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 Chambers
Redbanks Road
Mallala

on

Monday, 18 December 2017 at 6.30 PM

----------------------------------------
Martin Waddington
ACTING CHIEF EXECUTIVE OFFICER
AGENDA

1 ATTENDANCE RECORD
1.1 Present
1.2 Apologies
1.3 Not Present/Leave of Absence

2 MINUTES
2.1 Confirmation of Council Minutes – Ordinary Meeting held 20 November 2017
2.2 Confirmation of Council Minutes – Adjourned Meeting held 21 November 2017

3 BUSINESS ARISING

4 ADJOURNED BUSINESS
No Adjourned Business

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

6 OPEN FORUM

COMMUNICATIONS

7 MAYOR’S REPORT
7.1 Meetings Attended and / or Discussions Held

8 REQUESTED DOCUMENTS/CORRESPONDENCE TO BE TABLED

DEPUTATIONS AND PRESENTATIONS

9 DEPUTATIONS
No Deputations

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10.2 Regional Development Australia, Barossa - Anne Moroney, Chief Executive Officer
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No Petitions

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No Committee Recommendations

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22 CLOSURE
Items:

2.1 Confirmation of Council Minutes – Ordinary Meeting held 20 November 2017

2.2 Confirmation of Council Minutes – Adjourned Ordinary Meeting held 21 November 2017

RECOMMENDATION

“that the minutes of the Ordinary Council Meeting held on Monday 20 November 2017 (MB Folios 13655 to 13670, inclusive), be accepted as read and confirmed.”

“that the minutes of the Adjourned Ordinary Council Meeting held on Tuesday 21 November 2017 (MB Folios 13613671 to 13680, 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 Chambers
Redbanks Road,
Mallala

on

Monday, 20 November 2017
Mayor Flaherty formally declared the meeting open at 6.30 pm.

1. ATTENDANCE RECORD

1.1 Present:

Mayor A J (Tony) Flaherty OAM JP
Councillor Melville Lawrence
Councillor S M (Marcus) Strudwicke
Councillor Terry-Anne Keen
Councillor Eddie Stubing
Councillor Stephen Jones (from 6.31 pm)
Councillor P D (Joe) Daniele
Councillor Karen McColl
Councillor Carmine Di Troia
Councillor Margherita Panella

Also in Attendance:

Chief Executive Officer Mr James Miller
General Manager, Infrastructure Mr Martin Waddington
General Manager, Governance and Communications Ms Sheree Schenk
General Manager, Finance and Economic Development Mr Rajith Udagampola
General Manager, Development and Community Mr Robert Veitch
Planning Officer Ms Megan Lewis
Minute Secretary Ms Andrea Post

1.2 Apologies:

Nil

1.3 Not Present / Leave of Absence:

Nil
The Mayor acknowledged the recent passing of Two Wells resident Mr Dominic Trimboli.

Moved Councillor Lawrence  Seconded Councillor Panella  2017/339

“That Council acknowledges the recent passing of Mr Dominic Trimboli and recognises his service to the community.”

CARRIED

2. CONFIRMATION OF MINUTES

2.1 Confirmation of Council Minutes – Ordinary Meeting held 16 October 2017

Moved Councillor McColl  Seconded Councillor Keen  2017/340

“That the minutes of the Ordinary Council Meeting held on Monday 16 October 2017 (MB Folios 13644 to 13654, inclusive), be accepted as read and confirmed.”

CARRIED

2.2 Confirmation of Council Minutes – Special Meeting held 6 November 2017

Moved Councillor Lawrence  Seconded Councillor Panella  2017/341

“That the minutes of the Special Council Meeting held on Monday 6 November 2017 (MB Folios 13655 to 13658, inclusive), be accepted as read and confirmed.”

CARRIED

3. BUSINESS ARISING

No Business Arising

4. ADJOURNED BUSINESS

No Adjourned Business

5. DECLARATION OF MEMBERS’ INTEREST (material, actual, perceived)

5.1 Councillor Lawrence declared a material conflict of interest in item 14.4 – Appointment of Deputy Mayor stating that he would receive a greater pay rate if appointed Deputy Mayor.

5.2 Councillor Jones declared an interest in item 12.3 – Strategic Planning and Development Policy Committee Meeting.

5.3 Councillor Di Troia declared an interest in item 12.3 – Strategic Planning and Development Policy Committee Meeting.

Councillor Strudwicke raised a Point of Order on the basis that a reason is required to be given when declaring a conflict of interest.
The Mayor accepted the Point of Order.
Councillor Jones stated that he “has property involved”.
Councillor Di Troia stated that he “has land in the area”.

6. OPEN FORUM

The Presiding Member, with approval of two-thirds of the members present suspended the meeting procedures pursuant to Regulation 20(1) of the Local Government (Procedures at Meetings) Regulations 2013, for a period of 10 minutes to facilitate ‘Open Forum’. The meeting was suspended at 6.33 pm.

Neil Slater \(\textit{Mallala}\)
Topics Discussed
- Concerns regarding “waste” in the Council area, and the high cost of rates.

The meeting resumed at 6.36 pm

7. MAYOR’S REPORT

Monday, 16 October 2017
Pre Council Meeting – Mayor / CEO / General Managers
Ordinary Council Meeting

Tuesday, 17 October 2017
Mayor and CEO – Council debrief

Wednesday, 18 October 2017
Waste Transfer and Quarry Site Inspections
Governance Advisory Panel Meeting

Thursday, 19 October 2017
Gawler River Floodplain Management meeting debrief with CEO

Thursday, 26 October 2017
Gawler River Floodplain Management meeting with CEO and Light Regional Council CEO – regional position statement update

Monday, 30 October 2017
McArthur Management meeting with CEO
Designated Informal Gathering – Kerbside Waste Tender
Designated Informal Gathering - Planning, Development & Infrastructure Act Update
Public Meeting – Development Plan Amendment hearing of representatives

Wednesday, 1 November 2017
CEO Open Door
8. REQUESTED DOCUMENTS/CORRESPONDENCE TO BE TABLED

Nil

9. DEPUTATIONS

9.1 Alinta Energy deputation commenced at 6.37 pm
- Huw Adler – Manager Business Development, Alinta Energy
- Sam Withers – Environmental Engineer, Arcadis

At this juncture 6.42 pm, Councillor Lawrence left the meeting having declared an interest in item 9.1 – Alinta Energy deputation, as the development application is to be assessed by the Council Assessment Panel of which Councillor Lawrence is a member.
- Greg Harrison – Infrastructure Advisory Director, Arcadis

Representatives of Alinta Energy addressed the meeting in order to provide Council Members and those from the community in attendance at the meeting, an overview of the proposal submitted to the Department for Planning, Transport and Infrastructure (DPTI), the supporting specialist assessments as well as the project benefits and next steps for the project.

The deputation concluded at 6.53 pm

At this juncture 6.54 pm, Councillor Lawrence returned to the meeting.

9.2 Commercial in Confidence – Two Wells Development deputation commenced at 6.54 pm
9.2 Moved Councillor Strudwicke Seconded Councillor McColl 2017/342

“That, under the provisions of Section 90(2) of the Local Government Act 1999, an order be made that the public with the exception of Chief Executive Officer, General Manager – Infrastructure, General Manager, Finance and Economic Development, General Manager, Governance and Communications, General Manager – Development and Community, Planning Officer and the Minute Take be excluded from attendance at the meeting of the Council in order to consider in confidence this item.

9.2 – Commercial in Confidence – Two Wells Development:

The Council is satisfied that it is necessary that the public be excluded to enable the Council to consider the deputation at the meeting:

- on the grounds provided by Section 90(3)(d), commercial information of a confidential nature (not being a trade secret) the disclosure of which:
  - could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on the third party; and
  - would, on balance, be contrary to the public interest; and

- on the basis that information within the deputation:
  - contains commercial information
  - it would be unreasonable to disclose this information as part of the confidential commercial discussions

Accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.”

CARRIED

- Introduction – Michael Hickinbotham, Managing Director, Hickinbotham Group
- Eden & Liberty Update – Michael Visintin, Design IQ, Urban Designer
- Planning Opportunities – Phil Brunning, Phil Brunning and Associates, Planner

The deputation concluded at 7.52 pm.

9.2 Moved Councillor Strudwicke Seconded Councillor Lawrence 2017/343

“That, in accordance with Section 91(7) and Section 91(9) of the Local Government Act 1999 and on the grounds that Item 9.2 – Commercial in Confidence – Two Wells Development for the meeting of the Council held on 20 November 2017, was received, discussed and considered in confidence pursuant to Section 90(3)(d) of the Local Government Act 1999, this meeting of the Council, does order that:

(a) the deputation and information discussed in relation to the matter remain confidential and not available to the public until further order of the Council;

(b) the confidentiality of the matter be reviewed once in each 12 months;
and

(c) 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.”

CARRIED

At this juncture 7.52 pm, Councillors Stubing and McColl left the meeting.

At this juncture 7.53 pm, Councillor Di Troia left the meeting.

At this juncture 7.54 pm, Councillor Stubing re-entered to the meeting.

At this juncture 7.54 pm, Councillor McColl re-entered to the meeting.

At this juncture 7.55 pm, Councillor Di Troia re-entered to the meeting.

10. PRESENTATIONS / BRIEFINGS

Nil

11. PETITIONS

Nil

12. COMMITTEE RECOMMENDATIONS

12.1 Mallala and Districts Historical Committee – meetings held 4 October 2017 and 1 November 2017

Moved Councillor Strudwicke Seconded Councillor Lawrence 2017/344

“that Council receives and notes the minutes of the Mallala and Districts Historical Committee meetings held 4 October 2017 and 1 November 2017.”

CARRIED

12.2 Governance Advisory Panel – meeting held 18 October 2017

Moved Councillor Strudwicke Seconded Councillor Panella 2017/345

“that Council receives and notes the minutes of the Governance Advisory Panel meeting held on 18 October 2017.”

CARRIED

12.2 Moved Councillor Strudwicke Seconded Councillor Stubing 2017/346

“that Council endorses the recommendation of the Governance Advisory Panel and in doing so requests that administration approach the Local Government Association Workers Compensation Scheme and Local Government Association Mutual Liability Scheme to assist in the preparation of a review in relation to this matter with a focus
on comparing Council’s practice to Council’s procedures, in particular:-

- Asbestos Management Procedure;
- Contract Management Policy Procedure; and
- Hazard Management Policy Procedure

with the outcome of the review to be presented back to the Panel to make recommendations to Council for further consideration.”

CARRIED

12.2 Moved Councillor Strudwicke Seconded Councillor Daniele 2017/ 347

“that Council endorses the recommendation of the Governance Advisory Panel and in doing so requests that the Chief Executive Officer hold discussions with neighbouring councils with a focus to work collaboratively to outline a public awareness campaign, educating and advising the community in relation to illegal dumping, including the attached penalties.”

CARRIED

12.3 Strategic Planning and Development Policy Committee Meeting – 6 November 2017

Moved Councillor Panella Seconded Councillor Strudwicke 2017/ 348

“that Council receives and notes the minutes of the Strategic Planning and Development Policy Committee meeting held 6 November 2017.”

CARRIED

At this juncture 7.59 pm, Councillors Jones and Di Troia having declared an interest in item 12.3 – Strategic Planning and Development Policy Committee, left the meeting.

12.3 Moved Councillor Panella Seconded Councillor Keen 2017/ 349

“that Council endorses the recommendation of the Strategic Planning and Development Policy Committee and in doing so:-

- endorses the Draft Northern Food Bowl Protection Areas DPA subject to the proposed amendments recommended in the Summary of Consultation and Proposed Amendments Report, (as presented under separate cover);
- authorises the Chief Executive Officer to forward the DPA to the Minister for Planning for approval under Section 25(14) of the Development Act 1993 and in doing so confirms that the DPA has been prepared in accordance with the Development Act 1993 Section 25(14)(b); and, that the DPA satisfies the matters prescribed in the Development Regulations 2008; and
- grants authority to the Chief Executive Officer to make minor changes of a technical or editorial nature to the DPA to facilitate final approval, as deemed necessary by the Department or the Minister for Planning.”
12.3 Moved Councillor Lawrence Seconded Councillor Keen 2017/350

“that Council endorses a further amendment to the Northern Food Bowl Protection Areas DPA to allow the following twelve land parcels to sub-divide into 4 hectare allotments for horticulture purposes:- CT5639/512; CT5625/171; CT5901/921; CT5901/920; CT5483/243; CT5625/171; CT5940/167; CT5940/166; CT5541/380; CT6037/81; CT6037/82; CT5940/164”.

CARRIED

At this juncture 8.08 pm, Councillors Jones and Di Troia re-entered to the meeting.

12.4 Audit Committee – meeting held 6 November 2017

Moved Councillor McColl Seconded Councillor Strudwicke 2017/351

“that Council receives and notes the minutes of the Audit Committee meeting held on 6 November 2017.”

CARRIED

12.4 Moved Councillor Panella Seconded Councillor Strudwicke 2017/352

“that Council endorses the recommendations of the Audit Committee and in doing so:-

1. receives and notes the Annual Financial Statements and notes forming part of the Annual Financial statements for the 2016/2017 Financial Year;
2. formally adopts the Annual Financial Statements for the year ended 30 June 2017 (subject to resolution regarding the fixed assets register and the Gawler River Floodplain Management Authority, Council’s equity share) and be certified on behalf of the Council by the Mayor and Chief Executive Officer; and
3. authorises the Audit Committee Chairman to sign the “Certification of Auditor Independence.”

CARRIED

12.4 Moved Councillor Strudwicke Seconded Councillor Lawrence 2017/353

“that Council having received and noted the minutes of the Audit Committee meeting dated 11 September 2017, endorses the recommendation considered at Item 4.1 – Gawler River Floodplain Management Authority Review – Prudential Assessment – Withdrawal from the Authority, and in doing so instructs the Chief Executive officer to prepare a report to the next meeting of the Audit Committee outlining the status of Council’s Risk Management processes and whether or not there is indeed a Risk Management Plan and whether it needs to be updated.”
13. ASSOCIATED ORGANISATIONS

13.1 Gawler River Floodplain Management Authority – minutes of meeting held 19 October 2017

Moved Councillor Keen    Seconded Councillor Lawrence    2017/354

“that Council receives and notes the minutes of the Gawler River Floodplain Management Authority Meeting held 19 October 2017.”

CARRIED

14. REPORTS FOR DECISION

14.1 Our Journey: Two Years On...

Moved Councillor Strudwicke    Seconded Councillor Panella    2017/355

“that Council, having considered Item 14.1 – Our Journey: Two Years On..., dated 20 November 2017, receives and notes the report and in doing so acknowledges the significant achievements and outcomes Council (Council Members and Administration alike) has delivered since November 2015.”

Councillor Strudwicke raised a Point of Order on the basis that the debate is closed as the mover to the motion closed the debate.

The Mayor accepted the Point of Order.

CARRIED

Councillor Jones called for a division.

The Mayor declared the vote set aside.

Members voting in the affirmative: Councillors Strudwicke, Di Troia, Daniele, Stubing, Panella, McColl and Lawrence.

Members voting in the negative: Councillors Keen and Jones.

The Mayor declared the motion CARRIED

14.2 Ordinary Meeting Schedule (Dates and Times) 2018

Moved Councillor Panella    Seconded Councillor Lawrence    2017/356

“that Council, having considered Item 14.2 – Ordinary Council Meeting Schedule 2018, dated 20 November 2017, receives and notes the report and in doing so assigns Ordinary Council meetings for 2018 to be on the third Monday of each calendar month, commencing at 5.30 pm, with the exception of January, where the meeting will be held on the fourth Monday of the month”.

LOST

Moved Councillor Strudwicke    Seconded Councillor Panella    2017/357
“that Council, having considered Item 14.2 – *Ordinary Council Meeting Schedule 2018*, dated 20 November 2017, receives and notes the report and in doing so assigns Ordinary Council meetings for 2018 to be on the third Monday of each calendar month, commencing at 6.00 pm, with the exception of January, where the meeting will be held on the fourth Monday of the month”.

**LOST**

Moved Councillor Jones  
Seconded Councillor Panella

“that if the meeting presents a large agenda the meeting be scheduled over two nights and hold two meetings in the one calendar month”.

Councillor Jones, with the consent of Councillor Panella, sought and was granted leave of the meeting to withdraw the motion.

**WITHDRAWN**

Moved Councillor Jones  
Seconded Councillor Panella  
2017/ 358

“that the Chief Executive Officer bring back a report in relation to Council meeting frequency and core business which shall be at the centre of Ordinary Council meetings, including consideration of when deputations should be made to Council”.

**CARRIED**

14.3 Review of Council Committees Structure

Moved Councillor Strudwicke  
Seconded Councillor Panella  
2017/ 359

“that Council, having considered Item 14.3 – *Review of Council Committee Structure*, dated 20 November 2017, receives and notes the report and in doing so:-

1. Acknowledges that Council is required by legislation to establish the following four (4) Committees:-
   a. Building Fire Safety Committee;
   b. Council Assessment Panel;
   c. Strategic Planning and Development Policy Committee; and
   d. Audit Committee.

2. Resolves to change the name of the mandatory Strategic Planning and Development Policy Committee to ‘Strategic Planning and Economic Development Committee’ and in doing so, requests that a review of the Terms of Reference be undertaken in order to incorporate Council’s economic development function.

3. Ceases the operation and therefore dissolves the following current Section 41 Council Committees:-
   a. Animal Management Advisory Committee;
b. Chief Executive Officer Review Committee;
c. Community Development and Advisory Committee;
d. Economic and Infrastructure Advisory Committee; and
e. Mallala and Districts Homes Committee.

4. Retains the following current Section 41 Council Committees:-
   a. Environmental Management Advisory Committee;
b. Governance Advisory Panel; and
c. Mallala and Districts Historical Committee.

5. Resolves to change the name of the Environmental Management Advisory Committee to ‘Infrastructure and Environment Committee’.

6. Resolves to change the name of the Mallala and Districts Historical Committee to ‘Adelaide Plains Council Historical Committee’.

7. Resolves to undertake a review of the Terms of Reference of all remaining Section 41 Committees (including membership composition and meeting frequency) in order to incorporate the relevant changes and finalise the Committee Review process.

8. Authorises the Chief Executive Officer to take any other administrative action required in order to implement the above.”

CARRIED

14.4 Appointment of Deputy Mayor

Moved Councillor Strudwicke Seconded Councillor Jones 2017/360

“that Council, having considered Item 14.4 – Appointment of Deputy Mayor, dated 20 November 2017, receives and notes the report and in doing so resolves that:-

1. The term of office for the position of Deputy Mayor for the Adelaide Plains Council be from 22 November 2017 until the expiration of the current term of Council, being the date of the next General Election in November 2018; and
2. The method of choosing a Deputy Mayor be by indicative vote to determine the preferred person.

Upon completion of the vote Council will, by resolution appoint the successful Council Member as its Deputy Mayor.”

CARRIED

At this juncture 9.16 pm, Councillor Lawrence left the meeting.

14.4 Moved Councillor Keen Seconded Councillor Panella 2017/361

“that Council, having considered Item 14.4 – Appointment of Deputy Mayor, dated 20 November 2017, appoints Councillor Lawrence as Deputy Mayor for the Adelaide Plains Council.”
13667

Ordinary Council Meeting
20 November 2017

CARRIED

At this juncture 9.18 pm, Councillor Lawrence re-entered the meeting.

14.5 2017/2018 – First Budget Update

Moved   Councillor Strudwicke Seconded Councillor Stubing 2017/ 362

“that Council, having considered Item 14.5 – 2017/2018 – First Budget Update, dated 20 November 2017, receives and notes the report and in doing so;

1. Receive and note the project progress reports contained in Attachment 1 & 2; and

2. Pursuant to Regulation 9(1)(a) of the Local Government (Financial Management) Regulations 2011, adopt the updated Budgeted Financial Statements as contained within Attachment 3”.

CARRIED

Moved   Councillor Strudwicke Seconded Councillor Lawrence 2017/ 363

“that the meeting be extended by 30 minutes”.

CARRIED

14.6 Review of Short Stay Accommodation Policy

Moved   Councillor Strudwicke Seconded Councillor Lawrence 2017/ 364

“that Council, having considered Item 14.6 – Review of Short Stay Accommodation Policy, 20 November 2017, receives and notes the report and in doing so notes that the adoption of any further amendments to the short stay policy will be deferred pending consideration of the Memorandum Of Understanding for the Mallala camp grounds”.

CARRIED

14.7 Closed Circuit Television (CCTV) for the Lewiston Open Space facility

Moved   Councillor Lawrence Seconded Councillor McColl 2017/ 365

“that Council, having considered Item 14.7 – Closed Circuit Television CCTV for the Lewiston Open Space facility, dated 20 November 2017, receives and notes the report and in doing so considers the inclusion within the 2018-2019 budget a new CCTV system for the open space facility at 210 Hayman Road Lewiston, at an approximate cost of $10,000 plus ongoing operating costs of $25 per month.”

Councillor Strudwicke raised a Point of Order on the basis that the Councillor has already spoken and cannot speak to the motion twice.

The Mayor accepted the Point of Order.

CARRIED
The Mayor sought and was granted leave of the meeting to move item 21.1 – Kerbside Waste Services forward.

21. CONFIDENTIAL ITEMS

21.1 Kerbside Waste Services

Moved Councillor Strudwicke Seconded Councillor Lawrence 2017/366

“that, under the provisions of Section 90(2) of the Local Government Act 1999, an order be made that the public with the exception of [Chief Executive Officer, General Manager – Infrastructure, General Manager, Finance and Economic Development, General Manager – Development and Community, Debra Scott Regional Procurement Group and the Minute Taker] be excluded from attendance at the meeting of the Council in order to consider in confidence this item.

21.1 – Kerbside Waste Services:

The Council is satisfied that it is necessary that the public be excluded to enable the Council to consider the report at the meeting:

- on the grounds provided by Section 90(3)(k), tenders for the supply of goods, the provision of services or the carrying out of works;; and

- on the basis that information within the report and attachments:
  - contains commercial information and constituting information relevant to the potential appointment and suitability for being awarded the Waste Management Services; and
  - it would be unreasonable to disclose this information.

Accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.”

CARRIED
21.1  Moved  Councillor Strudwick  Seconded  Councillor Lawrence  2017/368

“That, in accordance with Section 91(7) and Section 91(9) of the Local Government Act 1999 and on the grounds that Item 21.1 – Kerbside Waste Services for the meeting of the Council held on 20 November 2017, was received, discussed and considered in confidence pursuant to Section 90(3)(k) of the Local Government Act 1999, this meeting of the Council, does order that:
(a) the minutes, report, attachments and associated documents in relation to the matter, other than the minutes relating to this confidentiality order, remain confidential and not available for public inspection until the end of the Waste Management Services Contract;

(b) 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; and

(c) pursuant to Section 91(8)(b) and (ba) of the Local Government Act 1999, Council notes that the minutes will be released to ensure that Council discloses the successful tender, value of the contract and reason for awarding the contract when the Waste Services Contract is executed by all relevant parties.”

CARRIED

22. CLOSURE

The meeting was adjourned at 10.00 pm in accordance with Division 2, Clause 7 (6) of Council’ Code of Practice – Meeting Procedures, having reached curfew by exceeding the three (3) hour meeting time, and after extending the meeting for an additional 30 minutes. Formal notification of the meeting adjournment day, date, time and location to be advised to Council Members by the Chief Executive Officer.

Confirmed as a true record.

Mayor: .................................................................

Date: _____/____/____
MINUTES

of

Adjourned Council Meeting

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

HELD IN

Council Chambers
Redbanks Road,
Mallala

on

Tuesday, 21 November 2017
MINUTES OF THE ADJOURNED ORDINARY MEETING OF THE ADELAIDE PLAINS COUNCIL
HELD IN THE COUNCIL CHAMBERS, REDBANKS ROAD, MALLALA ON TUESDAY
21 NOVEMBER 2017, COMMENCING AT 4.30 PM (CONTINUATION OF ADJOURNED
MEETING OF MONDAY 20 NOVEMBER 2017)

Mayor Flaherty formally declared the meeting open at 4.30 pm.

ATTENDANCE RECORD

1.1 Present:
Mayor A J (Tony) Flaherty OAM JP
Councillor Melville Lawrence
Councillor S M (Marcus) Strudwicke
Councillor Terry-Anne Keen
Councillor Eddie Stubing
Councillor Stephen Jones (from 6.31 pm)
Councillor P D (Joe) Daniele
Councillor Karen McColl
Councillor Margherita Panella

Also in Attendance:
Chief Executive Officer Mr James Miller
General Manager, Infrastructure Mr Martin Waddington
General Manager, Governance and Communications Ms Sheree Schenk
General Manager, Finance and Economic Development Mr Rajith Udagampola
General Manager, Development and Community Mr Robert Veitch
Minute Secretary Ms Andrea Post

1.2 Apologies:
Councillor Carmine Di Troia

1.3 Not Present / Leave of Absence:
Nil
14.8 Waiving Development Application Fees – Mallala Uniting Church Op Shop

Moved Councillor Strudwicke
Seconded Councillor McColl 2017/369

Cr Jones raised a Point of Order on the basis that the Thompson Beach Community Club is on Council land.
The Mayor did not accept the Point of Order.

“that Council, having considered Item 14.8 – Waiving Development Application Fees – Mallala Uniting Church Op Shop, dated 20 November 2017, receives and notes the report and in doing so authorises the Chief Executive Officer (who in turn may delegate authority to General Manager – Development and Community) to inform the Mallala Uniting Church that they will be responsible for all Development Application fees associated with Development Application 312/192/2017.”

CARRIED

The Mayor, with approval of two-thirds of the members present suspended the meeting procedures pursuant to Regulation 20(1) of the Local Government (Procedures at Meetings) Regulations 2013, for a period sufficient to facilitate informal discussion in relation to item 14.9 – Australia Day Awards – Selection Panel and will resume at the discretion of the Mayor.

The meeting was suspended at 4.32 pm.
The meeting resumed at 4.39 pm.

14.9 Australia Day Awards – Selection Panel

Moved Councillor Keen
Seconded Councillor Lawrence 2017/370

“that Council, having considered Item 14.9 – Australia Day Awards Selection Panel, dated 20 November 2017, receives and notes the report.”

CARRIED

14.10 Open Space and Places for People Grants

Moved Councillor Strudwicke
Seconded Councillor Stubing 2017/371

Councillor Strudwicke raised a Point of Order on the basis that the Mayor has already spoken and cannot speak to the motion twice.
The Mayor accepted the Point of Order.

“that Council, having considered Item 14.10 – Open Space and Places for People Grants, dated 20 November 2017, receives and notes the report and in doing so includes $25,000 toward the project in the second quarter budget review”.

CARRIED

Councillor Daniele called for a division.
The Mayor declared the vote set aside.
Members voting in the affirmative: Councillors McColl, Lawrence, Panella, Stubing, Keen and Strudwicke.
Members voting in the negative: Councillors Jones and Daniele.

The Mayor declared the motion CARRIED

14.11 Asbestos Management at the Carslake Road quarry site

At this juncture, 5.07 pm, Councillor Daniele left the meeting.

Moved Councillor Strudwicke Seconded Councillor Panella 2017/ 372

At this juncture, 5.09 pm, Councillor Daniele re-entered the meeting.

“that Council, having considered Item 14.11 – Asbestos Management at the Carslake Road quarry site, dated 20 November 2017, receives and notes the report and in doing so:-

1. Endorses the actions taken to date with regard to the remediation of the Two Wells Transfer Station Carslake Road Quarry site in accordance with Environment Protection Authority (EPA) Clean up Order issued by the EPA on 8 November 2017;

2. Determine that only building waste transported by vehicles, utilities and trailers (not by light truck) be permitted to access the Transfer Station at Two Wells and Mallala Resources Recovery Centre to ensure the adequate inspection of the waste prior to and during unloading; and

3. Calls for a further report to consider management practices at the Two Wells Transfer Stations and Mallala Resource Recovery Centre, with a particular focus on safety, cost and monitoring methodology of waste presented at these facilities”.

