detailed design in relation to the construction and sealing of Thompson Beach Esplanade (end of road north of Kestrel Crescent to car park east of Heron Crescent – 3.39km), Parham Esplanade (north Parham Road to end of road south of Wilson Street – 1.32km) and Webb Beach Road (Parham Road to boat ramp – 1.88km) and**
- 2. Acknowledges that an allocation of \$70,000 will be incorporated into the third quarter 2020/2021 budget revision.”**

The Mover, with consent of the Seconder, sought leave of the meeting to vary motion 2021/175. Leave was granted.

MOTION 2021/175 AS VARIED

Moved Councillor Lush Seconded Councillor Keen **2021/ 175**

“that Council:

- 1. Instructs the Chief Executive Officer to undertake detailed design in relation to the construction and sealing of Parham Esplanade (north Parham Road to end of road south of Wilson Street – 1.32km)**
- 2. Acknowledges that an allocation of \$20,000 will be incorporated into the first quarter 2021/2022 budget revision.”**

CARRIED

Councillor Daniele called for a division.

The Mayor declared the vote set aside.

Members voting in the affirmative: Councillors Strudwicke, Boon, Maiolo, Parker, Keen and Panella.

Members voting in the negative: Councillors Di Troia and Daniele.

The Mayor declared the motion **CARRIED**.

18.4 Motion on Notice – Lift Motion Off Table – 2021/177

Moved Councillor Lush Seconded Councillor Parker **2021/ 297**

“that motion 2021/177 be lifted from the table.”

CARRIED

18.1 Moved Councillor Lush Seconded Councillor Keen **2021/ 177**

“that Council instructs the Chief Executive Officer to explore all relevant funding opportunities with relevant stakeholder groups and interested parties in relation the construction and sealing of Thompson Beach Esplanade (end of road north of Kestrel Crescent to car park east of Heron Crescent – 3.39km), Parham Esplanade (north Parham Road to end of road south of Wilson Street – 1.32km) and Webb Beach Road (Parham Road to boat ramp – 1.88km) and associated tourism and business opportunities.”

The Mover, with consent of the Seconder, sought leave of the meeting to vary motion 2021/175. Leave was granted.

MOTION 2021/177 AS VARIED

18.1 Moved Councillor Lush Seconded Councillor Keen **2021/ 177**

“that Council instructs the Chief Executive Officer to explore all relevant funding opportunities with relevant stakeholder groups and interested parties in relation the construction and sealing of Parham Esplanade (north Parham Road to end of road south of Wilson Street – 1.32km) and associated tourism and business opportunities.”

CARRIED

Councillor Boon called for a division.

The Mayor declared the vote set aside.

Members voting in the affirmative: Councillors Keen, Strudwicke, Parker and Lush.

Members voting in the negative: Councillors Boon, Daniele, Di Troia, Maiolo and Panella.

The Mayor declared the motion **LOST**.

19. MOTIONS WITHOUT NOTICE

Nil

20. URGENT BUSINESS

Nil

21. CONFIDENTIAL ITEMS

21.1 International Translational Horticulture Centre Update

Moved Councillor Keen Seconded Councillor Parker **2021/ 298**

“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, Acting General Manager – Governance and Executive Office, General Manager – Finance and Business, General Manager – Infrastructure and Environment, General Manager – Development and Community, Administration and Executive Support Officer/Minute Taker and Information Technology Officer be excluded from attendance at the meeting of Council for Agenda Item 21.1 – *International Translational Horticulture Centre Update*;
2. Council is satisfied that pursuant to section 90(3)(b) and 90(3)(h) of the *Local Government Act 1999*, Item 21.1 – *International Translational Horticulture Centre Update* 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

21.1 Moved Councillor Boon Seconded Councillor Di Troia **2021/ 299**

“that Council, having considered Item 21.1 – *International Translational Horticulture Centre Update* dated 26 July 2021, receives and notes the report.”

CARRIED

21.1 Moved Councillor Keen Seconded Councillor Boon 2021/ 300
 “that Council, having considered the matter of Item 21.1 – *International Translational Horticulture Centre Update* in confidence under sections 90(2), 90(3)(b) and 90(3)(h) of the Local Government Act 1999, resolves that:

1. The report, Attachment 1 and Attachment 2 pertaining to Item 21.1 – *International Translational Horticulture Centre Update* 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*, the Committee delegates the power to revoke this confidentiality order to the Chief Executive Officer.”

CARRIED

21.2 Crown Land, Two Wells – July 2021

Moved Councillor Lush Seconded Councillor Daniele 2021/ 301

“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, Acting General Manager – Governance and Executive Office, General Manager – Finance and Business, General Manager – Infrastructure and Environment, General Manager – Development and Community, Administration and Executive Support Officer/Minute Taker and Information Technology Officer be excluded from attendance at the meeting of Council for Agenda Item 21.2 – *Crown Land, Two Wells – July 2021*;
2. Council is satisfied that pursuant to section 90(3)(b) and 90(3)(h) of the Local Government Act 1999, Item 21.2 – *Crown Land, Two Wells – July 2021* 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 in relation to Crown Land at Two Wells;
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 UNANIMOUSLY

21.2 Moved Councillor Keen Seconded Councillor Parker 2021/ 302

“that Council, having considered Item 21.2 – *Crown Land, Two Wells – July 2021* dated 26 July 2021, receives and notes the report.”

CARRIED

21.2 Moved Councillor Boon Seconded Councillor Keen 2021/ 303

“that Council, having considered the matter of Item 21.2 – *Crown Land, Two Wells – July 2021* in confidence under sections 90(2), 90(3)(b) and 90(3)(h) of the *Local Government Act 1999*, resolves that:

- 1. The report pertaining to Item 21.2 – *Crown Land, Two Wells – July 2021* 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*, the Committee delegates the power to revoke this confidentiality order to the Chief Executive Officer.”**

CARRIED

21.3 Northern Adelaide Irrigation Scheme – Uptake and Investment

Moved Councillor Strudwicke Seconded Councillor Daniele 2021/ 304

“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, Acting General Manager – Governance and Executive Office, General Manager – Infrastructure and Environment, General Manager – Finance and Business, General Manager – Development and Community, Administration Support Officer/Minute Taker, Information Technology Officer and Mr Ian O’Loan OAM Chairperson, Adelaide Plains Business Advisory Group be excluded from attendance at the meeting of the Council for Agenda Item 21.3 – *Northern Adelaide Irrigation Scheme - Uptake and Investment*;**
- 2. Council is satisfied that pursuant to section 90(3)(d) of the *Local Government Act 1999*, Item 21.3 – *Northern Adelaide Irrigation Scheme - Uptake and Investment* concerns commercial information of a confidential nature (not being a trade secret), being legal firm fee proposals, the disclosure of 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, being information in relation to potential private sector investment associated with the Northern Adelaide Irrigation Scheme**
- 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

Mr Ian O’Loan OAM, Chairperson, Adelaide Plains Business Advisory Group, connected to the meeting at 7.41pm and provided a 38 minute briefing, including questions from Members, in relation to Item 21.3 - *Northern Adelaide Irrigation Scheme - Uptake and Investment*.

Mr O’Loan disconnected from the meeting at 8.19pm and did not return.

21.3 Moved Councillor Strudwicke Seconded Councillor Keen **2021/ 305**
"that Council, having considered Item 21.3 – Northern Adelaide Irrigation Scheme - Uptake and Investment dated 26 July 2021, receives and notes the report."

CARRIED

There being no further business, the Mayor declared the meeting closed at 8.36pm.

Confirmed as a true record.



Mayor:

Date: 23/08/2021