

NOTICE OF COUNCIL MEETING

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

The Ordinary Meeting of the



will be held in

**Council Chamber
Redbanks Road
Mallala**

on

Monday 13 December 2021 at 6.00pm

A handwritten signature in black ink, appearing to be "James Miller".

James Miller
CHIEF EXECUTIVE OFFICER

In light of the ongoing COVID-19 public health emergency, and pursuant to section 302B of the Local Government Act 1999 and the Electronic Participation in Council Meetings Notice (No 1) 2020, **public access to all Council and Committee meetings will be facilitated via live stream on Council's YouTube channel.**

On the day of the meeting, a direct link to the live stream will be displayed on the homepage of Council's website www.apc.sa.gov.au

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Pursuant to Council's Code of Practice – Meeting Procedures, Council will not facilitate the holding of Public Open Forum at a Council Meeting during the COVID-19 public health emergency.

5 DECLARATION OF MEMBERS' INTEREST (material, actual, perceived)

6 ADJOURNED BUSINESS

Nil

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Nil

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Nil

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 Adelaide Plains Council	2. Confirmation of Minutes
Monday 13 December 2021	

2.1 Confirmation of Council Minutes – Ordinary Council Meeting held 22 November 2021

“that the minutes of the Ordinary Council Meeting held on 22 November 2021 (MB Folios 17489 to 17499 inclusive), be accepted as read and confirmed.”

2.2 Confirmation of Council Minutes – Special Council Meeting held 29 November 2021

“that the minutes of the Special Council Meeting held on 29 November 2021 (MB Folios 17500 to 17505 inclusive), be accepted as read and confirmed.”

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 22 November 2021 at 6.00pm

The Mayor formally declared the meeting open at 6.01pm.

1. ATTENDANCE RECORD

1.1 Present:

Mayor Mark Wasley

Councillor Marcus Strudwicke Mallala/Dublin Ward

Councillor John Lush Mallala/Dublin Ward

Councillor Kay Boon Two Wells Ward

Councillor Joe Daniele Two Wells Ward

Councillor Frank Maiolo Two Wells Ward

Councillor Brian Parker Lewiston Ward *by electronic means*

Councillor Carmine Di Troia from 6.03pm Lewiston Ward *by electronic means*

Also in Attendance:

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 Ms Alyssa Denicola

Administration and Executive Support Officer/Minute Taker Ms Stacie Shrubsole

Information Technology Support Officer – *by electronic means* Mr Sean Murphy

1.2 Apologies:

Councillor Terry-Anne Keen Mallala/Dublin Ward

Councillor Margherita Panella Lewiston Ward

2. CONFIRMATION OF MINUTES

2.1 Confirmation of Council Minutes – Ordinary Council Meeting held on 25 October 2021

Moved Councillor Maiolo Seconded Councillor Lush **2021/ 405**

“that the minutes of the Ordinary Council Meeting held on 25 October 2021 (MB Folios 17470 to 17482 inclusive), be accepted as read and confirmed.”

CARRIED

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

Moved Councillor Boon Seconded Councillor Daniele **2021/ 406**

“that the minutes of the Special Council Meeting held on 8 November 2021 (MB Folios 17483 to 17488 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

Nil

6. ADJOURNED BUSINESS

Nil

7. MAYOR'S REPORT

7.1 Mayor's Report

Reporting Period – Thursday 21 October 2021 to Wednesday 17 November 2021

Thursday 21 October 2021

Gawler River Floodplain Management Authority Board Meeting

Sunday 24 October 2021

Official Naming of the Margaret Tiller Gallery, Mallala Museum

Monday 25 October 2021

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

Information Briefing Session – Long Term Financial Plan

Ordinary Council Meeting

Wednesday 27 October 2021

Presentation to Adelaide Plains Council All Staff Form, Two Wells Cricket Club
 Round Table Ministers Meeting, Parliament House
 Legatus Group Informal Gathering and Dinner

Thursday 28 October 2021

Local Government Association of South Australia Council Best Practice Showcase, Conference and Annual General Meeting, Adelaide Entertainment Centre
 Local Government Association of South Australia Conference Dinner and Awards Evening, Adelaide Entertainment Centre

Friday 29 October 2021

Local Government Association of South Australia Council Best Practice Showcase, Conference and Annual General Meeting, Adelaide Entertainment Centre
 Gawler River Floodplain Management Authority Strategic Plan Discussion

Wednesday 10 November 2021

Freedom Park Official Opening, Liberty, Two Wells
 Meeting – Mayor/Chief Executive Officer – Various Matters

Saturday 13 November 2021

Meeting – Two Wells Golf Club

Wednesday 17 November 2021

Adelaide Plains Council Audit Committee Meeting

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 – 3 November 2021

Moved Councillor Strudwicke Seconded Councillor Boon **2021/ 407**

“that Council receives and notes the minutes of the Adelaide Plains Council Historical Committee meeting held 3 November 2021.”

CARRIED

12.2 Audit Committee Meeting – 17 November 2021

Moved Councillor Lush Seconded Councillor Strudwicke **2021/ 408**

“that Council receives and notes the minutes of the Audit Committee Meeting held on 17 November 2021 as presented at Attachment 1 to this Report.”

CARRIED

12.2 Moved Councillor Boon Seconded Councillor Maiolo **2021/ 409**

“that Council receives and notes the Audited Annual Financial Statements and notes forming part of the Annual Financial Statements for the 2020/2021 Financial Year.”

CARRIED

12.2 Moved Councillor Strudwicke Seconded Councillor Maiolo **2021/ 410**

“that Council endorses resolution 2021/048 of the Audit Committee and in doing so formally adopts the Annual Financial Statements for the 2020/2021 Financial Year, presented as Attachment 2 to this Report, and authorises same to be certified on behalf of Council by the Mayor and Chief Executive Officer.”

CARRIED

12.2 Moved Councillor Lush Seconded Councillor Daniele **2021/ 411**

“that Council endorses resolution 2021/049 of the Audit Committee and in doing so notes that the Audit Committee has authorised the Audit Committee Chairperson to sign the Certification of Auditor Independence.”

CARRIED

12.2 Moved Councillor Boon Seconded Councillor Lush **2021/ 412**

“that Council endorses resolution 2021/050 of the Audit Committee and in doing so acknowledges that Council’s Independent Auditor Mr Tim Muhlhausler of Galpins Accountants, Auditors & Business Consultants intends to issue an unmodified opinion in relation to the Financial Statements and the Internal Financial Controls of the Council for the 2020/2021 Financial Year.”

CARRIED

12.2 Moved Councillor Parker Seconded Councillor Di Troia **2021/ 413**

“that Council endorses resolution 2021/053 of the Audit Committee and in doing so:

- 1. Notes that:**
 - a. The Long Term Financial Plan results in key financial indicators being substantially outside of the targets set by Council**
 - b. Until 2031/2032 the income included in the plan is not sufficient to pay for the proposed expenditure and the level of debt is outside what is conventionally considered prudent and**
 - c. When considering the projects included in the plan Council will need to be mindful of the impact the expenditure will have on future generations of residents, future elected Councils and of the financial risks which will emanate from the proposed expenditure and**
- 2. In consideration of 1a, 1b and 1c above, instructs the Chief Executive Officer to bring a further report back to Council, via the Audit Committee, in relation to feedback gleaned through public consultation and how best to address 1a, 1b and 1c above.”**

CARRIED UNANIMOUSLY

12.2 Moved Councillor Maiolo Seconded Councillor Di Troia **2021/ 414**

“that Council endorses resolution 2021/054 of the Audit Committee and in doing so acknowledges the progress made to complete the activities identified for Audit Committee during 2020/2021 Financial Year.”

CARRIED

12.2 Moved Councillor Lush Seconded Councillor Boon **2021/ 415**

“that Council endorses resolution 2021/055 of the Audit Committee and in doing so, and having considered the Mallala Football Club’s request for a loan in accordance with Council’s Treasury Management Policy:

- 1. Authorises the Chief Executive to negotiate and finalise a Loan Agreement between Council and the Mallala Football Club subject to following terms and conditions:**
 - a. Council charge Mallala Football Club the same interest rate that it pays to Local Government Financing Authority**
 - b. Limit maximum number of transactions between the Council and the Mallala Football Club to four (4) per year with regard to the operation of cash advance debenture loan**
 - c. the cost of preparing the loan agreement with the Council and the Mallala Football is to be charged 100% to the Mallala Football Club**
- 2. Authorises, pursuant to section 44 of the Local Government Act 1999, the Mayor and Chief Executive Officer to execute the Loan Agreement between the Adelaide Plains Council and the Mallala Football Club**
- 3. Pursuant to the provisions of Sections 134 and 135 of the Local Government Act 1999, the Adelaide Plains Council does hereby order that the Council shall borrow by means of Convertible Cash Advance Debenture Loan, on the security of the general rate revenue of the Council, an amount up to the sum of \$70,000 from the Local Government Finance Authority of South Australia on a floating variable rate, the purpose of which is to finance Council’s loan to Mallala Football Club and**

4. Further, pursuant to Section 38 of the Local Government Act 1999, Council hereby authorises the Mayor and the Chief Executive Officer to execute under the Common Seal of Council, documentation associated with the aforementioned loan borrowing facility.”

CARRIED

13. SUBSIDIARY MEETINGS

- 13.1 Gawler River Floodplain Management Authority Board Meeting – 21 October 2021

Moved Councillor Daniele Seconded Councillor Di Troia **2021/ 416**

“that Council receives and notes the minutes of Gawler River Floodplain Management Authority Board Meeting held on 21 October 2021.”

CARRIED

14. REPORTS FOR DECISION

- 14.1 First Budget Update 2021/2022

Moved Councillor Maiolo Seconded Councillor Parker **2021/ 417**

“that Council, having considered Item 14.1 – 2021/2022 – First Budget Update, dated 22 November 2021, receives and notes the report and in doing so:

1. **Receives and note the project progress reports contained in Attachment 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 as contained within Attachment 3 that has been updated following the first budget review changes identified in Table 1, Table 2 and Table 3 and**
3. **Instructs the Chief Executive Officer to allocate budget savings from operating and capital projects to other operating and capital projects where necessary earmarked for delivery in 2021/2022 Financial Year.”**

CARRIED UNANIMOUSLY

- 14.2 Draft Tourism and Economic Development Strategy – Public Consultation

Moved Councillor Boon Seconded Councillor Lush **2021/ 418**

“that Council, having considered Item 14.2 – Draft Tourism and Economic Development Strategy – Public Consultation, dated 22 November 2021, receives and notes the report and in doing so instructs the Chief Executive Officer to:

1. **Commence public consultation on the draft Tourism and Economic Development Strategy presented as Attachment 1 and Tourism and Economic Development Issues and Opportunities Paper presented as Attachment 2 to this report, in accordance with Council’s Public Consultation Policy and**
2. **Report back to Council following completion of the public consultation process.”**

CARRIED UNANIMOUSLY

14.3 Two Wells Scout Facility Relocation – Lease – Public Consultation

Moved Councillor Parker Seconded Councillor Strudwicke **2021/ 419**

“that Council, having considered Item 14.3 – Two Wells Scout Facility Relocation – Lease – Public Consultation, dated 22 November 2021, receives and notes the report and in doing so instructs the Chief Executive Officer to:

- 1. Prepare a draft lease agreement (the Draft Lease) between Council and Scouts SA in relation to a portion of Lot 103 DP comprised in CR Volume 5753 Folio 647, incorporating the following key elements:**
 - a. Ground lease for the purposes of a Scout Hall/Facility and associated activities**
 - b. Lease period of 15 years with option for renewal for a further 5 years**
 - c. Defined lease area that provides approximately 2000m² while preserving the potential for future access within the Two Wells Oval Complex (Refer Attachment 1 to this Report)**
 - d. Rent of \$1.00 per annum (exclusive of GST)**
 - e. Permitted use – Scout Hall and**
- 2. Undertake public consultation, in accordance with Council’s Public Consultation Policy, in relation to the Draft Lease and report back to Council accordingly.”**

CARRIED UNANIMOUSLY

15. REPORTS FOR INFORMATION

15.1 Council Resolutions – Status Report

Moved Councillor Di Troia Seconded Councillor Daniele **2021/ 420**

“that Council, having considered Item 15.1 – Council Resolutions – Status Report, dated 22 November 2021, receives and notes the report.”

CARRIED

15.2 Infrastructure and Environment Department – Monthly Report – November 2021

Moved Councillor Lush Seconded Councillor Maiolo **2021/ 421**

“that Council, having considered Item 15.2 – Infrastructure and Environment Department – Monthly Report – November 2021, dated 22 November 2021 receives and notes the report.”

CARRIED

15.3 Adelaide Plains Council Representation Review Update – Certification by Electoral Commissioner – November 2021

Moved Councillor Boon Seconded Councillor Daniele **2021/ 422**

“that Council, having considered Item 15.3 – Adelaide Plains Council Representation Review Update – Certification by Electoral Commissioner – November 2021, dated 22 November 2021, receives and notes the report.”

CARRIED

15.4 Local Government Reform Update – November 2021

Moved Councillor Daniele Seconded Councillor Maiolo **2021/ 423**

“that Council, having considered Item 15.4 – Local Government Reform Update – November 2021, dated 22 November 2021, receives and notes the report.”

CARRIED UNANIMOUSLY

15.5 Water Costs for the Cricket Pitch

MOTION WITHOUT NOTICE

Moved Councillor Lush **2021/ 424**

“that we pick up the costs for watering the cricket pitch in Mallala.”

MOTION REFUSED

Councillor Strudwicke raise a Point of Order on the basis that the purpose of requiring motions on notice is so that Council is unsurprised by possible motions, and Council has had notice on the Agenda by way of Item 15.5 – Water Costs for the Cricket Pitch. The Mayor accepted the Point of Order on the basis that Item 15.5 contained various costings.

Moved Councillor Boon Seconded Councillor Strudwicke **2021/ 425**

“that Council, having considered Item 15.5 – Water Costs for the Cricket Pitch on the Mallala Oval, dated 22 November 2021, receives and notes the report.”

CARRIED

MOTION WITHOUT NOTICE

Moved Councillor Lush Seconded Councillor Strudwicke **2021/ 426**

“that the Adelaide Plains Council fund the watering costs for the Mallala Cricket Pitch which is currently being paid by the Mallala Cricket Club.”

The Mover, with consent of the Seconder, sought leave of the meeting to vary motion 2021/426. Leave was granted.

MOTION 2021/426 AS VARIED

Moved Councillor Lush Seconded Councillor Strudwicke **2021/ 426**

“that Council reimburses the Mallala Cricket Club the watering costs for the Mallala Oval cricket pitch which is currently funded by the Mallala Cricket Club.”

The Mover, with consent of the Seconder, sought leave of the meeting to vary motion 2021/426. Leave was granted.

22 November 2021
13 December 2021

15.8 Two Wells Community Fund Fifth Round Outcomes

Moved Councillor Boon

Seconded Councillor Parker

2021/ 430

“that Council, having considered Item 15.8 – Two Wells Community Fund Fifth Round Outcomes, dated 22 November 2021, receives and notes the report.”

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

Nil

19. MOTIONS WITHOUT NOTICE

Nil

20. URGENT BUSINESS

Nil

21. CONFIDENTIAL ITEMS

Nil

There being no further business, the Mayor declared the meeting closed at 7.18pm.

Confirmed as a true record.

Mayor:

Date: ____/____/____

MINUTES

of

Special 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 29 November 2021 at 6.00pm

The Mayor formally declared the meeting open at 6.01pm.

1. ATTENDANCE RECORD

1.1 Present:

Mayor Mark Wasley

Councillor Marcus Strudwicke Mallala/Dublin Ward

Councillor Terry-Anne Keen Mallala/Dublin Ward

Councillor Kay Boon Two Wells Ward

Councillor Joe Daniele Two Wells Ward

By audio-visual link

Councillor Frank Maiolo Two Wells Ward

Councillor Brian Parker Lewiston Ward

Councillor Carmine Di Troia Lewiston Ward

By audio-visual link

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

Manager Governance and Administration/Minute Taker

Ms Alyssa Denicola

IT Support Officer – *By audio-visual link*

Mr Sean Murphy

Chair of the Board, Norman Waterhouse Lawyers

Mr Sean Keenihan

1.2 Apologies:

Councillor John Lush

Mallala/Dublin Ward

Councillor Margherita Panella

Lewiston Ward

2. ADJOURNED BUSINESS

Nil

3. DECLARATION OF MEMBERS' INTEREST

Councillor Daniele declared a perceived conflict of interest on Item 5.1 – *Crown Land, Two Wells* and indicated that he would deal with the conflict at the relevant time.

4. REPORTS FOR DECISION

4.1 Review of Code of Practice – Meeting Procedures

Moved Councillor Strudwicke Seconded Councillor Maiolo **2021/ 431**

“that Council, having considered Item 4.1 – *Review of Code of Practice – Meeting Procedures*, dated 29 November 2021, receives and notes the report and in doing so adopts the *Code of Practice – Meeting Procedures* as presented as a marked-up document at Attachment 1 to this Report, noting the following amendments:

- 1. At Clause 9(1), delete the words ‘five (5)’ and insert the words ‘seven (7)’ and**
- 2. At Clause 12(1), delete the words ‘five (5)’ and insert the words ‘seven (7)’.”**

CARRIED UNANIMOUSLY

4.2 Chief Executive Officer Recommendation pursuant to Regulation 21 of the Local Government (Procedures at Meetings) Regulations 2013 – Process – Revocation of Community Land Classification – Two Wells

Moved Councillor Keen Seconded Councillor Parker **2021/ 432**

“that Council, having considered Item 4.2 – *Chief Executive Officer Recommendation pursuant to Regulation 21 of the Local Government (Procedures at Meetings) Regulations 2013 – Process – Revocation of Community Land Classification – Two Wells*, dated 29 November 2021, receives and notes the report and in doing so notes that as a result of recent amendments to the *Crown Land Management Act 2009*, the approval of the Minister for Planning and Local Government and a subsequent resolution of Council is no longer required to revoke the community land status of Section 180 Hundred of Port Gawler in the area named Two Wells, Crown Record Volume 5984 Folio 730 and Section 716 Hundred of Port Gawler in the area named Two Wells, Crown Record Volume 5755 Folio 739.”

CARRIED

4.2 Moved Councillor Keen Seconded Councillor Maiolo 2021/ 433

“that Council, having considered Item 4.2 – Chief Executive Officer Recommendation pursuant to Regulation 21 of the Local Government (Procedures at Meetings) Regulations 2013 – Process – Revocation of Community Land Classification – Two Wells, dated 29 November 2021, and in light of resolution 2021/432 above, rescinds Council Resolution 2021/403 made on 8 November 2021 as follows:

‘that Council, having considered Item 5.2 – Outcome of Public Consultation – Revocation of Community Land Classification, dated 8 November 2021, and after having completed public consultation on the Proposal and having considered the submission received on the Proposal in response to the public consultation described in paragraphs 1 and 2 of the Resolution above:

- 1. Resolves to seek the formal consent of the Minister for Environment and Water (as the owner of the land) to the Proposal as required under section 194(1)(d) of the Local Government Act 1999 (the Act), to the extent that such consent has not already been provided***
- 2. Resolves to prepare a report on all submissions received in response to the public consultation described in paragraphs 1 and 2 of the Resolution above and submit this report and the Proposal to the Minister for Planning and Local Government (as the Minister responsible for the administration of the Act) seeking approval for the Proposal***
- 3. Authorises the Chief Executive Officer to attend to the preparation of all documents and correspondence and all other matters required to give effect to the above resolution***
- 4. Instructs that a further report be prepared for the Council notifying of the response received from the Minister for the Council to decide whether to pass a resolution to give effect to the Proposal and***
- 5. Acknowledges that the process for formally revoking the dedication of the relevant land will be dealt with subsequently under the Crown Land Management Act 2009, in conjunction with the broader acquisition proposal.”***

CARRIED

4.2 Moved Councillor Keen Seconded Councillor Di Troia 2021/ 434

“that Council, having considered Item 4.2 – Chief Executive Officer Recommendation pursuant to Regulation 21 of the Local Government (Procedures at Meetings) Regulations 2013 – Process – Revocation of Community Land Classification – Two Wells, dated 29 November 2021, and after having considered the submission received in response to the public consultation on the proposal to revoke the community land classification applying to Section 180 Hundred of Port Gawler in the area named Two Wells, Crown Record Volume 5984 Folio 730 and Section 716 Hundred of Port Gawler in the area named Two Wells, Crown Record Volume 5755 Folio 739, which is dedicated Crown land under the Council’s care, control and management (Relevant Land):

- 1. Resolves, in accordance with sections 24 and 25 of the Crown Land Management Act 2009, to proceed with requesting the Minister for Environment and Water to declare the Relevant Land surplus and commit to disposing of the Relevant Land to Council, on terms to be subsequently agreed by Council and***
- 2. Authorises the Chief Executive Officer to attend to the preparation of all documents and correspondence and all other matters required to give effect to the above resolution.”***

CARRIED

5. CONFIDENTIAL ITEM

5.1 Crown Land, Two Wells – November 2021

Councillor Strudwicke called a Point of Order on the basis that Councillor Daniele, having declared a conflict of interest, must resolve that conflict before the meeting goes into confidence. The Mayor accepted the Point of Order and invited Councillor Daniele to indicate how he would deal with his declared conflict of interest.

Having declared a perceived conflict of interest in Item 5.1 – *Crown Land, Two Wells – November 2021*, Councillor Daniele left the meeting at 6.12pm and did not return.

Moved Councillor Di Troia Seconded Councillor Keen **2021/ 435**

“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, Information Technology Support Officer and Mr Sean Keenihan of Norman Waterhouse Lawyers be excluded from attendance at the meeting of Council for Agenda Item 5.1 – Crown Land, Two Wells November 2021**
- 2. Council is satisfied that pursuant to section 90(3)(b) and 90(3)(h) of the Local Government Act 1999, Item 5.1 – Crown Land, Two Wells – November 2021 concerns:**
 - a. 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 a verbal briefing relating to ongoing negotiations and would on balance be contrary to the public interest and**
 - b. legal advice, being a verbal briefing by Mr Sean Keenihan, Chair, Norman Waterhouse Lawyers in relation to the matter of 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

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 5.1 – *Crown Land, Two Wells – November 2021*. Leave was granted.

The meeting was suspended at 6.14pm.

Mr Sean Keenihan, Norman Waterhouse Lawyers, gave a 20 minute presentation, including questions from Members, in relation to Item 5.1 – *Crown Land, Two Wells – November 2021*.

The meeting resumed at 6.59pm.


There being no further business, the Mayor declared the meeting closed at 7.00pm

Confirmed as a true record.

Mayor:

Date: ____/____/____

Subject to confirmation

 Adelaide Plains Council	7.1	Mayor's Report	
	Document No:	D21/53770	
Report Date:	13 December 2021	Prepared for:	Mayor Mark Wasley

Reporting Period – Thursday 18 November 2021 to Wednesday 8 December 2021

Monday 22 November 2021

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

Ordinary Council Meeting

Tuesday 23 November 2021

Meeting – Mayor/General Manager – Governance and Executive Office – Various Matters

Thursday 25 November 2021

Meeting – Mayor/Chief Executive Officer – Various Matters

Friday 26 November 2021

Meeting – Mayor/Chief Executive Officer – Various Matters

Monday 29 November 2021

Special Council meeting

Wednesday 1 December 2021

Meeting – Parham and District Action Group Representative, Port Parham

Local Government Association of SA – Mayors and Chief Executive Officers COVID-19 briefing with SA Health and SAPOL, Zoom

Adelaide Plains Council Infrastructure and Environment Committee Meeting

Friday 3 December 2021

Legatus Group Special Meeting

Two Wells Twinkling Launch Event

Tuesday 7 December 2021

Meeting – Mayor/Chief Executive Officer – Various Matters



9. Deputations

Monday 13 December 2021

- 9.1 Mr Brenton Bell, Spokesperson for Mallala and Districts Lions Club

Grant of lease between Council and Mallala and Districts Lions Club for Port Parham Camping Ground

- 9.2 Mr Anthony Renaglia, Spokesperson for Two Wells Golf Club Incorporated

Redevelopment of the Two Wells Golf Course

- 9.3 Mrs Debbie Heinze, Spokesperson for Adelaide Plains Kennel and Obedience Club

Adelaide Plains Kennel and Obedience Club relocation to Clara Harniman Reserve

Adelaide Plains Council
RECEIVED
03 DEC 2021



Adelaide
Plains
Council

DEPUTATION REQUEST FORM

Please complete this request and return to the principal office of Adelaide Plains Council **five (5) clear days*** before the date of the Council meeting at which you wish to appear.

Please note that the calculation of 'clear days' does not take into account the day on which the request is received or the day of the meeting. For example, in relation to a meeting scheduled on a Monday, the deputation request form must be submitted **by 5pm on the Tuesday prior**

To: **Chief Executive Officer**

DETAILS

I/We hereby request to be heard at the next meeting of Council on ...13.../12.../2021...

Surname:	BELL		
Given Name(s):	BRENTON ALAN		
Address:	<div></div>		P/Code 5502
Postal Address: (if different from above)	Suburb	P/Code	
Contact Number:	Home <div></div>	Work	
	Mobile <div></div>		
Email Address:	mallalalions@live.com.au		

I will be speaking on my own behalf ☐ Yes

or

As the spokesperson of a group of persons ☒ Yes

Name/Details of Person or Group Representing: (if applicable)	MALLALA AND DISTRICTS LIONS CLUB
--	----------------------------------

If you have a set of Rules by which the group is governed, please provide a copy of these.