CARRIED

Councillor Jones called for a division.

The Mayor declared the vote set aside.

Members voting in the affirmative: Councillors Strudwicke, Daniele, Stubing, Panella and McColl.

Members voting in the negative: Councillors Lawrence, Jones and Keen.

The Mayor declared the motion CARRIED

15. REPORTS FOR INFORMATION

15.1 Council Resolutions/Actions

Moved Councillor Lawrence Seconded Councillor Strudwicke 2017/ 373

“that Council, having considered Item 15.1 – Council Resolutions/Action Report, dated
15.2 Suicide Prevention Network

Moved  Councillor McColl  Seconded  Councillor Panella  2017/ 374

“That Council, having considered Item 15.2 – Suicide Prevention Network, dated 20 November 2017, receives and notes the report.”

CARRIED

15.3 Conservation Volunteers grant application support

Moved  Councillor Strudwicke  Seconded  Councillor Lawrence  2017/ 375

“That Council, having considered Item 15.3 – Conservation Volunteers grant application support, 20 November 2017, receives and notes the report.”

CARRIED

15.4 Dog and Cat Management – Board Membership Nominations

Moved  Councillor Keen  Seconded  Councillor McColl  2017/ 376

“That Council, having considered Item 15.4 – Dog and Cat Management – Board Membership Nominations, dated 20 November 2017, receives and notes the report.”

CARRIED

15.5 Two Wells Stormwater Management Plan – Stormwater Management Authority approval and gazettal

Moved  Councillor Strudwicke  Seconded  Councillor McColl  2017/ 377

“That Council, having considered Item 15.5 – Two Wells Stormwater Management Plan – Stormwater Management Authority approval and gazettal, dated 20 November 2017, receives and notes the report.”

CARRIED

15.6 Economic Development Opportunity

Moved  Councillor Lawrence  Seconded  Councillor Keen  2017/ 378


CARRIED
16. QUESTIONS ON NOTICE
Nil

17. QUESTIONS WITHOUT NOTICE
Not recorded in Minutes in accordance with Regulation 9(5) of the Local Government (Procedures at Meetings) Regulations 2013.

18. MOTIONS ON NOTICE
18.1 Seeking Endorsement of New Membership – Mallala and Districts Historical Committee
Moved Councillor Strudwicke Seconded Councillor McColl 2017/379
“that Council appoints Greg Tucker, Jim Franks, and Shirley Sowerby to fill the vacancies on the Mallala & District Historical Committee”.
CARRIED

18.2 Grant Funding Writer
Moved Councillor Panella Seconded Councillor Strudwicke 2017/380
“that Council provides a report with recommendations on a number of options in employing or sourcing a grant funding writer to increase Adelaide Plain Council fiscal outlook and provide a comparative insight on what other councils receive in grant funding compared to APC”.
CARRIED

19. MOTIONS WITHOUT NOTICE
19.1 Moved Councillor Stubing Seconded Councillor Panella 2017/381
“that administration enquire with Hickinbotham to collaborate resources and assist with hosting a two hour meet and greet function to engage with the community and all Council Members”.
Councillor Keen raised a Point of Order on the basis that Councillor Stubing closed the debate therefore no more discussion could be had.
The Mayor agreed, however, allowed the chamber to further debate the matter.
CARRIED

19.2 Moved Councillor McColl Seconded Councillor Keen 2017/382
At this juncture, 5.52 pm, Councillor McColl left the meeting.
At this juncture, 5.54 pm, Councillor McColl re-entered the meeting.
“that Council write to Minister Brock and Shadow Minister Pisoni communicating motion 2017/312 advising that no response has been forthcoming and that it highlights a potential breach of the Local Government Act 1999, insofar as the provision of financial information and documentation, as well as agendas and minutes not being publically disclosed.”

CARRIED

At this juncture 5.59 pm, as discussions related to item 9.1 – Alinta Energy deputation, Councillor Lawrence left the meeting having declared an interest in this item on the basis that the Development Application is to be assessed by the Council Assessment Panel of which Councillor Lawrence is a member.

At this juncture, 6.08 pm, Councillor Lawrence re-entered the meeting.

At this juncture, 6.09 pm, Councillor McColl left the meeting.

20. URGENT BUSINESS

Nil

21. CONFIDENTIAL ITEMS

21.2 Metcash Food and Grocery – Commercial in Confidence

Moved Councillor Lawrence Seconded Councillor Stubing 2017/383

At this juncture, 6.09 pm, Councillor Lawrence left the meeting.

“that, under the provisions of Section 90(2) of the Local Government Act 1999, an order be made that the public with the exception of Chief Executive Officer, General Manager – Infrastructure, General Manager – Development and Community and the Minute Taker be excluded from attendance at the meeting of the Council in order to consider in confidence this item.

21.2 – Metcash Food and Grocery – Commercial in Confidence:

The Council is satisfied that it is necessary that the public be excluded to enable the Council to consider the report at the meeting:

- on the grounds provided by Section 90(3)(d), commercial information of a confidential nature (not being a trade secret) the disclosure of which-
  - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on the third party; and
  - (ii) would, on balance, be contrary to the public interest; and
- on the basis that information within the report and attachments:
Ordinary Council Meeting
21 November 2017

- contains commercial information
- it would be unreasonable to disclose this information as part of the confidential commercial discussions

Accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.”

CARRIED

At this juncture, 6.11 pm, Councillor Lawrence re-entered the meeting.

At this juncture, 6.12 pm, Councillor McColl re-entered the meeting.

Formal motion

CARRIED

21.2 Moved Councillor Strudwicke Seconded Councillor Lawrence 2017/386

“that, in accordance with Section 91(7) and Section 91(9) of the Local Government Act 1999 and on the grounds that Item 21.2 – Metcash Food and Grocery – Commercial in Confidence for the meeting of the Council held on 20 November 2017, was received, discussed and considered in confidence pursuant to Section 90(3)(d) of the Local Government Act 1999, this meeting of the Council, does order that:

(a) the agenda item, report and attachments in relation to the matter remain confidential and not available for public inspection until further order of the Council;

(b) the confidentiality of the matter be reviewed once in each 12 months;
and

(c) 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.”

CARRIED

21.2 Moved Councillor Strudwicke Seconded Councillor Panella 2017/387

“That motion 2017/380 be lifted from the table.”

CARRIED

21.2 Moved Councillor Jones Seconded Councillor Stubing 2017/388

“that Council instructs the Chief Executive Officer to obtain legal advice which deals with commercial and legal considerations associated with the unlocking of Crown Land in the Two Wells main street to facilitate retail development and bring a report back to Council.”

CARRIED

21.3 General Managers – Contractual Agreements

Moved Councillor Strudwicke Seconded Councillor Panella 2017/389

“That, under the provisions of Section 90(2) of the Local Government Act 1999, an order be made that the public with the exception of the Chief Executive Officer be excluded from attendance at the meeting of the Council in order to consider in confidence this item.

21.3 – General Managers – Contractual Agreements:

The Council is satisfied that it is necessary that the public be excluded to enable the Council to consider the report at the meeting:

• matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person; and

• on the basis that information within the report and attachments:

  o contains information about the personal affairs of Council’s General Managers, constituting information relevant to remuneration packages; and

  o it would be unreasonable to disclose this information.

Accordingly, on this basis the principle that meetings of the Council should be
conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.”

CARRIED

22. CLOSURE

There being no further business, the Mayor declared the meeting closed at 6.55 pm.

Confirmed as a true record.

Mayor: ..............................................................................................

Date: ____/____/___
Activities and Meetings attended

Monday, 20 November 2017
Mayor / CEO Meeting
Meeting – Tom Staggard (Bunyip Newspaper)
Mayor / Deputy Mayor / CEO – Pre Council Meeting
Corporate Photographs
Ordinary Council Meeting

Tuesday, 21 November 2017
Council Member Training
Adjourned Ordinary Council Meeting

Sunday, 26 November 2017
Aged Ratepayers Assistance

Friday, 1 December 2017
Ratepayers on site meeting (Corner Gawler River and Germantown Roads) Drainage Matters

Monday, 4 December 2017
Meeting with resident regarding drainage concerns

Tuesday, 5 December 2017
Assistance with Pensioner Ratepayer

Monday, 11 December 2017
Aged Ratepayer Assistance

Tuesday, 12 December 2017
Mayor / Acting CEO Meeting

Monday, 18 December 2017
Mayor / Deputy Mayor / CEO – Pre Council Meeting
Ordinary Council Meeting
OVERVIEW

The purpose of this report is to facilitate the receiving and noting of the minutes from the 17 November Legatus Group Meeting.

RECOMMENDATION

“that Council receives and notes the minutes of the Legatus Group Meeting held 17 November 2017.”

Attachments

1. Minutes of meeting held 17 November 2017

References

Legislation

Not Applicable

Council Policies

Not Applicable
Minutes of the Ordinary Meeting held:

17 November 2017

Council Chambers Regional Council of Goyder 1 Market Square Burra

1.0 Meeting Preliminaries

Present

Board members: Mayor Peter Mattey – Chairman (Goyder), Mayor Bob Sloane (Barossa), Mayor Cynthia Axford (Barunga West), Mayor Paul Thomas AM (Copper Coast), Mayor Allan Aughey OAM (Clare & Gilbert Valleys), Mayor Peter Slattery (Flinders Ranges), Mayor Bill O’Brien (Light), Mayor Colin Nottle (Mount Remarkable), Mayor Denis Clark (Northern Areas), Chairman Kathie Bowman (Orroroo Carrieton), Mayor Ruth Whittle OAM (Peterborough) and Mayor John Rohde (Port Pirie).

In Attendance

Mr Andrew Cole (CEO Barunga West), Mr Peter Harder (CEO Copper Coast), Ms Leanne Kunoth (Clare and Gilbert Valleys), Mr Colin Davies (CEO Flinders Ranges), Mr David Stevenson (CEO Goyder), Mrs Jessie White (Mount Remarkable), Mr Colin Byles (CEO Northern Areas), Mr Peter McGuinness, Ms Kelly-Ann Saffin (CEO RDA Yorke Mid North), Mr Bill Vandepeer (Chair RDA Yorke Mid North) and Mr Simon Millcock (CEO Legatus Group).

Apologies

Mayor Rodney Reid (Wakefield) and Mayor Ray Agnew (Yorke Peninsula)

CEO’s Mr Martin McCarthy (Barossa), Mr James Miller (Adelaide Plains), Mr Brian Carr (Light), Dr Andrew Johnson (Port Pirie), Mr Wayne Hart (Mount Remarkable), Mr John Coombe OAM (Clare and Gilbert Valleys), Mr Stephen Rufus (Orroroo Carrieton), Mr Jason Kuchel (Wakefield) and Mr Andrew Cameron (Yorke Peninsula).

Local Government Association of SA

1.1 Opening

The Chairman declared the meeting open at 10.04am

2 Welcome to the Regional Council of Goyder

Mayor Peter Mattey welcomed everyone to the Regional Council of Goyder and provided a background on the formation of the council. The Council is an amalgamation of four councils and there are 11 settlements with 68% of the rates being from rural properties and 32% from the settlements. There are some areas with low socio-economic outlooks, and this is leading to issues around managing outstanding rates. The Council has operated as an infrastructure council with a business approach to its operations. In recent times there has been a focus on progressing tourism
through investment in the Paxton Square Cottages and these are being developed as a stand-alone business with significant refurbishment having just been completed.

3. Confirmation of Previous Minutes

Minutes of the Legatus Group Meeting held on 8 September 2017 at the Kadina Football and Netball Clubrooms were tabled.

Motion: That the minutes of the Legatus Group Meeting held on 8 September 2017 at the Kadina Football and Netball be taken as read and confirmed.

Moved: Mayor Peter Slattery  Seconded: Mayor Ruth Whittle  CARRIED

Minutes of the Confidential Meeting held on 8 September 2017 at the Kadina Football and Netball Clubrooms were tabled.

Motion: That the minutes of the Confidential Meeting held on 8 September 2017 at the Kadina Football and Netball Clubrooms be taken as read and confirmed and that they are no longer to be confidential

Moved: Mayor John Rohde  Seconded: Mayor Peter Slattery  CARRIED

4  Business Arising Not Otherwise on the Agenda

4.1 Murray Darling Association (MDA) Membership

Mayor Denis Clark provided a report following his attendance at the MDA Conference and the pressures that are being faced by South Australian users of the Murray. Mayor Clark encouraged all Constituent Councils to take up the combined membership which was endorsed by the Legatus Group at the May 2017 meeting. General discussion was held, and the fee structure proposed by the MDA was outlined. There was no progress on a decision for the Legatus Group to levy Constituent Councils and Mayor Clark offered to hold further discussions with the MDA regarding this matter.

Motion: That the decision for group membership of the Murray Darling Association made at the ordinary meeting on 19 May 2017 lay on the table for further discussions at the next ordinary meeting of the Legatus Group.

Moved: Mayor Allan Aughey  Seconded: Mayor Bob Sloane  CARRIED

4.2 Legatus Group Charter – Noted that three Constituent Councils will respond to the CEO after their November 2017 meetings re proposed changes.

4.3 Legatus Group CEO KPI’s

Mayor Peter Mattey advised that draft KPI’s have been developed and that today’s workshop will assist with further clarity. He invited any Constituent Council Mayor to discuss the progress of the CEO with him if needed and noted that the probationary period ends on 4 December 2017.

4.4 Legatus Group Strategic Plan Review – Workshop being held directly following the meeting.

4.5 Community Waste water Management Groups – Noted that the sub-regional meetings are occurring.
4.6 Broadband as an essential service – Noted that this is an agenda item for the LGA meeting 23 November 2017.

4.7 DPTI Pilot Project – Noted that workshops are continuing.

4.8 LGA Membership Subscriptions – The meeting noted that the LGA President and CEO who had arranged to attend today’s meeting and discuss the concerns raised in the letter by the Legatus Group opted to meet with the Legatus Group and the Eyre Peninsula Local Government Association during the afternoon tea break at the LGA Conference. The Legatus Group CEO had sent an invite to all Mayors and CEOs at the request of the LGA to attend the meeting.

Consensus was that the meeting held at the LGA Conference did not provide sufficient time for the matter to be discussed and this reflected the concerns held by the Legatus Group regarding the need for greater consultation.

At the meeting held during the LGA Conference the LGA advised they would be meeting during the week commencing 20 November 2017 with Legatus Group Constituent Councils. Some councils advised they were unaware and all indicated that this was being arranged with very short notice. There was uncertainty relating to the review of fees and charges or what feedback is being sought from the LGA.

(Item 10 the RDA YMN report was brought forward and Kelly-Anne Saffin and Bill Vandepeer presented and left the meeting at 11.20am)

5. Chairman’s Report

Chairman Mattey outlined that he attended all required meetings on behalf of Legatus Group and outlined his disappointment that the LGA President and CEO had decided to not attend today’s meeting. He indicated he found the short meeting held at the LGA Conference on the LGA Membership Subscriptions to be insulting and a waste of time.

6. Items referred by Councils

6.1 Heavy Vehicle and High Mass Limits

The report provided by Jason Kuchel CEO Wakefield Regional Council and Simon Millcock CEO Legatus Group was presented. Mayor Denis Clark outlined that there may be appropriate information and data available from the District Council of Kimba. Resolved that the Legatus Group CEO investigates what data is available. The meeting indicated that there are two issues; (1) approval and (2) the costs. It appeared that the recommendations being presented were based on identifying the costs and that the Wakefield Regional Council who were not in attendance could assist with clarifying this matter at the next meeting.

Motion: That the report and recommendations for consideration lay on the table until the Legatus Group CEO gains further information and for when the Wakefield Regional Council can attend.

Moved: Mayor Allan Aughey Seconded: Mayor Denis Clark CARRIED

7. Decision Reports

7.1 Legatus Group 2017/2018 Business Plan and Budget

The CEO tabled a report on the responses provided by all Constituent Councils to the draft business plan and budget distributed to all councils on the 9 September 2017.
Motion: That the Legatus Group adopts the 2017/2018 Business Plan and Budget as distributed to all Constituent Councils on 9 September 2017.

Moved: Mayor Bob Sloane  Seconded: Mayor Denis Clark  CARRIED

7.2 Rubble Royalties

The CEO provided an update on progress with the LGA and advised he is waiting on feedback from a few councils from across the state and that he did meet with Todd Hacking from the CCAA.

7.3 Crown Land Red Tape Reduction

The CEO provided an update on the responses being provided by Constituent Councils and he is currently waiting on feedback from District Council of Orroroo Carrieton, District Council of Peterborough, Light Regional Council, Northern Areas Council and Wakefield Regional Council.

7.4 Legatus 2030 Regional Transport Plan

The CEO tabled a report and advised that he had distributed the draft report and the latest version of the maps on the 16 November 2017 to all Mayors, Chairman and CEOs.

Motions:

1. That the draft Legatus Group 2030 Regional Transport Plan is distributed to all Constituent Councils and the relevant Regional Development Australia organisations and that any final responses are to be provided to the Legatus Group CEO prior to the 30 November 2017.
2. That the Legatus Group CEO is authorised to finalise and approve the Legatus Group 2030 Regional Transport Plan with HDS subject to feedback received on the draft.

Moved: Mayor Paul Thomas  Seconded: Mayor Peter Slattery  CARRIED

7.5 Emergency Management Planning

The CEO tabled a report and advised that the LGA are waiting on a funding determination by the Minister.

7.6 Yorke Mid North Regional Plan

Discussed by CEO RDA Yorke Mid North in their update agenda item 10.

7.7 Climate Change

The CEO tabled a report and provided an update on the Adaptation and Implementation Plan and the workshop undertaken by URPS on 7 November 2017. The notes from the workshop with the outlined priorities were distributed to all Constituent Councils on 17 November 2017 with responses being sought by 1 December 2017. This information will be used to inform the next Alliance meeting being held on 5 December 2017.

7.8 Emerging Leaders Program

The CEO tabled a report for noting and the matter was also discussed in item 10.

7.9 Rating Equity (Major Projects)

The CEO tabled a report for noting and advised that requests for tender close on 17 November 2017. These will be assessed by the steering group before recommendations are provided to the Chair and Deputy Chairs for final approval.
7.10 Socio-economic impacts from the NDIS

The CEO tabled a report for noting and advised that requests for tender close on 17 November 2017. These will be assessed by the steering group before recommendations are provided to the Chair and Deputy Chairs for final approval.

8. Audit Committee

Noted that the next meeting of the Audit Committee is set down for Thursday 1 February 2018.

9. Financials


Motion: That Griff Campbell, Sally Lynch and Tammy Leibhardt are approved as the signatories for the Central Local Government Region of SA (Legatus Group) Bank SA Business accounts.

Moved: Mayor Bob Sloane Seconded: Mayor John Rohde CARRIED

10. RDA Yorke and Mid North

Ms Kelly-Anne Saffin CEO RDA Y&MN tabled a report and along with Mr Bill Vandepeeer Chairman RDAY&MN provided an update on the review of the RDA’s. They advised that nominations have closed recently for the Chairman roles with selection by the end of the year. The redefinition of the role for the RDA’s will not see any real impact on the RDA’s in South Australia due to their focus already being on investment and economic development.

The RDA Y&MN Regional Plan is waiting on a couple of councils to provide updates on their infrastructure requirements. The Building Better Regions Fund applications close on 17 December 2017 and that PIRSA and SA Tourism Board are visiting the region.

The meeting discussed the attraction and retention of health professionals and what sort of incentives could be progressed at the local and regional level to assist. An invitation was extended to the Mid North Knowledge Partnership Town Hall meeting on Thursday 23 November at the Burra Town Hall.

The Legatus Group CEO acknowledged the support and partnership approach being taken by all three RDA CEO’s and their teams with the Legatus Group.

11. Local Government

11.1 Local Government Association

The LGA Topical Report was tabled and it was noted that there were no LGA representatives attended the meeting.

11.2 South Australian Regional Organisation of Councils

The draft minutes of the South Australian Regional Organisation of Councils meeting held on 27 September 2017 were tabled along with a copy of the letter to all candidates in the 2018 State Government election which was signed by all Chairs of the six regions including Mayor Peter Mattey at the LGA Conference.

12. OTHER BUSINESS

12.1 CEO Changes
Motion: That the Legatus Group thank and acknowledge the leadership and experience that both the outgoing CEO of the District Council of Orroroo Carrieton Mr Stephen Rufus and Clare and Gilbert Valleys Acting CEO Mr John Coombe OAM have provided to their councils and the region.

Moved: Chairman Kathie Bowman Seconded: Mayor Allan Aughey CARRIED

12.2 Dates for 2018 Legatus Group Ordinary meetings

Motion: That the following dates be endorsed for the 2018 Legatus Group Ordinary Meetings:

- 16 February 2018 host Adelaide Plains Council
- 25 May 2018 host Light Regional Council
- 17 August 2018 including the AGM host Northern Areas Council
- 16 November 2018 host The Barossa Council

Moved: Mayor Bob Sloane Seconded: Chairman Kathie Bowman CARRIED

12.3 Legatus Group CEO attendance at conferences and forums

The Legatus Group CEO’s report was noted, and he outlined the key points he took from the LGA Conference which were:

1. Lord Mayor Martin Haese City of Adelaide recognising the link between regional SA and Adelaide City Council especially in the Tourism Corridor. Adelaide’s push towards being a Gig City and the need for regional SA to ensure that this does not create a greater divide between metropolitan and regional SA. How can regional SA leverage the connections that Adelaide City has with its Sister Cities e.g. Austin Texas.

2. Dan Gregory CEO The Impossible Institute - Communication – need for Legatus to consider better use of website and social media.

3. Mayor David O’Loughlin President of ALGA discussed the strength that Regional organisations of Councils can provide for prioritising especially around roads when discussing with Australian Government and in innovation and smart cities programs. Road safety is major issue and of importance to the Minister especially with increase in the older drivers being killed on regional roads.

4. Rate capping was a major topic, and this included information from interstate and was a key topic by a panel of cross bench MPs and former Senator Nick Xenophon.

12.3 MoU for the delivery of natural resource management programs

The Legatus Group CEO advised of a proposal received from Natural Resources Northern & Yorke Department of Environment, Water and Natural Resources for the Legatus Group to be a party to an MoU for the delivery of natural resource management programs in the Northern & Yorke Region. Those attending the meeting were unaware of this proposal and requested that the CEO provide a report for the next meeting of the Legatus Group for consideration.

14 Close of Meeting

Meeting closed by the Chair at 12:34pm and next meeting to be held Friday 16 February 2018 commencing at 10.30am and to be hosted by the Adelaide Plains Council.

Signed as a true and correct record:

Chairman ___________________________ Dated ______________

Ordinary Council Meeting 18 December 2017
EXECUTIVE SUMMARY

- At the 18 September 2017 Council meeting Council was advised that a request had been received from Proptel Property Consultants, acting on behalf of NBN Co Ltd, to lease portion of Section 248 DP 29513, Ruskin Road, Thompson Beach.
- The land in question is currently leased to the Thompson Beach Progress Association Inc, and NBN Co Ltd wish to lease approximately 10m x 12m as per the Location Plan shown later in this report.
- Public Consultation was undertaken pursuant to Section 202 of the Local Government Act 1999 and Notices were inserted in the Bunyip and Plains Producer newspapers on 15 November 2017.
- Consultation was undertaken directly with the Thompson Beach Progress Association Inc as they are the current Lessees of the land in question and an area of approximately 10m x 12m desired by NBN Co Ltd would need to be removed from the area ‘A’ current leased to the Thompson Beach Progress Association.
- At the conclusion of the public consultation period ending 7 December 2017 one submission was received from Alvin Jenkin as per (Attachment 1).
- The Thompson Beach Progress Association Inc have advised that they wish to conduct public meetings with Thompson Beach residents on 17 December 2017 and 21 January 2018 and are seeking Council approval to have an extension of time to make a submission to Council on the proposal.
RECOMMENDATION

“that Council, having considered Item 14.1 – Proposed Lease of Council Land – NBN Radio Network Base Station dated 18 December 2017 receives and notes the report, and in doing so grants the Thompson Beach Progress Association Inc an extension of time until 26 January 2018 to submit a written submission to Council on the proposed lease of portion of Section 248 DP 29513, Ruskin Road, Thompson Beach to NBN Co Ltd for the erection of a radio network base station”.

BUDGET IMPACT

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

RISK ASSESSMENT

Nil

Attachments

1. Submission from Alvin Jenkin dated 29 November 2017
DETAILED REPORT

Purpose

To grant the Thompson Beach Progress Association Inc an extension of time until 26 January 2018 to submit a written submission to Council on the proposed lease of portion of Section 248 DP 29513, Ruskin Road, Thompson Beach to NBN Co Ltd for the erection of a radio network base station.

Background/History

At the 18 September 2017 Council Meeting the following resolution was passed:-

“That Council, having considered Item 14.2 – Proposed Lease of Council Land – NBN Radio Network Base Station dated 18 September 2017 receives and notes the report, and in doing so :-

1. Continues to liaise with the Thompson Beach Progress Association Inc to have a portion of their leased area ‘A’ allocated to NBN Co Ltd (10m x 12m approximately) being portion of Section 248 DP 29513, Ruskin Road, Thompson Beach comprised in Certificate of Title Volume 5372 Folio 262 for the erection of a radio network base station, and seeks a formal position in this regard;

2. Authorises the Chief Executive Officer to liaise with NBN Co Ltd to negotiate and finalise the terms and conditions of the Lease Agreement and to seek the assistance of Norman Waterhouse Lawyers accordingly, with all associated costs to be borne by NBN Co Ltd;

3. Will undertake public consultation in regard to the proposed lease of the land to NBN Co Ltd in accordance with Section 202 of the Local Government Act 1999 and in accordance with its Public Consultation Policy, and will consider any objections (if any) prior to entering into a Lease Agreement with NBN Co Ltd; and

Acknowledges that prior to the finalisation of a Lease Agreement, NBN Co Ltd will be required to submit a Development Application for the construction of the infrastructure and obtain approval accordingly.”

Discussion/Analysis

The Thompson Beach Progress Association Inc have advised that they wish to conduct public meetings with Thompson Beach residents on 17 December 2017 and 21 January 2018 and are seeking Council approval to have an extension of time to make a written submission to Council on the proposal.
NBN Co Ltd is seeking Council’s consent to lease portion of Lease Area (10m x 12m) being portion of Section 248 DP 25913, Ruskin Road, Thompson Beach to erect an NBN Tower as per the location Plan hereunder:

Location Plan – Portion of Section 248 DP 25913, Ruskin Road, Thompson Beach

At the conclusion of the public consultation period ending 7 December 2017 one submission was received from Alvin Jenkin as per Attachment 1.

The proposed lease area currently forms part of Council’s Lease Agreement with the Thompson Beach Progress Association Inc and the written consent of the Association will be required to lease portion of the land to NBN Co Ltd.

Prior to the finalisation of a Lease Agreement, NBN Co Ltd will be required to submit a Development Application for the construction of the infrastructure and receive approval accordingly.

Conclusion

It is recommended that Council grant the Thompson Beach Progress Association Inc an extension of time until 26 January 2018 to submit a written submission to Council on the proposed lease of portion of Section 248 DP 29513, Ruskin Road, Thompson Beach to NBN Co Ltd for the erection of a radio network base station.
References

Legislation

Real Property Act 1886

Local Government Act 1999

Council Policies

Public Consultation Policy

Strategic Plan

4.2.1.6 – Growing Economy – Advocate for appropriate Information Communication Technology (ICT) infrastructure to supply industry, business and community use
29th November 2017

Feedback: NBN Co Limited
PO Box 18
MALLALA
SA 5502

Dear Sirs

Public Consultation: Alienation of Community Land By Lease
Allotment 248 Ruskin Road Thompson Beach

I have no objection to the leasing of community land at Thompsons Beach to NBN Co Ltd. The areas in and around Parham, Thompson Beach and Webb Beach have very poor telecommunication facilities, and anything to improve these should be encouraged.