TOPIC OR ISSUE

The topic or issue I wish to speak about is: (please give sufficient details of the matter to enable consideration of your request for a deputation)

GRANT OF LEASE BETWEEN APC AND MALLALA AND DISTRICTS LIONS CLUB, FOR PORT PARHAM CAMPING GROUND.

DISCUSS FINANCIAL IMPLICATIONS, DEVELOPMENT OF CAMPING GROUND AND HOW THESE FACTORS WILL BENEFIT ADELAIDE PLAINS RATE ~~PAYERS~~ PAYERS.

HOW BY DEVELOPING THE CAMPING GROUND FITS INTO FUTURE COASTAL COMMUNITY DEVELOPMENT AND TOURISM GROWTH.

HOW THE LEASE CONSIDERS PARHAM ACTION GROUP.

It is strongly encouraged that Council's administration receives a copy of any notes or other relevant information regarding your Deputation Request.

GUIDELINES

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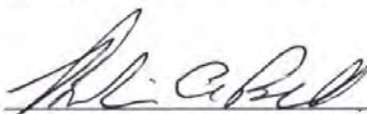
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- f. **If you are seeking funding from Council, please be aware that this needs to occur through Council's budget and forward planning processes and can only be achieved through a resolution of Council at a formal meeting.**

DECLARATION

I have read and understood the Deputation Guidelines and Information Sheet, and agree to abide by them.

Name: BRENTON ALAN BELL OAM
(In full – Please Print)

Signature:  Date: 03/12/2021

Once completed, please return to the Adelaide Plains Council, either in person, by post, facsimile or email (info@apc.sa.gov.au)

DEPUTATION INFORMATION SHEET

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Telephone: (08) 8527 0200

Facsimile: (08) 8527 2242

Email: info@apc.sa.gov.au or

Website: www.apc.sa.gov.au

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To: Chief Executive Officer

DETAILS

I/We hereby request to be heard at the next meeting of Council on 13/12/2021

Surname:	RENAGLIA		
Given Name(s):	ANTHONY		
Address:	[REDACTED]		
	Suburb	[REDACTED]	P/Code 5501
Postal Address: (if different from above)	as above		
	Suburb		P/Code
Contact Number:	Home	Work	
	Mobile	[REDACTED]	
Email Address:	[REDACTED]		
I will be speaking on my own behalf		<input type="checkbox"/> Yes	
or			
As the spokesperson of a group of persons		<input checked="" type="checkbox"/> Yes	
Name/Details of Person or Group Representing: (if applicable)	TWO WELLS GOLF CLUB INC.		

If you have a set of Rules by which the group is governed, please provide a copy of these.

TOPIC OR ISSUE

The topic or issue I wish to speak about is: *(please give sufficient details of the matter to enable consideration of your request for a deputation)*

RE-DEVELOPMENT OF THE TWO WELLS GOLF COURSE

We are in the early stages of creating a 5 Year Strategy Plan to develop our course and club facilities. While our club is small and has had relatively little development over the years, and we still use scrapes, we are on the footstep of huge population growth 5 minutes west of our location. We are also on the verge of huge membership growth albeit the base is quite low.

It is worth noting that the Two Wells Golf Club owns 8Ha of 40Ha, and any development or improvement would see a direct benefit to our organisation as well as the community.

The two key objectives of our 5 Year Strategy are:

- (1) Water: access water via a nearby pipeline, and develop a Dam on the course, as well as the internal irrigation system. By doing this we will transition from scrapes to fairways/greens. We will be asking the council to support us with negotiations and applications for community water programs from SA Water as well as other sources.
- (2) New Club Room - develop a new community golf center. This should include a licensed bar and restaurant/cafe facilities.

It is strongly encouraged that Council's administration receives a copy of any notes or other relevant information regarding your Deputation Request.

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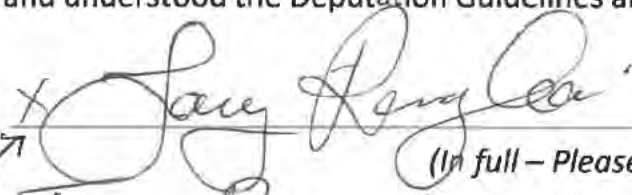
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- f. **If you are seeking funding from Council, please be aware that this needs to occur through Council's budget and forward planning processes and can only be achieved through a resolution of Council at a formal meeting.**

DECLARATION

I have read and understood the Deputation Guidelines and Information Sheet, and agree to abide by them.

Name:



(In full – Please Print)

Signature:

Tony Renaglia

Date:

6/12/21

Once completed, please return to the Adelaide Plains Council, either in person, by post, facsimile or email (info@apc.sa.gov.au)

DEPUTATION INFORMATION SHEET

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- (2) *The CEO must transmit a request received under sub-clause (1) to the Presiding Member.*
- (3) *The Presiding Member may refuse to allow the deputation to appear at a meeting **or may offer those requesting a deputation the opportunity to appear at a relevant Committee (as per sub-clause (7)).***
- (4) *The CEO must take reasonable steps to ensure that the person or persons who requested a deputation are informed of the outcome of the request.*
- (5) *If the Presiding Member refuses to allow a deputation to appear at a meeting, the Presiding Member must report the decision to the next meeting of the Council or Council committee (as the case may be).*
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5. At the Meeting

Once you have received confirmation of the time and date of the deputation you are ready to attend the Council/Committee meeting.

At the appropriate time during the meeting you will be invited by the Presiding Member to come forward and make your deputation on the topic or issues which you have nominated.

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To: **Chief Executive Officer**

DETAILS

I/We hereby request to be heard at the next meeting of Council on 13 / 12 / 20 21

Surname:	Heinze		
Given Name(s):	Debbie		
Address:	<div style="background-color: black; width: 150px; height: 20px;"></div>		
	Suburb	<div style="background-color: black; width: 100px; height: 20px;"></div>	P/Code 5118
Postal Address:	<div style="background-color: black; width: 150px; height: 20px;"></div>		
(if different from above)	Suburb	<div style="background-color: black; width: 100px; height: 20px;"></div>	P/Code 5118
Contact Number:	Home	Work	
	Mobile	<div style="background-color: black; width: 100px; height: 20px;"></div>	
Email Address:	<div style="background-color: black; width: 200px; height: 20px;"></div>		

I will be speaking on my own behalf ☒ Yes

or

As the spokesperson of a group of persons ☒ Yes

Name/Details of Person or Group Representing: (if applicable)	Adelaide Plains Kennel & Obedience Club
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If you have a set of Rules by which the group is governed, please provide a copy of these.

TOPIC OR ISSUE

The topic or issue I wish to speak about is: *(please give sufficient details of the matter to enable consideration of your request for a deputation)*

This is a continuance of request and in relation to the APK&O Clubs relocation to Clare Harniman Reserve, Lewiston. The CEO Mr James Miller has requested this project's progress to be ratified and discussed during this forum. Following his onsite visit on Thursday 4th November and subsequent discussions with our insurer - Rob/Holdfast Insurance There are a number of immediate concerns in regards to internal completion of the building as to

*Duty of Care

*OH&S issues

*Due Diligence

Rob has indicated this building is currently "Uninsured, under our (APK&O Club) cover", due to being incomplete as a Council concern. Rob has advised that "should there be any insurance claim made - Council is currently liable".

On behalf of APK&O club, once again, I wish to reiterate our position toward funding this project. Our committee/members have been 'attempting' to secure 'dollars' by way of continuous Bunning BBQ's and hosting industry Dog Shows. With the pandemic "Savaging" our attempt to secure and maintain the continuance, our club has 'lost' well over \$25,000 toward this project – therefore limiting our input. In regards to 'Grant Funding' – as a Community of 'Dog Sports' and activities, we are severely hampered in regards to even applying for grants. To date have been unsuccessful in obtaining 5. The current bank balance we do have has been earmarked to supply and maintain a water source and grass area critically required to sustain and keep our strong and growing membership base.

Please Councillors the consideration is – "Our Club has been requested by Council to relocate" .

With this there is an enormous opportunity to provide the current growing canine community a place of substance. Within the past twelve months we have already established two new disciplines and further to begin!

The building is currently up to – requiring internal gyprock – then further items from there.

Currently there is no external lighting. Our members are now using the Lewiston site for training, as of 27th October 2021, with daylight savings. We do still have items housed at the Two Wells site awaiting completion of internal build before moving.

Once again, the requested invites for Councillors to visit our new home has gone unanswered, please contact Deb 0457220018 to come and see what our APK&O Club can offer

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DECLARATION

I have read and understood the Deputation Guidelines and Information Sheet, and agree to abide by them.

Name: Mrs Debbie Heinze

(In full – Please Print)

Signature: _____ Date: 6th December 2021

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10. Presentations/Briefings

Monday 13 December 2021

- 10.1 The Honourable John Dawkins MLC, President of the Legislative Council
- 10.2 Mr James Miller, Chief Executive Officer, Adelaide Plains Council – Two Wells Village Green Presentation

	12.1	Infrastructure and Environment Committee Meeting – 1 December 2021
	Department:	Infrastructure and Environment
	Report Author:	General Manager Infrastructure and Environment
Date: 13 December 2021	Document No:	D21/53486

OVERVIEW

The purpose of this report is to facilitate the receiving and noting of the minutes from the 1 December 2021 Infrastructure and Environment Committee Meeting (**Attachment 1**).

Items for Council's consideration:

- Mallala Community Wastewater Management Scheme
- Funding Opportunity – Coastal Settlements Adaptation Study Review
- Mallala Road Roundabout

[Click here to view the Agenda](#) for the Infrastructure and Environment Committee Meeting on 1 December 2021.

RECOMMENDATION 1

“that Council receives and notes the minutes of the Infrastructure and Environment Committee Meeting held 1 December 2021.”

Mallala Community Wastewater Management Scheme

RECOMMENDATION 2

“that Council endorses resolution 2021/027 of the Infrastructure and Environment Committee and in doing so instructs the Chief Executive Officer to:-

- 1. Engage a suitably qualified consultant in accordance with Council's Procurement Policy to quantify the current Mallala CWMS infrastructure shortfalls**
- 2. Acknowledges that an allocation of \$15,000 will be incorporated into the second quarter 2021/2022 budget revision.”**

Funding Opportunity – Coastal Settlements Adaptation Study Review

RECOMMENDATION 3

“that Council endorses resolution 2021/028 of the Infrastructure and Environment Committee and in doing so instructs the Chief Executive Officer to seek funding through the Preparing Australian Communities – Local Stream funding stream for the Coastal Settlements Adaptation Study review project.”

Motion Without Notice – Mallala Road Roundabout

RECOMMENDATION 4

“that Council endorses resolution 2021/031 of the Infrastructure and Environment Committee and in doing so instructs the Chief Executive Officer to write to the Minister for Infrastructure and Transport demanding urgent action on the delivery of the Mallala Road roundabout.”

Attachments

1. Copy of Minutes of Meeting held 1 December 2021

MINUTES

of the

Infrastructure and Environment Committee

of the



Pursuant to the provisions of section 88 (1) of the
Local Government Act 1999

HELD IN

**Council Chamber
Redbanks Road
Mallala**

on

Wednesday 1 December 2021 at 5.00pm

The Chairperson formally declared the meeting open at 5.02pm.

1. ATTENDANCE

1.1 Present:

Mr Richard Dodson	Chairperson
Mr Howard Lacy	Independent Member
Mayor Mark Wasley	Mayor
Councillor John Lush	Mallala/Dublin Ward
Councillor Terry-Anne Keen from 5.39pm	Mallala/Dublin Ward
Councillor Kay Boon	Two Wells Ward
Councillor Brian Parker	Lewiston Ward

Also in Attendance:

Chief Executive Officer	Mr James Miller
General Manager – Infrastructure and Environment	Mr Thomas Jones
Manager – Governance and Administration	Ms Alyssa Denicola
Administration and Executive Support Officer/Minute Taker	Ms Stacie Shrubsole

1.2 Apologies

Councillor Frank Maiolo	Two Wells Ward
Councillor Margherita Panella	Lewiston Ward

2. CONFIRMATION OF MINUTES

2.1 Infrastructure and Environment Committee Meeting – 4 August 2021

Committee Resolution

Moved Councillor Parker Seconded Mayor Wasley 2021/ 026

“that the minutes of the Infrastructure and Environment Committee meeting held on Wednesday 4 August 2021 (MB Folios 71 to 75, inclusive), be accepted as read and confirmed.”

CARRIED

3. BUSINESS ARISING

Nil

4. DECLARATION OF MEMBERS’ INTERESTS (material, actual, perceived)

Nil

5. ADJOURNED ITEMS

Nil

6. REPORTS FOR DECISION

6.1 Mallala Community Wastewater Management Scheme

Committee Resolution

Moved Councillor Parker Seconded Mr Lacy 2021/ 027

“that Infrastructure and Environment Committee, having considered Item 6.1 – *Mallala Community Wastewater Management Scheme*, dated 1 December 2021, receives and notes the report and in doing so recommends to Council that it:

- 1. Instructs the Chief Executive Officer to engage a suitably qualified consultant in accordance with Council’s Procurement Policy to quantify the current Mallala CWMS infrastructure shortfalls and**
- 2. Acknowledges that an allocation of \$15,000 will be incorporated into the second quarter 2021/2022 budget revision.”**

CARRIED

6.2 Funding Opportunity – Coastal Settlements Adaptation Study Review

Committee Resolution

Moved Mayor Wasley Seconded Councillor Parker 2021/ 028

“that the Infrastructure and Environment Committee, having considered Item 6.2 – *Funding Opportunity – Coastal Settlement Adaptation Study Review*, dated 1 December 2021, receives and notes the report and in doing so recommends to Council that it instructs the Chief Executive Officer to seek funding through the Preparing Australian Communities – Local Stream funding stream for the Coastal Settlements Adaptation Study review project.”

CARRIED

7. REPORTS FOR INFORMATION

7.1 Committee Resolutions

Committee Resolution

Moved Councillor Lush Seconded Mayor Wasley 2021/ 029

“that the Infrastructure and Environment Committee, having considered Item 7.1 – *Committee Resolutions*, dated 1 December 2021, receives and notes the report.”

CARRIED

7.2 Mallala Road Roundabout

Committee Resolution

Moved Councillor Parker Seconded Councillor Lush 2021/ 030

“that the Infrastructure and Environment Committee, having considered Item 7.2 – *Mallala Road Roundabout*, dated 1 December 2021, receives and notes the report.”

Councillor Keen entered the meeting at 5.39pm.

CARRIED

MOTION WITHOUT NOTICE

Committee Resolution

Moved Councillor Lush Seconded Mayor Wasley 2021/ 031

“that the Infrastructure and Environment Committee recommends that Council instructs the Chief Executive Officer to write to the Minister for Infrastructure and Transport demanding urgent action on the delivery of the Mallala Road roundabout.”

CARRIED

7.3 Undergrounding of Power – Two Wells Main Street

Committee Resolution

Moved Councillor Keen Seconded Councillor Boon **2021/ 032**

“that the Infrastructure and Environment Committee, having considered Item 7.3 – *Undergrounding of Power – Two Wells*, dated 1 December 2021, receives and notes the report.”

CARRIED

7.4 Two Wells Township Community Wastewater Management Scheme

Committee Resolution

Moved Councillor Boon Seconded Mayor Wasley **2021/ 033**

“that the Infrastructure and Environment Committee, having considered Item 7.4 – *Two Wells Township Community Wastewater Management Scheme*, dated 1 December 2021, receives and notes the report.”

CARRIED

7.5 Gracewood Land Division – Mallala

Committee Resolution

Moved Councillor Parker Seconded Councillor Lush **2021/ 034**

“that the Infrastructure and Environment Committee, having considered Item 7.5 – *Gracewood Land Division – Mallala*, dated 1 December 2021, receives and notes the report.”

CARRIED

7.6 River Light Alternative Crossing – Wasleys Road, Mallala

Committee Resolution

Moved Councillor Lush Seconded Councillor Parker **2021/ 035**

“that the Infrastructure and Environment Committee, having considered Item 7.6 – *River Light Alternative Crossing – Wasleys Road, Mallala*, dated 1 December 2021, receives and notes the report.”

CARRIED

8. QUESTIONS ON NOTICE

Nil

9. QUESTIONS WITHOUT NOTICE

Not recorded in Minutes in accordance with Regulation 9(5) of the *Local Government (Procedures at Meetings) Regulations 2013*.

10. MOTIONS ON NOTICE

Nil

11. MOTIONS WITHOUT NOTICE

Nil

12. URGENT BUSINESS

Nil

13. CONFIDENTIAL ITEMS

Nil

14. NEXT MEETING

To be determined


15. CLOSURE

There being no further business, the Chairperson declared the meeting closed at 6.11pm.

Confirmed as a true record.

Chairperson:.....

Date: ____/____/____

	14.1	CEO Recommendation pursuant to Regulation 21 of the Local Government (Procedures at Meetings) Regulations 2013 – Adoption of Long Term Financial Plan
	Department: Report Author:	Governance and Executive Office Chief Executive Officer
Date: 13 December 2021	Document No:	D21/54029

EXECUTIVE SUMMARY

- The purpose of this report is for Council to consider the Chief Executive Officer's (CEO) recommendation, pursuant to Regulation 21 of the *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations), that Council revoke Resolution 2021/234 in light of recent updates to the process and timeline for adoption of the Long Term Financial Plan 2022/2023 – 2032/2033 (the LTFP).
- Council Resolution 2021/234 provides for the review and update of Council's LTFP by 'no later than 31 December 2021'.
- Council, at its Special Meeting on 8 November 2021 and with a view to adopting the LTFP by 31 December 2021, instructed the CEO to release the draft LTFP for public consultation and, accordingly, public consultation was undertaken from Wednesday 10 November 2021 until 5pm on Tuesday 30 November 2021.
- Council's Audit Committee considered the draft LTFP on 17 November 2021 (during the public consultation period) and made three key observations in relation to sustainability of the LTFP.
- Council, at its Ordinary Meeting on 22 November 2021, endorsed the relevant Audit Committee recommendation and, in doing so, instructed the CEO to bring a further report back to Council, via the Audit Committee, in relation to feedback gleaned through public consultation and also how to address the Audit Committee's observations. The next meeting of the Audit Committee is anticipated to be held in early February 2022.
- In light of the above, and in particular that the outcome of public consultation and commentary regarding how to address the matters set out within Resolution 2021/413 above must now be presented to a meeting of the Audit Committee, Council is not in a position to adopt its LTFP by 31 December 2021 as anticipated by Resolution 2021/234.
- Accordingly, the CEO is now recommending, pursuant to Regulation 21 of the *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations), that Council revoke Resolution 2021/234.

RECOMMENDATION

“that Council, having considered Item 14.1 – CEO Recommendation pursuant to Regulation 21 of the Local Government (Procedures at Meetings) Regulations 2013 – Adoption of Long Term Financial Plan, dated 13 December 2021, receives and notes the report and in doing so, and in light of Council Resolution 2021/413, revokes Council Resolution 2021/234 made on 28 June 2021 as follows:

“that Council having considered Item 14.2 – Strategic Plan 2021-2021, dated 28 June 2021, instructs that the Long Term Financial Plan is reviewed and updated by no later than 31 December 2021, noting that by that time determinations will have been made and resolutions likely adopted in relation to a number of strategic projects which carry significant expenditure.”

BUDGET IMPACT

Estimated Cost:	Nil
Future ongoing operating costs:	Nil
Is this Budgeted?	Not Applicable

RISK ASSESSMENT

Resolution 2021/234 currently provides for adoption of the LTFP by 31 December 2021 however in light of Resolution 2021/413 this will not be possible. It is therefore strongly recommended that Council revoke Resolution 2021/234.

Attachments

Nil

DETAILED REPORT

Purpose

The purpose of this report is for Council to consider the Chief Executive Officer's (CEO) recommendation, pursuant to Regulation 21 of the *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations), that Council revoke Resolution 2021/234 in light of recent updates to the process and timeline for adoption of the Long Term Financial Plan 2022/2023 – 2032/2033 (the LTFP).

Background/History

Section 122(1a) of the *Local Government Act 1999* (the Act) requires a council to, in conjunction with its strategic management plan, develop and adopt a long-term financial plan for a period of at least 10 years. This plan will also be taken to form part of the council's strategic management plans.

Council, at its Ordinary Council Meeting on 27 January 2021, adopted its Strategic Plan 2021-2024 and also endorsed a schedule for the subsequent adoption of its Annual Business Plan and Budget 2021/2022, Infrastructure and Asset Management Plans and the LTFP, whereby the draft LTFP would be presented for adoption on 8 July 2021.

However, Council at its Ordinary Meeting on 28 June 2021, determined a revised timeframe for the adoption of its LTFP, resolving as follows:

14.2 Strategic Plan 2021-2024

Moved Councillor Boon Seconded Councillor Parker 2021/232

“that Council, having considered Item 14.2 – Strategic Plan 2021-2021, dated 28 June 2021, receives and notes the report and in doing so acknowledges that the COVID-19 public health emergency has delayed finalisation and delivery of Council's Strategic Plan and, in turn, other strategic documents that flow on from that including but not limited to the Tourism and Economic Development Strategy, Infrastructure and Asset Management Plan and Long Term Financial Plan.”

CARRIED

14.2 Moved Councillor Boon Seconded Councillor Parker 2021/234

“that Council having considered Item 14.2 – Strategic Plan 2021-2021, dated 28 June 2021, instructs that the Long Term Financial Plan is reviewed and updated by no later than 31 December 2021, noting that by that time determinations will have been made and resolutions likely adopted in relation to a number of strategic projects which carry significant expenditure.”

CARRIED

Following an Information/Briefing Session with Council Members, Audit Committee Independent Members and Management on 1 November 2021, Council, at its Special Meeting on 8 November 2021, considered three scenarios of projects that Council may undertake during the life of the draft LTFP and the associated financial impacts of same and instructed the Chief Executive Officer to release the draft LTFP for public consultation incorporating Scenario 1 – the inclusion of ‘all projects’ at a total estimated cost of \$18.68m. Accordingly, the draft LTFP was the subject of public consultation from Wednesday 10 November 2021 until 5pm on Tuesday 30 November 2021.

Discussion

As Members are aware, Council’s Audit Committee considered the draft LTFP at its meeting on 17 November 2021 (during the public consultation period) and made three key observations, resolving as follows:

6.1 Draft Long Term Financial Plan 2022/2023-2031/2032

Moved Mayor Wasley

Seconded Mr Fairlie-Jones

2021/053

“that the Audit Committee having considered Item 6.1 – Draft Long Term Financial Plan 2022/2023-2031/2032, dated 17 November 2021, receives and notes the report and in doing so recommends to Council that it:

- 1. Notes that:*
 - a. The Long Term Financial Plan results in key financial indicators being substantially outside of the targets set by Council*
 - b. Until 2031/2032 the income included in the plan is not sufficient to pay for the proposed expenditure and the level of debt is outside what is conventionally considered prudent and*
 - c. When considering the projects included in the plan Council will need to be mindful of the impact the expenditure will have on future generations of residents, future elected Councils and of the financial risks which will emanate from the proposed expenditure and*
- 2. That in consideration of 1.a, 1.b and 1.c above, instructs the Chief Executive Officer to bring a further report back to Council, via the Audit Committee, in relation to feedback gleaned through public consultation and how best to address 1.a, 1.b and 1.c above.”*

CARRIED

Council, at its Ordinary Meeting on 22 November 2021, then considered and endorsed the Audit Committee's recommendation:

12.2 *Moved Councillor Parker Seconded Councillor Di Troia 2021/413*

"that Council endorses resolution 2021/053 of the Audit Committee and in doing so:

- 1. Notes that:*
 - a. The Long Term Financial Plan results in key financial indicators being substantially outside of the targets set by Council*
 - b. Until 2031/2032 the income included in the plan is not sufficient to pay for the proposed expenditure and the level of debt is outside what is conventionally considered prudent and*
 - c. When considering the projects included in the plan Council will need to be mindful of the impact the expenditure will have on future generations of residents, future elected Councils and of the financial risks which will emanate from the proposed expenditure and*
- 2. In consideration of 1a, 1b and 1c above, instructs the Chief Executive Officer to bring a further report back to Council, via the Audit Committee, in relation to feedback gleaned through public consultation and how best to address 1a, 1b and 1c above."*

CARRIED UNANIMOUSLY

In light of the above, and in particular that the outcome of public consultation and an analysis of how to address the matters set out within resolution 2021/413 above must now be presented to a meeting of the Audit Committee (the next meeting of which is anticipated to be held in early February 2022), Council is not in a position to adopt its LTFP by 31 December 2021 as anticipated by Resolution 2021/234.

Accordingly, the CEO is now recommending, pursuant to Regulation 21 of the *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations), that Council revoke Resolution 2021/234.

Conclusion

Resolution 2021/413 provides for the outcome of public consultation on the LTFP, and a response to the matters set out within paragraphs 1a, 1b and 1c of same, to be presented to a meeting of the Audit Committee. Accordingly, Council is not in a position to adopt its LTFP by 31 December 2021 as anticipated by Resolution 2021/234.

The CEO is therefore now recommending, pursuant to Regulation 21 of the *Local Government (Procedures at Meetings) Regulations 2013* (the Regulations), that Council revoke Resolution 2021/234.