However a number of telecommunication carriers are currently investigating the provision of improved services to these areas, and there are proposals to erect telecommunication towers being submitted frequently to Council. Without careful management we will end up with numerous towers impacting on the visual amenity of the Adelaide Plains.

I believe that the approval of a lease over the said land should be conditional on any facilities being erected on that land being available and useable by multiple carriers. This may mean that the tower proposed for the land may have to be higher and stronger than the 30 metres proposed to cater for additional antenna and the area of land leased may have to be larger to accommodate shelters for use by multiple telecommunications carriers.

I understand that this proposal impacts only on the lease of the proposed land, and that there will be a development proposal to follow. I believe that the conditions of both the lease and the development approval should require the sharing of the facility by multiple carriers and that proposals by any other carriers to erect additional towers in the area should be rejected.

Yours Faithfully

Alvin Jenkin
EXECUTIVE SUMMARY

- Mallala Chamber air-conditioner requires replacement due to its age, operating inefficiencies and Workplace Health and Safety (WHS) compliance.
- Purchase of Audio Equipment - Including new recording system to provide accurate detailed records, and microphones to provide clear communication.
- Other further enhancements proposed include kitchen, hallway and toilet upgrade (cosmetic only) and sound dampening to the main chamber area to reduce noise interference from Redbank’s Road.
- Clarification is also provided on a number of concerns previously raised.

RECOMMENDATION(S)

“that Council, having considered Item 14.2 – Mallala Chamber Air-conditioning Replacement, Audio Equipment & Other Enhancements, 18 September 2017, receives and notes the report and in doing so:-

1. Approve the renewal of the Mallala Chamber Air conditioner to be installed as presented in Table 1 to this Report and utilising savings identified in the building maintenance budget.

2. Consider including the Mallala Chamber Audio and other enhancements, presented in Table 1 to this Report in the 2018-2019 budget.”

BUDGET IMPACT

Estimated Cost: $7000 (this financial year)

$75,000 (2018/2019 financial year)
Future ongoing operating costs: Routine Maintenance

Is this Budgeted? No (But the air conditioner replacement can be funded through savings in the building maintenance budget in the current financial year. The remaining works are subject to further consideration in the 2018/2019 financial year budget)
**RISK ASSESSMENT**

There is a risk concerning the possibility of overloading the current air conditioner when the corridor door is closed. This is because the air flow between the air conditioner outlet and inlet is blocked by the door when it is closed. This causes the air conditioner to work excessively hard and thus poses an overload risk and possible fire. The door is required to be closed from time to time where Council Members retire from the chamber (e.g. Conflict of interest situations where a member has to leave the room) A new split system air conditioner will not require separate inlet to outlet locations and the door can be closed quite safely.

---

**Attachments**

1. Nil
DETAILED REPORT

Purpose
The purpose of this report is to provide Council with a summary of unbudgeted works pertaining to the Mallala Chamber and seek Council's endorsement on various options which are presented in Table 1 below.

Background/History
Through the 2016-2017 budgeting process, the air-conditioner, audio equipment and other further enhancements outlined in Table 1 were considered but not budgeted.

As part of Council's ongoing asset inspection regime it has been identified that the Mallala Chamber air-conditioner requires replacement due to age, operating inefficiencies, and WHS compliance.

Since the chamber has been back in use a number of other queries have been raised such as egress and fire safety as well as noise impacts from Redbank's Road.

Discussion
Council administration are working together to look at the best and most cost effective options to facilitate the replacement of the air conditioner, introduce an audio system and attend to further enhancements.

Air conditioner Replacement –
Replacement is proposed so the following is addressed;

- Age - The last condition assessment and service conducted by contractor highlighted that the air conditioner was past its useful life and recommended replacement in future financial years. The unit is old and if it was to fail parts are no longer available.
- Operating inefficiencies and high running costs due to the age of the air-conditioner and the recent changes made to the chamber hallway door.
- Addresses safety concerns with the corridor door closure overloading the current air conditioner and potentially causing a fire. (Note until further improvements are made in relation to the air conditioner the hallway door must be left open while the air-conditioner is operating due to the risk of overload).
- Reduction of background noise in turn will make communication easier.
- Replacing the roof mounted unit with split systems incorporating floor mounted outside units alleviates WHS risks associated with accessing the roof to service the units.
Audio Equipment

Purchase of new audio equipment is proposed to address;

- Accurate and detailed recording via a digital recording system.
- Microphones to provide clear communication enabling all Council members, and others to hear verbal communication throughout the meeting.
- Speaker restriction, chairperson control, voting function, dependant model and brand.
- The installation of a new air-conditioner may help reduce background noise in turn making communication easier.

Further enhancements

Other further enhancements include kitchen, hallway and toilet upgrades (cosmetic only). Sound dampening to the main chamber area to reduce noise interference from Redbank’s Road, and removal of the pin board.

Clarifications of previous concerns raised

- There are currently sufficient fire extinguishers in place in the Mallala Chamber. The Mallala Chamber was audited by Council’s fire services contractor and found that the Mallala Chamber complied with current Australian Standards and Regulations.
- The Mallala Chamber front door is compliant with current Australian Standards and National Construction Code Volume 1 Part D2.20(b). Noting that the Mallala Chamber entrance door has no requirement to swing outwards (with direction of egress) if building is less than 200m2.

Indicative Costs

Indicative costs for these works have been provided for each component which will need to be confirmed by a contractor if Council decide to proceed (with the exception of the air conditioner where a firm quote has been received).

If Council decide to support any of the unbudgeted works further quotes will need to be requested in line with Council’s Procurement Policy for transparency.

The calculated cost for the air conditioner, audio equipment and other further enhancements are summarised in the Table 1.
Table 1: Mallala Chamber unbudgeted for works ($ indicative)

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mallala Chamber</td>
<td></td>
</tr>
<tr>
<td>Air-conditioner – Included installation of 2x Dakin 5kw wall split system air-</td>
<td>$(7,000)</td>
</tr>
<tr>
<td>conditioners, Decommission existing air-conditioner</td>
<td></td>
</tr>
<tr>
<td>Audio equipment - Includes new recording system to provide accurate and detailed</td>
<td>$(25,000)</td>
</tr>
<tr>
<td>records, Microphones to provide clear communication</td>
<td></td>
</tr>
<tr>
<td>Other further enhancements – Kitchen – Add storage, shelving and paint</td>
<td>$(10,000)</td>
</tr>
<tr>
<td>Other further enhancements – Hallway – clean, repair and paint</td>
<td>$(5,000)</td>
</tr>
<tr>
<td>Other further enhancements – Toilets – clean, repair and paint</td>
<td>$(5,000)</td>
</tr>
<tr>
<td>Other further enhancements – Sound dampening to the main chamber area to reduce</td>
<td>$(30,000)</td>
</tr>
<tr>
<td>noise interference from Redbank’s Road</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$(82,000)</strong></td>
</tr>
</tbody>
</table>

**Conclusion**

This report has highlighted in Table 1 the unbudgeted works pertaining to the Mallala Chamber for Elected Members consideration.

**References**

Council Strategic Plan

4.3.2.8 – Building and facilities management program
EXECUTIVE SUMMARY

- According to clause 4.2 of the Council Members Allowances and Benefits Policy, member allowances will be paid on a quarterly basis in advance.

- For administrative efficiency, the management is recommending to change the payments of allowances to monthly in arrears in the first available payment run.

RECOMMENDATION

“that Council, having considered Item 14.3 – Policy Review – Council Members Allowances and Benefits Policy, dated 18 December 2017, receives and notes the report and in doing so:-

1. Endorses proposed changes to the payment of member allowance from quarterly in advance to one (1) month in arrears; and

2. Authorises the Chief Executive Officer to make necessary changes to Clause 4.2 of the Council Members Allowances and Benefits Policy.”

BUDGET IMPACT

Increase in efficiency through process improvement.

RISK ASSESSMENT

Nil

Attachments

Council Members Allowances and Benefits Policy
Purpose

The purpose of this report is to seek Council approval to change the payment frequency of the member allowance from quarterly in advance to monthly in arrears.

Background/History

Council Members Allowances and Benefits Policy of the Adelaide Plains Council were last updated on 18 April 2017. Since then, the management has identified that the current payment frequency of three (3) months in advance is not the most efficient way of processing the Council Members Allowances from accounting and processing perspectives.

Administration consulted with Council Members to discuss the option of changing the payment frequency from quarterly to monthly. Responses received indicated an overall support for the proposed change.

Discussion

Under the Clause 4.2 of the Council Members Allowances and Benefits Policy, member allowance to each Council member is paid three (3) months in advance.

However, for administrative efficiency the management would like to change the current practice to one (1) month in arrears ie instead of quarterly payments members are paid monthly after the end of the month, for the month just completed in the first available payment run. The benefits of the proposed change would be as follows:-

1) Council Members will receive regular monthly payments as opposed to quarterly payments.
2) Administration will not need to make adjustments to accounts at the end of the financial year to account for pre-paid Council Member allowance as at 30 June.
3) When a Council Member resigns before completing their term, administration will no longer be required to invoice the former Council Member to recover allowance paid in advance.

Conclusion

For administrative efficiency, the management is recommending to change the payment of Council member allowances from quarterly in advance to monthly in arrears.
References

Legislation

Local Government Act 1999

Local Government (Members Allowances and Benefits) Regulations 2010

Council Policies

Council Members Allowances and Benefits Policy
1. **Objective**

   This Policy has been adopted to accommodate Section 77(1)(b) of the *Local Government Act 1999* ('the Act'), by specifying the types of expenses that will be reimbursed without the need for specific approval of Council each time a claim is made. It will outline the process for Council Members to obtain reimbursement of those expenses.

   Council Members are paid an allowance for performing and discharging their functions and duties as a Member of the Council. The role of a Council Member is:
   (i) to participate in the deliberations and civic activities of Council;
   (ii) to keep Councils objectives and policies under review to ensure that they are appropriate and effective; and
   (iii) to keep Councils resource allocation, expenditure and activities, and the efficiency and effectiveness of its service delivery, under review.

   The allowance paid to Council Members under Section 76 of the Act is prescribed by the Remuneration Tribunal.

2. **Scope**

   This Policy will cover the payment of an annual allowance to Council Members, the provision of facilities and support and the basis on which these are made available to Council Members.

   This Policy summarises the provisions of the Act and Regulations in respect to Council Members allowances, the provision of facilities and support, reimbursement of the different types of expenses, the circumstances in which those expenses will be or can be reimbursed and what benefits Council Members receive that must be recorded for the purposes of maintaining the Register of Allowances and Benefits.

3. **Policy Statement**

   Council will ensure that payment of Council Member allowances, the reimbursement of expenses, and the provision of facilities and support is accountable and transparent, and in
accordance with the Local Government (Members Allowances and Benefits) Regulations 2010 (‘the Regulations’).

This Policy is underpinned by the following principles:

- Council Members should not be out-of-pocket as a result of performing and discharging their Council functions and duties;
- to assist Council Members in performing or discharging their official functions and duties they are entitled to be provided with a range of necessary facilities and support and to be reimbursed for expenses as specified in this Policy;
- any reimbursements claimed by Council Members must be for expenses actually and necessarily incurred in performing and discharging their official Council functions and duties, which will be assessed according to the role of a Council Member under the Act;
- Council encourages continued relevant professional training and development for Council Members. This is seen as being imperative and necessary in terms of good governance and to the improved performance of their functions and duties; and
- the accountability of the Council to its community for the use of public monies.

4. Specific Provisions / Responsibilities

4.1 Roles and Responsibilities

This Policy will apply to all Members of Council, who have an obligation to follow the procedures set by this Policy.

Councils Chief Executive Officer (CEO) (or delegate) has the duty to:

- maintain the Register of Allowances and Benefits;
- initiate an annual review of allowances paid to Council Members for the Councils consideration and review; and
- implementing and monitoring expense reimbursement procedures in accordance with the Act, Regulations and this Policy.

4.2 Allowances and Reimbursements

Council Members are entitled to receive an annual allowance from the Council pursuant to Section 76 of the Act for performing and discharging their official functions and duties.

The annual allowances for Council Members are determined by the Remuneration Tribunal of South Australia. These will be adjusted annually in accordance with legislative requirements and by the Consumer Price Index (All Groups Index for Adelaide). The current allowances can be found online at:

An additional allowance in the form of a sitting fee is also payable for Members of Council who are presiding Members of other committees where the Member is not the Mayor or Deputy Mayor or presiding Member of a prescribed committee.

Allowances will be paid on a quarterly basis in advance pursuant to Regulation 4(2) of the Regulations.

A Council Member is entitled to decline payment of the allowance under Section 76(12) of the Act. Where a Council Member declines payment of the allowance it must be recorded in the Register of Allowances and Benefits.

There is no requirement for Council Members to provide evidence to Council of expenditure incurred in respect to the payment of the allowance.

4.3 Travel and Child / Dependent Care

In addition to the allowance paid under Section 76 of the Act, Council Members are entitled to receive reimbursement for travelling within the area of Council and child / dependant care expenses associated with attendance at Council and Council committee meetings, in accordance with Section 77(1)(a) of the Act, and Regulation 5 of the Regulations and as detailed below:

- reimbursement for travel expenses is restricted to ‘eligible journeys’ (as defined in Regulation 3) by the shortest or most practicable route and to that part of the journey within the Council area i.e. any travelling outside the Council area in order to attend Council or Council committee meetings is not reimbursable under Section 77(1)(a) of the Act. For reimbursement for travel outside the Council area refer to “Additional Reimbursement, Facilities and Support” below;
- where a Council Member travels by private motor vehicle, the rate of reimbursement is as prescribed by the Australian Taxation Office and can be found at https://www.ato.gov.au/Business/Income-and-deductions-for-business/Business-travel-expenses/Motor-vehicle-expenses/Calculating-your-deduction/Cents-per-kilometre/. Travel by taxi, bus or other means of public transport is reimbursed on the basis of expenses ‘actually and necessarily incurred’, but is still limited to ‘eligible journeys’ by the shortest or most practicable route and the part of the journey that is within the Council area;
- reimbursement for child / dependant care expenses actually or necessarily incurred by the Council Member as a consequence of the Council Members attendance at a meeting of Council or Council committee. Child / dependant care is not reimbursed if a relative of the Council Member who ordinarily resides with the Council Member provides the care. A definition of ‘relative’ is contained in Section 4 of the Act; and
- to receive reimbursement for these entitled expenses (travel and child / dependant care) each Council Member is required to complete a Councillor Travelling Claim Form and/or Councillor Dependant Care Claim Form and submit it to the Accounts Payable.
Officer. For the purposes of administrative efficiency Council Members are requested to submit these forms on a monthly basis.

4.4 Additional Reimbursement, Facilities and Support

Additional prescribed expenses incurred by Council Members that are capable of being reimbursed by the Council are expenses that do not fall into the type of prescribed reimbursement outlined above, but may still be expenses incurred in performing or discharging official functions and duties.

Section 77(1)(b) of the Act provides that the Council may approve the reimbursement of additional expenses as set out in the Regulations incurred by Council Members, either on a case-by-case basis or under a policy adopted by Council.

These additional types of reimbursed expenses should also be distinguished from the payment of allowances by the fact that the allowance is paid without the Council Member needing to make a claim. They can also be distinguished from the reimbursement of entitled travel and child / dependant care expenses associated with attendance at Council and Council committee meetings upon the basis that claims for those types of expenses do not require the Council’s approval, either by a resolution or under a policy because reimbursement of those expenses is specifically mandated by the Act.

Regulation 6 of the Regulations sets out the types of additional prescribed expenses that may be reimbursed under Section 77(1)(b) being:

- an expense incurred in the use of a telephone, facsimile or other telecommunications device, or in the use of a form of electronic communication, on the business of Council;
- travelling expenses incurred by the Member as a consequence of the Members attendance at a function or activity on the business of Council; and
- travelling expenses incurred by the Member in undertaking an eligible journey to the extent that those expenses are attributable to travel outside the area of the Council.

Expenses for the care of:

(i) a child of the Member; or
(ii) a dependant of the Member requiring full-time care.

- incurred by the Member as a consequence of the Members attendance at a function or activity on the business of the Council; and
- expenses incurred by the Member as a consequence of the Members attendance at a conference, seminar, training course or other similar activity which is directly or closely related to the performance or discharge of the roles and duties of a Council Member.
4.5 Travelling Expenses

Pursuant to Section 77(1)(b) of the Act the Council approves the reimbursement of a Council Member in travelling:

- to a function or activity on the business of the Council; and
- in undertaking an eligible journey to the extent those expenses are attributable to travel outside the area of the Council,
- related to attendance at a Council or Council Committee meeting being an “eligible journey” (as defined in Regulation 3), meetings of regional subsidiaries held pursuant to Section 43 of the Act and approved LGA training sessions and any other travel expenses incurred by the member as a consequence of the member’s attendance at a conference, seminar, training course or other similar activity which is directly or closely related to the performance or discharge of the roles or duties of the member as it is attributable to travel outside the Council area.

Council Members will receive reimbursement for expenses incurred in travelling to a function or activity on Council business. The following conditions apply to these expenses:

- travel both within and outside the Council area must be incurred by the Council Member as a consequence of attendance at a function or activity on the business of Council. A ‘function or activity on the business of the Council’ includes official Council functions including Mayoral receptions, opening ceremonies, dinners, citizenship ceremonies and official visits etc; inspection of sites within the Council area which relate to Council or Committee agenda items; meetings of community groups and organisations as a Council appointed representative – but not to attend meetings of community groups or organisations when fulfilling the role of a local representative, and not as a Member of the Board of any such community group or organisation; representatives attending as the proxy will be reimbursed where the Council Member, as the appointed Member, is unable to attend, they will not be entitled to reimbursement where they are attending as an interested party;
- reimbursement is restricted to the shortest or most practicable route;
- where a Council Member travels by private motor vehicle, the rate of reimbursement is as prescribed by the Australian Taxation Office and can be found at https://www.ato.gov.au/Business/Income-and-deductions-for-business/Business-travel-expenses/Motor-vehicle-expenses/Calculating-your-deduction/Cents-per-kilometre/ (the reimbursement of expenses for travel by private motor vehicle is not applicable for any claim by the Mayor as they have been allocated a Council Fuel Card);
- car parking fees will be reimbursed (where they are a consequence of a Council Member attending a function or activity on the business of the Council); and
- travel by taxi, bus, or other means of public transport will be reimbursed on the basis of being expenses where they are incurred as a consequence of the Member’s attendance at a function or activity on the business of the Council however such travel must still be by the shortest or most practicable route.
4.6 Other Expenses

Pursuant to Section 77 (1)(b) of the Act the Council approves reimbursement of:

- expenses incurred for the care of a child of a Council Member or a dependent of the Council Member requiring full time care as a consequence of the Council Member’s attendance at a function or activity on the business of Council; and

- expenses incurred by the Council Member as a consequence of the Council Member’s attendance at a conference, seminar, training course or other similar activity that is directly or closely related to the performance or discharge of the roles or duties of the Council Member. Expenses will only be reimbursed for attendance at conferences, seminars, etc which have been approved by Council. Where attendance at the conference, seminar etc is approved for incidentals as per the Council Member Training and Development Policy.

Supporting receipts for all re-imbursement claims must be provided at least monthly to the Accounts Payable Officer in order to validate the claimed reimbursement. Claims for re-imbursement provided to Council three (3) months post the date of attendance may not be accepted by Council.

4.7 Facilities and Support

The reimbursement of any other expense not covered by this Policy and prescribed in Regulation 6 must be approved by resolution of Council.

In addition to allowances and the reimbursement of expenses, Section 78 of the Act provides that Council can provide facilities and forms of support for use by its Council Members to assist them to perform or discharge their official functions and duties.

Council must consider and specifically approve the particular facility and support as necessary or expedient to the performance or discharge of all Council Members official functions or duties. In approving the provision of facilities and support Section 78 requires that any such services and facilities must be made available to all Council Members on a uniform basis, other than those facilities or support specifically provided to the Principal Member set out below. All Council Members are provided with the following:

- Ipad.

Council has resolved to make available to the Principal Member (and to any acting Principal Member appointed during the Principal Member’s absence) the following additional facilities and support to assist them in performing and discharging their official functions and duties:

- Mobile telephone or a phone allowance.
- Provision of a Council Fuel Card.

The Principal Member is to provide a completed Travel Log Form (Attachment A) on a monthly basis to administration.
4.8 Reimbursement for Private Use
Each Council Member is solely responsible for those facilities released into their care and/or control for the duration of their term in office.

All facilities must be returned to Council at the end of each term in office, upon the office of a Council Member becoming vacant, or earlier at the request of the CEO.

If the facilities provided to the Council Member are damaged or lost the Council Member must lodge a written report with the General Manager - Finance and Economic Development.

The use of Council facilities, support and/or services by Council Members for campaign or election purposes is not permitted under any circumstances on the basis it is not necessary or expedient to the performance or discharge of a Council Member’s official functions or duties under the Act.

4.9 Expenses and Support Requiring Council Approval
Any expenses, additional reimbursements and facilities and support not detailed in this Policy will require the specific approval of Council prior to any expense being incurred, additional reimbursements being paid, benefits being received and facilities and/or support being provided.

4.10 Claims for Reimbursement
Council Members are required to provide details of kilometres travelled and/or evidence of expenses incurred to support all reimbursements claimed.

All claims for reimbursement must be submitted to the Accounts Payable Officer on the forms provided for this purpose on a monthly basis for the purposes of maintaining the Register of Allowances and Benefits.

Reimbursement of expenses will only be paid to a Council Member upon presentation of the form and adequate evidence supporting the claims made.

4.11 Other Benefits Received
There is no express interpretation in the Act of the term “benefits” received or provided to Council Members. However, it is common for Council to incur costs or pay for expenses (or provide a non monetary benefit) for the “benefit” of Council Members in the course of, or related to the performance of the Council Members role, functions or duties, as opposed to reimbursing them. Where the Council pays up-front for expenses that would otherwise be reimbursable, or provides Council Members with facilities or services that can be quantified for each Member, these are provided to Members for their “benefit”. For example if a Council Member attends at the ALGA conference in Canberra in November of any year, and the Council meets all or any of the costs associated with that attendance upfront, that is a
“benefit” provided to the Council Member. Another example of a “benefit” is where the Council provides, at its own cost, all Council Members with business cards for their use in performing their official functions and duties.

The cost of “benefits” needs to be quantified for each Council Member (to the extent they can be) on a quarterly basis and recorded in the Register of Allowances and Benefits pursuant to Section 79(1) of the Act as a “benefit” provided to that Council Member.

4.12 What is a “Benefit?”
There is no legislative definition that constitutes a “benefit” paid, payable or provided to a Council Member. The term needs to be considered in the context of its use in Section 79(1)(c) of the Act and the general conspectus of Chapter 5, Part 5 of the Act. It is a ‘catch all’ term (in addition to the terms ‘allowances’, ‘reimbursement’, ‘facilities’ and ‘support’) that constitutes expenditure by or on persons in public office made as a result of being a public official (in other words a Council Member). Monies expended are public monies and there is a public interest and element of accountability about recording where monies are expended.

4.13 Register of Allowances and Benefits
Pursuant to Section 79 of the Act, the CEO must maintain a Register in which shall be kept a record of:
• the annual allowance paid or payable to each Council Member under Section 76 of the Act;
• any expenses reimbursed to a Council Member under Section 77(1)(b) of the Act; and
• the details of any other benefits paid or payable to or provided for the benefit of a Council Member by the Council.

Those reimbursements paid under Section 77(1)(a) of the Act are not required to be recorded in the Register.

The CEO is required to record in the Register changes in the allowance or a benefit payable to, or provided for the benefit of, Council Members and the provision of a discretionary reimbursement (Section 77(1)(b) of the Act) or a benefit not previously recorded in the Register.

The CEO will update the Register each quarter and therefore each Council Member is required to provide their claim form for reimbursement to the Accounts Payable Officer on the last business day of each quarter.

The Register of Allowances and Benefits is available for inspection by Members of the public, free of charge, at the Council’s Principal office during ordinary business hours. Copies or extracts of the Register are available for purchase upon payment of a fixed fee.
5. **Related Documents**
   Mayor Travel Log Form  
   Councillor Dependant Care Claim Form  
   Councillor Travelling Claim Form  
   Council Member Training and Development Policy  
   Register of Allowances and Benefits

6. **Records Management**
   All documents relating to this Policy will be registered in Council’s Record Management System and remain confidential where identified.

7. **Document Review**
   This Policy will be reviewed annually to ensure legislative compliance and that it continues to meet the requirements of Council its activities and programs.

8. **References**
   *Local Government Act 1999*
   *Local Government (Members Allowances and Benefits) Regulations 2010*

9. **Further Information**
   Members of the public may inspect this Policy free of charge on Council’s website at [www.apc.sa.gov.au](http://www.apc.sa.gov.au) or at Council’s Principal Office at:

   2a Wasleys Rd, Mallala SA 5502
   On payment of a fee, a copy of this policy may be obtained.

   Any queries in relation to this Policy must be in writing and directed to the General Management – Governance and Communications.
### MAYOR TRAVEL LOG FORM - UTILISING COUNCIL FUEL CARD

<table>
<thead>
<tr>
<th>Day</th>
<th>Date</th>
<th>Purpose of Journey - Council Business - Meeting/Function (including address of destination)</th>
<th>Km/s within district</th>
<th>Km/s outside district</th>
<th>Total Kilometres</th>
</tr>
</thead>
<tbody>
<tr>
<td>e.g. Thursday</td>
<td>e.g. 26/11/15</td>
<td>Special Council Meeting – Mallala Council Chambers, Redbanks Rd Mallala</td>
<td>15</td>
<td>5</td>
<td>20</td>
</tr>
</tbody>
</table>

**Travel Log Expenses Declaration**

I, ................................................................. declare that the above travel expenses were incurred by me.

SIGNED .......................................................... DATE ..........................................................
EXECUTIVE SUMMARY

- The Adelaide Plains Equestrian Club Inc is seeking Council consent to lease a portion of Allotment 29 DP 17602, Lewiston, known as Clara Harniman Reserve and comprised in Certificate of Title Volume 5546 Folio 494.
- Prior to entering into a lease agreement as the land is Community Land, Council is required to undertake public consultation pursuant to Section 202 of the Local Government Act 1999 and in accordance with Council’s Public Consultation Policy.

RECOMMENDATION(S)

“that Council, having considered Item 14.4 – Adelaide Plains Equestrian Club Inc – Proposed Lease - Clara Harniman Reserve, Lewiston, dated 18 December 2017, receives and notes the report and in doing so:-

1. as recommended by the Chief Executive Officer pursuant to regulation 21 of the Local Government (Procedure at Meetings) Regulations 2013, Council revokes resolution 2016/394”

2. 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 a portion of Allotment 29 DP 17602, Lewiston, known as Clara Harniman Reserve and comprised in Certificate of Title Volume 5546 Folio 494.”
BUDGET IMPACT

Estimated Cost: $500.00 Public Consultation Advertising costs (50% to be reimbursed by Adelaide Plains Equestrian Club Inc)

Future ongoing operating costs: $0.00

Is this Budgeted? No
RISK ASSESSMENT

No potential risk foreseen.

APEC will be required to take out Public Liability cover to the value of $20 million and the Adelaide Plains Council’s interest is to be registered on the policy.

The standard indemnity provisions will be included in the lease agreement.