References

Legislation

Local Government Act 1999


Local Government (Procedures at Meetings) Regulations 2013

Council Policies/Plans

Annual Business Plan and Budget 2021/2022

Strategic Plan 2021-2024

Public Consultation Policy

 Adelaide Plains Council	14.2	Annual Review of Confidential Items
	Department: Report Author:	Governance and Executive Office Manager Governance and Administration
Date: 13 December 2021	Document No:	D21/53164

EXECUTIVE SUMMARY

- Council is required to review its Confidential Items annually, pursuant to the *Local Government Act 1999* (SA) (the Act).
- Council last reviewed its Confidential Items on 23 November 2020. It is therefore timely that the Confidential Items be reviewed.
- The purpose of this report is to present to Council a summary of current confidential orders, as well as recommended actions (release/maintain confidentiality) for review and decision.
- In order to present this item transparently within the public agenda, reports, attachments and resolutions that are currently subject to a confidential order have not been included as attachments. If Members wish to discuss any of the items currently subject to a confidential order, it will be necessary for Council to resolve to go into confidence for the duration of those discussions. Members are therefore encouraged to provide Management with notice, ahead of the meeting, of any confidential items that may be raised for discussion, so as to enable (a) the necessary section 90 recommendations to be drafted and (b) copies of the relevant documents to be at hand.

RECOMMENDATION 1

“that Council, having considered Item 14.2 – *Annual Review of Confidential Items*, dated 13 December 2021, receives and notes the report and acknowledges that a formal review of Council’s confidential items has been undertaken.”

RECOMMENDATION 2

“that Council, having considered Item 14.2 – *Annual Review of Confidential Items*, dated 13 December 2021, resolves that the Section 91(7) of the *Local Government Act 1999* order made on 17 December 2018 in relation to Item 21.1 – Australia Day Awards 2019 be revoked.”

RECOMMENDATION 3

“that Council, having considered Item 14.2 – *Annual Review of Confidential Items*, dated 13 December 2021, resolves that the Section 91(7) of the *Local Government Act 1999* order made on 22 July 2019 in relation to Item 21.2 – Drought Communities Programme be revoked.”

RECOMMENDATION 4

“that Council, having considered Item 14.2 – *Annual Review of Confidential Items*, dated 13 December 2021, resolves that the Section 91(7) of the *Local Government Act 1999* order made on 26 August 2019 in relation to Item 21.1 – Drought Communities Programme be revoked.”

RECOMMENDATION 5

“that Council, having considered Item 14.2 – *Annual Review of Confidential Items*, dated 13 December 2021, resolves that the Section 91(7) of the *Local Government Act 1999* order made on 16 December 2019 in relation to Item 21.1 – Australia Day Awards 2020 be revoked.”

RECOMMENDATION 6

“that Council, having considered Item 14.2 – *Annual Review of Confidential Items*, dated 13 December 2021, resolves that the Section 91(7) of the *Local Government Act 1999* order made on 24 February 2020 in relation to Item 21.3 – Drought Communities Programme – Stage 1 Amendment be revoked.”

RECOMMENDATION 7

“that Council, having considered Item 14.2 – *Annual Review of Confidential Items*, dated 13 December 2021, resolves that the Section 91(7) of the *Local Government Act 1999* order made on 14 December 2020 in relation to Item 21.2 – Australia Day Awards 2021 be revoked.”

RECOMMENDATION 8

“that Council, having considered Item 14.2 – *Annual Review of Confidential Items*, dated 13 December 2021, resolves that the Section 91(7) of the *Local Government Act 1999* order made on 14 December 2020 in relation to Item 21.2 – Australia Day Awards 2021 be revoked.”

RECOMMENDATION 9

“that Council, having considered Item 14.2 – *Annual Review of Confidential Items*, dated 13 December 2021, resolves that the Section 91(7) of the *Local Government Act 1999* order made on 22 March 2021 in relation to Item 21.5 – Wheller Road, Two Wells – Land Division Application 312/357/2018 be revoked.”

RECOMMENDATION 10

“that Council, having considered Item 14.2 – *Annual Review of Confidential Items*, dated 13 December 2021, resolves that the Section 91(7) of the *Local Government Act 1999* order made on 9 March 2021 in relation to Item 4.1 – Carslake Road Funding Deed be revoked.”

RECOMMENDATION 11

“that Council, having considered Item 14.2 – *Annual Review of Confidential Items*, dated 13 December 2021, resolves that:

- 1. Pursuant to Section 91(9)(a) of the *Local Government Act 1999*, having reviewed the confidential order made on 14 May 2018 under Sections 90(2) and 90(3)(d) of the *Local Government Act 1999*, the Council, pursuant to Section 91(7) of the *Local Government Act 1999* orders that Attachment 1 relating to Item 4.1 – Chief Executive Officer – Performance Review dated 14 May 2018 continue to be retained in confidence and not available for public inspection until further order of Council, and that this order be reviewed every 12 months on the basis that the item contains information that may prejudice the commercial position of the person who supplied the information, and that the report and resolution 2018/175 be released and made available for public inspection; and**
- 2. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, Council delegates the authority to the Chief Executive Officer to revoke this confidentiality order.”**

RECOMMENDATION 12

“that Council, having considered Item 14.2 – *Annual Review of Confidential Items*, dated 13 December 2021, resolves that:

- 1. Pursuant to Section 91(9)(a) of the *Local Government Act 1999*, having reviewed the confidential order made on 22 August 2019 under Sections 90(2) and 90(3)(a) of the *Local Government Act 1999*, the Council, pursuant to Section 91(7) of the *Local Government Act 1999* orders that the Attachment 1 relating to Item 4.1 – Final Summary Report on Chief Executive Officer Performance Review dated 22 August 2019 continue to be retained in confidence and not available for public inspection until further order of Council, and that this order be reviewed every 12 months on the basis that the item contains information that may prejudice the commercial position of the person who supplied the information, and that resolution 2019/345 be released and made available for public inspection; and**
- 2. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, Council delegates the authority to the Chief Executive Officer to revoke this confidentiality order.”**

RECOMMENDATION 13

“that Council, having considered Item 14.2 – *Annual Review of Confidential Items*, dated 13 December 2021, resolves that:

- 1. Pursuant to Section 91(9)(a) of the *Local Government Act 1999*, having reviewed the confidential order made on 12 August 2020 under Sections 90(2) and 90(3)(a) of the *Local Government Act 1999*, the Council, pursuant to Section 91(7) of the *Local Government Act 1999* orders that the Attachment 1 relating to Item 4.1 – Summary Report on Chief Executive Officer Annual Performance Review July 2020 dated 12 August 2020 continue to be retained in confidence and not available for public inspection until further order of Council, and that this order be reviewed every 12 months on the basis that the item contains information that may prejudice the commercial position of the person who supplied the information, and that resolution 2020/276 be released and made available for public inspection; and**
- 2. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, Council delegates the authority to the Chief Executive Officer to revoke this confidentiality order.”**

RECOMMENDATION 14

“that Council, having considered Item 14.2 – *Annual Review of Confidential Items*, dated 13 December 2021, resolves that:

- 1. Pursuant to Section 91(9)(a) of the *Local Government Act 1999*, having reviewed the confidential order made on 24 May 2021 under Sections 90(2) and 90(3)(d) of the *Local Government Act 1999*, the Council, pursuant to Section 91(7) of the *Local Government Act 1999* orders that the Attachment 1 relating to Item 21.2 – Appoint Consultant – Chief Executive Officer Performance Review 2021-2023 dated 24 May 2021 continue to be retained in confidence and not available for public inspection until further order of Council, and that this order be reviewed every 12 months on the basis that it contains information that may prejudice the commercial position of the person who supplied the information or confer a commercial advantage on a third party, and that the report be released and made available for public inspection; and**
- 2. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, Council delegates the authority to the Chief Executive Officer to revoke this confidentiality order.”**

BUDGET IMPACT

Estimated Cost:	Nil
Future ongoing operating costs:	Nil
Is this Budgeted?	N/A

RISK ASSESSMENT

A review, at least annually, of confidential items is required to maintain compliance with the Act. Where Council does not carry out a proper review of confidential items, there is a risk of releasing an item which may require further confidentiality provisions. Alternatively, Council may fail to release information to the public which no longer requires the protection of a confidential order.

Attachments

Nil

DETAILED REPORT

Purpose

The purpose of this report is to present to Council a summary of its current confidential orders, as well as recommended actions (release/maintain confidentiality) for review and decision.

Background/History

Section 91(9)(b) of the *Local Government Act 1999* (the Act) requires that meeting minutes specify the duration of any confidential order, the circumstances in which the confidential order will cease to apply, or a period after which the confidential order must be reviewed. The objective of this requirement is that confidential orders are made publicly available at the earliest opportunity and that the community is informed of any Council or Committee confidential order and any associated implications.

Further, section 91(9)(a) of the Act requires that any confidential order under section 90(7) that operates for a period exceeding 12 months must be reviewed at least once in every year. Council must also make its Confidential Items Register available to the public on its website.

Council last reviewed its confidential items on 23 November 2020. It is therefore timely that the current confidential items are reviewed.

Discussion

In the interests of promoting accountable, open and transparent government, confidentiality provisions should only be utilised after careful consideration, and when considered proper and necessary. This report provides a summary of the following, for Council's review and/or decision:

- Table 1 – items that were subject to confidential orders, that have been released throughout the year (either by their 'trigger', a subsequent Council resolution, or under CEO delegation)
- Table 2 – items currently subject to confidential orders and recommended to remain in confidence maintained and
- Table 3 – items currently subject to confidential orders and recommended to be released.

1. Released Items

A number of confidential items have been released throughout the year based on the satisfaction of a relevant 'trigger' in the order itself (for example by way of a matter being finalised), by order of Council or by the Chief Executive Officer exercising his delegated power to revoke a particular order.

For Council's information, the following confidential orders have now lapsed or been revoked, and the relevant material has been released to the public:

Table 1

Council Meeting Date	Item No. & Subject	Reason for Confidentiality (Section of LG Act)	Full/ Partial Release	Scope of s 91 Order/ Due for Release	Reason for Release
20 May 2019	4.1 – Provision of Crushing Services – 2019 to 2021	S 90(3)(k) 'tender for the provision of services'	Full	'Report and minutes... agreement executed by both parties Attachment 1... until the end of the Provision of Crushing Services Agreement (31 October 2021)'	Attachment 1 was released in accordance with the trigger (end of the Provision of Crushing Services Agreement (31 October 2021)). <i>Report and minutes were released in 2019 in accordance with the trigger (agreement executed by both parties)</i>
23 November 2020	21.3 – Agrisano Holdings Pty Ltd – Draft Infrastructure Deed and Land Management Agreement Wasleys Road, Mallala	S 90(3)(i) 'information that relates to actual and ongoing litigation'	Full	'report, Attachment 1 and Attachment 2... until such time as the appeal proceedings are finalised'	Report, Attachment 1 and Attachment 2 were released in accordance with the trigger (appeal proceedings being finalised).

14 December 2020	21.2 – Australia Day Awards 2021	S 90(3)(a) 'personal affairs'	Partial	'report and the minutes... until all award recipients have been advised of the outcome... Attachments 1-10... until further order of Council'	Report and minutes (resolutions 2020/459, 2020/460, 2020/461, 2020/462, 2020/463 and 2020/464) were released in accordance with the trigger (award recipients being advised of the outcome) Recommend release of Attachments 1-10 (refer Table 3 below).
27 January 2021	21.2 – Infrastructure and Environment Committee – Independent Membership	S 90(3)(a) 'personal affairs'	Partial	'report and the minutes... until the applicants for positions on the Infrastructure and Environment Committee have been advised of the outcome of their application... Attachment 1 and Attachment 2... until further order of Council'	Report and minutes were released in accordance with the trigger (applicants being advised of the outcome) Recommend retaining Attachment 1 and Attachment 2 in confidence (refer Table 2 below)
2 February 2021 (Audit Committee Meeting)	8.1 – Appointment of External Auditor	S 90(3)(d) 'commercial information of a confidential nature'	Partial	'report and the minutes... until all consultants who submitted a proposal have been notified of Council's decision... Attachments 1 to 5... until further order of the Council'	Report and minutes were released in accordance with the trigger (consultants notified of Council's decision) Recommend retaining Attachments 1 to 5 in confidence (refer Table 2 below)

22 February 2021	22.2 – Audit Committee Recommendation – Appointment of External Auditor	S 90(3)(d) 'commercial information of a confidential nature'	Partial	'report, Attachment 1 and the minutes... until all consultants who submitted a proposal have been notified in writing of Council's decision... Attachment 2... until further order of the Council'	Report, Attachment 1 and minutes were released in accordance with the trigger (consultants notified of Council's decision) Recommend retaining Attachment 2 in confidence (refer Table 2 below)
22 March 2021	21.3 – Appointment of Consultant – Review of Council Accommodation and Services	S 90(3)(d) 'commercial information of a confidential nature'	Partial	'report and minutes... until both consultants who provided proposals for the Review of Council Accommodation and Services have been notified of the Council's decision... Attachment 1, Attachment 2 and Attachment 3... until further order of the Council'	Report and minutes were released in accordance with the trigger (consultants notified of the Council's decision) Recommend retaining Attachment 1, Attachment 2 and Attachment 3 in confidence (refer Table 2 below)

2. Items to Remain in Confidence

The Chief Executive Officer recommends that Council maintain the confidence of certain items. It is also recommended that the Chief Executive Officer be delegated power to revoke these orders, as is the standard practice, should the relevant material no longer need to remain confidential. These orders will be reviewed again in approximately 12 months.

It is recommended that the following items remain in confidence until the next Confidential Items Review:

Table 2:

Council Meeting Date & Item No.	Item No & Subject	Reason for Confidentiality (LG Act)	Scope of s 91 Order/ Due for Release	Reason for Maintaining Confidentiality
25 August 2014	16.1 – Storage of Fertiliser – Proposed Compliance Activity	S 90(3)(a) 'personal affairs'	'...until further order of the Council.'	Recommend that report remains in confidence – relates to proposed compliance activity and contains personal information the disclosure which would be unreasonable.
10 March 2015	15.1 – Mallala Community Hospital Incorporated	S 90(3)(d)and(h) 'commercial information' and 'legal advice'	'...until further order of the Council.'	Recommend that Legal Advice remains in confidence. <i>(Since annual review of confidential items in 2018, only the legal advice remains confidential)</i>
16 March 2015	3.1 – Mallala Community Hospital Proposed Closure and Land Management Agreement Items Only	S 90(3)(d)and(h) 'commercial information' and 'legal advice'	'...until further order of the Council.'	Recommend that Legal Advice remains in confidence. <i>(Since annual review of confidential items in 2018, only the legal advice remains confidential)</i>
20 February 2017	19.2 - Gawler River Floodplain Management Authority – Charter	S 90(3)(h) 'legal advice'	'...until further order of the Council'	Recommend Attachment 1 and 2 remain in confidence – contains legal advice. <i>(Report and resolutions 2017/050, 2017/051 and 2017/052 were released as part of 2019 annual review)</i>

18 April 2017	16.1.2 – By-Law Review	S 90(3)(d) 'commercial in confidence'	'...until further order of the Council'	Contains commercial in confidence documents and legal advice.
17 July 2017	21.1 – Rubble Raising and Crushing	S 90(3)(d) 'commercial information'	'agenda report, attachments and minutes... remain confidential and not available for public inspection...'	Recommend retaining report and Attachments - contains commercial in confidence documents. <i>(Minutes were released as part of 2019 annual review)</i>
18 September 2017	4.1 – Sale of Land for Non-Payment of Rates	S 90(3)(a) 'personal affairs'	'the attachment (Attachment 1) in relation to the matter remain confidential... until further order of Council'	Contains personal information and the disclosure of this information would be unreasonable.
20 November 2017	21.1 – Kerbside Waste Services	S 90(3)(k) 'tenders for the supply of goods, the provision of services or the carrying out of works'	minutes, report, attachments and associated documents... until the end of the Waste Management Services Contract'	Trigger (end of Waste Management Services Contract) not yet occurred
21 November 2017	21.2 – Metcash Food and Grocery – Commercial in Confidence	S 90(3)(d) 'commercial in confidence'	'agenda item, report and attachments... until further order of Council'	Contains commercial in confidence documents, ongoing matter.
21 November 2017	21.3 – General Managers – Contractual Agreements	S 90(3)(a) 'personal affairs'	'agenda item, report and attachments... until further order of Council'	Recommend retaining attachments to remain in confidence - contains personal information and the disclosure of this information would be unreasonable. <i>(Report and minutes were released as part of 2019 annual review)</i>

18 December 2017	16.2 – Resignation of Staff	<p>S 90(3)(a) ‘personal affairs’</p> <p>S 90(3)(g) ‘to ensure that the Council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty’</p>	‘agenda item, answer and any other associated information... until further order of Council’	Contains personal information, the disclosure of which would be unreasonable, and to ensure that Council does not breach any order of a Court.
6 February 2018	3.1 – Waste Management Procedures	<p>S 90(3)(a) ‘personal affairs’</p> <p>S 90(3)(k) ‘tenders for supply of goods, the provision of services or the carrying out of works’</p>	‘agenda item, report and annexures, legal advice...and the minutes... until further order of Council’	<p>Recommend retaining Attachments 1, 2 and 3 in confidence.</p> <p><i>(Report and minutes were released as part of 2018 annual review)</i></p>
26 February 2018	3.1 – Crown Land – Old Port Wakefield Road, Two Wells	S 90(3)(h) ‘legal advice’	‘agenda item, report and annexures and any other associated information submitted to this meeting... until further order of Council’	<p>Recommend retaining Attachment – legal advice.</p> <p><i>(Report and minutes were released as part of 2019 annual review)</i></p>

16 April 2018	7.1 – Gawler River Floodplain Management Authority – Charter Review and Economic Footprint Impact Assessment	S 90(3)(b) 'commercial advantage'	'agenda item, report and annexures... until the Chief Executive Officer deems it the appropriate time'	The matter is ongoing.
14 May 2018	4.1 – Chief Executive Officer – Performance Review	S 90(3)(d) 'commercial in confidence'	'staff report... all annexures... associated information submitted to this meeting and the minutes... until further order of Council'	Attachment 1 contains commercial in confidence information <i>(Staff report and resolution 2018/175 recommended for release – refer Table 3 below)</i>
21 May 2018	21.3 – Follow up on Asbestos Contamination Found at Other Council Sites	S 90(3)(d) 'commercial in confidence'	'Attachment 1... until further order of Council'	Commercial in confidence information (quote)
28 May 2018	21.1 – Two Wells Main Street Design Guidelines Review	S 90(3)(d) 'commercial in confidence'	'staff report... and all annexures... until further order of Council'	Contains commercial in confidence information
28 May 2018	21.2 – 105 Limerock Road Lower Light – Review of Lease Arrangements	S 90(3)(d) 'commercial in confidence'	'staff report... all annexures, any other associated information... and the minutes... until further order of Council'	The matter is ongoing

28 May 2018	21.3 – Follow up on Asbestos Contamination Found at Other Council Sites	S 90(3)(d) 'commercial in confidence'	'Attachment 1 to Agenda Item 21.3... until further order of Council'	Contains commercial in confidence information
18 June 2018	21.3 – Proposed Lease of Council Land – NBN Radio Network Base Station – Update	S 90(3)(h) 'legal advice'	'Attachment 1 being the legal advice of Norman Waterhouse Lawyers... until further order of Council'	Contains a copy of legal advice obtained by Council
26 June 2018	4.1 – Chief Executive Officer – Performance Review	S 90(3)(a) 'personal affairs'	'the Chief Executive Officer's PowerPoint Presentation and associated performance review documentation... until further order of Council'	Recommend retaining in confidence.
20 August 2018	21.1 – By Law Review 2019	S 90(3)(d) 'commercial information of a confidential nature'	'Agenda item, report and annexures... until further order of council Minutes... be released once both firms have been notified of Council's decision'	Recommend retaining the agenda item, report and annexures in confidence – proposals and quotations provided by firms to undertake the By-law review. <i>(Minutes were released in 2018, in accordance with the trigger)</i>
17 September 2018	21.1 – Rubble Ripping and Raising	S 90(3)(k) 'tender for the provision of services'	'Report... until further order of Council'	Contract for services concludes 31 October 2021

21 November 2018	21.1 – Audit Committee – Terms of Reference and Appointment of Members	S 90(3)(a) ‘personal affairs’	‘Report and minutes... until all applicants for positions on the Audit Committee have been advised of the outcome of their application Attachments 2 and 3... until further order of Council’	Recommend retaining Annexures 2 and 3 in confidence – contain information relevant to the applicants’ potential appointment and suitability for a position on Council’s Audit Committee. <i>(Report and minutes were released in 2018 in accordance with the trigger)</i>
17 December 2018	21.2 – 105 Limerock Road, Lower Light Update	S 90(3)(b) ‘prejudice the commercial position of Council’	‘Report, annexures and resolution 2018/570... until further order of Council’	Lease negotiations are ongoing
29 January 2019	21.2 – Sale of Land for Non-Payment of Rates	S 90(3)(a) ‘personal affairs’	‘Attachment 1 and Attachment 2... until further order of Council’	Recommend that Annexures 1 and 2 remain confidential and not for public inspection until further order of Council – the attachments contain information relevant to the sale of land for non-payment of rates
25 February 2019	21.1 – Barossa Regional Procurement Group – Tender – Provision of New Surfacing Works and Resurfacing of Sealed Roads – BRPG 006-2018	S 90(3)(k) ‘tender for the provision of services’	‘Report and minutes... until the contract is executed Attachment 1... until the end of the New Surfacing Works and Resurfacing of Sealed Roads Agreement (30 June 2025)’	Attachment 1 remains confidential until the end of the agreement. <i>(Report and minutes were released in 2019 in accordance with the trigger)</i>
25 February 2019	21.2 – 105 Limerock Road Lower Light Update	S 90(3)(b) ‘prejudice the commercial position of Council’	‘Report... until further order of Council’	Lease negotiations are ongoing

25 February 2019	2.1 – Adjourned Item – 21.3 – Income Revenue Streams – Confidential	S 90(3)(b) ‘prejudice the commercial position of Council’	‘Report... until further order of Council’	The report contains information about ongoing reviews, negotiations and commercial opportunities for Council
13 March 2019	Infrastructure and Environment Committee – 11.1 – Waste Collection	S 90(3)(d) ‘prejudice commercial position of person who supplied information’	‘Report... until further order of Council’	The report contains a summary of the rates and charges applied by Council’s waste collection contractor
13 March 2019	Infrastructure and Environment Committee – 11.2 – Resource Recovery Centres	S 90(3)(d) ‘prejudice commercial position of person who supplied information’	‘Report... until further order of Council’	The report contains information regarding the cost of a service provided by one of Council’s contractors
13 March 2019	Infrastructure and Environment Committee – 11.3 – Quarry Management	S 90(3)(d) ‘prejudice commercial position of person who supplied information’	‘Report, Attachment 1... until further order of Council’	The report discloses information relating to the rates and charges applied by a contractor
13 March 2019	Infrastructure and Environment Committee – 11.4 – Financial Impact of Residential Growth in Two Wells	S 90(3)(b) ‘prejudice the commercial position of Council’	‘Report... until further order of the Council’	The report relates to ongoing negotiations
25 March 2019	21.1 – Two Wells Educational Hub Value-Adding Horticulture Initiative	S 90(3)(d) ‘prejudice the commercial position of the person who supplied the information’	‘Report and Attachment 1... until further order of Council’	The report contains confidential preliminary investigations and data surrounding the potential establishment of an educational hub within the Two Wells precinct

23 April 2019	21.1 – Two Wells Educational Hub Value-Adding Horticulture Initiative	S 90(3)(d) 'prejudice the commercial position of the person who supplied the information'	'Report, Attachment 1, Attachment 2, Attachment 3... until further order of Council'	The report contains confidential preliminary investigations and data surrounding the potential establishment of an educational hub within the Two Wells precinct
27 May 2019	21.1 – Aged Living Review	S 90(3)(d)(i) 'prejudice the commercial position of the person who supplied the information'	'Agenda item, report, Attachment 1 and minutes... until further order of Council'	Recommend retaining report and Attachment 1 in confidence as the Aged Living Review is ongoing. <i>Resolution 2019/233 was released as part of the 2020 annual review.</i>
27 May 2019	21.3 – Proposed Lease – Konzag Grains	S 90(3)(b) 'prejudice the commercial position of Council'	'Report, Attachment 1 and minutes... until further order of Council'	Lease negotiations are ongoing
27 May 2019	21.4 – Peregrine Corporation	S 90(3)(d) 'prejudice commercial position' and 'confer commercial advantage'	'Report, Attachment 1 and minutes... until further order of Council'	Negotiations are ongoing
24 June 2019	21.1 – Legal Services Fee Proposals 2019-2020	S 90(3)(d) 'prejudice commercial position' and 'confer commercial advantage'	'All annexures... until further order of Council Report and minutes... until all nominating firms are advised of Council's decision'	Annexures constitute proposals for service. <i>Report and minutes were released in 2019 in accordance with the trigger</i>
4 July 2019	Infrastructure and Environment Committee – 4.1 – Rubble Supply	S 90(3)(b) 'confer commercial advantage'	'Report, Annexure 1... until further order of Council'	Recommend retaining Annexure 1 – as contents may confer a commercial advantage on a third party (refer Table 2 above). Recommend releasing report (refer Table 3 below).

22 July 2019	21.3 – Rubble Supply	S 90(3)(b) 'confer commercial advantage'	'Report, Attachment 1 and Attachment 2... until further order of Council'	Recommend retaining report and Attachment 1 – ongoing negotiations. <i>Attachment 2 was released as part of the 2019 annual review</i>
22 August 2019	4.1 – Final Summary Report on Chief Executive Officer Performance Review	S 90(3)(a) 'personal affairs'	'Agenda item, report and associated performance review documentation ... and the minutes... until further order'	Recommend retaining Attachment. Recommend releasing resolution 2019/345 (refer Table 3 below). <i>Resolutions 2019/342, 2019/343 and 2019/344 were released as part of the 2019 annual review</i>
23 September 2019	21.2 – Two Wells Educational Hub Value-Adding Horticulture Initiative – September 2019	S 90(3)(b) 'confer commercial advantage'	Report, Attachment 1, Attachment 2... and the minutes... until further order of Council'	Recommend retaining in confidence – ongoing negotiations.
23 September 2019	21.3 – Strategic Plan 2020-2024 – Tender Proposals	S 90(3)(d) 'prejudice commercial position of the person who supplied the information or confer commercial advantage on a third party'	'Report and minutes.... Until all consultants who submitted a proposal have been notified in writing of Council's decision... Attachments 1 to 5... Until further order of Council...'	Recommend retaining Attachments 1 to 5 in confidence – contain commercial information (proposals). <i>Report and minutes were released in accordance with the trigger.</i>

23 September 2019	21.4 – Hart Reserve – Proposed Masterplan	S 90(3)(d) 'prejudice commercial position of the person who supplied the information or confer commercial advantage on a third party'	'Attachment 2... until further order of Council'	Recommend retaining Attachment 2 in confidence – contains commercial information (proposal).
23 September 2019	21.5 – Environment and Food Production Areas	S 90(3)(b) 'confer commercial advantage... or prejudice the commercial position of Council'	'report, Attachment 1, Attachment 2, Attachment 3 and Attachment 4... and the minutes... until further order of Council'	Recommend retaining in confidence. The matter/negotiations are ongoing.
28 October 2019	21.2 – Crown Land Investigations Two Wells	S 90(3)(b) 'confer commercial advantage... or prejudice the commercial position of Council'	'Report, Attachments and minutes... until further order of Council'	Recommend retaining in confidence. The matter is ongoing.
28 October 2019	21.3 – Council Owned Units, Mallala – Rent Setting	S 90(3)(h) 'legal advice'	'Attachment 1... until further order of Council... Reports and the minutes... until all tenants have been notified of the outcome'	Recommend retaining Attachment 1 (a copy of the legal advice) in confidence. <i>(Report and minutes were released in accordance with the trigger)</i>
28 October 2019	21.4 – Sale of Primary Production Property for Non-Payment of Rates	S 90(3)(a) 'personal affairs of any person'	'Attachment 1 and Attachment 2... until further order of Council'	Recommend retaining Attachment 1 (personal affairs) and Attachment 2 (legal advice)

25 November 2019	21.1 – Aged Living Review – Update	S 90(3)(d)(i) ‘prejudice commercial position of the person who supplied the information or confer commercial advantage on a third party’	‘Report, Attachment 1, Attachment 2, Attachment 3 and Attachment 4... until further order of Council’	Recommend retaining in confidence – the matter is ongoing.
16 December 2019	21.2 – Crown Land Investigations, Two Wells	S 90(3)(b) ‘confer commercial advantage... or prejudice the commercial position of Council’	‘Report, annexures and minutes... until further order of Council’	Recommend retaining in confidence – negotiations are ongoing.
10 February 2020	Infrastructure and Environment Committee – 14.1 – Road Infrastructure Design and Delivery Deed – Mallala Road Roundabout	S 90(3)(b) ‘confer commercial advantage... or prejudice the commercial position of Council’	‘Report, Attachment 1, Attachment 2, Attachment 3... until further order of Council’	Recommend retaining in confidence – negotiations are ongoing.
24 February 2020	21.1 – Tourism and Economic Development Strategy	S 90(3)(d) ‘prejudice commercial position of the person who supplied the information or confer commercial advantage on a third party’	“Report and minutes... until all firms who participated in the tender have been notified of Council’s decision... Attachment 1, Attachment 2 and Attachment 3... until further order of Council”	Recommend retaining Attachment 1, Attachment 2 and Attachment 3 – copy of proposals. <i>Report and minutes were released in accordance with the trigger (refer Table 1 above).</i>

24 February 2020	21.2 – Crown Land Investigations, Two Wells	S 90(3)(b) 'confer commercial advantage... or prejudice the commercial position of Council'	'Report, Attachment 1 and minutes... until further order of Council'	Recommend retaining in confidence – negotiations are ongoing.
10 March 2020	6.1 – Crown Land Investigations, Two Wells	S 90(3)(b) 'confer commercial advantage... or prejudice the commercial position of Council'	'Report, Attachment 1, Attachment 2... and the minutes... until further order of the Council'	Recommend retaining in confidence – negotiations are ongoing.
4 May 2020	4.1 – Legal Advice – CWMS Depreciation – Resolution 2020/117	S 90(3)(h) 'legal advice'	Attachment 1... until further order of the Council	Recommend retaining Attachment 1 (copy of legal advice) in confidence.
25 May 2020	21.1 – Gawler River Floodplain Management Authority Charter Review	S 90(3)(b) 'confer commercial advantage... or prejudice the commercial position of Council'	Attachment 1... until further order of the Council	Recommend retaining Attachment 1 in confidence – the matter of GRFMA Charter Review is ongoing.
22 June 2020	21.1 – Legal Services Fee Proposals 2020-2021	S 90(3)(d) 'commercial information... prejudice the commercial position of the person who supplied the information or confer a commercial advantage on a third party'	'Attachment 1, Attachment 2, Attachment 3 and Attachment 4... until further order of the Council... staff report and minutes... until all nominating firms are advised of Council's decision in relation to legal retainers for 2020-2021.'	Recommend retaining Attachments 1-4 in confidence – copies of proposals. <i>Report and minutes were released in accordance with the trigger (refer Table 1 above).</i>

29 June 2020	5.1 – Legal Services Fee Proposals 2020-2021 – Additional Information Requested	S 90(3)(d) 'commercial information... prejudice the commercial position of the person who supplied the information or confer a commercial advantage on a third party'	'Attachment 2... until further order of the Council... Attachment 1, the staff report and the minutes... until all nominating firms are advised of Council's decision in relation to legal retainers for 2020-2021.'	Recommend retaining Attachment 2 in confidence – copy of proposals. <i>Attachment 1, the report and the minutes were released in accordance with the trigger (refer Table 1 above).</i>
15 July 2020	4.1 – Chief Executive Officer Annual Performance Review	S 90(3)(a) 'personal affairs of a person'	'The Chief Executive Officer's PowerPoint Presentation submitted to this meeting, and discussions... until further order of Council'	Recommend retaining in confidence.
27 July 2020	21.1 – Gawler River Floodplain Management Authority – Charter Review Update	S 90(3)(b) 'confer commercial advantage... or prejudice the commercial position of Council'	'Report and Attachment 1... until further order of Council'	Recommend retaining in confidence – the matter is ongoing.
12 August 2020	4.1 – Summary Report on Chief Executive Officer Annual Performance Review July 2020	S 90(3)(a) 'personal affairs of a person'	'Attachment 1... and the minutes... until further order of Council'	Recommend retaining Attachment 1 in confidence. Recommend releasing minutes (resolution 2020/276) – (refer Table 3 below).
17 September 2020	Audit Committee – 8.1 – Overdue General Debts	S 90(3)(b) 'prejudice the commercial position of Council'	Report and the minutes... further order of the Council'	Recommend retaining in confidence – information related to the recovery of an overdue general debt.

29 October 2020	21.1 – Audit Committee Recommendation – Overdue General Debt	S 90(3)(b) ‘prejudice the commercial position of Council’	‘Report and the minutes... further order of the Council’	Recommend retaining in confidence – information related to the recovery of an overdue general debt.
29 October 2020	21.2 – Council Assessment Panel – Independent Membership	S 90(3)(a) ‘personal affairs of any person’	‘Staff report and the minutes... until the applicants for positions on the Council Assessment Panel have been advised of the outcome of their application... Attachment 1 and Attachment 2 ... until further order of Council’	Recommend retaining Attachment 1 and 2 in confidence. <i>Staff report and minutes were released in accordance with the trigger (refer Table 1 above).</i>
23 November 2020	21.1 – Crown Land, Two Wells	S 90(3)(b) ‘prejudice the commercial position of Council’	‘report, Attachment 1, Attachment 2, Attachment 3 and the minutes... until further order of the Council’	Recommend retaining in confidence – negotiations are ongoing
23 November 2020	21.2 – Cost Contributions Review Report, Southfront – Request from Gawler River Floodplain Management Authority to Access Confidential Report	S 90(3)(b) ‘prejudice the commercial position of Council’	‘report and Attachment 3... until further order of the Council’	Recommend retaining in confidence – the matter is ongoing
14 December 2020	21.1 – Crown Land, Two Wells	S 90(3)(b) ‘prejudice the commercial position of Council’	‘report, Attachment 1 and the minutes... until further order of the Council’	Recommend retaining in confidence – negotiations are ongoing.

27 January 2021	21.1 – Crown Land, Two Wells Update – January 2021	S 90(3)(b) ‘prejudice the commercial position of Council’	‘report... until further order of Council’	Recommend retaining – negotiations are ongoing
27 January 2021	21.2 – Infrastructure and Environment Committee – Independent Membership	S 90(3)(a) ‘personal affairs’	‘report and the minutes... until the applicants for positions on the Infrastructure and Environment Committee have been advised of the outcome of their application... Attachment 1 and Attachment 2... until further order of Council’	Recommend retaining Attachment 1 and Attachment 2 in confidence. Report and minutes were released in accordance with the trigger (applicants being advised of the outcome) – (refer Table 1 above)
2 February 2021 (Audit Committee Meeting)	8.1 – Appointment of External Auditor	S 90(3)(d) ‘commercial information of a confidential nature’	‘report and the minutes... until all consultants who submitted a proposal have been notified of Council’s decision... Attachments 1 to 5... until further order of the Council’	Recommend retaining Attachments 1 to 5 in confidence Report and minutes were released in accordance with the trigger (consultants notified of Council’s decision) (refer Table 1 above)
22 February 2021	21.1 – Crown Land, Two Wells – February 2021	S 90(3)(b) ‘prejudice the commercial position of Council’	‘report, minutes and Attachment 1... until further order of the Council’	Recommend retaining – negotiations are ongoing
22 February 2021	22.2 – Audit Committee Recommendation – Appointment of External Auditor	S 90(3)(d) ‘commercial information of a confidential nature’	‘report, Attachment 1 and the minutes... until all consultants who submitted a proposal have been notified in writing of Council’s decision... Attachment 2... until further order of the Council’	Recommend retaining Attachment 2 in confidence Report, Attachment 1 and minutes were released in accordance with the trigger (consultants notified of Council’s decision) (refer Table 1 above)

22 March 2021	21.1 – Crown Land, Two Wells – March 2021	S 90(3)(b) 'prejudice the commercial position of Council'	'report, Attachment 1 and Attachment 2... until further order of the Council'	Recommend retaining in confidence – negotiations are ongoing
22 March 2021	21.2 - Gawler River Floodplain Management Authority – Status Update on Projects and Priorities of the Board	S 90(3)(d) 'commercial information'	'report... until further order of the Council'	Recommend retaining in confidence – negotiations are ongoing
22 March 2021	21.3 – Appointment of Consultant – Review of Council Accommodation and Services	S 90(3)(d) 'commercial information of a confidential nature'	'report and minutes... until both consultants who provided proposals for the Review of Council Accommodation and Services have been notified of the Council's decision... Attachment 1, Attachment 2 and Attachment 3... until further order of the Council'	Recommend retaining Attachment 1, Attachment 2 and Attachment 3 in confidence Report and minutes were released in accordance with the trigger (consultants notified of the Council's decision) (refer Table 1 above)
22 March 2021	21.4 – Aged Living Review	S 90(3)(b) 'prejudice the commercial position of Council'	'report and Attachment 1... until further order of the Council'	Recommend retaining in confidence – the matter is ongoing
27 April 2021	21.1 – Crown Land, Two Wells – April 2021	S 90(3)(b) 'prejudice the commercial position of Council'	'report, Attachment 1 and Attachment 2... until further order of the Council'	Recommend retaining in confidence – negotiations are ongoing

24 May 2021	21.1 – Gawler River Floodplain Management Authority – Issues Overview and State of Play	S 90(3)(b) 'prejudice the commercial position of Council' and Section 90(3)(h) 'legal advice'	'report... until further order of the Council'	Recommend retaining in confidence – negotiations are ongoing
24 May 2021	21.2 – Appoint Consultant – Chief Executive Officer Performance Review 2021-2023	S 90(3)(d) 'commercial information of a confidential nature'	'report and Attachment 1... until further order of the Council'	Recommend retaining Attachment 1 in confidence Recommend releasing staff report (refer Table 3 below)
28 June 2021	21.1 – Crown Land, Two Wells – June 2021	S 90(3)(b) 'prejudice the commercial position of Council'	'report and Attachment 1 ... until further order of the Council'	Recommend retaining in confidence – negotiations are ongoing
8 July 2021	5.1 – Trans-Tasman Energy Group Claim	S 90(3)(h) 'legal advice' and Section 90(3)(i) 'litigation that the Council believes on reasonable grounds will take place'	'report... until further notice'	Recommend retaining in confidence – the matter is ongoing
26 July 2021	21.1 – International Translational Horticulture Centre Update	S 90(3)(b) 'prejudice the commercial position of Council' and 90(3)(h) 'legal advice'	'report, Attachment 1 and Attachment 2... until further order of the Council'	Recommend retaining in confidence – the matter is ongoing
26 July 2021	21.2 – Crown Land, Two Wells – July 2021	S 90(3)(b) 'prejudice the commercial position of Council'	'report ... until further order of the Council'	Recommend retaining in confidence – negotiations are ongoing

9 August 2021 (Audit Committee Meeting)	8.1 – Gawler River Floodplain Management Authority – Chief Executive Officer Update	S 90(3)(b) 'prejudice the commercial position of Council'	'the PowerPoint presentation... until further order of the Council'	Recommend retaining in confidence – the matter is ongoing
23 August 2021	21.1 – Crown Land, Two Wells – August 2021	S 90(3)(b) 'prejudice the commercial position of Council'	'report, Attachment 1, Attachment 2, Attachment 3 and the minutes ... until further order of the Council'	Recommend retaining in confidence – negotiations are ongoing
27 September 2021	21.1 – Crown Land, Two Wells – September 2021	S 90(3)(b) 'prejudice the commercial position of Council'	'report, Attachment 1, Attachment 2 and Attachment 3 ... until further order of the Council'	Recommend retaining in confidence – negotiations are ongoing
27 September 2021	21.2 – Sale of Land for Non-Payment of Rates	S 90(3)(a) 'personal affairs'	'Attachment 1... until further order of Council'	Recommend retaining in confidence – the matter is ongoing

3. Recommendation to Release

The Chief Executive Officer recommends to Council that the following items be released, either in full or partially:

Table 3:

Council Meeting Date & Item No.	Subject	Reason for Confidentiality (LG Act)	Full / Partial Release	Scope of s 91 Order/ Due for Release	Recommended Reason for Release
14 May 2018	4.1 – Chief Executive Officer – Performance Review	S90(3)(d) ‘commercial in confidence’	Partial	‘staff report... all annexures... associated information submitted to this meeting and the minutes... until further order of Council’	Recommend releasing the staff report and resolution 2018/175. This item related to engaging a consultant for the period of 2018-2020, which has now concluded. Recommend retaining Attachment 1 in confidence as it contains commercial in confidence information (refer Table 2 above).
17 December 2018	21.1 – Australia Day Awards 2019	S 90(3)(a) ‘personal affairs’	Full	‘staff report and the minutes... until after the 2019 Australia Day Ceremony... annexures... until further order of Council’	Recommend releasing annexures on the basis that they relate to awards that were awarded in 2019 – the matter is finalised. <i>Staff report and minutes were released in 2019.</i>

22 August 2019	4.1 – Final Summary Report on Chief Executive Officer Performance Review	S 90(3)(a) 'personal affairs'	Partial	'Attachment s 1 and 2, and all associated information ... and the minutes of this meeting... until further order of Council'	<p>Recommend releasing resolution 2019/345 as the matters contained within related to the 2019/2020 year.</p> <p>Recommend retaining Attachment 1 in confidence (refer Table 2 above)</p> <p><i>Resolutions 2019/342 2019/343, 2019/344 as part of the 2019 annual review.</i></p>
26 August 2019	21.1 – Drought Communities Programme	S 90(3)(b) 'confer commercial advantage'	Full	'Report, Attachment 1 and Attachment 2... until further order of Council'	<p>Recommend releasing Attachment 2 as all outcomes of the Drought Communities Programme have now been delivered</p> <p><i>Report and Attachment 1 were released as part of the 2019 annual review.</i></p>
22 July 2019	21.2 – Drought Communities Programme	S 90(3)(b) 'confer commercial advantage'	Full	'Attachment 1 and Attachment 2... until further order of Council'	Recommend full release as all outcomes of the Drought Communities Programme have now been delivered
16 December 2019	21.1 – Australia Day Awards 2020	S 90(3)(a) 'personal affairs'	Full	'Staff report and minutes... until all award recipients have been advised of the outcome... Attachments 1-13 until further order of Council'	<p>Recommend releasing Attachments 1-13 as they relate to awards that were awarded in 2020 – the matter is finalised.</p> <p><i>Report and minutes were released in 2019 in accordance with the trigger.</i></p>

24 February 2020	21.3 – Drought Communities Programme – Stage 1 Amendment	S 90(3)(d) 'prejudice commercial position of the person who supplied the information or confer commercial advantage on a third party'	Full	'Attachment 1... until further order of Council'	Recommend full release as all outcomes of the Drought Communities Programme have now been delivered
12 August 2020	4.1 – Summary Report on Chief Executive Officer Annual Performance Review July 2020	S 90(3)(a) 'personal affairs of a person'	Partial	'Attachment 1... and the minutes... until further order of Council'	Recommend releasing minutes (resolution 2020/276) the matters contained within related to the 2020/2021 year. Recommend retaining Attachment 1 in confidence (refer Attachment 2 above).
14 December 2020	21.2 – Australia Day Awards 2021	S 90(3)(a) 'personal affairs'	Full	'report and the minutes... until all award recipients have been advised of the outcome... Attachments 1-10... until further order of Council'	Recommend releasing Attachments 1-10 as they relate to awards that were awarded in 2020 – the matter is finalised. <i>Report and minutes (resolutions 2020/459, 2020/460, 2020/461, 2020/462, 2020/463 and 2020/464) were released in 2020 in accordance with the trigger (award recipients being advised of the outcome) (refer Table 1 above).</i>

9 March 2021	4.1 – Carslake Road Funding Feed	S 90(3)(b) 'prejudice the commercial position of Council'	Full	'Attachment 1... until further order of the Council'	Recommend full release – the matter is finalised.
22 March 2021	21.5 – Wheller Road, Two Wells – Land Division Application 312/357/2018	S 90(3)(b) 'prejudice the commercial position of Council'	Full	'report and Attachment 1... until further order of the Council'	Recommend full release – the matter is finalised.
24 May 2021	21.2 – Appoint Consultant – Chief Executive Officer Performance Review 2021-2023	S 90(3)(d) 'commercial information of a confidential nature'	Partial	'report and Attachment 1... until further order of the Council'	Recommend releasing staff report. Recommend retaining Attachment 1 in confidence (refer Table 2 above).
4 August 2021	4.1 – Chief Executive Officer Annual Performance Review	S 90(3)(a) 'personal affairs'	Full	'all associated information ... and the minutes of this meeting... until further order of Council'	Recommend revoking the section 91 order. There were no minutes or associated information to retain in confidence.

Note: In order to present this item transparently within the public agenda, reports, attachments and resolutions that are currently subject to a confidential order have not been included as attachments. Members may access the confidential items via the Council Members' Extranet. If Council Members wish to obtain a copy of any of the confidential reports referred to within this report that are not already available via the Council Members' Extranet please contact the Manager Governance and Administration. Please note that some reports may be archived and therefore may take some time to retrieve from records.

Members are also reminded that in order to discuss any of the items currently subject to a confidential order, it would be necessary for Council to resolve to go into confidence for the duration of those discussions. Members are therefore encouraged to provide Management with notice, ahead of the meeting, of any confidential items that may be raised for discussion, so as to enable (a) the necessary section 90 recommendations to be drafted and (b) copies of the relevant documents to be at hand.

Conclusion

The principles of accountable, open and transparent government include confidentiality provisions which should only be utilised after careful consideration, when considered proper and necessary. It is recommended that Council consider the recommendations above in order to ensure compliance with the *Local Government Act 1999*.


References

Legislation

Local Government Act 1999 (SA)

Council Policies

Code of Practice – Access to Council Meetings and Documents

 Adelaide Plains Council	14.3	Management of the Parham Camping Reserve
	Department:	Governance and Executive Office
	Report Author:	Chief Executive Officer
Date: 13 December 2021	Document Ref:	D21/53503

EXECUTIVE SUMMARY

- The purpose of this report is for Council to:
 - Formally receive a request from the Mallala and Districts Lions Club (the Lions Club) in relation to entering into a lease with Council in relation to the Parham Camping Reserve (the Campground)
 - Determine whether it wishes to consider management options for the Campground and instruct the Chief Executive Officer accordingly.
- The Campground is currently managed by Council, in accordance with Council's Short Stay Accommodation Policy. There is currently no charge to stay at the Campground, although Council's Short Stay Accommodation Policy does allow for camping fees to be charged.
- The Lions Club have expressed an interest in entering into a lease with Council in relation to the Campground. A copy of the letter from the Lions Club to Council, which was provided to Members informally by way of email on 15 November 2021 is now provided as **Attachment 1** to this Report.
- There are a number of factors (including but not limited to procurement and the potential for public consultation) that Council must consider prior to making a decision in relation to the Lions Club request.
- It is therefore recommended that Council:
 - Formally receive and note the Lions Club request and
 - Determine whether it wishes to consider management options for the Campground and instruct the Chief Executive Officer accordingly.
- If Council wishes to consider management options for the Campground, a further and more detailed report setting out all of the necessary considerations will be presented to Council (Recommendation 1). Alternatively, if Council does not wish to consider management options for the Campground, the Lions Club will be notified accordingly (Recommendation 2).

RECOMMENDATION

Option 1 – Consider Management Options for the Parham Camping Reserve

“that Council, having considered Item 14.3 – *Management of the Parham Camping Reserve*, dated 13 December 2021, receives and notes the report and in doing so:

1. Acknowledges the Mallala and District Lions Club request to enter into a lease with Council in relation to the Parham Camping Reserve
2. Resolves that it wishes to consider options for the management of the Parham Camping Reserve and
3. Instructs the Chief Executive Officer to bring back a report outlining the necessary considerations, including but not limited to procurement and consultation.”

OR

Option 2 – Not to Consider Management Options for the Campground

“that Council, having considered Item 14.3 – *Management of the Parham Camping Reserve*, dated 13 December 2021, receives and notes the report and in doing so:

1. Acknowledges the Mallala and District Lions Club request to enter into a lease with Council in relation to the Parham Camping Reserve
2. Resolves that, at this time, it does not wish to consider options for the management of the Parham Camping Reserve and
3. Instructs the Chief Executive Officer to notify the Mallala and Districts Lions Club of this decision accordingly.”

BUDGET IMPACT

Estimated Cost:	Nil
Future ongoing operating costs:	Nil
Is this Budgeted?	Not Applicable

RISK ASSESSMENT

There are a number of factors (including but not limited to procurement and public consultation) that Council must consider prior to making a decision in relation to the Lions Club request. Prior to Council properly considering the Lions Club request it should turn its mind to whether it wishes to explore management of the Campground at all and, if so, instruct the Chief Executive Officer to bring back a detailed report.

Attachments

1. Copy of letter from Mallala and Districts Lions Club to Council received on 15 November 2021

DETAILED REPORT

Purpose

The purpose of this report is for Council to:

- Formally receive a request from the Mallala and Districts Lions Club (the Lions Club) in relation to entering into a lease with Council in relation to the Parham Camping Reserve (the Campground)
- Determine whether it wishes to consider management options for the Campground and instruct the Chief Executive Officer accordingly.

Background/History

The Campground is currently managed by Council, in accordance with Council's Short Stay Accommodation Policy. Campers are required to complete a camping permit (available on-site) to nominate vehicle registration number, date of arrival and date of departure with part of the camping permit displayed on their vehicle and part placed in the secure permit container on-site. There is currently no charge to stay at the Campground, although campers do need to complete a camping permit. Council's Short Stay Accommodation Policy does allow for camping fees to be charged.

As Members are aware, Council's recent application for funding, through the Building Better Regions stream and for improvements to the Campground, was successful. As a result, \$200,000 in total (comprising \$100,000 in Federal funding and \$100,000 Council co-contribution) will be invested in improvements including construction of a multipurpose camp kitchen, fish cleaning facilities, upgrade to unsealed surfaces, fencing, landscaping and signage as well as upgrade to the beach access.

Discussion

The Lions Club have expressed an interest in entering into a lease with Council in relation to the management of the Campground. A copy of the letter from the Lions Club to Council, which was provided to Members informally by way of email on 15 November 2021, is now provided as **Attachment 1** to this Report.