Attachments

1. Letter from Adelaide Plains Equestrian Club Inc
DETAILED REPORT

Purpose

- To seek Council endorsement to commence the public consultation process for a proposed lease agreement between Council and the Adelaide Plains Equestrian Club Inc in regard to the leasing of a portion of Allotment 29 DP 17802, Lewiston, known as Clara Harniman Reserve, comprised in Certificate of Title Volume 5546 Folio 494.

Background/History

The Adelaide Plains Equestrian Club (APEC) was formed in January 2012 to meet the demand for a non-competitive riding club covering a range of disciplines and activities, including a social element. Since its inception, the club has sought a suitable location from which to be based.

As a part of the Lewiston Community Focal Point Study, Clara Harniman Reserve and Hams Park, Lewiston, were investigated as sites which could comprise a mixed use facility that could be developed in partnership with equestrian and canine clubs.

After initially utilising Hams Park, Lewiston for several equestrian events, the club determined that the work needed to create level surfaces for arenas was considered impractical and the site proved to be unsuitable for their specific needs. APEC then successfully trialled Clara Harniman Reserve and since 2013, in accordance with Council requirements, have lodged annual Facility and Community Land Use applications and Event Permits to use the reserve for all its equestrian activities.

In November 2016, the APEC requested a short term licence to locate a Shipping Container on Clara Harniman Reserve to allow them to store equipment for use during equestrian events. A report was submitted to Council on 19 December 2016 and the following resolutions passed:

17.5 Adelaide Plains Equestrian Club – Proposed Licence

Moved Cr Daniele  Seconded Cr Lawrence  2016/393

“that Council, having considered Item 17.5 – Adelaide Plains Equestrian Club - Proposed Licence dated 19 December 2016, receive and note the report.”

CARRIED
17.5 Adelaide Plains Equestrian Club – Proposed Licence

Moved Cr Keen Seconded Cr Strudwicke 2016/394

“that Council, having considered Item 17.5 – Adelaide Plains Equestrian Club - Proposed Licence dated 19 December 2016, and subject to Development Approval being granted and remnant vegetation being adequately fenced off, authorises, pursuant to Sections 38 and 44 of the Local Government Act 1999, the Mayor and Chief Executive Officer to execute the Licence Agreement between Council and the Adelaide Plains Equestrian Club Inc, and to execute the licence agreement as amended.”

CARRIED

Discussion

After further discussions with Council planning staff, APEC decided not to proceed with this Licence Agreement as the proposed Licence only gave APEC access to an area of 13m x 3m which was the size of the storage container only. The club has determined it would preferable to lease a larger portion of the reserve on a long term basis to enable the group to engage in regular equestrian activities without the requirement to obtain annual permits.

As the Adelaide Plains Equestrian Club Inc did not proceed with the Licence Agreement resolution 2016/394 described above, the request should be revoked by Council accordingly.

APEC is now keen to enter into a long term Ground Lease Agreement with Council to occupy a portion of Clara Harniman Reserve as a permanent location and have requested to lease an area of 1.7 hectares on the southern portion of Clara Harniman Reserve, with primary access from Cockatoo Road as per location plan hereunder outlined in blue.
As the subject land is classified as Community Land, prior to entering into a lease agreement, Council is required to undertake public consultation pursuant to Section 202 of the Local Government Act 1999 and in accordance with Council’s Public Consultation Policy.

The club propose to develop the site to include clubrooms incorporating storage facilities and in due course an arena, using APEC funds plus potential grant funding. In future, they may require connection to mains water. The club intend to fence off remnant vegetation on the eastern boundary subject to Council providing ‘in-kind’ support by digging holes for the fencing posts. Fencing will allow the best retention and protection of native vegetation.

Administration considers that any Ground Lease agreement with APEC for the long term use of Clara Harniman reserve should include the following terms and conditions;
- **Premises** – portion of Clara Harniman Reserve, being Allotment 29 (Council Reserve) DP 17602, Lewiston, comprised in Certificate of Title 5546 Volume 494 as per Location Plan coloured blue above
- **Initial Term** – Ten years
- **Right of Renewal** – one right of renewal of ten years
- **Rent** – $1.00 per annum (exclusive of GST) payable on demand
- **Permitted Use** – Sporting and Recreation Purposes
- **Public Liability Insurance** – $20 million
- **Improvements** – construction of improvements on the land will be subject to Council consent and at the lessee's cost including ongoing maintenance
- **Costs** – Lessee to pay 50% of advertising costs for public consultation required under the *Local Government Act 1999* for leasing of Community Land and preparation of the Lease Agreement
- **Rates and Taxes** – responsibility of Lessee subject to Rebate of Council Rates under Section 166 of the *Local Government Act 1999*

Council staff will commence preliminary discussions with the APEC regarding the Terms and Conditions to be included in the Lease Agreement.

If the APEC is permitted to have long term lease over the land, the club has indicated that they are amenable to subletting the land to other community groups for similar activities.

It would be relevant to mention that the recent Pinery Fire and Northern Rivers Flood events illustrated a lack of emergency locations and shelter options for residents evacuating animals. In 2015 during the Pinery Fire, residents advised to evacuate took shelter at the Two Wells Oval, with some bringing animals. This event demonstrated that the oval precincts were not designed or equipped to manoeuvre and/or accommodate horse and dog floats that may come with a similar catastrophic event.

**Conclusion**

Of the potential sites for a clubs-based development, Clara Harniman Reserve is considered the better option, based on genuine community group interest, minimal issues associated with flooding, and less impact on native vegetation.

In addition, following the Pinery Fires, Clara Harniman has been considered as a potential evacuation point for the community to bring their animals in the case of a district wide emergency. The location of Hams Park as an evacuation point would be deemed unsuitable as it is located in a flood zone.
As the subject land is classified as community land, public consultation will be required pursuant to Section 202(2) of the *Local Government Act 1999*, before entering into a long term lease agreement.

As the APEC did not proceed with the Licence Agreement resolution 2016/394 described below should be revoked by Council accordingly.

**Resolution 2016/394** – “that Council, having considered Item 17.5 – Adelaide Plains Equestrian Club – Proposed Licence dated 19 December 2016, and subject to Development Approval being granted and remnant vegetation being adequately fenced of, authorises, pursuant to Sections 38 and 44 of the Local Government Act 1999, the Mayor and Chief Executive Officer to execute the Licence Agreement between Council and the Adelaide Plains Equestrian Club Inc”

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**References**

**Legislation**

*Local Government Act 1999*

**Council Policies**

Public Consultation Policy

Council Strategic Plan

4.1 – Vibrant Community

4.1.2.7 - Feasibility studies for new recreation facilities and precinct upgrades in line with the Open Space Plan and in partnership with community sport and recreation groups

4.3 – Great Places and Infrastructure

4.3.2.2 - Community precinct upgrades in line with the Open Space Plan and in partnership with community sport and recreation groups
2nd June 2017

Mr R Adam
Governance Support Officer
Adelaide Plains Council
PO Box 18
Mallala SA 5502

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

Dear Rob,

Further to recent verbal conversations by Tracey Smith, Treasurer, Adelaide Plains Equestrian Club Inc ("APEC"), we wish to confirm our interest in a Lease Agreement for part or all of Clara Harniman Reserve ("CHR").

As you are aware, we expressed an interest in a Licence Agreement for the purposes of placing a shipping container on CHR to facilitate storage of our equipment at this site, given that we regularly use the site to hold our events (under existing approved arrangements with Council). This was considered a short-term solution until such time as Council was in a position to approve a Lease or other arrangement for the development of CHR for equine and canine purposes. We understand that a Lease is now a possibility and in the event that a Lease Agreement is approved and agreed, we would look to withdraw our interest in a Licence Agreement, replacing this with the Lease Agreement, which we envisage would be for a nominal fee (say $50 per annum), given that the capital value of any development would revert to Council at the point of cessation of any lease, with no expectation that Council would financially contribute to such development.

The progression of the Licence Agreement has only been on hold due to Council's advice that this would be a non-complying Development Application and would therefore likely be both time consuming, take extended time to progress together with being costly compared to an ordinary Development Application. We felt everyone's interests were better served in endeavouring to progress a Lease Agreement in collaboration with other interested parties.

Whilst we have always been interested in working with other equine or canine groups to collaboratively develop CHR for the benefit of the broader community, as well as meeting our own needs, discussions to date have determined:

- Whilst SA Dressage is interested in a facility, their needs are such that they are better served at present in sourcing an already developed site. They are keen to maintain contact with us and the option remains open to explore a sub-lease, licence or even a rental arrangement (with Council's approval) in the future should APEC be successful in progressing a Lease Agreement.

PO Box 1070, Two Wells SA 5501
E: adelaideplainsquestrarianclub@gmail.com, W: www.freeteams.net/apec
• The Adelaide Plains Kennel and Obedience Club have advised that they are exploring a range of options and are not in a position to commit to a specific location.

• Several other groups/individuals have expressed interest in using the site if APEC is able to progress a lease and this may either be on a sub-lease or day hire arrangement, subject to negotiation and to Council’s consent.

Consequently, we would be delighted to progress a Lease Agreement on our own at this stage. We are happy to explore either a lease for part of the land or a lease for the whole of the land, contingent on Council’s advice as to the most appropriate arrangement.

Please find attached a map that roughly identifies that part of the land we would be interested in leasing if Council prefers to lease only part of the site. We have split this into an equine area (that which we would lease), a canine area and a shared use area for a car park. This has been done on the premise that a part lease is progressed, however if Council would prefer a Lease be for the full site, we are happy to discuss this. We look forward to working with the planning department within Council to more accurately identify the specific lease area on an appropriate site plan and trust that Council has the relevant maps to facilitate this.

We envisage that any development proposed would be a consultative process with Council particularly given that our intention would be to leave a significant part of the CHR available for use by the broader community when not in use by APEC. We would normally only be using the site on a weekend and ordinarily, no more than 11 times per annum. It is also anticipated that with appropriate development, this site could be used in the event of an emergency for owners to bring their horses and dogs.

Our initial thoughts are that fencing the area defined as remnant vegetation on the eastern boundary of CHR should be a priority to ensure this vegetation is protected from any inappropriate use by community members accessing the site. APEC has always been conscientious about not riding in this area however the site is presently able to be accessed by anyone, including motor bikes, at any time it is not in use by APEC. Further, we believe that locking the access gates and providing “step-overs” like those in Mt Crawford Forest, would enable the facility to still be accessible for horse riders and dog owners, but would hopefully eliminate access by motorbikes and other vehicles which can cause significant damage to the grounds.

Whilst we are unable to provide funding for this, we look forward to working with Council and other interested parties, such as the Two Wells, Lewiston and Districts Landcare Group and Natural Resources, Adelaide and Mt Lofty Ranges, to identify and source appropriate funding to facilitate the installation of appropriate fencing.

In terms of APEC’s specific requirements, our first priority would be to install fencing for a defined arena together with basic storage facilities, likely still in the form of a storage container in the first instance. In the longer term, we would hope to progress a more permanent combined clubroom and storage shed that may be able to be used by multiple groups but we are fully aware that these
things don’t happen overnight and we need to be realistic about what funding we may be able to source.

We envisage that installing a clubroom/storage shed with capacity for use by up to say 4 groups in the longer term, including toilets, small kitchen, seating area and meeting space, electricity and running water, would likely cost more than $250,000. A development of this size is not feasible at this stage and we anticipate that it would be highly unlikely that an application for such would be successful – there needs to be a few runs on the board first.

With respect to ongoing support from Council, we do not envisage that Council would be required to provide any ongoing cash contribution. However, in kind support would be very much appreciated. Examples of this may be:

- mowing of areas of the site that remain open to the general community to use for horse riding and walking their dog. We would be amenable to discussing a small contribution for this service each time we specifically required the site to be mowed and we do not have any expectation that Council would be responsible for the maintenance of any area (eg. The proposed arena area) that the general community does not have access to.
- Assistance with spreading gravel for a shared use car park area. Funding would need to be obtained to acquire the gravel, so this would only happen at that time.
- Assistance with any grant application for funding and digging post holes for fencing of the native vegetation area. It is anticipated that the primary applicant for any funding is likely to be either Two Wells, Lewiston and Districts Landcare Group or Natural Resources, Adelaide and Mt Lofty Ranges. APEC would be happy to assist in preparing a funding application or simply provide a letter of support for such.

We hope that this correspondence has provided a broad overview of our interest and intentions and we look forward to progressing a lease with Council for this site. Please contact Tracey Smith (P: 0407 710 546, E: integrity@integritybas.com.au), who oversees facilities matters for APEC, should you require any further information and to arrange a suitable time to meet to clarify the specific area to be leased and initial developments proposed.

Kind Regards

Samantha Dragon
PRESIDENT

Tracey Smith
TREASURER/FACILITIES

Cc: Rob Adam (Direct email) radam@apc.sa.gov.au
    Lynette Seccafien lseccafien@apc.sa.gov.au
    Rob Veitch rveitch@apc.sa.gov.au
OVERVIEW

To provide for Council’s information and monitoring, the status of actions that are currently being processed (Attachment 1).

This report provides the status of Council Resolutions that have not yet been closed out (finalised) for the period April 2015 to October 2017. However, those previously outstanding matters that have been finalised since the last report to Council are also included for the sake of completeness.

The Council Resolutions for November 2017 are provided in full for Council Members’ information.

Administration acknowledges the efficiencies afforded the Council Members monitoring their performance and the confidence built using transparent control measures.

RECOMMENDATION

“that Council, having considered Item 15.1 – Council Resolutions/Action Report, dated 18 December 2017, receives and notes the report.”

Attachments

1. Resolution Status Report

References

Legislation

Local Government Act 1999

Local Government (Procedures at Meetings) Regulations 2013
<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>Item Number</th>
<th>Title</th>
<th>Resolution Description</th>
<th>Resolution Number</th>
<th>Status/Comments ('Deferred, Ongoing, Agenda, Completed')</th>
<th>Responsible Department</th>
<th>Carried/Lost</th>
</tr>
</thead>
</table>
| 06-Nov-17    | 2.1         | Central Local Government Region of South Australia (referred to as Legatus Group) - Charter | “that Council, having considered Item 2.1 – Central Local Government Region of South Australia (referred to as Legatus Group) - Charter, dated 6 November 2017, receives and notes the report and in doing so:-
1. Adopts the amended Charter as provided in Attachment 1; and
2. Instructs administration to provide an update of Council’s resolution to the Board of Management of the Central Local Government Region of South Australia (referred to as Legatus Group).” | 2017/335 | Completed - D17/29929 | Executive Office | C |
| 06-Nov-17    | 2.2         | AWE Northern Floodway Briefing | “that Council, having considered Item 2.2 – AWE Northern Floodway Briefing, dated 6 November 2017, receives and notes the report and briefing.” | 2017/336 | Completed | Executive Office | C |
| 06-Nov-17    | 2.3         | Gawler River Floodplain Authority – Status Update | “that Council, having considered Item 2.3 – Gawler River Floodplain Management Authority – Status Update, dated 6 November 2017, receives and notes the report.” | 2017/337 | Completed | Executive Office | C |
| 06-Nov-17    | 2.4         | Notice of Motion – Gawler River Floodplain Management Authority | “that in relation to Adelaide Plains Council’s (APC) recent decision to withdraw from the Gawler River Floodplain Management Authority (GRFMA) and seek the endorsement of the Minister for Local Government:-
1. Acknowledge resolutions of other GRFMA constituent councils seeking the Minister for Local Government to not support APC’s decision to withdraw; and
In the public interest and in the interest of regional solidarity inform the Minister that his possible ‘non approval’ decision of APC’s request would not be opposed by APC and should that occur, APC would continue to engage in discussions with GRFMA with a focus on reviewing the GRFMA Charter to ensure a more equitable funding ratio between councils is derived.” | 2017/338 | Completed | Executive Office | L |
<p>| 20-Nov-17    |             | Acknowledgment Dominic Trimboli | “that Council acknowledges the recent passing of Mr Dominic Trimboli and recognises his service to the community.” | 2017/339 | Completed | Executive Office | C |
| 20-Nov-17    | 2.1         | Confirmation of Council Minutes – Ordinary Meeting held 16 October 2017 | “that the minutes of the Ordinary Council Meeting held on Monday 16 October 2017 (MB Folios 13644 to 13654, inclusive), be accepted as read and confirmed.” | 2017/340 | Completed | Executive Office | C |
| 20-Nov-17    | 2.2         | Confirmation of Council Minutes – Special Meeting held 6 November 2017 | “that the minutes of the Special Council Meeting held on Monday 6 November 2017 (MB Folios 13655 to 13658, inclusive), be accepted as read and confirmed.” | 2017/341 | Completed | Executive Office | C |</p>
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<tr>
<th>Meeting Date</th>
<th>Item Number</th>
<th>Title</th>
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<th>Carried/Lost</th>
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<tbody>
<tr>
<td>20-Nov-17</td>
<td>9.2</td>
<td>Commercial in Confidence – Two Wells Development deputation commenced at 6.54 pm</td>
<td>&quot;that, under the provisions of Section 90(2) of the Local Government Act 1999, an order be made that the public with the exception of Chief Executive Officer, General Manager – Infrastructure, General Manager, Finance and Economic Development; General Manager, Governance and Communications, General Manager – Development and Community, Planning Officer and the Minute Take] be excluded from attendance at the meeting of the Council in order to consider in confidence this item. 9.2 – Commercial in Confidence – Two Wells Development: The Council is satisfied that it is necessary that the public be excluded to enable the Council to consider the deputation at the meeting:  • on the grounds provided by Section 90(3)(d), commercial information of a confidential nature (not being a trade secret) the disclosure of which -o could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on the third party; and  • on the basis that information within the deputation:  o contains commercial information  o it would be unreasonable to disclose this meeting information as part of the confidential commercial discussions</td>
<td>2017/342</td>
<td>Completed</td>
<td>Executive Office</td>
<td>C</td>
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<tr>
<td>20-Nov-17</td>
<td>9.2</td>
<td>Commercial in Confidence – Two Wells Development deputation commenced at 6.54 pm</td>
<td>&quot;that, in accordance with Section 91(7) and Section 91(9) of the Local Government Act 1999 and on the grounds that Item 9.2 – Commercial in Confidence – Two Wells Development for the meeting of the Council held on 20 November 2017, was received, discussed and considered in confidence pursuant to Section 90(3)(d) of the Local Government Act 1999, this meeting of the Council, does order that:  (a) deputation and information discussed in relation to the matter remain confidential and not available to the public until further order of the Council;  (b) the confidentiality of the matter be reviewed once in each 12 months; and  (c) 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.&quot;</td>
<td>2017/343</td>
<td>Completed</td>
<td>Executive Office</td>
<td>C</td>
</tr>
<tr>
<td>20-Nov-17</td>
<td>12.1</td>
<td>Mallala and Districts Historical Committee – meetings held 4 October 2017 and 1 November 2017</td>
<td>&quot;that Council receives and notes the minutes of the Mallala and Districts Historical Committee meetings held 4 October 2017 and 1 November 2017.&quot;</td>
<td>2017/344</td>
<td>Completed</td>
<td>Executive Office</td>
<td>C</td>
</tr>
<tr>
<td>20-Nov-17</td>
<td>12.2</td>
<td>Governance Advisory Panel – meeting held 18 October 2017</td>
<td>&quot;that Council receives and notes the minutes of the Governance Advisory Panel meeting held on 18 October 2017.&quot;</td>
<td>2017/345</td>
<td>Completed</td>
<td>Executive Office</td>
<td>C</td>
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<tr>
<td>20-Nov-17</td>
<td>12.2</td>
<td>Governance Advisory Panel – meeting held 18 October 2017</td>
<td>&quot;that Council endorses the recommendation of the Governance Advisory Panel and in doing so requests that administration approach the Local Government Association Workers Compensation Scheme and Local Government Association Mutual Liability Scheme to assist in the preparation of a review in relation to this matter with a focus on comparing Council’s practice to Council’s procedures, in particular:-  • Asbestos Management Procedure;  • Contract Management Policy Procedure; and  • Hazard Management Policy Procedure with the outcome of the review to be presented back to the Panel to make recommendations to Council for further consideration.&quot;</td>
<td>2017/346</td>
<td>Ongoing</td>
<td>Governance and Communications</td>
<td>C</td>
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<tr>
<td>20-Nov-17</td>
<td>12.2</td>
<td>Governance Advisory Panel – meeting held 18 October 2017</td>
<td>&quot;that Council endorses the recommendation of the Governance Advisory Panel and in doing so requests that the Chief Executive Officer hold discussions with neighbouring councils with a focus to work collaboratively to outline a public awareness campaign, educating and advising the community in relation to illegal dumping, including the attached penalties.”</td>
<td>2017/347</td>
<td>Ongoing - correspondence sent to Light Regional Council, The Barossa Council</td>
<td>Executive Office</td>
<td>C</td>
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<tr>
<td>Meeting Date</td>
<td>Item Number</td>
<td>Title</td>
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<td>20-Nov-17</td>
<td>12.3</td>
<td>Strategic Planning and Development Policy Committee Meeting – 6 November 2017</td>
<td>&quot;that Council receives and notes the minutes of the Strategic Planning and Development Policy Committee meeting held 6 November 2017.&quot;</td>
<td>2017/348</td>
<td>Completed</td>
<td>Executive Office</td>
<td>C</td>
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</tbody>
</table>
| 20-Nov-17    | 12.3        | Strategic Planning and Development Policy Committee Meeting – 6 November 2017 | "that Council endorses the recommendation of the Strategic Planning and Development Policy Committee and in doing so:-
• endorses the Draft Northern Food Bowl Protection Areas DPA subject to the proposed amendments recommended in the Summary of Consultation and Proposed Amendments Report, (as presented under separate cover);
• authorises the Chief Executive Officer to forward the DPA to the Minister for Planning for approval under Section 25(14) of the Development Act 1993 and in doing so confirms that the DPA has been prepared in accordance with the Development Act 1993 Section 25(14)(b); and, that the DPA satisfies the matters prescribed in the Development Regulations 2008; and
• grants authority to the Chief Executive Officer to make minor changes of a technical or editorial nature to the DPA to facilitate final approval, as deemed necessary by the Department or the Minister for Planning." | 2017/349          |                                                                                                                      | Executive Office        | C           |
| 20-Nov-17    | 12.3        | Strategic Planning and Development Policy Committee Meeting – 6 November 2017 | "that Council endorses a further amendment to the Northern Food Bowl Protection Areas DPA to allow the following twelve land parcels to sub-divide into 4 hectare allotments for horticulture purposes:- CT5639/512; CT5625/171; CT5901/921; CT5901/920; CT5483/243; CT5625/171; CT5940/167; CT5940/166; CT5541/380; CT6037/81; CT6037/82; CT5940/164".                                                                                                                   | 2017/350          |                                                                                                                      | C                      |             |
| 20-Nov-17    | 12.4        | Audit Committee – meeting held 6 November 2017                       | "that Council receives and notes the minutes of the Audit Committee meeting held on 6 November 2017."                                                                                                                                                                                                                                                   | 2017/351          | Completed                                              | Executive Office        | C           |
| 20-Nov-17    | 12.4        | Audit Committee – meeting held 6 November 2017                       | "that Council endorses the recommendations of the Audit Committee and in doing so:-
1. receives and notes the Annual Financial Statements and notes forming part of the Annual Financial statements for the 2016/2017 Financial Year;
2. formally adopts the Annual Financial Statements for the year ended 30 June 2017 (subject to resolution regarding the fixed assets register and the Gawler River Floodplain Management Authority, Council’s equity share) and be certified on behalf of the Council by the Mayor and Chief Executive Officer; and
3. authorises the Audit Committee Chairman to sign the “Certification of Auditor Independence.”                                                                                                                                                                                                                                               | 2017/352          | Completed                                              | Executive Office        | C           |
<p>| 20-Nov-17    | 12.4        | Audit Committee – meeting held 6 November 2017                       | &quot;that Council having received and noted the minutes of the Audit Committee meeting dated 11 September 2017, endorses the recommendation considered at Item 4.1 – Gawler River Floodplain Management Authority Review – Prudential Assessment – Withdrawal from the Authority, and in doing so instructs the Chief Executive officer to prepare a report to the next meeting of the Audit Committee outlining the status of Council’s Risk Management processes and whether or not there is indeed a Risk Management Plan and whether it needs to be updated.” | 2017/353          | Ongoing                                                | Executive Office        | C           |
| 20-Nov-17    | 13.1        | Gawler River Floodplain Management Authority – minutes of meeting held 19 October 2017 | &quot;that Council receives and notes the minutes of the Gawler River Floodplain Management Authority Meeting held 19 October 2017.&quot;                                                                                                                                                                                                                             | 2017/354          | Completed                                              | Executive Office        | C           |
| 20-Nov-17    | 14.1        | Our Journey: Two Years On...                                                                                           | &quot;that Council, having considered Item 14.1 – Our Journey: Two Years On..., dated 20 November 2017, receives and notes the report and in doing so acknowledges the significant achievements and outcomes Council (Council Members and Administration alike) has delivered since November 2015.&quot;                                                                                                    | 2017/355          | Completed                                              | Executive Office        | C           |</p>
<table>
<thead>
<tr>
<th>Meeting Date</th>
<th>Item Number</th>
<th>Title</th>
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<tr>
<td>20-Nov-17</td>
<td>14.2</td>
<td>Ordinary Meeting Schedule (Dates and Times) 2018</td>
<td>“that Council, having considered Item 14.2 – Ordinary Council Meeting Schedule 2018, dated 20 November 2017, receives and notes the report and in doing so assigns Ordinary Council meetings for 2018 to be on the third Monday of each calendar month, commencing at 5.30 pm, with the exception of January, where the meeting will be held on the fourth Monday of the month”.</td>
<td>2017/356</td>
<td>Completed</td>
<td>Executive Office</td>
<td>L</td>
</tr>
<tr>
<td>20-Nov-17</td>
<td>14.2</td>
<td>Ordinary Meeting Schedule (Dates and Times) 2018</td>
<td>“that Council, having considered Item 14.2 – Ordinary Council Meeting Schedule 2018, dated 20 November 2017, receives and notes the report and in doing so assigns Ordinary Council meetings for 2018 to be on the third Monday of each calendar month, commencing at 6.00 pm, with the exception of January, where the meeting will be held on the fourth Monday of the month”.</td>
<td>2017/357</td>
<td>Completed</td>
<td>Executive Office</td>
<td>L</td>
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<tr>
<td>20-Nov-17</td>
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<td></td>
<td>“that the Chief Executive Officer bring back a report in relation to Council meeting frequency and core business which shall be at the centre of Ordinary Council meetings, including consideration of when deputations should be made to Council”.</td>
<td>2017/358</td>
<td>Agenda - 18/12/17</td>
<td>Executive Office</td>
<td>C</td>
</tr>
</tbody>
</table>
| 20-Nov-17    | 14.3        | Review of Council Committees Structure | “that Council, having considered Item 14.3 – Review of Council Committee Structure, dated 20 November 2017, receives and notes the report and in doing so:-
1. Acknowledges that Council is required by legislation to establish the following four (4) Committees:-
   a. Building Fire Safety Committee;
   b. Council Assessment Panel;
   c. Strategic Planning and Development Policy Committee; and
   d. Audit Committee.
2. Resolves to change the name of the mandatory Strategic Planning and Development Policy Committee to ‘Strategic Planning and Economic Development Committee’ and in doing so, requests that a review of the Terms of Reference be undertaken in order to incorporate Council’s economic development function.
3. Ceases the operation and therefore dissolves the following current Section 41 Council Committees:-
   a. Animal Management Advisory Committee;
   b. Chief Executive Officer Review Committee;
   c. Community Development and Advisory Committee;
   d. Economic and Infrastructure Advisory Committee; and
   e. Mallala and Districts Homes Committee.
4. Retains the following current Section 41 Council Committees:-
   a. Environmental Management Advisory Committee;
   b. Governance Advisory Panel; and
   c. Mallala and Districts Historical Committee.
5. Resolves to change the name of the Environmental Management Advisory Committee to ‘Infrastructure and Environment Committee’.
6. ‘Adelaide Plains Council Historical Committee’.
7. Resolves to undertake a review of the Terms of Reference of all remaining Section 41 Committees (including membership composition and meeting frequency) in order to incorporate the relevant changes and finalise the Committee Review process.
8. Authorises the Chief Executive Officer to take any other administrative action required in order to implement the above.” | 2017/359 | ongoing | Governance and Communications | C |
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<tr>
<th>Meeting Date</th>
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<th>Title</th>
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<tbody>
<tr>
<td>20-Nov-17</td>
<td>14.4</td>
<td>Appointment of Deputy Mayor</td>
<td>“that Council, having considered Item 14.4 – Appointment of Deputy Mayor, dated 20 November 2017, receives and notes the report and in doing so resolves that:- 1. The term of office for the position of Deputy Mayor for the Adelaide Plains Council be from 22 November 2017 until the expiration of the current term of Council, being the date of the next General Election in November 2018; and 2. The method of choosing a Deputy Mayor be by indicative vote to determine the preferred person. Upon completion of the vote Council will, by resolution appoint the successful Council Member as its Deputy Mayor.”</td>
<td>2017/360</td>
<td>Completed</td>
<td>Executive Office</td>
<td>C</td>
</tr>
<tr>
<td>20-Nov-17</td>
<td>14.4</td>
<td>Appointment of Deputy Mayor</td>
<td>“that Council, having considered Item 14.4 – Appointment of Deputy Mayor, dated 20 November 2017, appoints Councillor Lawrence as Deputy Mayor for the Adelaide Plains Council.”</td>
<td>2017/361</td>
<td>Completed</td>
<td>Executive Office</td>
<td>C</td>
</tr>
<tr>
<td>20-Nov-17</td>
<td></td>
<td></td>
<td>“that the meeting be extended by 30 minutes”.</td>
<td>2017/363</td>
<td>Completed</td>
<td>Executive Office</td>
<td>C</td>
</tr>
<tr>
<td>20-Nov-17</td>
<td>14.6</td>
<td>Review of Short Stay Accommodation Policy</td>
<td>“that Council, having considered Item 14.6 – Review of Short Stay Accommodation Policy, dated 20 November 2017, receives and notes the report and in doing so notes that the adoption of any further amendments to the short stay policy will be deferred pending consideration of the Memorandum Of Understanding for the Mallala campgrounds”</td>
<td>2017/364</td>
<td>Completed</td>
<td>Finance and Economic Development</td>
<td>C</td>
</tr>
<tr>
<td>20-Nov-17</td>
<td>14.7</td>
<td>Closed Circuit Television (CCTV) for the Lewiston Open Space facility</td>
<td>“that Council, having considered Item 14.7 – Closed Circuit Television CCTV for the Lewiston Open Space facility, dated 20 November 2017, receives and notes the report and in doing so considers the inclusion within the 2018-2019 budget a new CCTV system for the open space facility at 210 Hayman Road Lewiston, at an approximate cost of $10,000 plus ongoing operating costs of $25 per month.”</td>
<td>2017/365</td>
<td>Ongoing - to be considered as part of budget process</td>
<td>Infrastructure</td>
<td>C</td>
</tr>
<tr>
<td>20-Nov-17</td>
<td>21.1</td>
<td>Kerbside Waste Services</td>
<td>“that, under the provisions of Section 90(2) of the Local Government Act 1999, an order be made that the public with the exception of [Chief Executive Officer, General Manager – Infrastructure, General Manager, Finance and Economic Development, General Manager – Development and Community, Debra Scott Regional Procurement Group and the Minute Taker] be excluded from attendance at the meeting of the Council in order to consider in confidence this item. 21.1 – Kerbside Waste Services: The Council is satisfied that it is necessary that the public be excluded to enable the Council to consider the report at the meeting: • on the grounds provided by Section 90(3)[k], tenders for the supply of goods, the provision of services or the carrying out of works; and • on the basis that information within the report and attachments: o contains commercial information and constituting information relevant to the potential appointment and suitability for being awarded the Waste Management Services; and o it would be unreasonable to disclose this information. Accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion”</td>
<td>2017/366</td>
<td>Completed</td>
<td>Infrastructure</td>
<td>C</td>
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<tr>
<td>20-Nov-17</td>
<td>21.1</td>
<td>Kerbside Waste Services</td>
<td>Confidential</td>
<td>2017/367</td>
<td>Completed</td>
<td>Infrastructure</td>
<td>C</td>
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<td>Meeting Date</td>
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<tr>
<td>20-Nov-17</td>
<td>21.1</td>
<td>Kerbside Waste Services</td>
<td>“that, in accordance with Section 91(7) and Section 91(9) of the Local Government Act 1999 and on the grounds that Item 21.1 – Kerbside Waste Services for the meeting of the Council held on 20 November 2017, was received, discussed and considered in confidence pursuant to Section 90(3)(a) of the Local Government Act 1999, this meeting of the Council, does order that: (a) the minutes, report, attachments and associated documents in relation to the matter, other than the minutes relating to this confidentiality order, remain confidential and not available for public inspection until the end of the Waste Management Services Contract; (b) 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; and (c) pursuant to Section 91(8)(b) and (ba) of the Local Government Act 1999, Council notes that the minutes will be released to ensure that Council discloses the successful tender, value of the contract and reason for awarding the contract when the Waste Services Contract is executed by all relevant parties.”</td>
<td>2017/368</td>
<td>Completed</td>
<td>Infrastructure</td>
<td>C</td>
</tr>
<tr>
<td>21-Nov-17</td>
<td>14.8</td>
<td>Waiving Development Application Fees – Mallala Uniting Church Op Shop</td>
<td>“that Council, having considered Item 14.8 – Waiving Development Application Fees – Mallala Uniting Church Op Shop, dated 20 November 2017, receives and notes the report and in doing so authorises the Chief Executive Officer (who in turn may delegate authority to General Manager – Development and Community) to inform the Mallala Uniting Church that they will be responsible for all Development Application fees associated with Development Application 312/192/2017.”</td>
<td>2017/369</td>
<td>Completed</td>
<td>Development and Community</td>
<td>C</td>
</tr>
<tr>
<td>21-Nov-17</td>
<td>14.10</td>
<td>Open Space and Places for People Grants</td>
<td>“that Council, having considered Item 14.10 – Open Space and Places for People Grants, dated 20 November 2017, receives and notes the report and in doing so includes $25,000 toward the project in the second quarter budget review”.</td>
<td>2017/371</td>
<td>Completed</td>
<td>Development and Community</td>
<td>C</td>
</tr>
<tr>
<td>21-Nov-17</td>
<td>14.11</td>
<td>Asbestos Management at the Carslake Road quarry site</td>
<td>“that Council, having considered Item 14.11 – Asbestos Management at the Carslake Road quarry site, dated 20 November 2017, receives and notes the report and in doing so: 1. Endorses the actions taken to date with regard to the remediation of the Two Wells Transfer Station Carslake Road Quarry site in accordance with Environment Protection Authority (EPA) Clean up Order issued by the EPA on 8 November 2017; 2. Determine that only building waste transported by vehicles, utilities and trailers (not by light truck) be permitted to access the Transfer Station at Two Wells and Mallala Resources Recovery Centre to ensure the adequate inspection of the waste prior to and during unloading; and 3. Calls for a further report to consider management practices at the Two Wells Transfer Stations and Mallala Resource Recovery Centre, with a particular focus on safety, cost and monitoring methodology of waste presented at these facilities”.</td>
<td>2017/372</td>
<td>Ongoing</td>
<td>Infrastructure</td>
<td>C</td>
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<tr>
<td>21-Nov-17</td>
<td>15.1</td>
<td>Council Resolutions/Actions</td>
<td>“that Council, having considered Item 15.1 – Council Resolutions/Action Report, dated 20 November 2017, receives and notes the report.”</td>
<td>2017/373</td>
<td>Completed</td>
<td>Executive Office</td>
<td>C</td>
</tr>
<tr>
<td>21-Nov-17</td>
<td>15.2</td>
<td>Suicide Prevention Network</td>
<td>“that Council, having considered Item 15.2 – Suicide Prevention Network, dated 20 November 2017, receives and notes the report.”</td>
<td>2017/374</td>
<td>Completed</td>
<td>Executive Office</td>
<td>C</td>
</tr>
<tr>
<td>21-Nov-17</td>
<td>15.3</td>
<td>Conservation Volunteers grant application support</td>
<td>“that Council, having considered Item 15.3 – Conservation Volunteers grant application support, dated 20 November 2017, receives and notes the report.”</td>
<td>2017/375</td>
<td>Completed</td>
<td>Executive Office</td>
<td>C</td>
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<tr>
<td>21-Nov-17</td>
<td>15.4</td>
<td>Dog and Cat Management – Board Membership Nominations</td>
<td>“that Council, having considered Item 15.4 – Dog and Cat Management – Board Membership Nominations, dated 20 November 2017, receives and notes the report.”</td>
<td>2017/376</td>
<td>Completed</td>
<td>Executive Office</td>
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<td>21-Nov-17</td>
<td>15.5</td>
<td>Two Wells Stormwater Management Plan – Stormwater Management Authority approval and gazetral</td>
<td>“that Council, having considered Item 15.5 – Two Wells Stormwater Management Plan – Stormwater Management Authority approval and gazetral, dated 20 November 2017, receives and notes the report.”</td>
<td>2017/377</td>
<td>Completed</td>
<td>Executive Office</td>
<td>C</td>
</tr>
<tr>
<td>21-Nov-17</td>
<td>18.1</td>
<td>Seeking Endorsement of New Membership – Mallala &amp; Districts Historical Committee</td>
<td>“that Council appoints Greg Tucker, Jim Franks, and Shirley Sowerby to fill the vacancies on the Mallala &amp; District Historical Committee”</td>
<td>2017/379</td>
<td>Completed</td>
<td>Executive Office</td>
<td>C</td>
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<tr>
<td>21-Nov-17</td>
<td>18.2</td>
<td>Grant Funding Writer</td>
<td>“that Council provides a report with recommendations on a number of options in employing or sourcing a grant funding writer to increase Adelaide Plain Council fiscal outlook and provide a comparative insight on what other councils receive in grant funding compared to APC”</td>
<td>2017/380</td>
<td>Ongoing - correspondence sent to Light Regional Council, The Barossa Council and Town of Gawler</td>
<td>Executive Office</td>
<td>C</td>
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<tr>
<td>21-Nov-17</td>
<td>19.1</td>
<td>Motion without notice</td>
<td>“that administration enquire with Hickinbotham to collaborate resources and assist with hosting a two hour meet and greet function to engage with the community and all Council Members”</td>
<td>2017/381</td>
<td>Completed</td>
<td>Executive Office</td>
<td>C</td>
</tr>
<tr>
<td>21-Nov-17</td>
<td>19.2</td>
<td>Motion without notice</td>
<td>“that Council write to Minister Brock and Shadow Minister Pisoni communicating motion 2017/312 advising that no response has been forthcoming and that it highlights a potential breach of the Local Government Act 1999, insofar as the provision of financial information and documentation, as well as agendas and minutes not being publically disclosed.”</td>
<td>2017/382</td>
<td>Ongoing</td>
<td>Executive Office</td>
<td>C</td>
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<tr>
<td>21-Nov-17</td>
<td>21.2</td>
<td>Metcash Food and Grocery – Commercial in Confidence</td>
<td>“that, under the provisions of Section 90(2) of the Local Government Act 1999, an order be made that the public with the exception of Chief Executive Officer, General Manager – Infrastructure, General Manager – Development and Community and the Minute Taker be excluded from attendance at the meeting of the Council in order to consider in confidence this item. 21.2 – Metcash Food and Grocery – Commercial in Confidence: The Council is satisfied that it is necessary that the public be excluded to enable the Council to consider the report at the meeting: • on the grounds provided by Section 90(3)(d), commercial information of a confidential nature (not being a trade secret) the disclosure of which (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on the third party; and (ii) would, on balance, be contrary to the public interest; and • on the basis that information within the report and attachments: o contains commercial information o it would be unreasonable to disclose this information as part of the confidential commercial discussions Accordingly, on this basis the principle that meetings of the Council should be conducted in a place</td>
<td>2017/383</td>
<td>Completed</td>
<td>Executive Office</td>
<td>C</td>
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<tr>
<td>21-Nov-17</td>
<td>21.2</td>
<td>Metcash Food and Grocery – Commercial in Confidence</td>
<td>“that the motion lay on the table.”</td>
<td>2017/384</td>
<td>Completed</td>
<td>Executive Office</td>
<td>C</td>
</tr>
<tr>
<td>21-Nov-17</td>
<td>21.2</td>
<td>Metcash Food and Grocery – Commercial in Confidence</td>
<td>“that Council, having considered Item 21.2 – Metcash Food and Grocery – Commercial in Confidence, dated 20 November 2017, receives and notes the report.”</td>
<td>2017/385</td>
<td>Completed</td>
<td>Executive Office</td>
<td>C</td>
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<tr>
<td>21-Nov-17</td>
<td>21.2</td>
<td>Metcash Food and Grocery – Commercial in Confidence</td>
<td>&quot;that, in accordance with Section 91(7) and Section 91(9) of the Local Government Act 1999 and on the grounds that Item 21.2 – Metcash Food and Grocery – Commercial in Confidence for the meeting of the Council held on 20 November 2017, was received, discussed and considered in confidence pursuant to Section 90(3)(d) of the Local Government Act 1999, this meeting of the Council, does order that: (a) the agenda item, report and attachments in relation to the matter remain confidential and not available for public inspection until further order of the Council; (b) the confidentiality of the matter be reviewed once in each 12 months; and (c) 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.&quot;</td>
<td>2017/386</td>
<td>Completed</td>
<td>Executive Office</td>
<td>C</td>
</tr>
<tr>
<td>21-Nov-17</td>
<td>21.2</td>
<td>Metcash Food and Grocery – Commercial in Confidence</td>
<td>&quot;that motion 2017/380 be lifted from the table.&quot;</td>
<td>2017/387</td>
<td>Completed</td>
<td>Executive Office</td>
<td>C</td>
</tr>
<tr>
<td>21-Nov-17</td>
<td>21.2</td>
<td>Metcash Food and Grocery – Commercial in Confidence</td>
<td>&quot;that Council instructs the Chief Executive Officer to obtain legal advice which deals with commercial and legal considerations associated with the unlocking of Crown Land in the Two Wells main street to facilitate retail development and bring a report back to Council.&quot;</td>
<td>2017/388</td>
<td>Ongoing</td>
<td>Executive Office</td>
<td>C</td>
</tr>
</tbody>
</table>
| 21-Nov-17    | 21.3        | General Managers – Contractual Agreements | "that, under the provisions of Section 90(2) of the Local Government Act 1999, an order be made that the public with the exception of the Chief Executive Officer be excluded from attendance at the meeting of the Council in order to consider in confidence this item.  