There are a number of factors (including but not limited to procurement and the potential for public consultation) that Council must consider prior to making a decision in relation to the Lions Club request.

Procurement

As the Lions Club request was not a response to a formal procurement process, it is, essentially, an unsolicited request in relation to the contracting out of services.

Council's Procurement Policy sets out the necessary considerations and processes in relation to the contracting out of services, as required by section 49 of the *Local Government Act 1999* (the Act), including by defining the methods by which Council can acquire services. Council's Procurement Policy

provides that while open and fair competition is generally best achieved by a tender process, other market approaches may be more appropriate to deliver the most advantageous outcomes to Council and, relevantly, the Procurement Policy provides Council with some discretion to utilise other methods when engaging services where same would be more advantageous for Council and the community. Similar considerations and advice was put to Council prior to it entering into a lease with the Lions Club in relation to the Mallala Campgrounds. Should Council instruct the Chief Executive Officer to bring back a further report (Recommendation Option 1 above), the relevant procurement considerations will be explored in more detail and in the context of the Campground.

Conclusion

The Lions Club have expressed an interest in entering into a lease with Council in relation to the management of the Campground. There are a number of factors (including but not limited to procurement and public consultation) that Council must consider prior to making a decision in relation to the Lions Club request. It is therefore recommended that Council:

- Formally receive and note the Lions Club request and
- Determine whether it wishes to consider management options for the Campground and instruct the Chief Executive Officer accordingly.

If Council wishes to consider management options for the Campground, a further and more detailed report setting out all of the necessary considerations will be presented to Council (Recommendation Option 1). Alternatively, if Council does not wish to consider management options for the Campground, the Lions Club will be notified accordingly (Recommendation Option 2).

References

Legislation

Local Government Act 1999

Council Policies/Plans

Strategic Plan 2021-2024

Procurement Policy

Public Consultation Policy

Short Stay Accommodation Policy



MALLALA AND DISTRICTS LIONS CLUB

Mallala & Districts Lions Club (MLC) lease of Port Parham Camping Ground

To APC CEO Mr James Miller

Dear James,

Ongoing from Deputation by Mr Alvin Jenkins from the Port Parham Action Group (PADAG) and subsequent motion to investigate possibility of MLC entering into a lease between MLC and MPC for the Port Parham Camping Ground.

MLC and PADAG have conducted several meetings both on location at Port Parham and the Mallala Camping Ground, to discuss all aspects of MLC entering a lease agreement with APC, it has been unanimously agreed that PADAG would be best suited for MLC to enter into a lease agreement with APC.

Outcomes of these meetings has included a structured vision for the redevelopment of the Port Parham Camping Ground and as importantly how that would fit into a broader vision of improvements collectively to coastal communities from Port Gawler to Port Parham. Financial implications of the lease (profit sharing) were also agreed upon in connection to financial profit sharing between MLC and PADAG, rental agreement will be discussed between MLC and APC as lease agreement is developed.

A copy of the signed current lease agreement for the Mallala Camping Ground was provided to PADAG and they have agreed it to be suitable with a couple of minor changes (set % rate for rent, instead of rent dependant on occupancy and cleaning of ablution blocks not required).

As both MLC and PADAG are community clubs, monies earnt from the Parham Camping Ground would be spent in our local (APC zone) communities, this will in turn remove a great financial burden to APC over the life of the lease as many community projects could be financed by these monies instead of APC funds.

By MLC having a lease and therefore responsible for running costs, insurances, water and power etc it would reduce the financial burden for APC.

In closing, we would use the same model that we have used for the Mallala Camping Ground that has been very successful, we have only had 3 minor issues with campers that

have all been resolved without APC intervention, at the same time continuing to keep the standard of the camping ground at a very high level.

Yours Sincerely




Brenton Bell OAM

Secretary ([REDACTED])

mallalalions@live.com.au

14 November 2021

 Adelaide Plains Council	14.4	2022 Local Government Association Ordinary General Meeting – Proposed Items of Business
	Department: Report Author:	Governance and Executive Office Manager Governance and Administration
Date: 13 December 2021	Document Ref:	D21/54019

EXECUTIVE SUMMARY

- The purpose of this report is to provide Council with the opportunity to submit proposed items of business to the 2022 Local Government Association (LGA) Ordinary General Meeting (OGM).
- The LGA OGM is scheduled to be held on Friday 8 April 2022. A copy of the relevant LGA Latest News Notice, dated 4 November 2021, [is available here](#).
- The purpose of the OGM is to consider items of strategic importance to local government and the LGA, as recommended by South Australian Regional Organisation of Councils (SAROC), Greater Adelaide Regional Organisation of Councils (GAROC) or the Board of Directors.
- Council is invited to submit any proposed items of business for consideration by SAROC, GAROC or the LGA Board of Directors for inclusion in the 2022 OGM agenda.
- Proposals must be received no later than 5.00pm on Friday 4 February 2022. Members may therefore submit Proposed Items of Business at the Ordinary Council Meeting on 13 December 2021 and/or 31 January 2022.
- Councils are encouraged to discuss proposed items of business with the LGA Secretariat prior to being submitted. A copy of the Guidelines on Considering Proposed Items of Business and Frequently Asked Questions on Items of Business are available on the LGA website and presented as **Attachment 1** and **Attachment 2** to this Report.

RECOMMENDATION 1

“that Council, having considered Item 14.4 – 2022 Local Government Association Ordinary General Meeting – Proposed Items of Business, dated 13 December 2021, receives and notes the report.”

RECOMMENDATION 2

“that Council, having considered Item 14.4 – *2022 Local Government Association Ordinary General Meeting – Proposed Items of Business*, dated 13 December 2021, submits the following Proposed Item(s) of Business to **SAROC/GAROC/Board of Directors** for approval and inclusion in the agenda of the Local Government Association Ordinary General Meeting to be held on 8 April 2022:

1. _____

2. _____”

BUDGET IMPACT

Estimated Cost:	Nil
Future ongoing operating costs:	Nil
Is this Budgeted?	Not Applicable

RISK ASSESSMENT

Not applicable

Attachments

1. Guidelines on Considering Proposed Items of Business.
2. Frequently Asked Questions on Items of Business.

DETAILED REPORT

Purpose

The purpose of this report is to provide Council with the opportunity to submit proposed items of business to the 2022 Local Government Association (LGA) Ordinary General Meeting (OGM).

Background

The LGA OGM is scheduled to be held on Friday 8 April 2022. A copy of the relevant LGA Latest News Notice, dated 4 November 2021, [is available here](#).

The purpose of the OGM is to consider items of strategic importance to local government and the LGA, as recommended by South Australian Regional Organisation of Councils (SAROC), Greater Adelaide Regional Organisation of Councils (GAROC) or the Board of Directors.

Council is invited to submit any proposed items of business to be considered by SAROC, GAROC or the Board of Directors for inclusion in the 2022 OGM agenda.

Discussion

Submission of Proposed Items of Business

To submit a proposed item of business, Council is required to complete the *LGA General Meeting – Proposed Item of Business* form. Proposals should be accompanied by adequate supporting information to assist SAROC, GAROC and the Board of Directors to make informed decisions and recommendations.

Member councils may, at any time throughout the year, propose an item of business for a General Meeting. Councils are encouraged to discuss proposed items of business with the LGA Secretariat prior to being submitted.

Guidelines on Considering Proposed Items of Business is presented as **Attachment 1** to this Report, and Frequently Asked Questions on Items of Business is presented as **Attachment 2** to this Report. Members are encouraged to consider these documents and discuss proposed items of business with the LGA Secretariat prior to submission.

Further information about LGA General Meetings, Board of Directors, SAROC and GAROC, the LGA Constitution and Ancillary Documents is available on the LGA website (<https://www.lga.sa.gov.au/about-lga/lga-meetings/ogmagm>).

In order for items of business to be considered for the OGM on 8 April 2022, proposals must be received no later than 5.00pm on Friday 4 February 2022.

All proposed items will then be considered by either SAROC, GAROC or the Board of Directors and must be approved by them for inclusion in the agenda for the OGM.

Conclusion

The LGA has provided notice of its OGM and is calling for submissions of Proposed Items of Business for the meeting. Proposals must be received no later than 5.00pm on Friday 4 February 2022. Members may therefore submit Proposed Items of Business at the Ordinary Council Meeting on 13 December 2021 and/or 31 January 2022.

References

Legislation

Local Government Act 1999

Council Policies/Plans

Strategic Plan 2021-2024

Proactive Leadership

Considering Proposed Items of Business for LGA General Meetings

Guidelines

February 2019

Version 1

Introduction

The Local Government Association of South Australia (LGA) schedules two General Meetings each year for member councils to consider items of strategic importance to local government and the LGA. Proposing and voting on items of business for a General Meeting is one of the important ways that member councils participate in the development of policy and strategy on issues and influence the advocacy agenda for local government in matters affecting councils and their communities.

These guidelines have been prepared to assist the LGA Board of Directors (Board), South Australian Region Organisation of Councils (SAROC) and Greater Adelaide Region Organisation of Council (GAROC) to consider the items of business to be placed upon an agenda for an LGA Ordinary or Annual General Meeting. They also provide guidance to member councils to develop and prioritise proposals to submit for consideration.

The *Considering Proposed Items of Business for LGA General Meetings* Guidelines may be reviewed and amended by the LGA Board of Directors from time to time.

LGA Constitution

Section 16 of the LGA Constitution provides guidance about the matters to be discussed at a General Meeting, and the process by which items of business may be proposed for inclusion on the agenda. The requirements of Section 16 are outlined below.

16. Business of General Meetings

- 16.1 *The business of a General Meeting will be to consider items of strategic importance to local government and the LGA as recommended by SAROC, GAROC or the Board of Directors and matters which must be determined under this Constitution at a General Meeting.*
- 16.2 *Any Member may propose an item of business for an Annual General Meeting or an Ordinary General Meeting to SAROC, GAROC or the Board of Directors.*
- 16.3 *No business shall be brought before a General Meeting of the LGA unless:*
 - 16.3.1 *it has been placed on the agenda of an Annual General Meeting or an Ordinary General Meeting by SAROC, GAROC or the Board of Directors taking into account the purpose of a General Meeting set out in clause 16.1; or*
 - 16.3.2 *the business is as stated in the notice of a Special General Meeting, given in accordance with clause 10.*

In summary, the Constitution provides all member councils with the opportunity to submit a proposed item of business to the Board, SAROC or GAROC for approval to be placed on the agenda of a General Meeting. No item of business will be placed upon the agenda for a General Meeting unless it has been approved by one of the relevant bodies, which must consider whether a matter is of ‘strategic importance’ to local government and the LGA’.

Relevant bodies

As outlined in the Constitution, a member council may propose an item of business to SAROC, GAROC or the Board of Directors. This opportunity is also enshrined within the LGA Membership Proposition, which outlines the rights of members to participate in the development of LGA policy and strategy.

While the Constitution refers to members being able to refer items directly to the Board, the Membership Proposition specifically provides for members referring matters relating to policy and strategy development to either SAROC or GAROC (as relevant).

To provide greater clarity to members about the best pathway for submitting an item of business, the following guidance is provided.

LGA Board of Directors

Items should be referred to the Board if related to:

- the LGA Constitution or Ancillary Documents
- a subsidiary of the LGA
- a commercial service provided (or proposed to be provided) by the LGA
- an activity requiring the allocation of significant resources by the LGA
- any LGA operational matter

SAROC or GAROC

Items should be referred to the relevant ROC if related to:

- the development of LGA policy and strategy
- LGA advocacy activities
- an amendment or addition to the LGA Policy Manual
- an operational matter related to SAROC or GAROC

The Board, SAROC and GAROC may choose to refer items submitted by member councils to each other for advice or consideration. Such referrals will be at the discretion of the Board, SAROC and GAROC.

Guiding principles

The following guiding principles have been developed to provide clarity and consistency to the Board, SAROC, GAROC and member councils about the relevant matters that will be considered in determining whether an item of business will be placed on the agenda of a General Meeting.

1. Strategic importance

The matters discussed at General Meetings should be of strategic importance to local government and the LGA. The policies and activities that are resolved at the LGA General Meetings are important in guiding the priorities and work plans of the LGA, and it is important that the association's resources are focussed on the issues that will be of the greatest benefit to councils and communities.

In determining whether a matter is of strategic importance to local government and the LGA, the Board, SAROC and GAROC will consider:

- whether the item has relevance to and will benefit a particular group (eg regional or metro councils) or the sector as a whole;
- alignment with the strategic plans and business plans of the LGA, SAROC and GAROC;
- the level of urgency required to deal with the issue;
- relevance to the role of local government and the potential positive and negative impacts of the issue on councils and communities;

- whether there are other bodies or industry groups that are better placed to address the issue or undertake the proposed activity; and
- the resources required to execute the policies or activities.

2. Supporting evidence

Good public policy positions need to be supported by solid evidence that the issues are well understood and that the proposed course of action provides the most efficient and effective solution. A strong evidence base is critical to successful advocacy, particularly when trying to change government policy, influence public opinion or attract additional funding.

The Board, SAROC and GAROC will consider whether there is sufficient evidence provided in support of the policy position or course of action being sought. In some instances, an item may be referred back to the submitting council with a request for further information.

In many cases the evidence needed to support a position might not be readily available. In these circumstances it is best for a motion to seek further investigation of an issue and/or further consultation with councils, rather than seeking endorsement of a specific policy position or action. The Board, SAROC and GAROC may propose an alternative course of action, in consultation with the submitting council.

3. Alignment with LGA policy

The LGA Policy Manual is a compendium of principles and policies that have been developed and endorsed by a majority vote of member councils at previous General Meetings. There are a wide range of policies addressing a number of priority issues for the sector.

The policies act as a guide for advocacy and best practice in the sector. In most cases, the LGA Policy Manual can provide councils with a broad direction on how an issue can be resolved and whether further development of a policy position is required.

The Board, SAROC and GAROC will consider the LGA Policy Manual in determining whether a new or amended policy position is required to be endorsed by members to enable the LGA to take the requested action. If the LGA already has a supportive policy position in relation to the proposed item, further consideration by members at a General Meeting may not be required.

4. Resourcing

In some cases, the items of business put forward by members require significant resources to be allocated in order to achieve the desired outcome. Resources may not be available through the LGA to tackle every issue.

Before determining to place an item on the agenda of a General Meeting; the Board, SAROC and GAROC will consider:

- whether resources are available within the LGA to achieve the desired outcome;
- other resources that may be available;
- potential impacts on the LGA budget and business plan; and
- the level of input that will be required by councils or other stakeholders to progress the item.

The Board, SAROC and GAROC may determine not to proceed with (or defer) an item of business if the resourcing required would detract from the achievement of outcomes of greater priority for members.

Determinations by the Board, SAROC and GAROC

After considering a proposed item of business against these guiding principles and having regard to any other relevant factors, the Board, SAROC and GAROC may determine to:

- approve an item of business for inclusion on the agenda of a General Meeting;
- approve an amended item of business for inclusion on the agenda of a General Meeting (in consultation with the submitting councils);
- take no further action;
- request additional information from the submitting council;
- refer an item back to the submitting council or regional LGA for action if it relates to a local or regional issue;
- resolve that the matter be dealt with by the LGA, SAROC or GAROC without progressing to a General Meeting (such as matters requiring urgent attention or actions that can be progressed immediately due to alignment with existing policies and work plans); or
- defer the item to a future General Meeting

The submitting council will be advised in writing of the determination of their proposed item of business.

Items of business for LGA General Meetings

Frequently Asked Questions

November 2020

Items of business for LGA General Meetings

Introduction

The Local Government Association of South Australia (LGA) schedules two General Meetings each year:

- the Ordinary General Meeting (OGM) is held annually in April or May; and
- the Annual General Meeting (AGM) is held annually in October or November.

A key purpose of the AGM/OGM is to bring together member councils to consider 'items of business' that are of strategic importance to local government.

Proposing and voting on items of business for a General Meeting is one of the important ways that member councils participate in the development of policy and strategy on issues and influence the advocacy agenda for local government in matters affecting councils and their communities.

This FAQ provides helpful guidance to councils about how to successfully participate in this process.

General overview of process

Items of business can be submitted by member councils, or a Regional LGA, to either SAROC, GAROC or the LGA Board of Directors for approval to be placed on the agenda of a General Meeting.

It is at the discretion of councils whether to refer an item to SAROC (regional councils), GAROC (metro councils) or the LGA Board of Directors. As a general guide, all policy and advocacy matters should be referred to SAROC or GAROC, and matters related to the operations of the LGA should be referred to the LGA Board.

Items of business can be submitted at any time during the year. Councils do not need to wait for the call for items from the LGA. However, to enable all items to be assessed by the relevant body and for reports to be prepared and included in the Agenda, a closing date is determined for each General Meeting. This closing date will typically be around 8-10 weeks prior to each General Meeting. If you miss the deadline, you can still submit your item, but it will be held until the following General Meeting.

Councils and Regional LGAs must submit their items by completing and submitting the LGA General Meeting - Proposed Item of Business form.

Proposals should be accompanied by enough supporting information to make informed decisions and recommendations. Councils and Regional LGAs are encouraged to discuss proposed items of business with the LGA Secretariat before they are submitted for advice on LGA policy, current activities and the type of supporting evidence or documentation that may be required.

SAROC, GAROC, or the LGA Board of Directors may decide to approve an item of business for inclusion on the agenda of a General Meeting. If appropriate, they may determine another course of action, including approving with amendments, requesting further information, referring the matter back to the council or Regional LGA, or resolving that the matter be dealt with by the LGA/SAROC/GAROC without progressing to an OGM/AGM.

Once an item of business has been recommended for inclusion on the agenda for a General Meeting, and subsequently carried by member councils by a majority vote, the LGA will use its best endeavors to achieve the outcomes sought by member councils.

Before proposing an item of business, member councils and Regional LGAs are encouraged to carefully consider the following *Frequently Asked Questions* and to refer to the *Guidelines on Considering Proposed Items of Business for LGA General Meetings*¹.

Frequently Asked Questions

- Why should I consider an item of business for an LGA general meeting?
- What is a 'strategically important' issue?
- What supporting evidence does the LGA need to consider my item of business?
- When should I submit a proposed item of business to the LGA?
- I have read the agenda for the next General Meeting and think an issue needs to be on there. Can I submit a late item of business?
- How do I submit a proposed item of business?
- Can I write a letter to the LGA President or CEO to submit a proposed item of business?
- Who makes the decision on my proposed item of business / where should I refer my item of business to?
- My council is not a member of a Regional LGA. Can I still submit a proposed item of business?
- Why might the LGA decide not to allow my proposed item of business to go to a General Meeting?
- Can I get help to prepare a proposed item of business?

Why should I consider an item of business for an LGA general meeting?

- Member councils and Regional LGAs should consider submitting a proposed item of business if they believe there is an opportunity for the LGA to take the lead on an issue that is strategically important to local government and will benefit the sector as a whole.
- There is significant value and impact in local government speaking with one voice through the LGA to influence State and Federal Government setting the policy, legislation and funding arrangements that support the delivery of council services and operations. Similarly, the LGA can bring councils together to assist with capacity building and knowledge sharing within local government.

What is a 'strategically important' issue?

- The policies and activities that are resolved at the LGA General Meetings are important in guiding the priorities and work plans of the LGA, and it is important that the Association's resources are focussed on the issues that will be of the greatest benefit to councils and communities.
- Generally, an item may be deemed to strategically important if:
 - it has direct relevance to the role of local government, or council services and operations; and

¹ https://www.lga.sa.gov.au/_data/assets/pdf_file/0032/467744/ECM_670949_v6_Guidelines-Considering-Proposed-Items-of-Business-for-LGA-General-Meetings-2.pdf

- it will benefit the local government sector as a whole; and
- there is alignment with LGA/SAROC/GAROC strategic and business plans; and
- there is alignment with the LGA Policy Manual.

What supporting evidence does the LGA need to consider my item of business?

- Good public policy positions need to be supported by solid evidence so that the issues are well understood and that the proposed course of action provides the most efficient and effective solution.
- A strong evidence base is critical to successful advocacy, particularly when trying to change government policy, influence public opinion or attract additional funding.
- To support SAROC, GAROC and the LGA Board of Directors in determining whether an item of business should be recommended to an LGA General Meeting, all submissions should provide a summary of the issue, a clear definition of the problem and its impact on local government or council services and operations. Information should be provided on any relevant legislation, policy settings and relevant research reports and papers.
- If sufficient supporting evidence is not provided, SAROC, GAROC or the LGA Board of Directors may refer an item back to the submitting council with a request for further information.
- In many cases the evidence needed to support a position might not be readily available. In these circumstances it is best for a motion to seek further investigation of an issue and/or further consultation with councils, rather than seeking endorsement of a specific policy position or action.

When should I submit a proposed item of business to the LGA?

- Items of business for LGA General Meetings can be submitted at any time throughout the year.
- A proposed item of business will be referred to SAROC, GAROC or the LGA Board of Directors at their next available meeting, along with a report with recommendations from the LGA Secretariat.
- The LGA will advise member councils of the final date for submitting proposed items of business for the next available General Meeting. This 'closing date' is required to ensure that the LGA Secretariat can engage with the submitting councils and make recommendations to SAROC, GAROC or the LGA Board of Directors at their meeting prior to preparation of the General Meeting Agenda.
- Generally, proposed items of business for the Annual General Meeting (October/November) need to be with the LGA in August and proposed items of business for the Ordinary General Meeting (April/May) need to be with the LGA in February.
- The 'closing date' for each General Meeting is communicated to councils via LGA Latest News, typically five months in advance.

I have read the agenda for the next General Meeting and think an issue needs to be on there. Can I submit a late item of business?

- No. Once the Agenda has been finalised for a General Meeting, no further items of business will be accepted for that Meeting. The Agenda is provided to councils at least 30 days prior to a

General Meeting to enable each council to discuss and determine a position on the items of business.

- Any items that are received after the closing date will be held until the following General Meeting.
- The LGA Board of Directors, SAROC and GAROC may decide to progress an issue that is strategically important to local government if there is a level of urgency required to deal with the issue outside of the scheduling for the LGA General Meetings.

How do I submit a proposed item of business?

- To submit a proposal please complete the *LGA General Meeting - Proposed Item of Business* form. This form requires councils to identify:
 - Which body the proposed item of business is being referred to ie SAROC, GAROC or the LGA Board of Directors
 - The subject of the proposed item of business - a short title is preferred.
 - The proposed motion for the General Meeting – a succinct and clear motion ie that the Annual / Ordinary General Meeting requests the LGA to....
 - Supporting information - attachments are permitted to ensure adequate supporting information is provided
 - Alignment to the LGA Policy Manual - consider if this item requires a change to the LGA Policy Manual (new policy or amendment to existing policy)?
 - Alignment to LGA Strategic Plan reference - identify links to one key initiative and one strategy
 - A Council Contact Officer responsible for submitting form - the LGA may wish to liaise with the proposing council to request additional information or consult on potential amendments to the motion
 - Council Meeting minute reference and date of meeting - all proposed items of business must be appropriately considered by the submitting council or Regional LGA before being sent to the LGA.

Can I write a letter to the LGA President or CEO to submit a proposed item of business?

- No. To ensure that all the required information is provided and that proposed items of business are handled correctly by the LGA Secretariat, please use the LGA General Meeting - Proposed Item of Business form and submit it to lgasa@lga.sa.gov.au

Who makes the decision on my proposed item of business / where should I refer my item of business to?

- It is at the discretion of councils and Regional LGAs whether to refer an item to SAROC, GAROC or the LGA Board of Directors.
- The Guidelines on Considering Proposed Items of Business for LGA General Meetings, suggests that items should be referred to SAROC (from regional member councils) or GAROC (from metropolitan member councils) if they relate to the development of LGA policy and strategy, advocacy issues, the LGA Policy Manual, and operational matters related to SAROC or GAROC.

- Otherwise items should be referred to the LGA Board of Directors if related to:
 - the LGA Constitution or Ancillary Documents
 - a subsidiary of the LGA
 - a commercial service provided (or proposed to be provided) by the LGA
 - an activity requiring the allocation of significant resources by the LGA
 - any LGA operational matter

Regional councils may choose to refer their proposed items of business to their Regional LGA prior to submitting with the LGA. This is not required, but it often assists councils with refining the proposed actions and may help to inform and build support for the proposed item of business in their region.

My council is not a member of a Regional LGA. Can I still submit a proposed item of business?

- Yes. Any member council from regional South Australia may submit a proposed item of business to SAROC or to the LGA Board of Directors.


Why might the LGA decide not to allow my proposed item of business to go to a General Meeting?

An item may not be recommended for consideration at a General Meeting:

- If it is not considered to be 'strategically important' to local government; for example, it is not an issue that is within the scope of local government to address or influence.
- If progressing the item would impact negatively on the reputation of local government in South Australia.
- If an issue is only relevant to a particular group of councils it may be referred back to a council or Regional LGA, or resolved that the matter be dealt with by SAROC (for regional issues) or GAROC (for metropolitan issues) without progressing to a General Meeting.
- If there is insufficient supporting evidence provided in support of the policy position or course of action being sought. In some instances, an item may be referred back to the submitting council with a request for further information.
- In circumstances where the evidence needed to support a position might not be readily available, it would be appropriate for a proposed item of business to request that the LGA seeks further investigation and/or further consultation with councils, rather than seeking endorsement of a specific policy position or action.
- If the LGA already has a supportive policy position in relation to the proposed item, further consideration by members at a General Meeting may not be required.
- If there are a lack of resources available to the LGA to progress the proposed item of business. In some cases, the items of business put forward by members require significant resources to be allocated in order to achieve the desired outcome. Resources may not be available through the LGA to tackle every issue. The Board, SAROC and GAROC may determine not to proceed with (or defer) an item of business if the resourcing required would detract from the achievement of outcomes of greater priority for members.