21.3 – General Managers – Contractual Agreements:  
The Council is satisfied that it is necessary that the public be excluded to enable the Council to consider the report at the meeting:  
• matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person; and  
• on the basis that information within the report and attachments:  
  o contains information about the personal affairs of Council’s General Managers, constituting information relevant to remuneration packages; and  
  o it would be unreasonable to disclose this information.  
Accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential." | 2017/389 | Completed | Executive Office | C |
<p>| 21-Nov-17    | 21.3        | General Managers – Contractual Agreements | Confidential | 2017/390 | Completed | Executive Office | C |
| 21-Nov-17    | 21.3        | General Managers – Contractual Agreements | &quot;that, in accordance with Section 91(7) and Section 91(9) of the Local Government Act 1999 and on the grounds that Item 21.3 – General Managers – Contractual Agreements for the meeting of the Council held on 20 November 2017, was received, discussed and considered in confidence pursuant to Section 90(3)(a) of the Local Government Act 1999, this meeting of the Council, does order that: (a) the agenda item, report and attachments in relation to the matter remain confidential and not available for public inspection, and (b) 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 after 1 January 2018.&quot; | 2017/391 | Completed | Executive Office | C |</p>
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<th>Meeting Date</th>
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<th>Title</th>
<th>Resolution Description</th>
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<tr>
<td>27-Apr-15</td>
<td>17.2</td>
<td>Lewiston Community Focal Point Study - Phase 2: Cost Benefit Analysis (CON13/8)</td>
<td>“that the Council, having considered Item 17.2 - Lewiston Community Study Phase 2: Cost Benefit Analysis, dated 27 April 2015, request that a report be brought back to Council to include costs, flooding concerns, native vegetation issues, identified community club and group participation and minimum cost infrastructure requirements for Hams Park, Clara Harniman Reserve and 210 Hayman Road.”</td>
<td>2015/129</td>
<td>Agenda - 19/2/18</td>
<td>Development &amp; Community</td>
</tr>
<tr>
<td>18-Jan-16</td>
<td>14.2</td>
<td>Dedicated car parking facilities (CON12/537)</td>
<td>“that the Chief Executive Officer be instructed to bring a report back to council that provides suitable options for the provision of dedicated car parking facilities at Webb Beach, Parham and Thompson Beach. Further, that in undertaking this research, the CEO be instructed to commence discussions with agencies such as Fisheries, Coast Protection Branch, Native Vegetation Council, Natural Resources Management Board, DPTI, and the Northern Adelaide International Bird Sanctuary with a view of obtaining their position and the prospect of securing funding for this initiative.”</td>
<td>2016/005</td>
<td>Ongoing - in regard to AIBS Draft Management Plan</td>
<td>Infrastructure</td>
</tr>
<tr>
<td>20-Jun-16</td>
<td>16.6</td>
<td>Parham – Horse Activity Management (CON12/131)</td>
<td>“that Council endorses the continued use of Main Street between the Esplanade and East Terrace at Parham as a horse float parking area until the end of 2016, prior to a further report being brought back to Council on establishing a more permanent horse float parking option.”</td>
<td>2016/202</td>
<td>Ongoing - formal Public Consultation to occur followed by a report back to Council</td>
<td>Development &amp; Community</td>
</tr>
<tr>
<td>15-Aug-16</td>
<td>16.3</td>
<td>Regulation of Off Road Trail Bike Riding (CON12/202)</td>
<td>“that Council considers the possible introduction of a new bylaw to regulate trail bike riding activity on both private and public land into the next substantive bylaw review to take effect in 2017.”</td>
<td>2016/254</td>
<td>Ongoing - by-law review 2018</td>
<td>Development &amp; Community</td>
</tr>
<tr>
<td>19-Sep-16</td>
<td>16.5</td>
<td>Request for the Mallala Chamber Refurbishment (CON12/953)</td>
<td>“that Council, having considered Item 16.5 - Request for the Mallala Chamber Refurbishment, dated 19 September 2016, and further that Council adopts option 1 appended to the report with an imminent focus of upgrading the visual equipment in the 2016-2017 financial year with the maximum budget expenditure of $50,000, with a subsequent focus to be on upgrading the audio equipment and chamber furniture in the 2017-2018 financial year.”</td>
<td>2016/298</td>
<td>Ongoing - part 1 of upgrade is complete, part 2 yet to commence</td>
<td>Infrastructure</td>
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<td>19-Sep-16</td>
<td>16.6</td>
<td>Suicide Prevention Network (CON12/1040)</td>
<td>“that Council, having considered Item 16.6 - Suicide Prevention Network dated 19 September 2016, that staff arrange a network proposal meeting with the Office of the Chief Psychiatrist and invite Rod McKenzie from Gawler Suicide Prevention Network, the Hon John Dawkins, Minister Leesa Vlahos, Local Member for Goyder Steven Griffiths, the Mallala Ratepayers Association along with representatives from local SAPOL, CFS, Ambulance, Lions Clubs, sporting clubs, RSL Branches, Elected Members and Staff.”</td>
<td>2016/300</td>
<td>Completed</td>
<td>Development &amp; Community</td>
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<tr>
<td>19-Sep-16</td>
<td>17.8</td>
<td>Two Wells Football &amp; Netball Sporting Clubs Inc – Ground Lease (CON12/912)</td>
<td>“that Council, having considered Item 17.8 - Two Wells Football and Netball Sporting Clubs Inc – Ground Lease, dated 19 September 2016, authorises the Chief Executive Officer to negotiate and finalise any outstanding terms of the lease as provided for in Attachment 2 appended to report – Item 17.8.”</td>
<td>2016/320</td>
<td>Ongoing - awaiting response from Crown Lands Unit of Department of Environment, Water &amp; Natural Resources</td>
<td>Development &amp; Community Governance &amp; Communications</td>
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<tr>
<td>19-Sep-16</td>
<td>17.8</td>
<td>Two Wells Football &amp; Netball Sporting Clubs Inc – Ground Lease (CON12/912)</td>
<td>“that Council, having considered Item 17.8 - Two Wells Football and Netball Sporting Clubs Inc – Ground Lease, dated 19 September 2016, and subject to Ministerial consent, authorises, pursuant to Sections 38 and 44 of the Local Government Act 1999, the Mayor and Chief Executive Officer to execute under the common seal of Council, the lease agreement between the Adelaide Plains Council and Two Wells Football and Netball Sporting Clubs Inc.”</td>
<td>2016/321</td>
<td>Ongoing - awaiting response from Crown Lands Unit of Department of Environment, Water &amp; Natural Resources</td>
<td>Development &amp; Community Governance &amp; Communications</td>
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<tr>
<td>17-Oct-16</td>
<td>16.1</td>
<td>Hard Waste Voucher (CON12/573)</td>
<td>“that administration by way of report Council, investigate all options, costs, notify etc the possibility of a once a year voucher for bona fide residents hard waste by definition delivered to council transfer station.”</td>
<td>2016/330</td>
<td>Agenda 20/11/17</td>
<td>Infrastructure</td>
</tr>
<tr>
<td>17-Oct-16</td>
<td>18.2</td>
<td>Kerbside Collection - Waste Truck Replacement (CON12/498)</td>
<td>“that Council, having considered Item 18.2 – Kerbside Collection - Waste Truck Replacement, dated 17 October 2016, endorses the CEO to allow administration to seek external quotations, prior to the scheduled replacement vehicle, to provide the Adelaide Plains Council’s kerbside collection services through the Barossa Procurement Group with a further report to Council on the evaluation”.</td>
<td>2016/343</td>
<td>Completed</td>
<td>Infrastructure</td>
</tr>
<tr>
<td>21-Nov-16</td>
<td>15.5</td>
<td>Independent Review of Coastal Settlements Adaptations Study</td>
<td>“that Council instructs the CEO to bring back a report on the cost of an independent and comprehensive review of Council’s Coastal Settlement Adaptation Study inclusive of and not restrictive of all further relevant data, information historical or otherwise.”</td>
<td>2016/354</td>
<td>Agenda - 15/1/18</td>
<td>Development &amp; Community</td>
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| 21-Nov-16    | 17.8        | Two Wells Golf Club Inc – Ground Lease | “that Council, having considered Item 17.8 – Two Wells Golf Club Inc – Ground Lease, dated 21 November 2016, receive and note the report, and in doing so:-
A. Authorises the Chief Executive Officer to negotiate and finalise any outstanding terms of the lease,
B. Subject to Ministerial consent, authorises, pursuant to Section 38 and 44 of the Local Government Act 1999, the Mayor and Chief Executive Officer to execute under the common seal of Council, the lease agreement between the Adelaide Plains Council and Two Wells Golf Club Inc,
C. In accordance with Section 166(1)(j) of the Local Government Act 1999, Council, being satisfied that the land comprised in Crown Record 5764/757, Assessment 40451, 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 percent (%) of the rates imposed, effective from the 2017/18 rating year.” | 2016/369 | Ongoing - awaiting response from Crown Lands Unit of Department of Environment, Water & Natural Resources | CEO Governance & Communications |
<p>| 19-Dec-16    | 17.5        | Adelaide Plains Equestrian Club – Proposed Licence | “that Council, having considered Item 17.5 – Adelaide Plains Equestrian Club - Proposed Licence dated 19 December 2016, and subject to Development Approval being granted and remnant vegetation being adequately fenced off, authorises, pursuant to Sections 38 and 44 of the Local Government Act 1999, the Mayor and Chief Executive Officer to execute the Licence Agreement between Council and the Adelaide Plains Equestrian Club Inc, and to execute the licence agreement as amended.” | 2016/394 | Ongoing - Staff are continuing negotiations with APEC and other community groups | Development &amp; Community Governance &amp; Communications' |
| 19-Dec-16    | 17.8        | Rededication of Crown Land – Two Wells Bowling Club | “that Council, having considered Item 17.8 – Rededication of Crown Land – Two Wells Bowling Club, receive and note the report and authorise the Chief Executive Officer to make application to Department of Environment, Water &amp; Natural Resources (DEWNR) to have Section 144 Two Wells, comprised in CR 5755/735, rededicated for both a Recreation Reserve to accommodate the Two Wells Bowling Club and a Reserve for a Soldiers Memorial Garden to accommodate the War Memorial and the Playground area.” | 2016/399 | Ongoing - letter sent to Crown Lands Unit of DEWNR requesting a rededication of the land | Governance &amp; Communication |
| 19-Dec-16    | 17.8        | Rededication of Crown Land – Two Wells Bowling Club | “that Council, having considered Item 17.8 – Rededication of Crown Land – Two Wells Bowling Club, amend the Club’s existing lease over Section 144 comprised in CR 5753/647 to include portion of Allotment 103 comprised in CR 5753/647.” | 2016/400 | Ongoing - awaiting legal advice | Governance &amp; Communication |
| 16-Jan-17    | 4.1         | Independent Structural Report – Recommendations for Wasleys Bridge Maintenance | “that Council, having considered Item 17.4 – Independent Structural Report - Recommendations for Wasleys Bridge Maintenance, dated 19 December 2016, undertake consultation in relation to either closure or reduced load limit/local traffic only on Wasleys Bridge and that management bring a subsequent report back to Council for consideration.” | 2017/003 | Ongoing | Infrastructure |</p>
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<tr>
<th>Meeting Date</th>
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<tr>
<td>20-Feb-17</td>
<td>17.4</td>
<td>Section 270 Review – Hayman Road Playground</td>
<td>“that Council, having considered Item 17.4 – Section 270 Review – Hayman Road Playground, dated 20 February 2017, notes that the Chief Executive Officer will give consideration to what action, if any, is required with respect to the investigator’s additional recommendations contained at paragraph 5.5 of the investigator’s report, and take such action as deemed appropriate.”</td>
<td>2017/042</td>
<td>Ongoing</td>
<td>Executive Office Governance &amp; Communications</td>
</tr>
<tr>
<td>18-Apr-17</td>
<td>12.1.1</td>
<td>Northern Food Bowl Protection Areas Development Plan Amendment</td>
<td>“that Council, having considered Item 12.1.1 – Northern Food Bowl Protection Areas Development Plan Amendment, 18 April 2017, receives and notes the report and in doing so instructs the Chief Executive Officer to immediately advance as a priority the preparation of the Development Plan Amendment.”</td>
<td>2017/084</td>
<td>Agenda - Refer to SPDPC Minutes</td>
<td>Development &amp; Community</td>
</tr>
<tr>
<td>18-Apr-17</td>
<td>12.2.1</td>
<td>Proposed Road Closure and Disposal – Portion of Old Port Wakefield Road Two Wells</td>
<td>“that Council, having considered Item 12.2.1- Proposed Road Closure and Disposal – Portion of Old Port Wakefield Road Two Wells dated 18 April 2017 receives and notes the report; and a) authorises Council staff to commence the Road Process pursuant to the Roads (Opening and Closing) Act 1991 to close portion of Old Wakefield Road, Two Wells adjacent Allotment 179 FP 162528 comprised in Certificate of Title Volume 5306 Folio 163; and b) Maloney Field Services be engaged to assist Council with the required Road Process pursuant to Part 3 of the Roads (Opening and Closing) Act 1991.”</td>
<td>2017/087</td>
<td>Ongoing</td>
<td>Governance &amp; Communications</td>
</tr>
<tr>
<td>18-Apr-17</td>
<td>12.5.2</td>
<td>Camping Reserve</td>
<td>“that Council, having considered Item 12.5.2 – Camping Reserves, dated 18 April 2017, 1. Charge a fee of $10 per site per night applied to both Parham and the new Mallala camp ground and a coin operated timer be retrofitted to the existing shower at the Mallala oval set at $2 for a 7 minute shower.”</td>
<td>2017/099</td>
<td>Ongoing - Council at July 2017 OCM endorsed the procurement of a ticket machine. Shower is now subject to negotiations with Lions re Mallala</td>
<td>Infrastructure / Finance &amp; Economic Development</td>
</tr>
<tr>
<td>22-May-17</td>
<td>2.1</td>
<td>Mallala Camping Grounds – Mallala Lions Club Proposal</td>
<td>“that Council, having considered Item 2.1 – Mallala Camping Ground – Mallala Lions Club Proposal, dated 22 May 2017, receives and notes the report and in doing so: - 1. instructs the Chief Executive Officer to continue to liaise with the Mallala Lions Club Executive with a view of negotiating appropriate terms and conditions for the advancement of a more permanent camping ground solution at Mallala.”</td>
<td>2017/144</td>
<td>Ongoing - all items under the draft MOU appear to have been negotiated and/or have in principle support from both parties with the exception of the CWMS fees and charges associated with the ablation block</td>
<td>Governance and Communications</td>
</tr>
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<td>Meeting Date</td>
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| 21-Aug-17    | 14.3        | Proposed Road Closure and Disposal – Portion of Old Port Wakefield Road Two Wells | “that Council, having considered Item 14.4 - Proposed Road Closure and Disposal – Portion of Old Port Wakefield Road Two Wells dated 21 August 2017 receives and notes the report and in doing so:-
1. Council make a Road Process Order in accordance with the Roads (Opening and Closing) Act 1991 to close the said portion of road marked “A” on Preliminary Plan 17/0038 for the purpose of Agreement for Transfer to OTR 137 Pty Ltd for the consideration of $60,000.00 (excluding GST) for merging with the adjoining Allotment 179 Filed Plan 162528 in Certificate of Title Volume 5306 Folio 163;
2. A Final Plan be prepared based on Preliminary Plan 17/0038 with no amendments;
3. Pursuant to Section 38 and 44 of the Local Government Act 1999, Council authorise the Mayor and Chief Executive Officer to sign and affix Council’s seal to the necessary documents to give effect to the Road Process Order; and
4. That Council reaffirms it position that all costs associated with this project shall be borne by OTR 137 Pty Ltd.” | 2017/244 | Ongoing | Governance & Communications |
| 21-Aug-17    | 14.6        | Draft Northern Food Bowl Protection Areas – Development Plan Amendment | “that Council, having considered Item 14.6 – Draft Northern Food Bowl Protection Areas Development Plan Amendment – Statutory Consultation, dated 21 August 2017, receives and notes the report and in doing so:-
1. authorises the Chief Executive Officer to release the Draft Northern Food Bowl Protection Areas Development Plan Amendment for concurrent Agency and Public Consultation pursuant to Section 25 (8)(b) of the Development Act 1993, subject to minor technical amendments as requested by DPTI; and,
2. authorises the Chief Executive Officer to coordinate a meeting open to the public to hear community representations (if required) on 30 October 2017 at 5.30pm at the Adelaide Plains Council Chambers, Redbanks Road, Mallala and provide advice to Council in respect to this matter pursuant to Section 25 (11) (b) of the Development Act 1993.” | 2017/248 | Agenda - 15/1/18 | Development & Community |
<p>| 21-Aug-17    | 18.1        | Motion of Notice - Road Upgrade Assessment Tool | “that Council requests a report that addresses road upgrades in the context of Council’s Asset Management Plan, and seeks to reintroduce a multi-criteria selection process broadly based on the existing ‘Roads Matrix’, with improvements that take into consideration the various purposes of road candidates, that if upgraded would provide economic, environmental or aesthetic benefits together with funding considerations.” | 2017/254 | Agenda - 19/2/18 | Infrastructure |</p>
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<tr>
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<tr>
<td>18-Sep-17</td>
<td>14.2</td>
<td>Proposed Lease of Council Land – NBN Radio Network Base Station</td>
<td>&quot;that Council, having considered Item 14.2 – Proposed Lease of Council Land – NBN Radio Network Base Station dated 18 September 2017 receives and notes the report, and in doing so:- 1. Continues to liaise with the Thompson Beach Progress Association Inc to have a portion of their leased area ‘A’ allocated to NBN Co Ltd (10m x 12m approximately) being portion of Section 248 DP 29513, Ruskin Road, Thompson Beach comprised in Certificate of Title Volume 5372 Folio 262 for the erection of a radio network base station, and seeks a formal position in this regard; 2. Authorises the Chief Executive Officer to liaise with NBN Co Ltd to negotiate and finalise the terms and conditions of the Lease Agreement and to seek the assistance of Norman Waterhouse Lawyers accordingly, with all associated costs to be borne by NBN Co Ltd; 3. Will undertake public consultation in regard to the proposed lease of the land to NBN Co Ltd in accordance with Section 202 of the Local Government Act 1999 and in accordance with its Public Consultation Policy, and will consider any objections (if any) prior to entering into a Lease Agreement with NBN Co Ltd; and Acknowledges that prior to the finalisation of a Lease Agreement, NBN Co Ltd will be required to submit a Development Application for the construction of the infrastructure</td>
<td>2017/283</td>
<td>Agenda - 18/12/17</td>
<td>Governance and Communications</td>
</tr>
<tr>
<td>18-Sep-17</td>
<td>18.1</td>
<td>Short Stay Accommodation Policy</td>
<td>&quot;that Council staff meet with several community members, nominated by the Ratepayers Association, and representatives of the Mallala Lions Club, with a view to develop and propose any modifications to the Short Stay Accommodation Policy, that addresses issues such as fees charged, payment methods, and time limit exemptions (such as for part time workers). Any requested policy revisions to be presented in a report to a future meeting of council.&quot;</td>
<td>2017/292</td>
<td>Ongoing</td>
<td>Development and Community</td>
</tr>
<tr>
<td>18-Sep-17</td>
<td>18.2</td>
<td>Tourism Strategy Development</td>
<td>&quot;that Council staff investigate opportunities for collaboration, (either with the Ratepayers Association, or the future Business Council, or other interested parties) to develop strategies to increase district tourism (particularly in relation to short stay accommodation) by leveraging the established activities such as crabbing and fishing and the new opportunities offered by the International Bird Sanctuary, with the aim to provide economic flow on benefits to the community and a greater profile of the Adelaide Plains region and its produce, and that a report be provide for a future meeting of Council.&quot;</td>
<td>2017/293</td>
<td>Deferred - pending Business Council Charter adoption</td>
<td>Finance and Economic Development</td>
</tr>
<tr>
<td>18-Sep-17</td>
<td>18.4</td>
<td>Donation for Food Festival</td>
<td>&quot;that Council donate $2,000 for advertising and promotion of the Northern Plains Food Festival to be held on 25 March 2018.”</td>
<td>2017/296</td>
<td>Completed - awaiting invoice for payment</td>
<td>Finance and Economic Development</td>
</tr>
<tr>
<td>03-Oct-17</td>
<td>2.1</td>
<td>Gawler River Floodplain Management Authority Review – Withdrawal from the Authority</td>
<td>&quot;that ahead of the Gawler River Floodplain Management Authority (GRFMA) undertaking a review of its Charter, Council instructs its CEO to engage a suitably qualified financial analyst to undertake a review of Adelaide Plains Council’s percentage rate contribution as it relates to flood mitigation infrastructure and, factoring in all relevant criteria (particularly comparisons to the City of Playford including capacity to pay) provide a view in respect of what that contribution should be.”</td>
<td>2017/303</td>
<td>Ongoing - awaiting quotations</td>
<td>Executive Office</td>
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<tr>
<td>03-Oct-17</td>
<td>2.1</td>
<td>Gawler River Floodplain Management Authority Review – Withdrawal from the Authority</td>
<td>&quot;that ahead of the GRFMA releasing the final version of the AWE Northern Floodway report to member councils for their endorsement, the Chief Executive Officer be instructed to engage a suitably qualified person to undertake a peer review of the report and provide a view in respect of the impact this infrastructure will have on the economic footprint of Adelaide Plains Council.”</td>
<td>2017/304</td>
<td>Ongoing - awaiting quotations</td>
<td>Executive Office</td>
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<tr>
<td>03-Oct-17</td>
<td>3.1</td>
<td>Two Wells Transfer Station - Waste Matters</td>
<td>&quot;that Council, having considered Item 3.1 – ‘Two Wells Transfer Station – Waste Matters’, dated 3 October 2017, receives and notes the report and in doing so:- 1. Acknowledges that unlawfully disposed Asbestos Containing Material (ACM) was discovered at the Two Wells Waste Transfer Station amongst approximately 450 tonne of building waste material and notes the actions taken by staff post its discovery to mitigate health and safety risks; 2. Acknowledges that an unexpected expense will be incurred by Council in order to remove the ACM currently located at the Dublin quarry site and to remediate the affected areas at the Two Wells Waste Transfer Station and Dublin quarry site and in doing so acknowledges that an adjustment will need to be made as part of the 2017/2018 budget review process; 3. Delegates the authority to the Chief Executive Officer to engage a suitably qualified contractor(s) to remove the ACM currently located at the Dublin quarry site and remediate the site to the satisfaction of the Environment Protection Authority; 4. Delegates the authority to the Chief Executive Officer to engage a suitably qualified contractor(s) to assess and, if necessary, remediate the Two Wells Waste Transfer Station building waste area (now void of building waste) to the satisfaction of the EPA;&quot;</td>
<td>2017/307</td>
<td>Completed</td>
<td>Infrastructure</td>
</tr>
<tr>
<td>16-Oct-17</td>
<td>14.1</td>
<td>Establishment of a Business Council for the Adelaide Plains</td>
<td>&quot;that Council, having considered Item 14.1 - Establishment of a Business Council for the Adelaide Plains, dated 16 October 2017, receives and notes the report and in doing so:- 1. Pledges support to the notion of establishing a Business Council for the Adelaide Plains as a means of promoting economic development priorities, facilitating economic growth and identifying opportunities to grow the economic investment base of the region; 2. Instructs its Chief Executive Officer to formally advise the President of the Adelaide Plains Ratepayers and Residents Association of Council’s interest and commitment in pursuing same; 3. Instructs the Chief Executive Officer (who in turn may delegate authority to the General Manager – Finance and Economic Development) to prepare a draft Charter and Terms of Reference for a proposed Business Council model in concert with the President of the Adelaide Plains Ratepayers and Residents Association; 4. Instructs the Chief Executive Officer (who in turn may delegate authority to the General Manager – Finance and Economic Development) to engage heavily with the Chief Executive Officer of Regional Development Australia – Barossa to seek their support and assistance in the development of the Business Council and to ensure that there is no duplication of effort in relation to work RDA Barossa is currently undertaking in the&quot;</td>
<td>2017/319</td>
<td>Ongoing</td>
<td>Executive Office/Finance and Economic Development</td>
</tr>
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<td>Meeting Date</td>
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<tr>
<td>16-Oct-17</td>
<td>14.3</td>
<td>Administration and Operations Closure – Christmas /New Year</td>
<td>“that Council, having considered Item 14.3 – Administration and Operations Closure – Christmas /New Year, dated 16 October 2017, authorises the Chief Executive Officer to finalise the administrative and public notification requirements associated with the Christmas / New Year closure applicable within the following dates and times: • Depot Operations closed from 12.00 pm Thursday 21 December 2017 and resuming normal operations from Tuesday 2 January 2018; • Administration closed from 4.00 pm Friday 22 December 2017 and resuming normal operations from Tuesday 2 January 2018; • Two Wells Library closed from 4.00 pm Friday 22 December 2017, Mallala Library closed from 12.00 pm Wednesday 20 December 2017, and both sites resuming normal operations from Tuesday 2 January 2018, and • Waste Service sites (Two Wells Transfer Station and Mallala Resource Recovery Centre) closed from 11.00 am Thursday 21 December 2017 and resuming normal operations from Thursday 4 January 2018.”</td>
<td>2017/321</td>
<td>Completed</td>
<td>Executive Office</td>
</tr>
<tr>
<td>16-Oct-17</td>
<td>14.4</td>
<td>Moquet Lee Reserve Upgrade Support</td>
<td>“that Council, having considered Item 14.4 – Moquet Lee Reserve Upgrade Support, 16 October 2017, receives and notes the report and in doing so:- 1. Approves the use of Council’s resources to the value of $3,900.00, at no charge, for the purpose of carrying out earthworks at the Moquet Lee site Grace Plain. The resources required being sourced from reductions in other areas of Councils works program namely road maintenance and construction.”</td>
<td>2017/322</td>
<td>Ongoing</td>
<td>Infrastructure</td>
</tr>
<tr>
<td>16-Oct-17</td>
<td>18.3</td>
<td>Chamber Audio System</td>
<td>“that a report be prepared in relation to the establishment of an audio system for the Council Chambers as previously forecast including budget impact and the ability to record meetings.”</td>
<td>2017/331</td>
<td>Agenda - 18/12/17</td>
<td>Finance and Economic Development/Infrastructure</td>
</tr>
<tr>
<td>16-Oct-17</td>
<td>18.4</td>
<td>Notice of Motion to the Gawler River Floodplain Management Authority (GRFMA)</td>
<td>Notice of Motion to the Gawler River Floodplain Management Authority (GRFMA) - “In order to obtain consistency across councils along the Gawler River Floodplain in relation to levee bank maintenance, the Executive Officer be instructed to seek advice in relation to whether landowners can carry out levee bank maintenance without having to obtain council approval, and further, formally request of Member Councils to advise what their compliance regimes are surrounding levee bank maintenance.”</td>
<td>2017/332</td>
<td>Completed - submitted to GRFMA agenda 14/12/17</td>
<td>Executive Office</td>
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OVERVIEW

Purpose
To provide Council Members with information regarding Council meetings with a focus on core business, including meeting frequency and the consideration of deputations and other presentations.

Background
At its meeting held 20 November 2017, Council resolved (Res. 2017/358) as follows:-

14.2 Ordinary Meeting Schedule (Dates and Times) 2018

Moved Councillor Panella Seconded Councillor Lawrence 2017/358

“that the Chief Executive Officer bring back a report in relation to Council meeting frequency and core business which shall be at the centre of Ordinary Council meetings, including consideration of when deputations should be made to Council”.

CARRIED

Discussion
In considering Council’s resolution and appetite for exploring Council Meeting frequency and the consideration of core business, a holistic approach has been taken. Below is a summary of what Management considers to be the core issues for consideration:-

1. Meeting Frequency

Section 81(2) of the Local Government Act 1999 (the Act) states that there must be at least one (1) ordinary meeting in each month. At present, Council’s practice is to hold one
ordinary meeting (on the third Monday) of each month. The majority of South Australian
councils adopt the same meeting frequency (e.g. City of Salisbury, Barossa Council, Town of
Gawler, Wakefield Regional Council, Clare & Gilbert Valleys Council, District Council of
Barunga West, City of Playford, Light Regional Council, City of Port Adelaide Enfield).

2. Deputations

Regulation 11 of the Local Government ( Procedures at Meetings) Regulations 2013
(Regulations) outlines the requirements relating to Deputations. Deputations may be heard
by Council or a Council Committee following a written request from a person(s) wishing to
appear being delivered to Council’s principal office.

Of noteworthy relevance in the context of this report is Regulation 11(7) which allows
deputations to be referred to be heard by a Council Committee. The Mayor may wish to
consider this option upon receiving and considering deputation requests, particularly in light
of the recently reviewed Committee structure.

Regulation 11(3) provides the Presiding Member (i.e. the Mayor) with the power to refuse to
allow a deputation, however this can be overruled by a resolution of Council or Council
Committee. In practice, this opportunity would occur at the time the Mayor reports the
decision to the Council or Committee in accordance with Regulation 11(5).

3. Briefings (by External Persons/Organisations)

Briefings are not prescribed or regulated by any legislation. Traditionally, these have
occurred following an invitation from the Council (usually via the Chief Executive Officer).
Council may wish to consider the way in which it considers briefings. It is suggested that
invitations (via the Chief Executive Officer) to persons or groups wishing to address Council
for more than 10 minutes, be made at a different forum than ordinary council meetings. For
example, by way of a separate briefing to Council (and/or the public) at an Informal
Gathering (refer dot-point 5 below).

4. Public Open Forum

While also not prescribed by any legislation, for some time Council has adopted an
additional discretionary procedure, ‘Public Open Forum’, that allows an opportunity for
members of the public to raise issues for Council’s consideration (refer page 7 of
Attachment 1). Public Open Forum involves the suspension of meeting procedures for a
period of up to 30 minutes at the conclusion of accepting Minutes and considering any
Business Arising on each agenda of ordinary meetings of Council. Public Open Forum was
recently considered by Council via a review of its ‘Code of Practice – Meeting Procedures’.
Any variation of a meeting procedure (capable of being varied) or any additional
discretionary procedures determined by Council must be by a resolution supported by at
least two-thirds of the members entitled to vote on the resolution (refer Regulation 6 of the
Regulations).
5. Use of Informal Gatherings and Council Committees

Council may also wish to greater utilise the holding of informal gatherings to conduct planning sessions, to receive informal briefings and educational sessions. In December 2016, and following changes to the Act, Council adopted an ‘Informal Gathering Policy’ which outlines the requirements, use and value of holding informal gatherings. Such gatherings may be particularly useful for receiving informal briefings that have otherwise previously been received by Council within the agenda of ordinary meetings.

Similarly, the recent review of Council’s Committee structure to better align with the organisational structure will also assist with channelling different matters to the various committees prior to Council’s consideration. The Committees can be used to filter and/or defer matters relating to the specialised areas of each Committee. For example, a financial report or briefing can be presented to the Audit Committee or a report/briefing relating to Council’s waste services could now be presented first to Council’s Infrastructure and Environment Committee. Once all committees are functioning and regular meetings are being held, it is anticipated that the number of items and amount of discussion required at ordinary meetings of Council may be reduced.

Summary

While many aspects regarding Council Meetings are stipulated by the Act and Regulations, it is for Council to consider whether it wishes to change the frequency of meetings (beyond the minimum requirement of one per month). It is also in the hands of the Chamber as to any review of Council’s current meeting procedures and/or agenda structure, e.g. the inclusion and timing of items such as open forum. Council’s current ‘Code of Practice – Meeting Procedures’ is attached to this report for Members’ information (Attachment 1). Members will recall that this document was reviewed in August 2017.

RECOMMENDATION

“that Council, having considered Item 15.2 – Council Meeting Frequency and Core Business, dated 18 December 2017, receives and notes the report and in doing so acknowledges that the Chief Executive Officer will maintain focus on Council’s core business in exercising discretion in relation to briefings and informal gatherings.”

Attachments

1. Code of Practice – Meeting Procedures
References

Legislation

Local Government Act 1999

Local Government (Procedures at Meetings) Regulations 2013

Council Policies

Code of Practice – Meeting Procedures

Informal Gatherings Policy
Introduction

Adelaide Plains Council is committed to the principle of honest, open and accountable government and encourages community participation in the business of Council.

Sections 86(8) and 89(1) of the *Local Government Act 1999* (the *Act*) provides that, subject to the *Act*, the procedures to be observed at a meeting of Council or a Council Committee will be:-

- As prescribed by regulation; and
- Insofar as the procedure is not prescribed by regulation – as determined by the Council; and
- Insofar as the procedure is not prescribed by regulation or determined by the Council – as determined by the Council Committee itself.

Part 2 of the *Local Government (Procedures at Meetings) Regulations 2013* (the *Regulations*) specifies certain procedures to be followed during the operation of:-

- Meetings of Council;
- Meetings of a Council Committee performing regulatory activities; and
- Meetings of any other Council Committee to which the Council has resolved Part 2 will apply.

The *Regulations* provide that Council may develop and adopt a Code of Practice for its own meetings of Council and its Committees that varies certain of these provisions.

This Code of Practice restates the minimum legislative requirements contained in the *Regulations*, and contains the procedures adopted by Council that are variations of the *Act* and *Regulations*, or concern matters on which the *Act* and *Regulations* are silent. These discretionary procedures have been inserted in *italics and bold like this*, in this Code of
Practice to enable them to be read in conjunction with the formal requirements of the Act and Regulations.

Further, the terms ‘regulation’ and ‘sub regulation’ appearing in the Regulations have been substituted with ‘clause’ and ‘sub-clause’ respectively for the purposes of this Code of Practice. These words may be used interchangeably for the purpose of referring to and interpreting this Code. The Act and Regulations will prevail in the event of any conflict or inconsistency with this Code.

This Code of Practice will be available to the public to assist their understanding of the procedures associated with the operation of both Council and Council Committee meetings of Adelaide Plains Council.

**Part 1 – Preliminary**

1. **Citation**

   This Code may be cited as the Code of Practice - Meeting Procedures (the Code).

2. **Purpose**

   The Code sets out the agreed procedures for the conduct of Council and Committee Meetings, including the legislative obligations and the discretionary elements which Council has varied to enable the Council to operate with reference to the specific needs of this community. It is to be read in conjunction with the Act and Regulations.

3. **Interpretation**

   (1) In this Code, unless the contrary intention appears:

   - **Act** means the Local Government Act 1999;
   - **Clear days** see sub-clause (2) & (3);
   - **Deputation** means a person or group of persons who wish to appear personally before the Council or Council committee in order to address the council or committee (as the case may be) on a particular matter;
   - **Formal motion** means a motion:
     (i) that the meeting proceed to the next business; or
     (ii) that the question be put; or
     (iii) that the question lie on the table; or
     (iv) that the question be adjourned; or
(v) that the meeting be adjourned;  

See Clause 12 for specific provisions about formal motions.

Guiding Principles see Clause 3;

Member means a member of the Council or Council committee (as the case may be);

Point of order means a point raised to draw attention to an alleged breach of the Act or this Code of Practice in relation to the proceedings of a meeting;

Presiding Member means the person who is the Presiding Member of the Council or Council committee (as the case may be) and includes any person who is presiding at a particular meeting;

Regulatory function means an activity which involves the making or enforcement of by-laws, orders, standards or other controls under the Act; and

Written notice includes a notice given in a manner or form determined by the Council which includes either legibly hand written or typed and either in paper or electronic form.

(2) In the calculation of clear days in relation to the giving of notice before a meeting:

(a) the day on which the notice is given, and the day on which the meeting occurs, will not be taken into account; and

(b) Saturdays, Sundays and public holidays will be taken into account.

(3) For the purpose of the calculation of clear days under sub-clause (2), if a notice is given after 5.00pm on a day, the notice will be taken to have been given on the next day.

(4) For the purpose of this Code, a vote on whether leave of the meeting is granted may be conducted by a show of hands (but nothing in this sub-clause prevents a division from being called in relation to the vote).

4. Guiding Principles

The following principles (the Guiding Principles) should be applied with respect to the procedures to be observed at a meeting of the Council or a Council committee:

(a) procedures should be fair and contribute to open, transparent and informed decision-making;

(b) procedures should encourage appropriate community participation in the affairs of the Council;

(c) procedures should reflect levels of formality appropriate to the nature and scope of responsibilities exercised at the meeting;
(d) procedures should be sufficiently certain to give the community and decision-makers confidence in the deliberations undertaken at the meeting.

Part 2 – Meetings of Councils and Key Committees

Division 1 – Preliminary

5. Application of Part

The provisions of this Part apply to, or in relation to:

(a) the meetings of the Council;
(b) the meetings of a Council committee performing regulatory activities; and
(c) the meetings of any other Council committee if the Council has, by resolution, determined that this Part should apply to that committee.

Where there is any doubt as to whether a committee performs regulatory activities, the Chief Executive Officer (CEO) will make a final determination on the matter.

6. Discretionary Procedures

(1) Subject to the requirements of the Act, if a provision of this Part is expressed to be capable of being varied at the discretion of the Council pursuant to this clause, then a Council may, by a resolution supported by at least two-thirds of the members of the Council entitled to vote on the resolution, determine that a code of practice prepared or adopted by the Council that establishes its own procedures for the relevant matter or matters will apply in substitution for the relevant provision (and such a determination will have effect according to its terms).

(2) Council should, at least once in every financial year, review the operation of this Code under this clause.

(3) Council may at any time, by resolution supported by at least two-thirds of the members of the Council entitled to vote on the resolution, alter a code of practice, or substitute or revoke a code of practice.

(4) Council must, in considering the exercise of a power under this clause, take into account the Guiding Principles.

(5) A person is entitled to inspect (without charge) the Code under this clause at the principal office of the Council during ordinary office hours.
A person is entitled, on payment of a fee fixed by the Council, to a copy of the Code.

Clause 12(4) does not apply to a motion under sub-clause (3).

This clause does not limit or derogate from the operation of Clause 20.

Division 2 – Prescribed Procedures

7. Commencement of Meetings and Quorums

(1) A meeting will commence as soon after the time specified in the notice of meeting as a quorum is present.

(2) If the number of apologies received by the CEO indicates that a quorum will not be present at a meeting, the CEO may adjourn the meeting to a specified day and time.

(3) If at the expiration of 30 minutes from the time specified in the notice of meeting as the time of commencement a quorum is not present, the Presiding Member or, in the absence of a Presiding Member, the CEO, will adjourn the meeting to a specified day and time.

(4) If a meeting is adjourned for want of a quorum, the CEO will record in the minutes the reason for the adjournment, the names of any members present, and the date and time to which the meeting is adjourned.

(5) If a meeting is adjourned to another day, the CEO must:

(a) give notice of the adjourned meeting to each member setting out the date, time and place of the meeting;

(b) give notice of the adjourned meeting to the public by causing a notice setting out the date, time and place of the meeting to be placed on display at the principal office of the Council; and

(c) where such notice is to be given, notices will be placed on Council’s website, its Principal Office and the Two Wells Service Centre.

(6) Council and committee meetings outlined in Part 2 Clause 6, will be adjourned if, where the items listed on the agenda are not considered by Council / Committee within three (3) hours, with the option of an additional 30 minute curfew.
8. Minutes

(1) The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.

(2) No discussion on the minutes may occur before confirmation, except as to the accuracy of the minutes as a record of proceedings.

(3) On the confirmation of the minutes, the Presiding Member will:

   (a) initial each page of the minutes, which pages are to be consecutively numbered; and

   (b) place his or her signature and the date of confirmation at the foot of the last page of the minutes.

(4) The minutes of the proceedings of a meeting must include:

   (a) the names of the members present at the meeting; and

   (b) in relation to each member present:

      (i) the time at which the person entered or left the meeting; and

      (ii) unless the person is present for the whole meeting, the point in the proceedings at which the person entered or left the meeting; and

   (c) each motion or amendment, and the names of the mover and seconder; and

   (d) any amendment or withdrawal of a motion or amendment; and

   (e) whether a motion or amendment is carried or lost; and

   (f) any disclosure of interest made by a member; and

   (g) an account of any personal explanation given by a member; and

   (h) details of the making of an order under subsection (2) of Section 90 of the Act (see subsection (7) of that Section); and

   (i) a note of the making of an order under subsection (7) of Section 91 of the Act in accordance with the requirements of subsection (9) of that section; and

   (j) details of any adjournment of business; and

   (k) a record of any request for documents to be tabled at the meeting; and

   (l) a record of any documents tabled at the meeting; and

   (m) a description of any oral briefing given to the meeting on a matter of council business; and

   (n) any other matter required to be included in the minutes by or under the Act or any Regulation.
9. Questions

(1) A member may ask a question on notice by giving the CEO written notice of the question at least five (5) clear days before the date of the meeting at which the question is to be asked.