Can I get help to prepare a proposed item of business?

- Yes. All member councils are encouraged to contact the LGA Secretariat early in the process to discuss the development of their proposed items of business.
- Please contact Allison Down, Executive Coordinator, GAROC and SAROC Committees via email: allison.down@lga.sa.gov.au or telephone: 08 8224 2054.

 Adelaide Plains Council	14.5	Two Wells Land Division – Road Naming
	Department: Report Author:	Infrastructure and Environment Asset Engineer
Date: 13 December 2021	Document Ref:	D21/53184

EXECUTIVE SUMMARY

- The purpose of this report is for the Council to consider assigning a road name to a new road within the land division 312/76/2019 of Longview Stage 5, Two Wells.
- The land division (312/76/2019) received planning consent in 2019 and four stages have been completed with Stage 5 close to receiving Engineering Approval. Plan of Division for Stage 5 is presented as **Attachment 1** to this report.
- A request was received by Management in October 2021, from the applicant / landowner, for the newly created road within this land division to be named “Brumby Court” or “Arnold Court”.
- Both of these names appear in the Two Wells section of the list of approved names adopted at the Ordinary Council meeting held 28 September 2020 (page 51).
- It is now for the elected body to determine a road name for the newly created road reserve.

RECOMMENDATION

“that Council, having considered Item 14.5 – *Two Wells Land Division – Road Naming*, dated 13 December 2021, receives and notes the report and in doing so, assign the road name **Brumby Court to the road reserve East of Longview Road and South of Fisher Street presented as Attachment 1.”**

BUDGET IMPACT

Estimated Cost:	\$0
Future ongoing operating costs:	\$0
Is this Budgeted?	Not Applicable

RISK ASSESSMENT

Risks associated with this report are considered to be low and related to Council’s reputation and are generally not of a financial or compliance type.

Attachments

1. Plan of Division for Longview Stage 5, Two Wells.

DETAILED REPORT

Purpose

The purpose of this report is for the Council to consider assigning a road name to a new road within the land division 312/76/2019 which is part of Stage 5 of the Weeks Group development, known as “Longview”.

Background/History

The land division (312/76/2019) received planning consent in 2019, with four stages already completed and Stage 5, comprising 22 allotments, close to receiving Engineering Approval. The Plan of Division for Stage 5 is presented as **Attachment 1** to this report.

Discussion

A request was received by Management in October 2021, from the applicant, for the newly created road within this land division to be named “Brumby Court”, or alternatively “Arnold Court”.

Both of these two names appear in the Two Wells section of the list of approved names adopted at the Ordinary Council meeting held 28 September 2020 (page 51).

Conclusion

It is now for the elected body to determine a road name for the newly created road reserve.

References

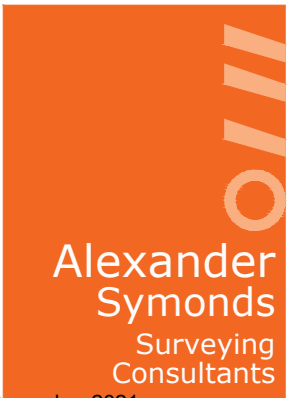
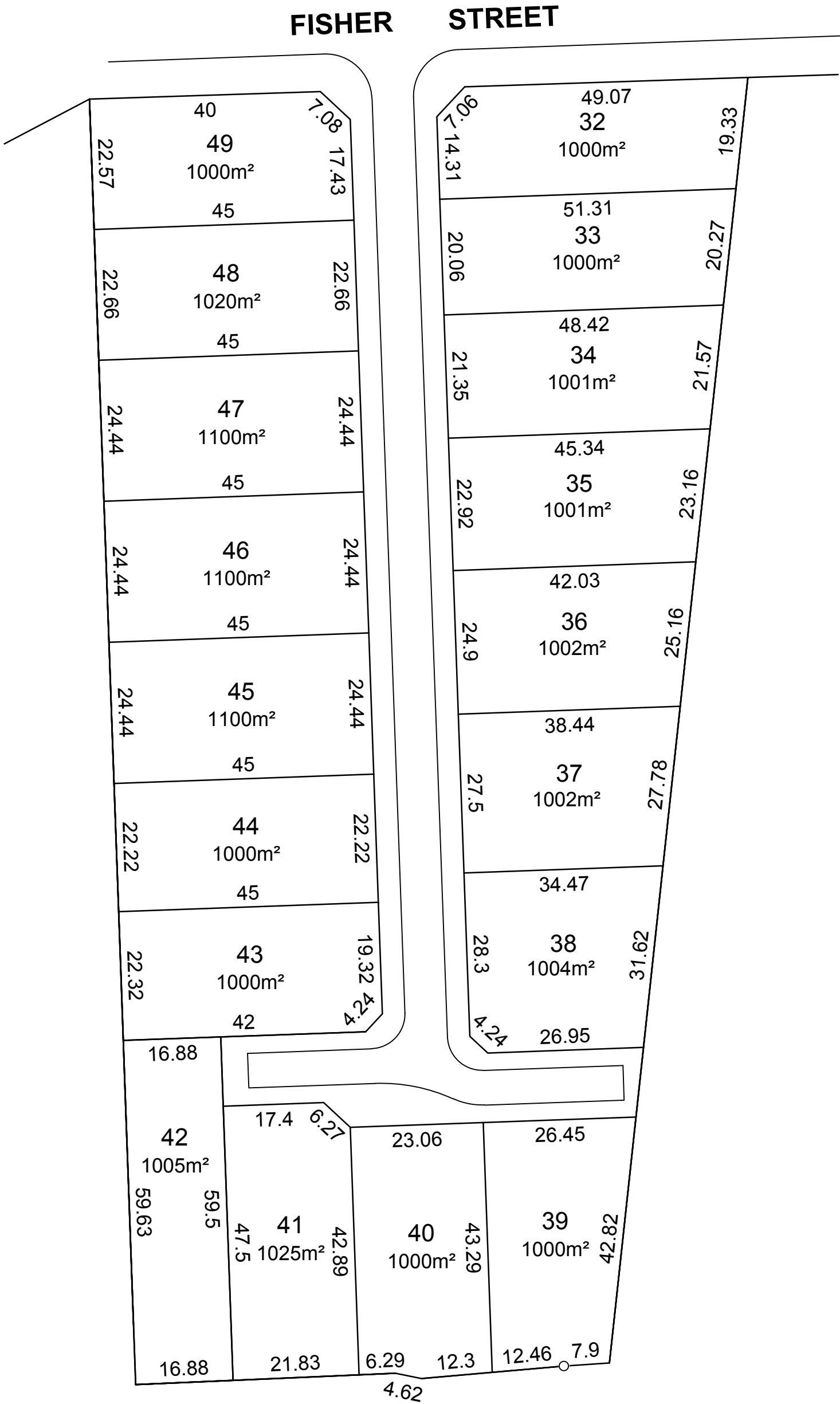
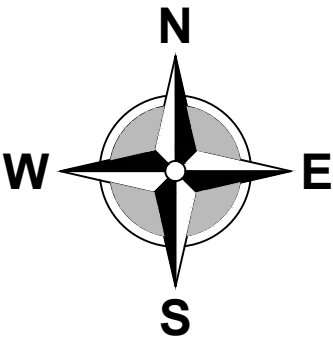
Legislation


Local Government Act 1999

Council Policies/Plans

Road and Public Places Naming Policy

TWO WELLS
STAGE 5



 Adelaide Plains Council	15.1	Council Resolutions – Status Report
	Department: Report Author:	Governance and Executive Office Manager – Governance and Administration
Date: 13 December 2021	Document Ref:	D21/53183

OVERVIEW

The purpose of this report is to provide an update in relation to the status of Council Resolutions currently being actioned, for Council Members’ information and monitoring.

Attachment 1 provides the status of Council Resolutions that have not yet been finalised for the period February 2019 to October 2021. Previously outstanding items that have been finalised since the last report to Council are included by way of update. The Council Resolutions for November 2021 are provided, in full, for Council Members’ information.

Management acknowledges the efficiencies afforded to both Council Members and staff by regular reporting and monitoring of the status of Council Resolutions. The practice of providing transparent updates also facilitates performance monitoring and builds confidence.

RECOMMENDATION

“that Council, having considered Item 15.1 – *Council Resolutions – Status Report*, dated 13 December 2021, receives and notes the report.”

Attachments

1. Resolution Status Report

References

Legislation

Local Government Act 1999 (SA)

Local Government (Procedures at Meetings) Regulations 2013 (SA)

Resolution Register - November 2021 - All						
Meeting Date	Item Number	Title	Resolution Description	Resolution Number	Status/ Comments ('Deferred, Ongoing, Agenda, Completed')	Responsible Department
8-Nov-21	4.1	Motion on Notice - Lift Motion Off Table - 2021/387	"that motion 2021/387 be lifted from the table."	2021/398	Completed	Governance and Executive Office
8-Nov-21	4.1	Outcome of Public Consultation - Wasleys Bridge Closure or Load Limit Reduction	"that Council, having considered Item 14.9 – Outcome of Public Consultation – Wasleys Bridge Closure or Load Limit Reduction, dated 25 October 2021, and in doing so, instructs the Chief Executive Officer to: 1. In accordance with the provisions of Section 32 of the Road Traffic Act 1961, apply a load limit of 6.5 tonnes, emergency vehicles, Council vehicles and service vehicles exempted, to Wasleys Road Bridge (Light River), Barabba 2. Relinquish the Bridge Renewal Program – Round 5 funding of \$107,500 and 3. Apply for Bridge Renewal Program – Round 6, with Council's contribution to be confirmed upon determination of the application."	2021/387	Ongoing	Infrastructure and Environment
8-Nov-21	5.1	Request for Council Support – Two Wells Regional Action Team – Two Wells Twinkling	"that Council, having considered Item 5.1 – Request for Council Support – Two Wells Regional Action Team – Two Wells Twinkling, dated 8 November 2021, receives and notes the report and in doing so confirms its support for the advancement of Two Wells Regional Action Team's Two Wells Twinkling initiative."	2021/399	Completed	Governance and Executive Office
8-Nov-21	5.1	Request for Council Support – Two Wells Regional Action Team – Two Wells Twinkling	"that Council, having considered Item 5.1 – Request for Council Support – Two Wells Regional Action Team – Two Wells Twinkling, dated 8 November 2021: 1. Instructs the Chief Executive Officer to install Christmas lights to highlight the exterior of the Two Wells Service Centre, Two Wells Old Council Chamber and Two Wells Library buildings and fairy lights on the trees along Old Port Wakefield Road between Drew Street and Wells Road, Two Wells and 2. Acknowledges that an allocation of \$3000.00 will be incorporated into the first quarter budget revision for 2021/2022."	2021/400	Completed	Infrastructure and Environment
8-Nov-21	5.1	Request for Council Support – Two Wells Regional Action Team – Two Wells Twinkling	"that Council, having considered Item 5.1 – Request for Council Support – Two Wells Regional Action Team – Two Wells Twinkling, dated 8 November 2021: 1. Resolves that Council will pay for public liability insurance for the Two Wells Twinkling launch event on behalf of the Two Wells Regional Action Team and 2. Acknowledges that an appropriate allocation will be incorporated into the first quarter budget revision for 2021/2022."	2021/401	Completed	Finance and Business
8-Nov-21	5.2	Outcome of Public Consultation - Revocation of Community Land Classification	"that Council, having considered Item 5.2 – Outcome of Public Consultation – Revocation of Community Land Classification, dated 8 November 2021, receives and notes the report and in doing so acknowledges that: 1. In accordance with Council Resolution 2021/366, as required by section 194(2)(a) of the Local Government Act 1999(SA) (the Act) the Council prepared and made publicly available during the period from 13 October 2021 until 3 November 2021 (inclusive) a report on its proposed revocation of the community land classification applying to Section 180 in the Hundred of Port Gawler in the area named Two Wells, being the whole of the land in Crown Record Volume 5984 Folio 730 and Section 716 in the Hundred of Port Gawler in the area named Two Wells, being portion of the land in Crown Record Volume 5755 Folio 739, which land is dedicated Crown land under the Council's care, control and management (the Proposal) 2. Public consultation was undertaken on the Proposal for the purposes of section 194(2)(b) of the Act in accordance with Council Resolution 2021/366 and Council's Public Consultation Policy during the period from 13 October 2021 until 3 November 2021 (inclusive) 3. One submission, presented as Attachment 6 to this Report, was received by the Council in response to the public consultation described in paragraphs 1 and 2 above and 4. In relation to the one submission received, Council notes that it is generally in favour of the Proposal and that the other matters raised by it do not directly relate to the Proposal but are matters that may be taken into account by the Council in relation to any future development or use of the land the subject of the Proposal."	2021/402	Completed	Governance and Executive Office

8-Nov-21	5.2	Outcome of Public Consultation - Revocation of Community Land Classification	<p>“that Council, having considered Item 5.2 – Outcome of Public Consultation – Revocation of Community Land Classification, dated 8 November 2021, and after having completed public consultation on the Proposal and having considered the submission received on the Proposal in response to the public consultation described in paragraphs 1 and 2 of the Resolution above:</p> <p>1. Resolves to seek the formal consent of the Minister for Environment and Water (as the owner of the land) to the Proposal as required under section 194(1)(d) of the Local Government Act 1999 (the Act), to the extent that such consent has not already been provided</p> <p>2. Resolves to prepare a report on all submissions received in response to the public consultation described in paragraphs 1 and 2 of the Resolution above and submit this report and the Proposal to the Minister for Planning and Local Government (as the Minister responsible for the administration of the Act) seeking approval for the Proposal</p> <p>3. Authorises the Chief Executive Officer to attend to the preparation of all documents and correspondence and all other matters required to give effect to the above resolution</p> <p>4. Instructs that a further report be prepared for the Council notifying of the response received from the Minister for the Council to decide whether to pass a resolution to give effect to the Proposal and</p> <p>5. Acknowledges that the process for formally revoking the dedication of the relevant land will be dealt with subsequently under the Crown Land Management Act 2009, in conjunction with the broader acquisition proposal.”</p>	2021/403	Rescinded (refer 2021/433below)	Governance and Executive Office
8-Nov-21	5.3	Draft Long Term Financial Plan 2023-2032	“that the Council having considered Item 5.3 – Draft Long Term Financial Plan 2023-2032 dated 8 November 2021, receives and notes the report and in doing so resolves that the draft Long Term Financial Plan as contained in Attachment 1 is released for public consultation subject to the insertion of projects listed within Table 3: Projects not included in the Draft Long Term Financial Plan.”	2021/404	Forward Agenda - Audit Committee February 2022	Finance and Business
22-Nov-21	2.1	Confirmation of Council Minutes	“that the minutes of the Ordinary Council Meeting held on 25 October 2021 (MB Folios 17470 to 17482 inclusive), be accepted as read and confirmed.”	2021/405	Completed	Governance and Executive Office
22-Nov-21	2.2	Confirmation of Council Minutes	“that the minutes of the Special Council Meeting held on 8 November 2021 (MB Folios 17483 to 17488 inclusive), be accepted as read and confirmed.”	2021/406	Completed	Governance and Executive Office
22-Nov-21	12.1	Adelaide Plains Historical Committee Meeting - 3 November 2021	“that Council receives and notes the minutes of the Adelaide Plains Council Historical Committee meeting held 3 November 2021.”	2021/407	Completed	Development and Community
22-Nov-21	12.2	Audit Committee Meeting - 17 November 2021	“that Council receives and notes the minutes of the Audit Committee Meeting held on 17 November 2021 as presented at Attachment 1 to this Report.”	2021/408	Completed	Finance and Business
22-Nov-21	12.2	Audit Committee Meeting - 17 November 2021	“that Council receives and notes the Audited Annual Financial Statements and notes forming part of the Annual Financial Statements for the 2020/2021 Financial Year.”	2021/409	Completed	Finance and Business
22-Nov-21	12.2	Audit Committee Meeting - 17 November 2021	“that Council endorses resolution 2021/048 of the Audit Committee and in doing so formally adopts the Annual Financial Statements for the 2020/2021 Financial Year, presented as Attachment 2 to this Report, and authorises same to be certified on behalf of Council by the Mayor and Chief Executive Officer.”	2021/410	Completed	Finance and Business
22-Nov-21	12.2	Audit Committee Meeting - 17 November 2021	“that Council endorses resolution 2021/049 of the Audit Committee and in doing so notes that the Audit Committee has authorised the Audit Committee Chairperson to sign the Certification of Auditor Independence.”	2021/411	Completed	Finance and Business
22-Nov-21	12.2	Audit Committee Meeting - 17 November 2021	“that Council endorses resolution 2021/050 of the Audit Committee and in doing so acknowledges that Council’s Independent Auditor Mr Tim Muhlhauser of Galpins Accountants, Auditors & Business Consultants intends to issue an unmodified opinion in relation to the Financial Statements and the Internal Financial Controls of the Council for the 2020/2021 Financial Year.”	2021/412	Completed	Finance and Business
22-Nov-21	12.2	Audit Committee Meeting - 17 November 2021	<p>“that Council endorses resolution 2021/053 of the Audit Committee and in doing so:</p> <p>1. Notes that:</p> <p>a. The Long Term Financial Plan results in key financial indicators being substantially outside of the targets set by Council</p> <p>b. Until 2031/2032 the income included in the plan is not sufficient to pay for the proposed expenditure and the level of debt is outside what is conventionally considered prudent and</p> <p>c. When considering the projects included in the plan Council will need to be mindful of the impact the expenditure will have on future generations of residents, future elected Councils and of the financial risks which will emanate from the proposed expenditure and</p> <p>2. In consideration of 1a, 1b and 1c above, instructs the Chief Executive Officer to bring a further report back to Council, via the Audit Committee, in relation to feedback gleaned through public consultation and how best to address 1a, 1b and 1c above.”</p>	2021/413	Forward Agenda - Audit Committee February 2022	Finance and Business

22-Nov-21	12.2	Audit Committee Meeting - 17 November 2021	"that Council endorses resolution 2021/054 of the Audit Committee and in doing so acknowledges the progress made to complete the activities identified for Audit Committee during 2020/2021 Financial Year."	2021/414	Completed	Finance and Business
22-Nov-21	12.2	Audit Committee Meeting - 17 November 2021	<p>"that Council endorses resolution 2021/055 of the Audit Committee and in doing so, and having considered the Mallala Football Club's request for a loan in accordance with Council's Treasury Management Policy:</p> <ol style="list-style-type: none"> 1. Authorises the Chief Executive to negotiate and finalise a Loan Agreement between Council and the Mallala Football Club subject to following terms and conditions: <ol style="list-style-type: none"> a. Council charge Mallala Football Club the same interest rate that it pays to Local Government Financing Authority b. Limit maximum number of transactions between the Council and the Mallala Football Club to four (4) per year with regard to the operation of cash advance debenture loan c. the cost of preparing the loan agreement with the Council and the Mallala Football is to be charged 100% to the Mallala Football Club 2. Authorises, pursuant to section 44 of the Local Government Act 1999, the Mayor and Chief Executive Officer to execute the Loan Agreement between the Adelaide Plains Council and the Mallala Football Club 3. Pursuant to the provisions of Sections 134 and 135 of the Local Government Act 1999, the Adelaide Plains Council does hereby order that the Council shall borrow by means of Convertible Cash Advance Debenture Loan, on the security of the general rate revenue of the Council, an amount up to the sum of \$70,000 from the Local Government Finance Authority of South Australia on a floating variable rate, the purpose of which is to finance Council's loan to Mallala Football Club and 4. Further, pursuant to Section 38 of the Local Government Act 1999, Council hereby authorises the Mayor and the Chief Executive Officer to execute under the Common Seal of Council, documentation associated with the aforementioned loan borrowing facility." 	2021/415	Ongoing	Finance and Business
22-Nov-21	13.1	Gawler River Floodplain Management Authority Meeting - 21 October 2021	"that Council receives and notes the minutes of Gawler River Floodplain Management Authority Board Meeting held on 21 October 2021."	2021/416	Completed	Governance and Executive Office
22-Nov-21	14.1	First Budget Update 2021/2022	<p>"that Council, having considered Item 14.1 – 2021/2022 – First Budget Update, dated 22 November 2021, receives and notes the report and in doing so:</p> <ol style="list-style-type: none"> 1. Receives and note the project progress reports contained in Attachment 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 as contained within Attachment 3 that has been updated following the first budget review changes identified in Table 1, Table 2 and Table 3 and 3. Instructs the Chief Executive Officer to allocate budget savings from operating and capital projects to other operating and capital projects where necessary earmarked for delivery in 2021/2022 Financial Year." 	2021/417	Completed	Finance and Business
22-Nov-21	14.2	Draft Tourism and Economic Development Strategy - Public Consultation	<p>"that Council, having considered Item 14.2 – Draft Tourism and Economic Development Strategy – Public Consultation, dated 22 November 2021, receives and notes the report and in doing so instructs the Chief Executive Officer to:</p> <ol style="list-style-type: none"> 1. Commence public consultation on the draft Tourism and Economic Development Strategy presented as Attachment 1 and Tourism and Economic Development Issues and Opportunities Paper presented as Attachment 2 to this report, in accordance with Council's Public Consultation Policy and 2. Report back to Council following completion of the public consultation process." 	2021/418	Public consultation currently underway - concludes 5pm on Friday 7 January 2022. Forward Agenda - January/February 2022	Development and Community
22-Nov-21	14.3	Two Wells Scout Facility Relocation - Lease - Public Consultation	<p>"that Council, having considered Item 14.3 – Two Wells Scout Facility Relocation – Lease – Public Consultation, dated 22 November 2021, receives and notes the report and in doing so instructs the Chief Executive Officer to:</p> <ol style="list-style-type: none"> 1. Prepare a draft lease agreement (the Draft Lease) between Council and Scouts SA in relation to a portion of Lot 103 DP comprised in CR Volume 5753 Folio 647, incorporating the following key elements: <ol style="list-style-type: none"> a. Ground lease for the purposes of a Scout Hall/Facility and associated activities b. Lease period of 15 years with option for renewal for a further 5 years c. Defined lease area that provides approximately 2000m² while preserving the potential for future access within the Two Wells Oval Complex (Refer Attachment 1 to this Report) d. Rent of \$1.00 per annum (exclusive of GST) e. Permitted use – Scout Hall and 2. Undertake public consultation, in accordance with Council's Public Consultation Policy, in relation to the Draft Lease and report back to Council accordingly." 	2021/419	Ongoing. Lease is being prepared in consultation with Scouts SA. Anticipate public consultation commencing in January 2022. Forward Agenda - February 2022	Development and Community/ Governance and Executive Office


22-Nov-21	15.1	Council Resolutions - Status Report	"that Council, having considered Item 15.1 – Council Resolutions – Status Report, dated 22 November 2021, receives and notes the report."	2021/420	Completed	Governance and Executive Office
22-Nov-21	15.2	Infrastructure and Environment Department - Monthly Report - November 2021	"that Council, having considered Item 15.2 – Infrastructure and Environment Department – Monthly Report – November 2021, dated 22 November 2021 receives and notes the report."	2021/421	Completed	Infrastructure and Environment
22-Nov-21	15.3	Adelaide Plains Council Representation Review Update - Certification by Electoral Commissioner - November 2021	"that Council, having considered Item 15.3 – Adelaide Plains Council Representation Review Update – Certification by Electoral Commissioner – November 2021, dated 22 November 2021, receives and notes the report."	2021/422	Completed	Governance and Executive Office
22-Nov-21	15.4	Local Government Reform Update - November 2021	"that Council, having considered Item 15.4 – Local Government Reform Update – November 2021, dated 22 November 2021, receives and notes the report."	2021/423	Completed	Governance and Executive Office
22-Nov-21	15.5	Water Costs for the Cricket Pitch on the Mallala Oval	"that we pick up the costs for watering the cricket pitch in Mallala."	2021/424	Refused	Governance and Executive Office
22-Nov-21	15.5	Water Costs for the Cricket Pitch on the Mallala Oval	"that Council, having considered Item 15.5 – Water Costs for the Cricket Pitch on the Mallala Oval, dated 22 November 2021, receives and notes the report."	2021/425	Completed	Governance and Executive Office
22-Nov-21	15.5	Water Costs for the Cricket Pitch on the Mallala Oval	"that Council not pass on the costs to the Mallala Cricket Club for the watering of the turf wicket."	2021/426	Withdrawn	Governance and Executive Office
22-Nov-21	15.5	Water Costs for the Cricket Pitch on the Mallala Oval	"that Council: 1. Resolves to not pass on the invoice to the Mallala Cricket Club for the cost of watering, from the next invoice received, on the basis that Council considers, with reference to clause 10 of its Lease and Licence for Community Land and Building Policy, the Turf Wicket is not a 'dedicated playing surface' and allows 'general public access' and/or 'use of the playing surface' and 2. Instructs the Chief Executive Officer to undertake a review of the lease between Council and the Mallala Cricket Club, in particular to give effect to paragraph 1 above."	2021/427	Ongoing - lease currently being reviewed. Forward Agenda - January 2022	Governance and Executive Office
22-Nov-21	15.6	Regional Development Australia Barossa Gawler Light Adelaide Plains - Annual Report 2020-2021	"that Council, having considered Item 15.6 – Regional Development Australia Barossa Gawler Light Adelaide Plains Annual Report 2020-2021, dated 22 November 2021, receives and notes the report."	2021/428	Completed	Development and Community
22-Nov-21	15.7	Horse Management on the Adelaide Plains	"that Council, having considered Item 15.7 – Horse Management within Adelaide Plains, dated 22 November 2021, receives and notes the report."	2021/429	Completed	Development and Community
22-Nov-21	15.8	Two Wells Community Fund Fifth Round Outcomes	"that Council, having considered Item 15.8 – Two Wells Community Fund Fifth Round Outcomes, dated 22 November 2021, receives and notes the report."	2021/430	Completed	Development and Community
29-Nov-21	4.1	Review of Code of Practice - Meeting Procedures	"that Council, having considered Item 4.1 – Review of Code of Practice – Meeting Procedures, dated 29 November 2021, receives and notes the report and in doing so adopts the Code of Practice – Meeting Procedures as presented as a marked-up document at Attachment 1 to this Report, noting the following amendments: 1. At Clause 9(1), delete the words 'five (5)' and insert the words 'seven (7)' and 2. At Clause 12(1), delete the words 'five (5)' and insert the words 'seven (7)'."	2021/431	Completed	Governance and Executive Office
29-Nov-21	4.2	Chief Executive Officer Recommendation pursuant to Regulation 21 of the Local Government (Procedures at Meetings) Regulations 2013 - Process - Revocation of Community Land Classification - Two Wells	"that Council, having considered Item 4.2 – Chief Executive Officer Recommendation pursuant to Regulation 21 of the Local Government (Procedures at Meetings) Regulations 2013 – Process – Revocation of Community Land Classification – Two Wells, dated 29 November 2021, receives and notes the report and in doing so notes that as a result of recent amendments to the Crown Land Management Act 2009, the approval of the Minister for Planning and Local Government and a subsequent resolution of Council is no longer required to revoke the community land status of Section 180 Hundred of Port Gawler in the area named Two Wells, Crown Record Volume 5984 Folio 730 and Section 716 Hundred of Port Gawler in the area named Two Wells, Crown Record Volume 5755 Folio 739."	2021/432	Completed	Governance and Executive Office