(2) If notice of a question is given under sub-clause (1):
   (a) the CEO must ensure that the question is placed on the agenda for the meeting at which the question is to be asked;
   (b) the question and the reply must be entered in the minutes of the relevant meeting.

(3) A member may ask a question without notice at a meeting.

(4) The Presiding Member may allow the reply to a question without notice to be given at the next meeting.

(5) A question without notice and the reply will not be entered in the minutes of the relevant meeting unless the members present at the meeting resolve that an entry should be made.

   (a) A motion under Clause 9(5) must be made prior to the question without notice and reply being made.

(6) The Presiding Member may rule that a question with or without notice not be answered if the Presiding Member considers that the question is vague, irrelevant, insulting or improper.

ADDITIONAL COUNCIL-DETERMINED PROCEDURE

Public Open Forum

(1) To facilitate the holding of the Public Open Forum the Council will apply Clause 25 (Short Term Suspension of Proceedings) of these procedures for a period of up to 30 minutes (or less depending on public requests) at the conclusion of accepting Minutes and considering any Business Arising on each agenda of an Ordinary Council Meeting, to provide an opportunity for members of the public to raise issues for Council’s consideration.

(2) A maximum of five (5) minutes per representative will apply. The Presiding Member may allow for an extension of time if appropriate.

(3) The Presiding Member will introduce the Public Open Forum by providing community members present an overview of the process to be followed during Public Open Forum.

(4) The following guidelines will apply in relation to the Public Open Forum:-
The community member must provide their name and town/location details at the beginning of their address;

Time allowed is five (5) minutes as per sub-clause (2);

All questions need to be addressed to the Presiding Member and no discussion and/or debate will occur between the community member and individual Council Members;

The representation must focus on the issue/topic of concern and must not be about individual Council Members or staff;

Council Members are able to ask questions of the public through the Presiding Member; and

The Presiding Member has complete discretion over the process and may refuse to allow discussions to continue if he/she considers that the process is not being adhered to.

(5) Where the Presiding Member of the meeting considers it appropriate, a response or update on the issue raised may be requested from the CEO or delegate, to be provided as soon as practicable.

(6) The person’s name, town/location and topics discussed will be recorded in the Minutes of the meeting.

10. Petitions

(1) A petition to the council must:

(a) be legibly written or typed or printed; and

(b) clearly set out the request or submission of the petitioners; and

(c) include the name and address of each person who signed or endorsed the petition; and

(d) be addressed to the council and delivered to the principal office of the council.

(2) If a petition is received under sub-clause (1), the CEO must ensure the petition or, if the Council has so determined as a policy of the Council, a statement as to the nature of the request or submission and the number of signatures or the number of persons endorsing the petition, is placed on the agenda for the next ordinary meeting of the Council, or is so provided by a policy of the Council, a committee of the Council, and that a copy of the full petition is provided to Council Members on request.
(3) Sub-clause (2) may be varied at the discretion of the council pursuant to Regulation 6 of the Local Government (Procedures at Meetings) Regulations 2013.

11. Deputations

(1) A person or persons wishing to appear as a deputation at a meeting must deliver (to the principal office of the Council) a written request to the council five (5) clear days before the date of the meeting at which the person(s) wishes to appear. 

(a) If the matter relates to an item of business on the Agenda, the written request may be received at the principal office of the Council up until 5.00pm on the day of the meeting.

(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).

(6) The Council or Council committee may resolve to allow a deputation to appear despite a contrary ruling by the Presiding Member.

(7) A council may refer the hearing of a deputation to a council committee.

(8) A person or persons appearing as a deputation will be allowed to speak on an issue for a maximum of ten (10) minutes. The Presiding Member may allow for additional time or speakers.

ADDITIONAL COUNCIL-DETERMINED PROCEDURE

Council Meetings – Call Over of Items of Business

(1) Each item on the meeting agenda will be considered separately with Council considering each recommendation made in such reports.

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Footnote: This will enable staff to liaise with the appropriate Presiding Member, prior to distribution of the agenda for the meeting. A notation should appear on the agenda for the meeting in relation to the deputation.
12. Motions

(1) A member may bring forward any business in the form of a written notice of motion.

(2) The notice of motion must be given to the CEO at least five (5) clear days before the date of the meeting at which the motion is to be moved.

(3) A motion to the effect of which, if carried, would be to revoke or amend a resolution passed since the last general election of the Council must be brought by written notice of motion.

(4) If a motion under sub-clause (3) is lost, a motion to the same effect cannot be brought:
   (a) until after the expiration of twelve (12) months; or
   (b) until after the next general election; whichever is the sooner.

(5) Subject to the Act and this Code, a member may also bring forward any business by way of a motion without notice.

(6) The Presiding Member may refuse to accept a motion without notice if, after taking into account the Guiding Principles, he or she considers that the motion should be dealt with by way of a written notice of motion.

(7) The Presiding Member may refuse to accept a motion if the subject matter is, in his or her opinion, beyond the power of the Council or Council committee (as the case may be).

(8) A motion will lapse if it is not seconded at the appropriate time.

(9) A member moving a motion will speak to the motion at the time of moving the motion.

   (a) A member seconding a motion may elect to either speak to the motion at the time of seconding or may reserve their right to speak to the motion until a later stage of the debate. Where a member seconds a motion and reserves their right to speak to it, they will not be considered to have spoken to the motion.

(10) A member may only speak once to a motion except:
   (a) to provide an explanation in regard to a material part of his or her speech, but not so as to introduce any new matter; or
   (b) with leave of the meeting; or
   (c) as the mover in reply.

(11) A member who has spoken to a motion may not at a later stage of the debate move or second an amendment to the motion:
(a) A member who has seconded a motion, and has reserved their right to speak to the motion at a later stage pursuant to sub-clause (9)(a), may not move or second an amendment to the motion,

(b) Wherever practicable, members wishing to move a motion without notice in relation to an item that is different from that recommended in the agenda for that item are encouraged to make available a written copy of their motion to assist the Presiding Member in the conduct of the meeting and in the subsequent preparation of the minutes of the meeting.

(12) A member who has not spoken in the debate on a question may move a formal motion.

(13) A formal motion must be in the form of a motion set out in sub-clause (14) (and no other formal motion to a different effect will be recognised).

(14) If the formal motion is:

(a) that the meeting proceed to the next business, then the effect of the motion, if successful, is, in the case of an amendment, that the amendment lapses and the meeting proceeds with the consideration of the motion before the meeting without further reference to the amendment and, in the case of a motion, that the motion lapses and the meeting proceeds to the next item of business;

(b) that the question be put, then the effect of the motion, if successful, is that debate is terminated and the question put to the vote by the Presiding Member without further debate;

(c) that the question lie on the table, then the effect of the motion, if successful, is that the meeting immediately moves to the next item of business and the question can then only be retrieved at a later time by resolution (and, if so retrieved, debate is then resumed at the point of interruption);

(d) that the question be adjourned, then the effect of the motion, if successful, is that the question is disposed of for the time being but debate can be resumed at the later time (at the point of interruption); or

(e) that the meeting be adjourned, then the effect of the motion, if successful, is that the meeting is brought to an end immediately without the consideration of further business.

(15) If seconded, a formal motion takes precedence and will be put by the Presiding Member without discussion unless the motion is for an adjournment (in which case discussion may occur (but only occur) on the details for resumption).

(16) A formal motion does not constitute an amendment to a substantive motion.

(17) If a formal motion is lost:
(a) the meeting will be resumed at the point at which it was interrupted; and
(b) if the formal motion was put during debate (and not at the end of debate) on a question, then a similar formal motion (i.e. a motion to the same effect) cannot be put until at least one (1) member has spoken on the question.

(18) A formal motion for adjournment must include the reason for the adjournment and the details for resumption.

(19) Any question that lies on the table as a result of a successful formal motion under sub-clause (14)(c) lapses at the next general election.

(20) The CEO must report on each question that lapses under sub-clause (19) to the Council at the first ordinary meeting of the Council after the general election.

(21) Sub-clauses (9), (10) and (11) may be varied at the discretion of the Council pursuant to Regulation 6 of the Local Government (Procedures at Meetings) Regulations 2013.

ADDITIONAL COUNCIL-DETERMINED PROCEDURE

Member who places Notice of Motion on Agenda Absent

(1) In circumstances where a Notice of Motion has been placed on the Council Agenda and the member who placed the Notice of Motion is not in attendance at the meeting, another Elected Member may move the motion in their stead or move a motion without notice in the same terms of the Notice of Motion.

ADDITIONAL COUNCIL-DETERMINED PROCEDURE

Motions without Notice (refer Regulation/Clause (12)(6) and (7))

(1) Motions without Notice have not been advertised to the broader community and therefore it is considered not in the interest of best governance practice, and a denial of natural justice, to have items that do not fit into the following criteria below, considered at this part of the meeting.

(2) The agenda item ‘Motions without Notice’ is to be restricted to business that is:

- A request that a report on a particular topic be presented at a future meeting;
- A simple matter, requiring little information to be considered, and the impact of which on Council is deemed to be minor;
- A matter arising from an item before Council that has been considered in detail at that meeting, and where a Motion without Notice is seen as the best way to resolve the matter; and/or
A matter of such urgency and importance that failure to consider it at the meeting would be likely to result in detriment to the Council.

(3) Wherever practicable, members wishing to move a Motion without Notice (in relation to an item on the agenda) that differs from that recommended in the agenda for that item are encouraged to make available a written copy of their motion. This will assist the Presiding Member in the conduct of the meeting and in the subsequent preparation of the minutes of the meeting.

13. Amendments to Motions

(1) A member who has not spoken to a motion at an earlier stage of the debate may move or second an amendment to the motion.

(2) An amendment will lapse if it is not seconded at the appropriate time.

(3) A person who moves or seconds an amendment (and, if he or she chooses to do so, speaks to the amendment) will, in so doing, be taken to have spoken to the motion to which the amendment relates.

(a) A member may only speak once to an amendment to the motion except:

(i) to provide an explanation in regard to a material part of his or her speech, but not so as to introduce any new matter; or

(ii) with leave of the meeting.

(b) For the avoidance of doubt:

(i) any member (including the mover and seconder of the original motion and any other person who has spoken to the original motion at an earlier stage) is entitled to speak to the amendment and, in doing so, is not taken to have spoken to the original motion; and

(ii) clause (13)(3)(a) does not prevent a member from speaking to any further amendment to the original motion.

(4) If an amendment is lost, only one (1) further amendment may be moved to the original motion.

(5) If an amendment is carried, only one (1) further amendment may be moved to the original motion.

(6) Sub-clauses (1), (3), (4) and (5) may be varied at the discretion of the Council pursuant to Regulation 6 of the Local Government (Procedures at Meetings) Regulations 2013.
14. Variations etc.

(1) The mover of a motion or amendment may, with the consent of the seconder, request leave of the meeting to vary, alter or withdraw the motion or amendment.

(2) The Presiding Member must immediately put the question for leave to be granted and no debate will be allowed on that question.

ADDITIONAL COUNCIL-DETERMINED PROCEDURE

Right of Reply

(1) The mover of a motion shall have an opportunity to respond following all debate on a motion (closing the item / right of reply).

(2) Following the conclusion of the right of reply, no further debate shall occur and the motion shall be put.

15. Addresses by Members, etc.

(1) A member must not speak for longer than five (5) minutes at any one (1) time without leave of the meeting.

(2) A member, may, with the leave of the meeting, raise a matter of urgency.

(3) A member may, with leave of the meeting, make a personal explanation.

(4) The subject matter of a personal explanation may not be debated.

(5) The contribution of a member must be relevant to the subject matter of the debate.

(6) Sub-clauses (1) and (2) may be varied at the discretion of the Council pursuant to Regulation 6 of the Local Government (Procedures at Meetings) Regulations 2013.

(7) A member is at all times during a meeting to address and refer to another member or an employee by their official title or designation, for example, “Councillor (Surname)”.

(8) A member speaking at a meeting is not to make a personal reflection upon, or impute an improper motive to, another member or to an employee.

(9) All members and employees must stand when addressing the Council meeting. This requirement does not apply to Committee meetings.

(10) The Presiding Member while chairing the meeting is not required to stand unless they are contributing to the debate.
(11) **If the Presiding Member is to enter the debate, they must only do so between the first and last speaker.**

(12) **A member may seek leave of the meeting to remain seated while addressing the meeting.**

(13) **Where practicable, a copy of the personal explanation is provided to the Presiding Member before the meeting.**

16. **Voting**

(1) The Presiding Member, or any other member, may ask the CEO to read out a motion before a vote is taken.

(2) The Presiding Member will, in taking a vote, ask for the votes of those members in favour of the question and then for the votes of those members against the question (and may do so as often as is necessary to enable him or her to determine the result of the voting), and will then declare the outcome.

(3) A person who is not in his or her seat is not permitted to vote.

(4) Sub-clause (3):-

   (a) may be varied at the discretion of the council pursuant to Regulation 6 of the Local Government (Procedures at Meetings) Regulations 2013; and

   (b) does not apply in relation to a member participating in a Council Committee meeting by telephone or electronic means approved in accordance with procedures determined by the Council or Council Committee for the purposes of Section 89 of the Act.

17. **Divisions**

(1) A division will be taken at the request of a member.

(2) If a division is called for, it must be taken immediately and the previous decision of the Presiding Member as to whether the motion was carried or lost is set aside.

(3) The division will be taken as follows:

   (a) the members voting in the affirmative will, until the vote is recorded, stand in their places;

   (b) the members voting in the negative will, until the vote is recorded, sit in their seats;

   (c) the Presiding Member will count the number of votes and then declare the outcome.
(4) The CEO will record in the minutes the names of members who voted in the affirmative and the names of the members who voted in the negative (in addition to the result of the vote).

(5) Sub-clause (3) may be varied at the discretion of the council pursuant to Regulation 6 of the Local Government (Procedures at Meetings) Regulations 2013.

18. Tabling of Information

(1) A member may require the CEO to table any documents of the Council relating to a motion that is before a meeting (and the CEO must then table the documents within a reasonable time, or at a time determined by the Presiding Member after taking into account the wishes of the meeting, and if the member who has required the tabling indicates that he or she is unwilling to vote on the motion until the documents are tabled, then the matter must not be put to the vote until the documents are tabled).

(2) The CEO may, in tabling a document, indicate that in his or her opinion consideration should be given to dealing with the document on a confidential basis under Section 90 or 91 of the Act.

ADDITIONAL COUNCIL-DETERMINED PROCEDURE

Urgent Business Items

(1) A member may raise an item for discussion, not already on the agenda, if the item cannot wait until the next meeting of Council.

(2) Members are encouraged to notify the Presiding Member prior to the meeting if they intend to raise a matter as an Urgent Business item.

(3) Where possible, and to facilitate good and informed decision-making, Members are encouraged to raise such Urgent Business Items by way of a motion seeking a report to be submitted.

19. Adjourned Business

(1) If a formal motion for a substantive motion to be adjourned is carried:

(a) the adjournment may either be to a later hour of the same day, to another day, or to another place; and

(b) the debate will, on resumption, continue from the point at which it was adjourned.
(2) If debate is interrupted for want of a quorum and the meeting is then adjourned, the debate will, on resumption, continue from the point at which it was interrupted.

(3) Business adjourned from a previous meeting must be dealt with before any new business at a subsequent meeting.

(4) The provisions of this clause may be varied at the discretion of the Council pursuant to Regulation 6 of the Local Government (Procedures at Meetings) Regulations 2013.

20. Short-Term Suspension of Proceedings

(1) If the Presiding Member considers that the conduct of a meeting would benefit from suspending the operation of all or some of the provisions of this Division for a period of time in order to allow or facilitate informal discussions, the Presiding Member may, with the approval of at least two-thirds of the members present at the meeting, suspend the operation of this Division (or any part of this Division) for a period determined by the Presiding Member.

(2) The Guiding Principles must be taken into account when considering whether to act under sub-clause (1).

(3) If a suspension occurs under sub-clause (1):-

(a) a note of the suspension, including the reasons for and period of suspension, must be entered in the minutes; and

(b) the meeting may proceed provided that a quorum is maintained but, during the period of suspension:-

(i) the provisions of the Act must continue to be observed\(^2\); and

(ii) no act or discussion will have any status or significance under the provisions which have been suspended; and

(iii) no motion may be moved, seconded, amended or voted on, other than a motion that the period of suspension should be brought to an end; and

(c) the period of suspension should be limited to achieving the purpose for which it was declared; and

(d) the period of suspension will come to an end if:

(i) the Presiding Member determines that the period should be brought to an end; or

\(^2\) See particularly Part 4 of Chapter 5 and Chapter 6 of the Act
(ii) at least two-thirds of the members present at the meeting resolve that the period should be brought to an end.

21. **Chief Executive Officer (CEO) may submit report recommending revocation or amendment of council decision**

   (1) The CEO may submit a report to the Council recommending the revocation or amendment of a resolution passed since the last general election of the Council.

   (2) The CEO must ensure that the report is placed on the agenda for the meeting at which the report is to be considered.

   (3) The provisions of this clause may be varied at the discretion of the Council pursuant to Regulation 6 of the Local Government (Procedures at Meetings) Regulations 2013.

**ADDITIONAL COUNCIL-DETERMINED PROCEDURE**

**Termination of Meetings in the Event of an Emergency**

(1) *In the event of an emergency requiring evacuation of the building the meeting will be deemed to have been suspended in accordance with the requirements of Clause 20(1).*

(2) *The CEO or delegate will direct all staff and any visitors to the designated emergency assembly points.*

**ADDITIONAL COUNCIL-DETERMINED PROCEDURE**

**Confidential Items**

The conduct of all Council and committee meetings will be in accordance with Council’s Code of Practice - Access to Council Meetings and Documents, which explains the use of confidential provisions under the Local Government Act 1999 at Council and committee meetings.

**Part 3 – Meetings of Other Committees**

22. **Application of Part**

   The provisions of this Part apply to or in relation to the meetings of any Council committee that is not subject to the operation of Part 2.
23. **Notice of Meetings for Members**

(1) Pursuant to Section 87(15) of the Act, Section 87 is modified in its application in relation to the meetings of a committee to which this Part applies as if subsections (4) and (7) to (10) of that section provided as follows:

(a) that notice of a meeting of the committee may be given in a form determined by the committee after taking into account the nature and purpose of the committee;

(b) that notice need not be given for each meeting separately;

(c) that if ordinary meetings of the committee have a set agenda then notice of such a meeting need not contain, or be accompanied by, the agenda for the meeting;

(d) that it is not necessary for the CEO to ensure that each member of the committee at the time that notice of a meeting is given is supplied with a copy of any documents or reports that are to be considered at the meeting.

24. **Public Notice of Committee Meetings**

(1) Pursuant to Section 88(7) of the Act, Section 88 is modified in its application in relation to the meetings of a committee to which this Part applies as if subsections (2), (3) and (4) provided as follows:

(a) that public notice need not be given for each meeting separately; and

(b) that public notice may be given by displaying a notice and agenda in a place or places determined by the CEO after taking into account the nature and purpose of the committee.

25. **Minutes**

(1) The minutes of the proceedings of a meeting must include:

(a) the names of the members present at the meeting; and

(b) each motion carried at the meeting; and

(c) any disclosure of interest made by a member; and

(d) details of the making of an order under subsection (2) of Section 90 of the Act (see subsection (7) of that section); and

(e) a note of the making of an order under subsection (7) of Section 91 of the Act in accordance with the requirements of subsection (9) of that section.
(2) The minutes of the proceedings at a meeting must be submitted for confirmation at the next meeting or, if that is omitted, at a subsequent meeting.

Part 4 – Miscellaneous

26. Quorum for Committees

(1) The prescribed number of members of a Council committee constitutes a quorum of the committee and no business can be transacted at a meeting unless a quorum is present.

(2) For the purposes of this clause, the prescribed number of members of a Council committee is:

   (a) unless paragraph (b) applies, a number ascertained by dividing the total number of members of the committee by two (2), ignoring any fraction resulting from the division, and adding one (1); or

   (b) a number determined by the Council.

*See also Section 41(6) of the Act

27. Voting at Committee Meetings

(1) Subject to the Act and this Code, a question arising for decision at a meeting of a Council committee will be decided by a majority of the votes cast by the members present at the meeting and entitled to vote on the question.

(2) Each member of the Council who is a member of a Council committee and who is present at a meeting of the committee must, subject to a provision of the Act to the contrary, vote on a question arising for decision at that meeting.

(3) The Presiding Member of a Council committee has a deliberative vote on a question arising for decision at the meeting but does not, in the event of an equality of votes, have a casting vote.

28. Points of Order

(1) The Presiding Member may call to order a member who is in breach of the Act or this Code.

(2) A member may draw to the attention of the Presiding Member a breach of the Act or this Code, and must state briefly the nature of the alleged breach.

(3) A point of order takes precedence over all other business until determined.

(4) The Presiding Member will rule on a point of order.
(5) If an objection is taken to the ruling of the Presiding Member, a motion that the ruling not be agreed with must be moved immediately.

(6) The Presiding Member is entitled to make a statement in support of the ruling before a motion under sub-clause (5) is put.

(7) A resolution under sub-clause (5) binds the meeting and, if a ruling is not agreed with:

(a) the ruling has no effect; and

(b) the point of order is annulled.

(8) All Points of Order, and any subsequent ruling and motions of a Point of Order, will be recorded in the minutes of the meeting.

ADDITIONAL COUNCIL-DETERMINED PROCEDURE

Conduct of Members

The Mandatory Code of Conduct for Council Members will be adhered to for all meetings.

29. Interruption of Meetings by Members

(1) A member of a Council or Council committee must not, while at a meeting:

(a) behave in an improper or disorderly manner; or

(b) cause an interruption or interrupt another member who is speaking; or

(c) use offensive language.

(2) Sub-clause (1)(b) does not apply to a member who is:

(a) objecting to words used by a member who is speaking; or

(b) calling attention to a point of order; or

(c) calling attention to want of a quorum.

(3) If the Presiding Member considers that a member may have acted in contravention of sub-clause (1), the member must be allowed to make a personal explanation.

(4) Subject to complying with sub-clause (3), the relevant member must leave the meeting while the matter is considered by the meeting.

(5) If the remaining members resolve that a contravention of sub-clause (1) has occurred, those members may, by resolution:

(a) censure the member; or

(b) suspend the member for a part, or for the remainder, of the meeting.
(6) A member who:

   (a) refuses to leave a meeting in contravention of sub-clause (4); or

   (b) enters a meeting in contravention of a suspension under sub-clause (5), is guilty of an offence.

   Maximum penalty: $1,250.

30. **Interruption of Meetings by Others**

   (1) A member of the public who is present at a meeting of a Council or Council committee must not:

   (a) behave in a disorderly manner; or

   (b) cause an interruption.

   Maximum penalty: $500.

**ADDITIONAL COUNCIL-DETERMINED PROCEDURES**

**Public Holidays on Scheduled Meeting Days**

   (1) Council meetings will be held one (1) day later in the event of any public holiday falling on any scheduled meeting day.

   (2) Committee meetings not undertaking a regulatory function will meet on an alternate day as agreed by the committee members.

**Annual Appointment of Committee Chairman, Deputy Chairman and Members**

   The appointment of Committee Chairman, Deputy Chairman and Members will be in line with the Council endorsed Terms of Reference for the relevant Committee.

**Use of Electronic Media**

   The Chairperson may deem appropriate for one (1) or more members to participate in committee meetings, covered by Clause 5 ‘Application of Part’, via telephone or electronic means. In doing so the method must ensure that all members and any public member present are able to clearly hear the discussions.

**Related Documents**

   Code of Practice – Access to Council Meetings and Documents

   Code of Conduct for Council Members
Records Management

All documents relating to this Code of Practice will be registered in Council’s Record Management System and remain confidential where identified.

Document Review

This Code of Practice will be reviewed periodically (at least within 12 months of a general election) to ensure legislative compliance and that it continues to meet the requirements of Council, its activities and programs. The Council may, at any time, by resolution supported by at least two-thirds of the members of Council as a whole, alter, substitute or revoke this Code of Practice.

References

Local Government Act 1999

Local Government (Procedures at Meetings) Regulations 2013

Further Information

Members of the public may inspect this Code of Practice free of charge on Council’s website at www.apc.sa.gov.au or at Council’s Principal Office at:

2a Wasleys Rd, Mallala SA 5502

On payment of a fee, a copy of this policy may be obtained. Any queries in relation to this Code of Practice must be in writing and addressed to the General Manager – Governance and Communications.
OVERVIEW

The new *Planning, Development and Infrastructure (PDI) Act 2016* calls for the establishment of a Community Engagement Charter. This document is intended to provide a set of new arrangements and techniques that Councils and Government will be required to follow to provide for effective and meaningful engagement of stakeholders throughout the planning system.

The State Planning Commission is responsible for developing and maintaining the Charter. The Charter does not have a statutory role in the assessment of development applications but is primarily intended to be applied to the development of the new State Planning Policies, the Planning and Design Code, and Infrastructure schemes as required under the new PDI Act. As the Commission prepares these documents, it will test the Charter and its application to allow for its ongoing evolution.

A draft Charter was released for consultation during November and December 2017 (see Attachment 1). Council planning staff attended an LGA session on the draft Charter and accompanying practitioners’ guide on 21 November 2017 and provided feedback on the consultation documents during this interactive workshop.

The State Planning Commission is aiming to obtain approval from the Minister for Planning on the Community Charter in early 2018.

RECOMMENDATION

“that Council, having considered Item 15.3 - *State Planning Commission – Community Engagement Charter*, dated 18 December 2017, receives and notes the report.”
Attachments
Draft State Planning Commission Community Engagement Charter 2017

References
Legislation

Planning, Development and Infrastructure Act 2016
Message from the State Planning Commission

The new Planning, Development and Infrastructure Act 2016 was designed to improve the way we plan in South Australia.

The Act establishes Community Engagement Charter, an initiative to change the way we consult our communities. In the past, our system for notifying affected communities about establishing or changing planning policy has been too rigid and restricted and has not always reached the people affected.

The Charter defines a more flexible, effective and meaningful framework for engagement that will:

- foster better planning outcomes that takes account of community views and aspirations
- establish trust in the planning process, and
- improve the community’s understanding of the planning system.

The State Planning Commission wants to see a vast improvement in the engagement process. This means finding new and innovative ways to engage with communities and other interest groups as the new planning system is rolled-out.

The Commission will also be responsible for making sure the Charter is complied with and may provide direction, or step in, if it considers the standard of engagement anticipated by the Charter has not been met.

A community panel process has been used to help shape the principles and outcomes of this Charter, supported by further community, council and industry consultation. In response to the feedback, a draft Engagement Charter Guide has been prepared for release with the Charter for consultation. It will provide guidance on engagement processes, practices and behaviours that satisfy the principles.

The Charter will help build community trust and confidence in the planning system by providing an engagement framework that is robust and adaptable. We intend to promote genuine engagement through our own activities.

We now invite the community, planning and development specialists and others to provide feedback on this statutory draft which will assist us in completing the Charter over the coming months.
What is the role of the Charter?

The Charter has a statutory role under the *Planning, Development and Infrastructure Act 2016*. The Act prescribes that the Charter must be used to guide public participation with respect to the preparation and amendment of designated instruments as set out in the table below. It also contains methods to measure the success and effectiveness of the engagement process.