29-Nov-21	4.2	Chief Executive Officer Recommendation pursuant to Regulation 21 of the Local Government (Procedures at Meetings) Regulations 2013 - Process - Revocation of Community Land Classification - Two Wells	<p>"that Council, having considered Item 4.2 – Chief Executive Officer Recommendation pursuant to Regulation 21 of the Local Government (Procedures at Meetings) Regulations 2013 – Process – Revocation of Community Land Classification – Two Wells, dated 29 November 2021, and in light of resolution 2021/432 above, rescinds Council Resolution 2021/403 made on 8 November 2021 as follows:</p> <p>'that Council, having considered Item 5.2 – Outcome of Public Consultation – Revocation of Community Land Classification, dated 8 November 2021, and after having completed public consultation on the Proposal and having considered the submission received on the Proposal in response to the public consultation described in paragraphs 1 and 2 of the Resolution above:</p> <ol style="list-style-type: none"> 1. Resolves to seek the formal consent of the Minister for Environment and Water (as the owner of the land) to the Proposal as required under section 194(1)(d) of the Local Government Act 1999 (the Act), to the extent that such consent has not already been provided 2. Resolves to prepare a report on all submissions received in response to the public consultation described in paragraphs 1 and 2 of the Resolution above and submit this report and the Proposal to the Minister for Planning and Local Government (as the Minister responsible for the administration of the Act) seeking approval for the Proposal 3. Authorises the Chief Executive Officer to attend to the preparation of all documents and correspondence and all other matters required to give effect to the above resolution 4. Instructs that a further report be prepared for the Council notifying of the response received from the Minister for the Council to decide whether to pass a resolution to give effect to the Proposal and 5. Acknowledges that the process for formally revoking the dedication of the relevant land will be dealt with subsequently under the Crown Land Management Act 2009, in conjunction with the broader acquisition proposal." 	2021/433	Completed	Governance and Executive Office
29-Nov-21	4.2	Chief Executive Officer Recommendation pursuant to Regulation 21 of the Local Government (Procedures at Meetings) Regulations 2013 - Process - Revocation of Community Land Classification - Two Wells	<p>"that Council, having considered Item 4.2 – Chief Executive Officer Recommendation pursuant to Regulation 21 of the Local Government (Procedures at Meetings) Regulations 2013 – Process – Revocation of Community Land Classification – Two Wells, dated 29 November 2021, and after having considered the submission received in response to the public consultation on the proposal to revoke the community land classification applying to Section 180 Hundred of Port Gawler in the area named Two Wells, Crown Record Volume 5984 Folio 730 and Section 716 Hundred of Port Gawler in the area named Two Wells, Crown Record Volume 5755 Folio 739, which is dedicated Crown land under the Council's care, control and management (Relevant Land):</p> <ol style="list-style-type: none"> 1. Resolves, in accordance with sections 24 and 25 of the Crown Land Management Act 2009, to proceed with requesting the Minister for Environment and Water to declare the Relevant Land surplus and commit to disposing of the Relevant Land to Council, on terms to be subsequently agreed by Council and 2. Authorises the Chief Executive Officer to attend to the preparation of all documents and correspondence and all other matters required to give effect to the above resolution." 	2021/434	Completed. CEO has prepared and submitted formal documentation. Awaiting formal response from Minister	Governance and Executive Office
29-Nov-21	5.1	Crown Land, Two Wells - November 2021	<p>"that:</p> <ol style="list-style-type: none"> 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, Information Technology Support Officer and Mr Sean Keenihan of Norman Waterhouse Lawyers be excluded from attendance at the meeting of Council for Agenda Item 5.1 – Crown Land, Two Wells November 2021 2. Council is satisfied that pursuant to section 90(3)(b) and 90(3)(h) of the Local Government Act 1999, Item 5.1 – Crown Land, Two Wells – November 2021 concerns: <ol style="list-style-type: none"> a. 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 a verbal briefing relating to ongoing negotiations and would on balance be contrary to the public interest and b. legal advice, being a verbal briefing by Mr Sean Keenihan, Chair, Norman Waterhouse Lawyers in relation to the matter of 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." 	2021/435	Completed	Governance and Executive Office

Resolution Register - February 2019 - October 2021 - Ongoing						
Meeting Date	Item Number	Title	Resolution Description	Resolution Number	Status/ Comments ('Deferred, Ongoing, Forward Agenda, Agenda, Completed')	Responsible Department
25-Feb-19	19.1	Motion Without Notice	<p>"that the Chief Executive Officer bring back a report to Council, with accompanying proposed policy in relation to the management of horses on the coastal beaches of the Adelaide Plains Council. The Policy should take into account:-</p> <ol style="list-style-type: none"> 1. Consistency with the Adelaide International Bird Sanctuary Management Plan; 2. The ability to safely park horse floats in the proximity of areas allowed for exercising of horses; 3. The health and safety of the general public, horses and handlers; and 4. The potential impact on flora and fauna in coastal areas." 	2019/080	Ongoing. Update report provided at Ordinary Council Meeting on 22 November 2021	Development and Community
25-Mar-19	12.2	Infrastructure and Environment Committee Meeting - 13 March 2019	"that Council endorses resolution 2019/020 of the Infrastructure and Environment Committee, and in doing so instructs the Chief Executive Officer to have particular regard to the financial impact of relevant design specifications, in assessing Eden and Liberty development applications, until a policy is adopted."	2019/119	A framework and policy will be developed following the IAMP review	Infrastructure and Environment
25-Mar-19	18.2	Motion on Notice - APC Services	"that the Chief Executive Officer initiate a review of services administered by Adelaide Plains Council to identify any areas of cost efficiency and or new processes not covered by the organisational review."	2019/129	Preliminary service review has been incorporated into scope of works for Review of Office Accommodation	Governance and Executive Office
23-Sep-19	14.9	Two Wells Scout Group Relocation	<p>"that Council, having considered Item 14.9 – Two Wells Scout Group Relocation, dated 23 September 2019, receives and notes the report and in doing so, authorises the Chief Executive Officer to:-</p> <ol style="list-style-type: none"> 1. Undertake engagement with relevant stakeholders including but not limited to Two Wells Bowling Club, Two Wells Tennis Club, Two Wells Football and Netball Club; 2. Formally request of the Two Wells Scout Group that Council be provided with the following information:- <ol style="list-style-type: none"> a. Proposed facility concept plan; b. Development Assessment Application; 3. To bring back a further report at the appropriate juncture." 	2019/389	Completed	Governance and Executive Office/ Infrastructure and Environment
24-Feb-20	14.7	Two Wells District Tennis Club Lease Request	<p>"that Council, having considered Item 14.7 – Two Wells District Tennis Club Lease Request, dated 24 February 2020, receives and notes the report and in doing so:</p> <ol style="list-style-type: none"> 1. Authorises the Chief Executive to seek the assistance of Norman Waterhouse Lawyers and to negotiate and finalise the Lease Agreement between Council and the Two Wells District Tennis Club Inc for the lease of a portion of land within Crown Reserve 5753, Folios 647, adjacent to the Two Wells Netball Club on Old Port Wakefield Road, Two Wells 2. Authorises, pursuant to section 44 of the Local Government Act 1999, the Mayor and Chief Executive Officer to execute the lease agreement between the Adelaide Plains Council and the Two Wells District Tennis Club and 3. In accordance with section 166(1)(j) of the Local Government Act 1999, Council, being satisfied that the whole of a portion of land within Crown Reserve 5753, Folios 647, adjacent to the Two Wells Netball Club on Old Port Wakefield Road, Two Wells, is being used by an organisation which, in the opinion of Council, provides a benefit or service to the local community, grants a discretionary rebate of 100% of the rates imposed, effective from the 2020/21 rating year." 	2020/055	Ongoing. Tennis Club has executed the lease. APC Mayor and CEO to execute upon receipt of Ministerial consent	Governance and Executive Office/ Infrastructure and Environment
23-Nov-20	14.6	Mallala Resource Recovery Centre - Twelve Month Closure Review	"that Council, having considered Item 14.6 – Mallala Resource Recovery Centre – Twelve Month Closure Review, dated 23 November 2020, instructs the Chief Executive Officer to bring back a report to Council exploring future land use/disposal options in relation to the former Mallala Resource Recovery Centre site."	2020/407	Forward Agenda - I&E Committee 2022	Infrastructure and Environment

14-Dec-20	14.7	Third Creek Road Closure - Outcome of Public Consultation	<p>“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:</p> <p>1. Acknowledges that public consultation was undertaken in relation to the proposed closure of Third Creek Road and that no submissions were received; and</p> <p>2. Instructs the Chief Executive Officer to finalise Third Creek Road closure in accordance with the Roads (Opening and Closing) Act 1991.”</p>	2020/448	Ongoing	Infrastructure and Environment
27-Jan-21	9	Motion Without Notice	<p>“that the Chief Executive Officer contact all relevant government agencies and stakeholder groups with a view of facilitating a community forum that seeks to address escalating trends associated with public nuisance/public safety throughout the Council area.”</p>	2021/002	Staff have contacted relevant stakeholders (SA Police, Department of Environment and Water) in an attempt to facilitate a forum. Stakeholders have advised that such a forum is not high priority (COVID-19 and internal matters). Council has therefore been unable to schedule forum.	Development and Community
28-Jan-21	14.12	Donaldson Road - Two Wells	<p>“that Council, having considered Item 14.12 – Donaldson Road – Two Wells, dated 27 January 2021 receives and notes the report and in doing so, endorses that a portion of Donaldson Road (D112594 Lot 53 to Elizabeth Street) is renamed to Longview Road.”</p>	2021/030	Ongoing	Infrastructure and Environment
22-Feb-21	14.1	Light & Adelaide Plains Region Economic Development Authority - Regional Subsidiary Charter	<p>“that Council, having considered Item 14.1 – Light & Adelaide Plains Region Economic Development Authority – Regional Subsidiary Charter, dated 22 February 2021, receives and notes the report and in doing so:</p> <p>1. Confirms its intention to establish a regional subsidiary under section 43 of the Local Government Act 1999, to be known as the Light & Adelaide Plains Region Economic Development Authority (the Regional Subsidiary) and</p> <p>2. Instructs the Chief Executive Officer to, on the Council’s behalf, and following a further joint Informal Gathering between Adelaide Plains Council and Light Regional Council, apply to the relevant Minister, under Schedule 2 Part 2 of the Local Government Act 1999, in relation to the proposed establishment of the Regional Subsidiary.”</p>	2021/062	With the Minister for Local Government requesting further clarity around the role of the proposed subsidiary, ongoing discussions are occurring between APC and LRC CEOs with a view of progressing the initiative	Governance and Executive Office
28-Jun-21	12.3	Committee Meetings	<p>“that Council endorses resolution 2021/015 of the Infrastructure and Environment Committee and in doing so instructs the Chief Executive Officer to bring back a report to the Infrastructure and Environment Committee into the financial costing structure of the Mallala Community Wastewater Scheme.”</p>	2021/226	Completed	Infrastructure and Environment
28-Jun-21	12.3	Committee Meetings	<p>“that Council endorses resolution 2021/016 of the Infrastructure and Environment Committee and in doing instructs the Chief Executive Officer to bring back a further report to the Infrastructure and Environment Committee in relation to a potential community waste education process.”</p>	2021/227	Completed	Infrastructure and Environment
28-Jun-21	14.2	Strategic Plan 2021-2024	<p>“that Council having considered Item 14.2 – Strategic Plan 2021 -2024, dated 28 June 2021, instructs that the Long Term Financial Plan is reviewed and updated by no later than 31 December 2021, noting that by that time determinations will have been made and resolutions likely adopted in relation to a number of strategic projects which carry significant expenditure.”</p>	2021/234	Agenda - 13 December 2021	Governance and Executive Office
26-Jul-21	18.1	Motion on Notice – Sealing Coastal Roads	<p>“that Council:</p> <p>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)</p> <p>2. Acknowledges that an allocation of \$20,000 will be incorporated into the first quarter 2021/2022 budget revision.”</p>	2021/ 175	Ongoing	Infrastructure and Environment

27-Sep-21	14.4	Outcome of Public Consultation - Draft Hart Reserve Masterplan	<p>“that Council, having considered Item 14.4 – Outcome of Public Consultation – Draft Hart Reserve Master Plan dated 27 September 2021:</p> <p>1. Instructs the Chief Executive Officer to prepare an updated Draft Hart Reserve Master Plan that incorporates a skate park/ramp in a suitable location and bring back a further report to Council and</p> <p>2. Acknowledges that a further round of public consultation, in accordance with Council’s Public Consultation Policy, will be required in relation to the Draft Hart Reserve Master Plan once a skate park/ramp is incorporated.”</p>	2021/350	Forward Agenda - January 2022	Development and Community
27-Sep-21	14.6	Outcome of Public Consultation - Draft Lease Portion of Mallala Oval to Mallala and Districts Lions Club	<p>“that Council, having considered 14.6 – Outcome of Public Consultation – Draft Lease Portion of Mallala Oval to Mallala and Districts Lions Club, dated 27 September 2021, receives and notes the report and in doing so:</p> <p>1. Authorises the Chief Executive to negotiate and finalise the Lease Agreement between Council and the Mallala and District Lions Club for the lease of a portion of land Allotment 20 DP 95617, Mallala (known as the Mallala Oval) and comprised in Certificate of Title Volume 6163 Folio 218, to the Mallala and District Lions Club. and</p> <p>2. Authorises, pursuant to section 44 of the Local Government Act 1999, the Mayor and Chief Executive Officer to execute the lease agreement between the Adelaide Plains Council and the Mallala and District Lions Club upon the necessary approvals being granted.”</p>	2021/352	Ongoing	Governance and Executive Office
27-Sep-21	18.1	Motion on Notice – Mallala Cricket Club – Water Costs for the Cricket Pitch on the Mallala Oval	<p>“that Council instructs the Chief Executive Officer to bring back a report setting out the necessary considerations in order for Council to determine whether to fund the water costs for the cricket pitch on the Mallala Oval that are currently funded by the Mallala Cricket Club.”</p>	2021/359	Completed	Infrastructure and Environment
27-Sep-21	21.1	Sale of Land for Non-Payment of Rates	<p>“that Council, having considered Item 21.2 – Sale of Land for Non-Payment of Rates, dated 27 September 2021, receives and notes the report and in doing so:</p> <p>1. Authorises the Chief Executive Officer to take action pursuant to Section 184 of the Local Government Act 1999 to recover outstanding rates in accordance with Rates Arrears and Debtor Management Policy from properties listed in Attachment 1 to this Report</p> <p>2. Pursuant to Section 38 and 44 of the Local Government Act 1999 authorises the Chief Executive Officer and the Mayor to execute the necessary documents in relation to the sale of the respective properties (if any) under common seal and</p> <p>3. Authorises the Chief Executive Officer or his delegate to call for Expressions of Interest from Licensed Real Estate Agents/Auctioneers to undertake the Auction of those properties that proceed to Public Auction (if any) to recover outstanding rates pursuant to Section 184 of the Local Government Act 1999.”</p>	2021/364	Agenda - 13 December 2021	Finance and Business
5-Oct-21	4.1	Public Consultation - Revocation of Community Land Classification - Two Wells	<p>“that Council, having considered Item 4.1 – Public Consultation – Revocation of Community Land Classification – Two Wells, dated 30 September 2021, receives and notes the report and in doing so:</p> <p>1. Instructs the Chief Executive Officer to undertake public consultation in relation to the proposed revocation of the Community Land classification of Section 180 Hundred of Port Gawler in the area named Two Wells, Crown Record Volume 5984 Folio 730 and Section 716 Hundred of Port Gawler in the area named Two Wells, Crown Record Volume 5755 Folio 739 in accordance with Council’s Public Consultation Policy and</p> <p>2. Acknowledges that upon completion of the public consultation period, a report detailing all submissions received, be returned to Council for consideration.”</p>	2021/366	Completed	Governance and Executive Office
25-Oct-21	14.6	Motion Without Notice	<p>“that the Chief Executive Officer coordinate training on the subject of “Conflicts of Interest” for Councillor Daniele, and any other Councillors wishing to attend.”</p>	2021/383	Ongoing - training to be facilitated in early 2022	Governance and Executive Office
25-Oct-21	14.8	Dog and Cat Management Plan Review	<p>“that Council, having considered Item 14.8 – Dog and Cat Management Plan Review, dated 25 October 2021, receives and notes the report and in doing so instructs the Chief Executive Officer to:</p> <p>1. Commence public consultation on the draft Dog and Cat Management Plan presented as Attachment 1 to this report, in accordance with Council’s Public Consultation Policy subject to the clarification of the requirements of and exemptions from de-sexing and</p> <p>2. Report back to Council following completion of the public consultation process.”</p>	2021/385	Forward Agenda - January 2022	Development and Community

 Adelaide Plains Council	15.2	Infrastructure and Environment Department – Monthly Report – December 2021
	Department: Report Author:	Infrastructure and Environment General Manager Infrastructure and Environment
Date: 13 December 2021	Document Ref:	D21/53217

OVERVIEW

Purpose

The purpose of this report is to provide an update in relation to the status of the Infrastructure and Environment Department 2021-2022 Capital Works and Operating Program, for Council Members' information and monitoring.

Background

Council has adopted a significant Capital Works Program for delivery in 2021-22 totalling just over \$5.2million, with an additional \$3.4million allocated to Local Roads and Community Infrastructure and Local Government Partnership Program projects. Management have established a project management framework for managing and monitoring projects to ensure that every effort is made to deliver the projects on time and within budget.

Attachment 1 provides a list and status of the 2021-2022 Capital projects, and **Attachment 2** provides a list and status of the 2021-2022 Operating projects.

Additionally **Attachment 3** provides a list of Local Roads and Community Infrastructure projects, and **Attachment 4** provides a list of Local Government Partnership Program projects.

Further to this, Management provides the following update of some of the activities and projects carried out by the Infrastructure and Environment Department over the last month.

Re-Sheeting Program

Council's re-sheeting program is progressing as scheduled. Hunters Road, Pritchard Road, Shannon Road and Welivere Road currently underway and will be completed late December 2021.

Civil

The civil team is currently carrying out maintenance actives such as sweeping of loose stones from sealed intersections and illegal dumping clean up. The street sweeping contractor has been engaged

to sweep all kerbed streets. No further capital projects will commence for the remainder of 2021, the majority of civil projects will resume late January 2022.

Additionally, the footpath on the following streets have now been installed;

- Mary Street (Chivell to Elizabeth Street)
- Elizabeth Street (Mary Street to Joseph Street), and
- Joseph Street (Chivell Street to Elizabeth Street)

Horticulture

The horticulture team is currently carrying out routine maintenance activities within parks, gardens and oval precincts and slashing rural intersections and re-slashing were required.

RECOMMENDATION

“that Council, having considered Item 15.2 – Infrastructure and Environment Department – Monthly Report – December 2021, dated 13 December 2021 receives and notes the report.”

Attachments

1. Capital Project Progress Report 2021-2022 – December 2021
2. Operating Project Progress Report 2021-2022 – December 2021
3. Local Roads and Community Infrastructure 2021-2022 – December 2021
4. Local Government Partnership Program 2021-2022 – December 2021

References

Legislation

Local Government Act 1999

Council Policies/Plans

Annual Business Plan

Procurement Policy

Infrastructure and Asset Management Plan

Long Term Financial Plan

CAPITAL PROJECT PROGRESS REPORT 2021-2022 - DECEMBER 2021

Budget No	Project Name	Adopted Budget	Carried Forward/ Prior Year Budget	Total Budget	YTD Actual Spend	Available to Spend	Project Commenced (Y/N)	Estimated Project Start Date	Estimated Project Completion Date	Project Completed (Y/N)	Percentage of Completion
72817	Street Scape - Elizabeth Street - William Street to Donaldson Road	30,619		30,619	35	30,584	No	Aug-21	Feb-22	No	0%
72818	Street Scape - Donaldson Road - Elizabeth Street to Wilson Road	57,876		57,876	36,095	21,781	Yes	Aug-21	Feb-22	No	50%
72819	Street Scape - Second Street - Dublin - Sixth Street to Seventh Street	28,204		28,204	-	28,204	No	Aug-21	Feb-22	No	0%
72820	Street Scape - Mary Street - Chivell Street to Elizabeth Street	23,702		23,702	-	23,702	Yes	Aug-21	Feb-22	No	90%
72821	Street Scape - Elizabeth Street - Mallala - Joseph Street to Mary Street	41,141		41,141	-	41,141	Yes	Aug-21	Feb-22	No	90%
72822	Street Scape - Joseph Street - Chivell Street to Elizabeth Street	22,356		22,356	-	22,356	Yes	Aug-21	Feb-22	No	90%
72823	Street Scape - Butler Street - Irish Street to End of Seal	88,493		88,493	28,069	60,424	Yes	Aug-21	Feb-22	No	90%
74015	Pram Ramp renewal to DDA compliant	10,000		10,000	4,345	5,655	Yes	Dec-21	Jun-22	Yes	100%
72813	Sealed Roads - Intersection Upgrade - Hill Street - Dublin Road to Balaklava Road	100,000		100,000	-	100,000	No	Nov-21	Mar-22	No	0%
72814	Sealed Roads - Germantown Road - Gawler Road to Temby Road	110,000		110,000	69	109,931	No	Nov-21	Mar-22	No	0%
72815	Sealed Roads - Dawkins Road - Judd Road to Boundary Road	165,000		165,000	-	165,000	No	Nov-21	Mar-22	No	0%
72816	Sealed Roads - Hayman Road - Williams Road to Boundary Road	485,000		485,000	-	485,000	No	Nov-21	Mar-22	No	0%
72824	Resheet - Artesian Road West - Fertile Avenue to Buckland Park	23,000		23,000	-	23,000	No	Sep-21	Sep-21	No	0%
72825	Resheet - Boundary Road - Bache Road to Redbanks Road	69,000		69,000	34,920	34,080	Yes	Apr-22	May-22	Yes	100%
72826	Resheet - Bubner Road - Port Parham Road to Ruskin Road	47,000		47,000	-	47,000	No	Mar-22	Apr-22	No	0%
72827	Resheet - Cowan Road - Buckland Park Road to Halstead Road West	22,000		22,000	76	21,924	No	Oct-21	Oct-21	No	0%
72828	Resheet - Davies Road - Fidge Road to Collins Road	34,000		34,000	1,004	32,996	No	Nov-21	Nov-21	No	0%
72829	Resheet - Day Road - Hall Road to Gregor Road and Matters Road to Verner Road	67,000		67,000	19,117	47,883	Yes	Oct-21	Oct-21	Yes	100%
72830	Resheet - Frost Road North - Gawler Road to Sharpe Road	82,000		82,000	52,289	29,711	Yes	Aug-21	Sep-21	Yes	100%
72831	Resheet - Griggs Road - Port Gawler Road to Shellgrit Road	10,000		10,000	6,189	3,811	No	Oct-21	Oct-21	No	0%
72832	Resheet - Halstead Road West - Buckland Park Road to End	30,000		30,000	-	30,000	No	Oct-21	Oct-21	No	0%
72833	Resheet - Hunters Road - Port Wakefield Road to Shannon Road	71,000		71,000	4,897	66,103	Yes	Aug-21	Sep-21	Yes	100%
72834	Resheet - Johnson Road - Calomba Road to Shannon Road	90,000		90,000	19,083	70,917	Yes	Feb-22	Mar-22	Yes	100%
72835	Resheet - Navvy Hill Road - Porter Road to Church Road	47,000		47,000	23,480	23,520	Yes	Nov-21	Dec-21	Yes	100%
72836	Resheet - Owen Road - Farrelly Road to March Road	185,000		185,000	477	184,523	No	Dec-21	Dec-21	No	0%
72837	Resheet - Pritchard Road - Windsor - Long Plains Road to Avon Road	63,000		63,000	14,462	48,538	Yes	Jan-22	Jan-22	Yes	100%
72838	Resheet - School Road - Rowe to Church Road	21,000		21,000	7,200	13,800	Yes	Jan-22	Jan-22	Yes	100%
72839	Resheet - Shannon Road - Hunters Road to Carslake Road	98,000		98,000	1,301	96,699	Yes	Feb-22	Feb-22	No	50%
72840	Resheet - Temby Road - Williams Road to Hall Road	71,000		71,000	49,814	21,186	Yes	Aug-21	Aug-21	Yes	100%
72841	Resheet - Verner Road - Paddys Bridge Road to Tembys Road and Germantown to Hall Road	59,000		59,000	25,102	33,898	Yes	May-22	Jun-22	Yes	100%
72842	Resheet - Wasleys Road - End Bridge to Pritchard Road	20,000		20,000	6,148	13,852	Yes	Nov-21	Nov-21	Yes	100%
72843	Resheet - Welivere Road - Long Plains Road to House	20,000		20,000	4,406	15,594	Yes	Apr-22	Apr-22	Yes	100%
72844	Resheet - Williams Road - Kenner Road to Simpkin Road	34,000		34,000	17,123	16,877	Yes	Sep-21	Sep-21	Yes	100%
72845	Resheet - Windsor Road - Port Wakefield Road to Carter Road	32,000		32,000	3,291	28,709	No	Jan-22	Jan-22	No	0%
72846	Two Wells Oval - Irrigation system	95,000		95,000	51	94,949	Yes	Mar-22	Jun-22	No	20%
72847	Parham Playground - Shade shelter, New element & Mallala Playground - New element	90,000		90,000	-	90,000	No	Dec-21	Jun-22	No	0%
72848	Two Wells Oval Entrance - Paths, landscaping, furniture.	70,000		70,000	600	69,400	No	Oct-21	Dec-21	No	0%
72849	Dublin Lions Park - Paths, landscaping, furniture.	70,000		70,000	-	70,000	No	Mar-22	May-22	No	0%
72850	Lewiston Reserve - Fencing	10,000		10,000	7,217	2,783	Yes	Aug-21	Sep-21	Yes	100%
72851	Various locations - Reserve and Street furniture	15,000		15,000	-	15,000	No	Oct-21	Dec-21	No	0%
72852	Various locations - Signage - wayfinding and information	35,000		35,000	-	35,000	No	Nov-21	Jun-22	No	0%
72853	Parham Short Stay Facility Upgrade	200,000		200,000	242	199,758	No			No	0%
72854	Dublin Institute/ Hall - Toilets	80,000		80,000	104	79,896	No	Dec-21	Jun-22	No	0%
80064	Two Wells Levee	2,015,000		2,015,000	-	2,015,000	No	Jul-21	Jun-22	No	0%
75100	Plant and Equipment Program	822,000	27,500	849,500	-	849,500	No	Jul-21	Jun-22	No	0%

746 & 727	Two Wells Village Green including New Public Toilet		1,069,000	1,069,000	1,059,868	9,132	Yes	Jul-21	Oct-21	Yes	100%
72802	Dublin Lions Park - Toilet Block Renewal		180,000	180,000	86,003	93,997	Yes	Jul-21	Oct-21	No	50%
72810	Sealing of Wheller Road		141,000	141,000	11,338	129,662	Yes	Aug-21	Dec-21	No	80%
			5,859,390	1,417,500	7,276,890	1,524,415	5,752,474				

OPERATING PROJECT PROGRESS REPORT 2021-2022 - DECEMBER 2021

Budget No	Project Name	Adopted Budget	Carried Forward from 20/21	Total Budget	YTD Actual Spend	Available to Spend	Project Commenced (Y/N)	Estimated Project Start Date	Estimated Project Completion Date	Project Completed (Y/N)	Percentage of Completion
80020	Installation of single lane roundabout	-	500,000	500,000	-	500,000	No	Jul-21	Jun-22	No	0%
80011	Two Wells Main Street Upgrade – Detailed design work	-	49,253	49,253	-	49,253	No	Jul-21	Jun-22	No	0%
80022	Relocation - TW Trotting Club	-	28,234	28,234	10,149	18,085	Yes	Jul-21	Dec-21	No	70%
80064	Two Wells Resource Recovery Centre - Bin Retaining Wall/Container for Mattresses	-	4,426	4,426	4,426	-	Yes	Jul-21	Sep-21	Yes	100%
			581,913	581,913	14,575	567,338					

LOCAL ROAD AND COMMUNITY INFRASTRUCTURE PROGRAM - ROUND 1 (30 JUNE 2021)

Budget No	Project Name	Total Budget	YTD Actual Spend	Available to Spend	Project Commenced (Y/N)	Estimated Project Start Date	Estimated Project Completion Date	Project Completed (Y/N)	Percentage of Completion
72803	RV dump point Two Wells	5,000	5,000	-	Yes	Jun-21	Jun-21	Yes	100%
72803	Mallala Museum – cleaning, upstairs painting and floor coverings	38,000	38,000	-	Yes	Feb-21	Feb-21	Yes	100%
72803	Clara Harniman Reserve – external fencing	8,060	8,060	-	Yes	Feb-21	Feb-21	Yes	100%
72803	Parham Campgrounds Toilet Facility	110,459	99,015	11,444	Yes	Jun-21	Oct-21	No	80%
72803	Mallala Museum - Upstairs air conditioning	11,940	11,940	-	Yes	Jun-21	Sep-21	Yes	100%
72803	Clara Harniman Reserve - water and power connection to APEC	10,000	10,000	-	Yes	Feb-21	Feb-21	Yes	100%
72803	Lewiston Reserve – Half Court Basketball and site improvements	22,000	22,000	-	Yes	May-21	May-21	Yes	100%
72803	Two Wells Oval – Toilet Block	140,000	140,000	-	Yes	Jun-21	Oct-21	No	100%
		345,459	334,015	11,444					

LOCAL ROAD AND COMMUNITY INFRASTRUCTURE PROGRAM - ROUND 2 (31 DECEMBER 2021)


Budget No	Project Name	Total Budget	YTD Actual Spend	Available to Spend	Project Commenced (Y/N)	Estimated Project Start Date	Estimated Project Completion Date	Project Completed (Y/N)	Percentage of Completion
72805	Coats Road - Construct and Seal	376,000	330,879	45,121	Yes	Aug-21	Dec-21	No	100%
72812	Middle Beach - New shelter, Barbeque, seating and site improvements	94,489	-	94,489	No	Oct-21	Dec-21	No	0%
		470,489	330,879	139,610					

LOCAL ROAD AND COMMUNITY INFRASTRUCTURE PROGRAM - ROUND 3 (30 June 2023)

Budget No	Project Name	Total Budget	YTD Actual Spend	Available to Spend	Project Commenced (Y/N)	Estimated Project Start Date	Estimated Project Completion Date	Project Completed (Y/N)	Percentage of Completion
									0%
									0%
		690,000	-						

LOCAL GOVERNMENT INFRASTRUCTURE PARTNERSHIP PROGRAM (31 DECEMBER 2023)

Budget No	Project Name	Total Budget	YTD Actual Spend	Available to Spend	Project Commenced (Y/N)	Estimated Project Start Date	Estimated Project Completion Date	Project Completed (Y/N)	Percentage of Completion
72806	Aerodrome Road (Hall Street to Farrelly Road)	650,000	40,695	609,305	No	Mar-22	Jul-22	No	0%
72807	Barabba Road (Redbanks Road to Mallala Road)	1,020,000	41,230	978,770	No	Jan-22	Apr-22	No	0%
72808	Cheek Road (Redbanks Road to Wasleys Road)	620,000	60,990	559,010	No	Nov-21	Feb-22	No	0%
72809	Middle Beach Road (End of Seal to Start of Seal)	2,390,000	56,433	2,333,567	No	Jun-22	Dec-22	No	0%
		<u>4,680,000</u>	<u>199,348</u>	<u>4,480,652</u>					

 Adelaide Plains Council	15.3	Adelaide Plains Kennel and Obedience Club Project – Summary
	Department: Report Author:	Infrastructure and Environment General Manager Infrastructure and Environment
Date: 13 December 2021	Document Ref:	D21/53641

OVERVIEW

Purpose

The purpose of this report is to provide an update in relation to the status of the relocation of the Adelaide Plains Kennel and Obedience Club (APKOC) project, for Council Members' information.

Background

Management presented a report to Council, at its Ordinary Meeting on 19 February 2018 with the recommendation to begin the relocation process of the APKOC.

Council, at its Ordinary Meeting on 19 February 2018 resolved as follows:-

14.3 Relocation – Adelaide Plains Kennel and Obedience Club

Moved Councillor Panella Seconded Councillor Stubing 2018/ 046

“that that Council, having considered 14.3 – Relocation – Adelaide Plains Kennel and Obedience Club, dated 19 February 2018, receives and notes the report and in doing so:-

- 1. Authorises Council staff to commence the public consultation process pursuant to Section 202 of the Local Government Act 1999, in regard to the leasing of Allotment 29, DP 17602, Lewiston, known as Clara Harniman Reserve, and comprised in Certificate of Title Volume 5546 Folio 494, to the Adelaide Plains Kennel and Obedience Club Inc;***
- 2. In the event that objections are received to the leasing of portion of Allotment 29, DP 17602, Lewiston, known as Clara Harniman Reserve, comprised in Certificate of Title Volume 5546 Folio 494, to the Adelaide Plains Kennel and Obedience Club Inc, by the conclusion of the public consultation process, a report be presented to Council for consideration;***
- 3. In the event that no objections are received to the leasing of portion of Allotment 29, DP 17602, Lewiston, known as Clara Harniman Reserve, comprised in Certificate of Title Volume 5546 Folio 494, to the Adelaide Plains Kennel and Obedience Club Inc, by the conclusion of the public consultation process, the Chief Executive Officer be authorised to seek the assistance of Norman Waterhouse Lawyers and to negotiate and finalise the terms and conditions of the lease;***

- 4. Authorises, pursuant to Sections 38 and 44 of the Local Government Act 1999, the Mayor and Chief Executive Officer to execute the lease agreement between the Adelaide Plains Council and the Adelaide Plains Kennel and Obedience Club Inc;**
- 5. In accordance with Section 166(1)(j) of the Local Government Act 1999, Council, being satisfied that the portion of Allotment 29 comprised in Certificate of Title Volume 5546 Folio 494, is being used by an organisation which, in the opinion of Council, provides a benefit or service to the local community, grants a discretionary rebate of 100% of the rates imposed, effective from the 2018/19 rating year; and**
- 6. That the following expenditure be considered in Council's 2018/19 budget deliberations:**
 - 1. \$5,000 – SA Water Connection/Meter**
 - 2. \$5,000 – Water – trenching to site**
 - 3. \$2,000 – Fencing upgrade, gate installation (adjacent Gawler Rd)**
 - 4. \$15,000 – SA Power Networks Connection to site including trenching**
 - 5. \$5,000 – site levelling**
 - 6. Clubroom replacement – Option A \$70,000 or Option B \$20,000**
 - 7. \$20,000 - Provision for waste water disposal – (subject to Engineers Report – which will require soil report to determine if Enviro Cycle or septic tank and soakage trench would be suitable for the site).**
 - 8. \$2,000 car parking area – site preparation**
 - 9. \$1,000 Rubbish removal from site**
 - 10. \$5,000 External lighting”.**

CARRIED

Following the above resolution of Council, the 2018/2019 Annual Business Plan and Budget was developed and released for public consultation, with submissions presented to Council, at Special Meeting on 9 July 2018. A submission as part of the public consultation was received from APKOC requesting an increase of funding from \$50,000 to \$130,000.

Furthermore, Council, at its Special Meeting on 9 July 2018 endorsed the 2018/2019 Annual Business Plan and Budget with an allocation of \$50,000 for the APKOC relocation project.

The relocation of the APKOC was place on hold by APKOC following the allocation of \$50,000 to the project. APKOC made a deputation and a submission to Council in early 2019 in relation to the 2019/2020 Annual Business Plan and Budget.

Council, at its Special Meeting on 27 June 2019 resolved the 2019/2020 Annual Business Plan and Budget with an allocation of an additional \$100,000 for the APKOC relocation project.

Discussion

APKOC have occupied the portion of land located on Old Pt Wakefield Road, Two Wells, Part CR 5984/730 Section 180 (Crown Land under Council care and control) since 1989. The project scope was to relocate APKOC to Clara Harniman Reserve - Gawler Road, Lewiston with similar improvements located at the present leased site, which are as follows:

- Connection to SA Power
- Connection to SA Water
- Clubroom including toilet facilities
- Provision for Waste Water Disposal
- Fenced site
- External lighting
- Car parking area.

Project Outcomes

The use and development of Clara Harniman site was determined by APKOC with Management establishing a project management framework for the management and monitoring of the project deliverables. The implementation of the project management framework enabled all project decisions to be at the discretion of APKOC and approved by the nominated APKOC representative.

Presented as **Table 1** is a comparison of the site improvement at the Old Port Wakefield Road, Two and Gawler Road, Lewiston (Clara Harniman Reserve) sites.

Table 1 – Site improvement comparison

Description	Old Pt Wakefield Rd, Two Wells	Gawler Road, Lewiston (Clara Harniman)	Comments
\$5,000 - SA Water Connection/Meter	SA Water meter installed to site.	SA Water meter installed to site.	
\$5,000 - Water – trenching to site	SA Water available and connected to building.	SA Water available and connected to building.	
\$2,000 - Fencing upgrade, gate installation (adjacent Gawler Rd	Site fenced 2x sides of the leased area.	Gate installed (adjacent to Gawler Road). Perimeter of lease area fenced with canine approved fencing.	At an additional cost of \$19,000.

\$15,000 - SA Power Networks Connection to site including trenching	SA Power Networks connection installed to site.	SA Power Networks connection installed to site.	
\$5,000 - site levelling	Site levelled. 6,900m2	Site levelled. 10,340m2	APKOC resolved to cater for future growth. 3,440m2 of additional space. The site levelling and car park totalled \$40,000.
\$2,000 car parking area – site preparation	Car park footprint is 730m2	Car park footprint is 1,380m2	APKOC resolved to cater for future growth.
\$70,000 Clubroom replacement	Clubroom footprint is 147m2 (including standalone toilet facility.	Clubroom footprint is 260m2.	APKOC resolved to cater for future growth. At a cost of \$71,000.
\$20,000 - Provision for waste water disposal - (subject to Engineers Report - which will require soil report to determine if Enviro Cycle or septic tank and soakage trench would be suitable for the site).	Standalone toilet facility with 1 female toilet and 1 male toilet cubicle. Non complying disability access toilet facility.	Toilet facilities with 3 unisex cubicles and 1 disability access cubicle.	APKOC resolved to cater for future growth. At a cost of \$17,000.
\$1,000 Rubbish removal from site	Clean site	Clean site.	
\$5,000 External lighting	1x light on pole	Flood lighting on building.	

Lease

The APKOC lease was executed on 25 February 2019, and it is important to note that Council has granted APKOC what is commonly known as a peppercorn lease rather than a market value lease. This type of lease is commonly used for community groups. The purpose of such a lease is to enable APKOC to further the Club's objectives. Where peppercorn leases are granted, it is incumbent upon the relevant Club to manage the development and maintenance of a property so that these costs are not born by the ratepayers. Additionally, the lease has the following clauses contained within in relation to ownership of improvements and insurances;

- 6.2.6 Unless otherwise agreed in writing between the parties, and despite any rule of law to the contrary, all New Improvements constructed or erected on the Premises;
 - 6.2.6.1 will remain the sole property of the Lessee;
- 7.1 Lessee must insure
 - The Lessee must keep current during the Term in connection with the Premises;
 - 7.1.1 public risk insurance for at least the amount in Item 7 (or any other amount the Council reasonably requires) for each claim and unlimited in the annual aggregate;
 - 7.1.2 building insurance in respect of the Lessess's New Improvements and contents insurance for the Lessees' equipment for their full replacement value, and
 - 7.1.3 other insurances required by any Statutory requirements or which the Council reasonably requires.

Summary

This report is provided to Members by way of progress update.

RECOMMENDATION

"that Council, having considered Item 15.3 – Adelaide Plains Kennel and Obedience Club Relocation Project - Summary, dated 13 December 2021 receives and notes the report."

Attachments

1. Correspondence from APKOC and response by the Chief Executive Officer Adelaide Plains Council.

References

Legislation

Local Government Act 1999

Council Policies/Plans

Annual Business Plan

Procurement Policy

Our Ref: D21/50998

18 November 2021

Mrs Deb Heinze
President, Adelaide Plains Kennel and Obedience Club
PO Box 7
WILLASTON SA 5118

By email:

Dear Deb

Re: Adelaide Plains Kennel and Obedience Club (APKOC) Relocation

I refer to our meeting held at Clara Harniman Reserve on Thursday 4 November 2021.

Firstly, I would like to congratulate you and your members on the substantial progress achieved to date of your new facility and I thank you for your time in showcasing what has been delivered to this point and what is still required to complete the project.

Since your deputation to Council's 27 September 2021 ordinary meeting, there has been a series of incoming and outgoing communications from APKOC and Council, including Council Members themselves, regarding your request for additional funding to close out the project. I note in particular APKOC's two most recent communications to me dated 6 November 2021 and 17 November 2021 (**attached**).

Given the nature of your request and the need for the Elected Body to formally consider same, I hereby advise that a full and thorough report will be presented to Council at the 13 December 2021 meeting for Members' consideration including relevant background, agreed commitments, lease particulars and pertinent resolutions informing the pathway taken by APKOC and Council at the time.

I trust that this correspondence provides clarity with the direction I intend taking such that the Elected Body, APKOC and the general public is fully informed through an open and transparent reporting process.

Yours sincerely



James Miller
Chief Executive Officer

Stacie Shrubsole

From: [REDACTED]
Sent: Saturday, 6 November 2021 1:23 PM
To: Stacie Shrubsole
Subject: APK&O Club - Re onsite meeting Thursday 4th November

****CAUTION:** This email is from a person outside of Adelaide Plains Council. **Do not click on links or open attachments** - unless you recognise the sender and know the content is safe**

Good day Stacie,

On behalf of the APK&O Club, the meeting on Thursday was quite progressive and many thanks to Mike Ravno and CEO James Miller for attending

As promised the club attendees were Nick & Debbie Heinze, Colin McEgan, Ellen Heinze and Ruth Heinze

Points of discussion

- Reiterating the past 18 months achievements and costings
- “what” is required next - critical control points
 - Providing the grass/irrigation to sustain the grounds to keep members coming back
 - Provide infrastructure to complete a “Safe Environment”, in the building
 - Insulation
 - Gyprock
 - Flooring
 - Toilets
 - Electrical
- We are in positive negotiations with Viss Water to secure a water feed from Vigara – this project is to cost APK&O Club \$25K approximately
- This is what our finances can sustain at this time and ‘is’ critical to continue
- Discussed the possibility of providing ‘Community’ assistance programs – host Microchipping for the dog community
- Potential Growth going forward (not just providing a ‘minuet’ non-viable club facility)

With respect, the outcome of Mr Millers visit would be appreciated, as soon as possible

Once again, when the ‘councillors bus tour, is reprogrammed – would truly appreciate being included on the schedule

Kind regards

Deb Heinze

President

APK&O Club

Stacie Shrubsole

From: Nick Heinze [REDACTED]
Sent: Wednesday, 17 November 2021 3:25 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: ATTENTION CEO James Miller Re: APK&O Club - Insurance Coverage - Lewiston Building/Grounds
Importance: High

****CAUTION:** This email is from a person outside of Adelaide Plains Council. **Do not click on links or open attachments** - unless you recognise the sender and know the content is safe**

Good day CEO Mr Miller,

May I request your urgent attention to the current 'Insurance Cover' concerning the APK&O Club Clara Harniman Reserve, Lewiston Site

There is an urgent requirement for the 'Adelaide Plains Council', to confirm the exact coverage/liability toward the use of grounds and 'Condition of Building'

As I have just been informed by our insurance broker – Mr Rob Mitchell - QBE Insurance, - "They shall not cover us, for an incomplete building".

Rob visited our site on Wednesday 9th December 2020, and at that stage the 'building' was just being constructed and with the council funding the project at that stage, Council was and confirmed to be liable for insurance cover. Forward to today – Wednesday 17th November 2021, with the council funding 'complete' and the building/clubrooms 'Not Complete' there is now a massive issue in regards to

- Duty of Care
- Liability
- Due Diligence
- Occupational Health and Safety

Rob has advised me , at this time, - APK&O Club is not covered under the current policy with building insurance – as it is not up to 'Building Construction Code'

"Should there be any claims, Council shall be liable"

Recently with our correspondence toward the 'General Council' meeting, 27th September 2021, replies by email and more recently Thursday 4th November 2021, our onsite visit with yourself and Mike Ravno, I have continuously and strongly advised of our concerns in regards to 'Due diligence/OH&S' issues with the building being 'incomplete, due to insufficient funds'.

Our insurance is directed through Dogs SA, our governing body, they use Holdfast Insurance Brokers, with QBE our current insurer


The annual cover expires 31st December and renewal payment sent to us, due in January, therefore the utmost importance is to establish "Liability" now, in order to complete policy renewal for 2022

You are welcome to contact Rob Mitchell [REDACTED] for Holdfast Insurance Brokers

Once again, your assistance and direction as a matter of urgency shall be appreciated

Kind regards
 Deb Heinze
 President



 Adelaide Plains Council	15.4	Sale of Land for Non-Payment of Rates – December 2021 Update
	Department:	Finance and Business
	Report Author:	General Manager – Finance and Business
Date: 13 December 2021	Document Ref:	D21/52190

OVERVIEW

Pursuant to section 184 of the *Local Government Act 1999*, Council at its Ordinary Meeting held on 27 September 2021, resolved (in confidence) to sell 26 properties with combined overdue council rates of \$200,639 inclusive of quarter one (1) instalment of 2021/2022 Financial Year.

Following Council resolution, Council management sent 'Notice of Intention to Sell Land for Non-Payment of Council Rates' requesting payment of overdue rates in full within 30 days. Accordingly, as of 1 December 2021:-

- Three (3) ratepayers have paid outstanding rates amount in full;
- Four (4) ratepayers contacted the council and agreed on a payment plan;
- There has been no response from the remaining 19 ratepayers and therefore, following the expiry of 30 days period, those ratepayers will be referred to Council debt collection agency to commence Section 184 process.

RECOMMENDATION

“that Council, having considered Item 15.4 – Sale of Land for Non-Payment of Rates – December 2021 Update, dated 13 December 2021, receives and notes the report.”

Attachments

Nil

References

Legislation

Local Government Act 1999 – Section 184 - Sale of land for non-payment of rates

Council Policies/Plans

Rates Arrears and Debtor Management Policy

 Adelaide Plains Council	21.1 Confidential Item
13 December 2021	

21.1 Crown Land, Two Wells – December 2021

RECOMMENDATION


“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, Administration and Executive Support Officer/Minute Taker, Information Technology Support Officer and Mr Sean Keenihan of Norman Waterhouse Lawyers be excluded from attendance at the meeting of Council for Agenda Item 21.1 – *Crown Land, Two Wells – December 2021***
- 2. Council is satisfied that pursuant to section 90(3)(b) and 90(3)(h) of the Local Government Act 1999, Item 21.1 – *Crown Land, Two Wells – December 2021* concerns:**
 - a. 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**
 - b. legal advice, being a verbal briefing by Mr Sean Keenihan, Chair, Norman Waterhouse Lawyers in relation to the matter of 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.”**

RECOMMENDATION

“that Council, having considered the matter of Item 21.1 – *Crown Land, Two Wells – December 2021* in confidence under sections 90(2) and 90(3)(b) of the *Local Government Act 1999*, resolves that:

- 1. The report, Attachment 1, Attachment 2, Attachment 3 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, 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.”**

 Adelaide Plains Council	21.2 Confidential Item
13 December 2021	

21.2 Australia Day Awards 2022

RECOMMENDATION

“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 Manger – Governance and Executive Office, General Manager – Development and Community, General Manager – Finance and Business, General Manager – Infrastructure and Environment, Manager Governance and Administration, Manager Library and Community, Administration and Executive Support Officer/Minute Taker and Information Technology Officer be excluded from attendance at the meeting of the Council for Agenda Item 21.2 – *Australia Day Awards 2022*;**
- 2. Council is satisfied that pursuant to section 90(3)(o) of the Local Government Act 1999, Item 21.2 – *Australia Day Awards 2022* concerns information relating to proposed Australia Day Award recipients before the presentation of the awards; 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.”**

RECOMMENDATION

“that Council, having considered the matter of Agenda Item 21.2 – *Australia Day Awards 2022* in confidence under sections 90(2) and 90(3)(o) of the *Local Government Act 1999*, resolves that:

- 1. The staff report and the minutes pertaining to Agenda 21.2 – *Australia Day Awards 2022* 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 2022* 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.”**