<table>
<thead>
<tr>
<th>Designated instruments and schemes</th>
<th>Entity</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Planning Policies</td>
<td>State Planning Commission</td>
</tr>
<tr>
<td>Regional Plans</td>
<td>Joint Planning Board</td>
</tr>
<tr>
<td></td>
<td>State Planning Commission</td>
</tr>
<tr>
<td>The Planning and Design Code</td>
<td>Chief Executive Officer of DPTI</td>
</tr>
<tr>
<td></td>
<td>State Planning Commission Council</td>
</tr>
<tr>
<td></td>
<td>Joint Planning Board</td>
</tr>
<tr>
<td></td>
<td>Government Agency</td>
</tr>
<tr>
<td>Design Standards</td>
<td>State Planning Commission</td>
</tr>
<tr>
<td>Infrastructure Delivery Scheme</td>
<td>Scheme Co-ordinator</td>
</tr>
</tbody>
</table>

Under the Act, entities that are responsible for preparing or amending designated instruments are required to comply with the Charter for the purposes of consultation. They are responsible for the preparation and implementation of a community engagement plan that meets the principles and performance outcomes of the Charter. However, the State Planning Commission may specify that the entity consults with a particular person or body.

If the State Planning Commission considers an entity has not complied with the Charter, it may require that entity to do so. The State Planning Commission or the Minister for Planning is not compelled to accept any of the above documents until it is satisfied with the engagement process. If necessary, the State Planning Commission may undertake the engagement on behalf of the entity and recover the associated costs.

The Charter does not have a statutory role in the assessment of development applications. Separate and specific requirements for the public notification of certain classes of development applications are outlined in the Act and the procedures to be followed will be subsequently determined by regulation.
COMMUNITY ENGAGEMENT IN THE PLANNING SYSTEM

(As required by the Planning, Development and Infrastructure Act, 2016)
Structure of the Charter

The charter includes the following components:

- Mandatory requirements: Requirements that override the principles and performance outcomes.
- Principles: A set of principles which guide engagement.
- Performance outcomes: The outcomes you would see from successful engagement

Mandatory requirements

An entity to which this Charter applies must comply with the following mandatory requirements that are applicable, based on the consultation category below. Where the mandatory requirements do not apply, an entity must have regard to, and seek to achieve, the principles and performance outcomes that apply under the Charter.

The State Planning Commission, or an entity acting with the approval of the State Planning Commission, may adopt an alternative way to achieving compliance with the mandatory requirements if the State Planning Commission is satisfied that the alternative way is at least as effective in achieving the public consultation requirements under the Charter. An entity will therefore need to obtain the approval of the State Planning Commission for any variation of the mandatory requirements.

<table>
<thead>
<tr>
<th>Consultation Category</th>
<th>Mandatory requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposals that are specifically relevant to a particular Council or Councils (where Council did not initiate the proposal).</td>
<td>That Council or Councils must be directly notified of the proposal and consulted.</td>
</tr>
<tr>
<td>Proposals that are generally relevant to councils.</td>
<td>The Local Government Association must be notified in writing and consulted.</td>
</tr>
<tr>
<td>A proposal to enter a place within the Planning and Design Code as a place of local heritage value.</td>
<td>The owner of any land on which the place resides, must be directly notified in writing of the proposal and consulted for a minimum period of four weeks.</td>
</tr>
<tr>
<td>A proposal to amend the Planning and Design Code to include any heritage character or preservation policy that is similar in intent or effect to a local heritage listing. Infrastructure delivery scheme.</td>
<td>The owner of any land on which the place resides, must be directly notified in writing of the proposal and consulted for a minimum period of four weeks. Landowners affected by the scheme must be directly notified in writing of the scheme under section 166 of the PDI Act for a minimum of four weeks.</td>
</tr>
</tbody>
</table>
Principles

The following principles describe what is important when engaging under this Charter. The principles guide good engagement.

The application of the principles is mandatory and they must be considered when a decision maker determines the appropriate approach to engagement. Each engagement may have a different purpose, and may be undertaken in different places, with different outside influences and with different people involved.

The principles are a reference point for good engagement. If a decision maker can ‘tick off’ on each of the principles as the engagement strategy is designed and delivered, then the public can have confidence that the engagement will be appropriate and effective.

The principles are:

01 Engagement is genuine
02 Engagement is inclusive and respectful
03 Engagement is fit for purpose
04 Engagement is informed and transparent
05 Engagement is reviewed and improved
Performance outcomes

To provide clarity about these principles the following descriptions and performance outcomes have been developed to inform what successful achievement of each principle would look like. The performance outcomes must be considered in the preparation of the engagement process and must be reported against at the conclusion of the process.

Engagement is genuine

All parties are genuine in their participation. Those conducting the engagement use their best endeavors to proactively seek community involvement and genuinely listen to and understand the range of views. Those participating are open to a range of perspectives and are well informed. Participants respect that their views may not prevail.

Performance outcomes

People had faith and confidence in the engagement process.

Engagement is inclusive and respectful

Affected and interested people can have their say and be heard, regardless of background or status. People are involved early so that they can influence the process and the thinking from the start. All views are acknowledged and considered.

Performance outcomes

Affected and interested people had the opportunity to participate and be heard.
Engagement is fit for purpose
The process matches the significance of the planning change. It is value-for-money, targeted, flexible, scalable and timely.

Performance outcomes
People were effectively engaged and satisfied with the process.
People were clear about the proposed change and how it would affect them.

Engagement is informed and transparent
People have access to all relevant information at the time it is needed so that they can participate fully. They understand what is happening, why it is happening and what the consequences are. When decisions are made, the reasons behind them will be explained.

Performance outcomes
All relevant information was made available and people could access it.
People understood how their views were considered, the reasons for the outcomes and the final decision that was made.

Engagement is reviewed and improved
After each engagement exercise, the process is reviewed to see whether the principles have been met and what can be done to improve the process next time.

Performance outcomes
The engagement was reviewed and improvements recommended.

Measuring performance
Engagement is undertaken to achieve better outcomes, decisions, projects and policies. Establishing engagement objectives, and then measuring progress helps to gauge how successful the engagement process has been. Evaluation can build transparency and accountability. It can contribute to the evidence base, identify good engagement practice and improve future practice.

Planning for evaluation should commence as early as possible in the engagement process. The scope of activities in the evaluation will vary based on the purpose and scale of the engagement. Early planning enables identification of the criteria that could be used to measure success and the information to be collected to support this, as well as what tools and resources are required. Early evaluation planning also provides an opportunity to clarify the purpose and objectives of the engagement process.

There are a range of ways that performance can be measured including surveys, capturing the number of responses received, the general tone of feedback and a range of other techniques.

Following are some examples of the types of measures that could be considered when preparing an engagement plan.
The Guide assists in planning for evaluation in the engagement plan.

<table>
<thead>
<tr>
<th>Principles</th>
<th>Performance outcomes</th>
<th>Types of measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Engagement is genuine</td>
<td>People had faith and confidence in the engagement process</td>
<td><strong>Primary</strong>&lt;br&gt;Was there an opportunity for different knowledge and perspectives to be shared?</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Secondary</strong>&lt;br&gt;How did people interact with each other, and did the process build community capacity? Would people participate in a similar process in the future?</td>
</tr>
<tr>
<td>Engagement is inclusive and respectful</td>
<td>The affected and interested people had the opportunity to participate and be heard.</td>
<td><strong>Primary</strong>&lt;br&gt;Did everyone who is impacted and/or interested have an opportunity to participate? Was there an opportunity for different knowledge and perspectives to be shared?</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Secondary</strong>&lt;br&gt;What was the level of emotion and controversy?</td>
</tr>
<tr>
<td>Engagement is fit for purpose</td>
<td>People were effectively engaged and satisfied with the process.</td>
<td>Did people feel the process enabled appropriate input?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Did people understand how to participate in the engagement?</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Did people understand what was being proposed?</td>
</tr>
<tr>
<td>Engagement is informed and transparent</td>
<td>All relevant information was made available and people could access it.</td>
<td><strong>Primary</strong>&lt;br&gt;Did people have access to the information they needed?</td>
</tr>
<tr>
<td></td>
<td>People understood how their views were considered and reasons for the outcomes.</td>
<td>Was community input considered in the final decision?</td>
</tr>
<tr>
<td>Engagement is reviewed and improved</td>
<td>The engagement was reviewed and improvements recommended.</td>
<td><strong>Primary</strong>&lt;br&gt;Were learnings about the process documented?</td>
</tr>
</tbody>
</table>
Definitions

State Planning Policies
The State’s overarching goals or requirements for the planning system (and to be given effect through the various instruments prepared in the system).

Regional Plans
A long-term vision for a region or area, including provisions about the integration of land use, transport infrastructure and the public realm, and including maps and plans that relate to spatial patterns that are relevant to the long-term vision.

Planning and Design Code
A comprehensive set of policies, rules and classifications which may be selected and applied in the various parts of the State for the purposes of development assessment and related matters within the State. The Code will include the use of zones, subzones, overlays and policies.

Design Standards
A design standard that relates to the public realm or infrastructure, which may specify design principles, design standards, or design guidelines.

Infrastructure Delivery Schemes
A scheme approved by the Minister for Planning in relation to the provision of basic or general infrastructure, and the funding arrangements associated with the provision of that infrastructure.

Designated Entity
A person or entity that is approved by the Minister for Planning to undertake the legislative processes, (including engagement) involved in preparing or amending a designated instrument.

Designated Instrument
A state planning policy, regional plan, the planning and design code and a design standard are Designated instruments.
Consultation

The Community Engagement Charter and Guide is open for comment

A number of engagement activities will be run by the State Planning Commission during the 6 week formal consultation process including:

- general community feedback on-line via the SA Planning Portal
- written submissions invited from the general community
- a survey for planning professionals and practitioners on the SA Planning Portal
- further consultation with the Practitioner Group
- feedback invited specifically from the Planning Together Panel.

Submissions on the draft Charter and Guide may be made as follows:
By: 8 December 2017
Email to: DPTI.PlanningEngagement@sa.gov.au
Comment on: www.saplanningportal.sa.gov.au
On line survey: www.saplanningportal.sa.gov.au
Mail to: The State Planning Commission
         GPO Box 1815, Adelaide, SA, 5001

Engagement to date

The first Discussion Draft of the Charter released for informal comment in August 2017 was prepared with significant contribution by a public Planning Together Panel. This Panel was also influenced and guided by the “Practitioner Group” and the more widely represented “Larger Stakeholder Group”.

The feedback received on the Discussion draft has assisted the State Planning Commission refine the Charter and build on the work of the Panel. This includes exploring in greater detail implementation measures that will assist authorities in making decisions about how to engage, the community’s role in the engagement process, and how to evaluate the success (or otherwise) of the engagement process.

The 6 workshops and 25 submissions received during the engagement on the discussion draft also assisted the State Planning Commission in preparing the draft Guide which is also now available for comment.
We have been working with three key groups to prepare the draft Charter. These groups include:

- **Planning Together Panel** - a randomly selected, statistically representative group of 50 community members who were tasked with developing the draft Charter in collaboration with representatives from the planning sector and other groups with an interest in planning. This group met for four full days over two weekends in July 2017. An outline of the Panel’s work is provided attached.

- **Practitioner Group** - a hand-selected group of senior planning professionals (encompassing local and state government, peak bodies and consultants) tasked with providing industry perspective and context for the Panel and ensuring the Charter’s ‘decision-making framework’ is relevant and practical in a strategic planning policy setting. This group met prior to the first Panel session and their advice was considered by the Panel in their deliberations.

- **Broader Stakeholder Group** - includes planning practitioners and groups and individuals with an interest in the planning system (around 50 people), who contributed knowledge and experience of the planning system as part of the Panel discussions.

These groups continue to be provided opportunities to input in the Charter and Guide.

Input into the Charter’s development has also been sought from the broader public through yourSAy.sa.gov.au.
Our Next Steps

On completion of consultation the State Planning Commission will collate the feedback into a report for the Minister for Planning, along with the draft Charter and Guide, for consideration.

Over the first 12 months or so, the Charter will primarily be used by the State Planning Commission as it develops the designated instruments as set out in the Act. The work entailed in developing the new State Planning Policies and the Planning and Design Code library, as well as the Infrastructure Scheme pilot programs, will be an opportunity for the Charter to be tested and reviewed, allowing the State Planning Commission to evolve the document in collaboration with the intended ‘end-users’.

During this time an on-line tool kit will also be developed to enable future users of the Charter to have extra guidance, tools and access to examples of ‘best practice’.

Ongoing refinement

Being the first of its kind, it is recognised that the Charter will need to evolve over time. In its first year, it will primarily be applied to the development of the new State Planning Policies, the Planning and Design Code, and Infrastructure Schemes required under the Act. As the State Planning Commission prepares these documents, it will test the Charter and its application to allow for its ongoing evolution. During this time the State Planning Commission welcomes feedback to assist in monitoring and improving the Charter.

Implementation assistance will be available for Government agencies, Councils and other practitioners to help consider how they will frame their engagement programs in accordance with the Charter well in advance of them being required to formally undertake this role.
OVERVIEW

This report provides a status update in relation to Adelaide Plains Council’s (APC) decision to withdraw from the Gawler River Floodplain Management Authority (GRFMA).

- As previously reported, the Minister for Local Government has formally received Council’s request to withdraw on Friday 20 October 2017, to date there has been no response received by Council from the Minister.
- The Shadow Minister for Local Government formally received correspondence requesting a meeting of APC GRFMA Board Members on Friday 27 October 2017. A meeting has now been set for 10 January 2018.
- Having ran a select tender process to advance the two resolutions from the 3 October 2017 special meeting of council, Southfront have been engaged to undertake the reviews in relation to:-
  - Charter modelling; and
  - Economic footprint impact analysis.

The results of these analysis are expected to be available in draft early in the new year.

- The GRFMA will be holding a meeting on 14 December 2017 where a report titled “Next Steps following Lower Gawler River Investigations” will be tabled for discussion.

RECOMMENDATION(S)

1. “that Council, having considered Item 15.4 – GRFMA Update on APC Contribution and Economic Footprint, 18 December 2017, receives and notes the report.”
References

Legislation

*Not Applicable*

Council Policies

Not Applicable
GAWLERT RIVER FLOODPLAIN MANAGEMENT AUTHORITY

NOTICE OF MEETING

Notice is hereby given pursuant to Clause 6.9 of the Charter that the Ordinary Meeting of the Gawler River Floodplain Management Authority Board has been called for:

DATE: Thursday, 14 December 2017
TIME: 9.45 AM
PLACE: Room 2 at the Playford Civic Centre, City of Playford - 12 Playford Boulevard Elizabeth

Between the shopping centre and the Main North Road.

David Hitchcock
EXECUTIVE OFFICER
GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

AGENDA

Committee Gawler River Floodplain Management Authority Board
To Be Held 9.45 am Thursday 14 December 2017
Location Room 2 at the Playford Civic Centre, City of Playford - 12 Playford Boulevard Elizabeth

Between the shopping centre and the Main North Road.

1. WELCOME
To Board Members and Deputy Board Members present.

This is the 100th Meeting of the Authority

2. PRESENT
Please sign the Attendance Register.

3. APOLOGIES

Mr M Salver
Mr J Miller
Mr M Hemmerling

4. APPOINTMENT OF OBSERVERS

5. MINUTES OF THE PREVIOUS MEETINGS
5.1. Board Meeting
Confirmation of the Minutes of the previous Gawler River Floodplain Management Authority Board Meeting held on 19 October 2017.

RECOMMENDATION
That the Minutes of the previous Gawler River Floodplain Management Authority Board meeting held on 19/10/17 as per copies supplied to members, be adopted as a true and correct record of that meeting.
5.2 Audit Committee

Minutes of the Gawler River Floodplain Management Authority Audit Committee Meeting held on 4 December 2017.

RECOMMENDATION
That the GRFMA receive the Minutes of the Gawler River Floodplain Management Authority Audit Committee meeting held on 4 December 2017.

5.3 Technical Assessment Panel

No meeting of the Technical Assessment Panel Meeting held during this period.

6. BUSINESS ARISING FROM THE MINUTES

Actions on Previous Resolutions.

7. MOTIONS ON NOTICE- ADELAIDE PLAINS COUNCIL

Notice of Motion to the Gawler River Floodplain Management Authority (GRFMA) from the 16 October 2017 Ordinary Meeting of the Adelaide Plains Council.

Moved Cr Lawrence Seconded Cr Keen 2017/332

"that Council endorse the below Notice of Motion to be tabled at a subsequent meeting of the GRFMA: -

In order to obtain consistency across councils along the Gawler River Floodplain in relation to levee bank maintenance, the Executive Officer be instructed to seek advice in relation to whether landowners can carry out levee bank maintenance without having to obtain council approval, and further, formally request of Member Councils to advise what their compliance regimes are surrounding levee bank maintenance."

RECOMMENDATION
That the Notice of Motion from Adelaide Plains Council be received.

8. REPORTS

8.1 Land Acquisition - Separate confidential attachment

RECOMMENDATION - IN CONFIDENCE
That under the provisions of Section 90(2) of the Local Government Act 1999, an Order be made that the public be excluded from attendance at the meeting in order to consider in confidence agenda item 8.1 Land Acquisition excepting the following persons:

• Executive Officer; and
• Deputy Board Members.

And Further;
That the GRFMA Board is satisfied that it is necessary that the public be excluded to enable the Board to receive, discuss or consider the report at the meeting on the following ground/s:
Section 90(3)(d)&(e) information the disclosure of which—
(i) could reasonably be expected to prejudice the commercial position of the person who supplied the information to the Board where the disclosure of it would, on balance, be contrary to the public interest.

And Further
That accordingly, on this basis, the principle that meetings of the GRFMA Board should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

Subsequent to discussion

RECOMMENDATION - OUT OF CONFIDENCE
That the GRFMA having considered this matter in confidence under Section 90(2) and 90(3)(d)&(e) of the Local Government Act 1999, makes an order pursuant to Section 91(7), that the attachments and details of documents of the confidential Minutes of the meeting held on 14 December 2017, Item 8.1 Land Acquisition which was considered in confidence pursuant to Section 90(3)(d)&(e, be released and made available for public inspection; and Pursuant to Section 91(9)(c) of the Local Government Act 1999, GRFMA delegates the authority to the Executive Officer to revoke this confidentiality order.

8.2 UNHaRMED

RECOMMENDATION
That the GRFMA:
1. Receive the report;
2. Endorse preparation of a suitable funding application proposal for UNHaRMED;
3. Request the Executive Officer to consult with constituent councils on the proposal; and
4. The Board receive a further report regarding this matter prior to any external funding application being made.

8.3(a) Dam Inspection

RECOMMENDATION
That the GRFMA:
1. Receive the report; and
2. Discusses the merits of undertaking a Consequence Category rating for the Bruce Eastick Flood Mitigation Dam.

8.3(b) Confidential Report Dam Inspection Expressions of Interest.

RECOMMENDATION - IN CONFIDENCE
That under the provisions of Section 90(2) of the Local Government Act 1999, an Order be made that the public be excluded from attendance at the meeting in order to consider in confidence agenda item 8.3(b) Confidential Report Dam Inspection Expressions of Interest.

excepting the following persons:
- Executive Officer; and
- Deputy Board Members.

And Further;
That the GRFMA Board is satisfied that it is necessary that the public be excluded to enable the Board to receive, discuss or consider the report at the meeting on the following ground/s:
Section 90(3) (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which— (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party.

And Further
That accordingly, on this basis, the principle that meetings of the GRFMA Board should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

Subsequent to discussion.

RECOMMENDATION - OUT OF CONFIDENCE
That the GRFMA having considered this matter in confidence under Section 90(2) and 90(3)(d) of the Local Government Act 1999, makes an order pursuant to Section 91(7), that the attachments and details of documents of the confidential Minutes of the meeting held on 14 December 2017, Item 8.3(b) Confidential Report Dam Inspection Expressions of Interest which was considered in confidence pursuant to Section 90(3)(d remain confidential until reviewed in June 2018.

8.4 Northern Floodways

RECOMMENDATION
That the GRFMA:
1. Receive the Report;
2. Notes constituent council feedback on the final 2016 Gawler River Flood Review Project Report and the separate Hydrology report; and
3. Requests the Executive Officer to initiate development of a Gawler River Project Prospectus document.

8.5 GRFMA Charter Review

RECOMMENDATION
That the GRFMA:
1. Receive the report;
2. Resolves that advancement of the Charter Review for the GRFMA be further deferred until the February 2018 GRFMA Meeting; and
3. Notes pending response from the LGA Mutual Liability Scheme on any relevant risk issues that might need to be considered should the GRFMA not proceed with recommended flood mitigation initiatives provided in the Final Gawler River 2016 Flood Review Project report.

8.6 GRFMA Policy Review

RECOMMENDATION
That the GRFMA:

1. Endorse adoption of the following policies as amended and recommended by the 4/12/17 meeting of the GRFMA Audit Committee:
   - Access to meetings and Documents - Approved as provided subject to Inclusion of reference to section 8(a) Local Government Act 1999 - In addition, an informal gathering or discussion under subsection (8) may only be held if— (a) the council has adopted a policy on the holding of informal gatherings or discussions; and (b) the informal gathering or discussion complies with the policy.
   - Internal Review of Decisions- Approved as provided
   - Operation, Tenders and Quotations Approved as provided with following revised to –
     I. where the value or estimated value of a contract for the supply of goods, the rendering of a service or construction of works exceeds $100,000 tenders shall be called and the procedure be followed.
     II. where the value or estimated value of a contract for the supply of goods, the rendering of a service or the construction of work exceeds $20,000 but does not exceed $100,000, quotations in writing shall be invited.
     III. where the value or estimated value of a contract for the supply of goods, rendering of a service of the construction of works does not exceed $20,000, quotations shall be obtained.
     IV. Remove wording in relation to Revaluation and Depreciation of the Dam and refer to separate GRFMA policy on this matter
     V. Undertake word search to replace “Association” with “Authority”
   - Dam Valuation - Approved as provided. Note finalisation of the GRFMA Asset Management Plan may result in further review of the Dam Valuation policy.
   - Treasury Management - Approved as provided with inclusion that a minimum balance of cash reserves at any one time be maintained. Such balance to be equivalent to 50% of the annual GRFMA Budget as determined in accordance with the approved GRFMA Business Plan as amended annually and that any Board authorisation of payments from reserves that are extraordinary to the Business Plan be required to be repaid by constituent council contributions within 12 months following. Note – the cash reserve balance to separately identify the proportional
value of Consultancy budget values and operational/maintenance Budget values.
2. Determines that the GRFMA Audit committee not be required to view the Register of Contracts as part of their duties at this time.
3. Requests the Executive Officer to seek feedback from constituent councils on the proposed GRFMA Public Consultation Policy before being further considered by the Board.
4. Notes the GRFMA Asset Management Plan remains a work in progress and given its strategic importance be further considered by the Audit Committee following completion.

8.7 Financial Report

• Summary by month of duties performed by the Executive Officer 1 October 2017 to 30 November 2017.
• Monthly Reconciliation for the GRFMA up to 30 November 2017.
• Balance Sheet as at 30 November 2017.

RECOMMENDATION
That the financial report as at 30 November 2017 showing a balance of total funds available of $178,191.18 be received.

8.8 Schedule of Meetings

RECOMMENDATION

9. CORRESPONDENCE

ATTACHMENT
Letter from the Hon Ian Hunter MLC Minister for Water and the River Murray advising expectation of any capital cost of funding contributions to the Northern Floodway’s proposal would be on the basis of one third contributions between the Commonwealth Government, State Government and GRFMA.

Any State Government funding would be contingent on the agreement of a consortium of Councils in the Lower Gawler River floodplain to match funding.

It is expected that operational and maintenance costs of the resultant works will be met by local government.
RECOMMENDATION
That the Correspondence be received.

10. **URGENT BUSINESS WITHOUT NOTICE**

11. **NEXT MEETING**

   Please note that the next Ordinary Board Meeting will be held on:
   
   **Date**          **Host Council**
   Thursday 15 February 2018,   Light Regional Council
   Meeting to commence at 9.45am

12. **CLOSURE**
MEETING MINUTES

Committee: Gawler River Floodplain Management Authority

Held On: Thursday 19 October 2017 at 9.50 am

Location: Mallala (Adelaide Plains Council)

WELCOME

Mr Ian Baldwin formally welcomed Board Members, Deputy Board Members, Observers and the Executive Officer and opened the ninety ninth meeting of the Board.

PRESENT

Mr Ian Baldwin, Independent Board Member, Chair
Cr Malcolm Herrmann, Adelaide Hills Council, Board Member
Mr Marc Salver, Adelaide Hills Council, Deputy Board Member
Mayor Bob Sloane, The Barossa Council, Board Member
Mr Gary Mavrinac, The Barossa Council, Board Member
Mr Sam Dilena, Gawler Council, Board Member
Mr Mal Hemmerling, City of Playford, Board Member (arrived 9.57am)
Cr Denis Davey, City of Playford, Board Member
Mr Greg Pattinson City of Playford, Deputy Board Member
Mr James Miller, Adelaide Plains Council, Board Member
Cr Mel Lawrence, Adelaide Plains Council, Board Member
Cr Terry-Anne Keen, Adelaide Plains Council, Deputy Board Member
Mr Andrew Philpott, Light Regional Council, Deputy Board Member (arrived 10.12am)
Mr Martin Waddington, Adelaide Plains Council, Observer
Mr David Hitchcock, Executive Officer

APOLOGIES

Mr Brian Carr, Light Regional Council, Board Member
Cr Adrian Shackley, Gawler Council, Board Member
GRB 17/069 Observers

Moved: Mr. J Miller    Seconded: Mayor Bob Sloane

That Cr Terry-Anne Keen, Adelaide Plains Council and Mr. Martin Waddington, Adelaide Plains Council, be appointed as Observers.

CARRIED

GRB 17/070 Minutes of the GRFMA meeting 24/8/17

Moved: Cr D Davey    Seconded: Cr M Lawrence

That the Minutes of the previous Gawler River Floodplain Management Authority Board meeting held on 24/8/17 as per copies supplied to members, and amended be adopted as a true and correct record of that meeting.

CARRIED

Note Amendment: Cr Terry-Anne Keen, Adelaide Plains Council, Deputy Board Member.

GRB 17/071 Confidential Minutes of the GRFMA meeting 24/8/17

Moved: Mr. M Salver    Seconded: Cr M Lawrence

That the confidential Minutes of the previous Gawler River Floodplain Management Authority Board meeting held on 24/8/17 as per copies supplied to members be adopted as a true and correct record of that meeting.

CARRIED

GRB 17/072 Minutes of the GRFMA Special meeting 5/10/17

Moved: Mr. G Mavrinac    Seconded: Mr. S Dilena

That the Minutes of the Special Meeting of the Gawler River Floodplain Management Authority Board held on 5/10/17 as per copies supplied to members and as amended be adopted as a true and correct record of that meeting.

CARRIED

Noting changes to GRB 17/06 3. To now read: That the Executive Officer make inquiries to ascertain how much it might cost to undertake the further work indicated at page 21 of the Gawler River Flood Plain Review Project Report, including provision of estimated ongoing costs.

GRB 17/073 In Confidential 10.05 am

Moved: Mr. G Mavrinac    Seconded: Mr. M Salver

That under the provisions of Section 90(2) of the Local Government Act 1999, an Order be made that the public be excluded from attendance at the meeting in order to consider in confidence agenda item 8.1 Land Acquisition, excepting the following persons:

- Executive Officer; and
- Deputy Board Members.

And Further;
That the GRFMA Board is satisfied that it is necessary that the public be excluded to enable the Board to receive, discuss or consider the report at the meeting on the following ground/s:

Section 90(3)(d)&(e) information the disclosure of which—

(i) could reasonably be expected to prejudice the commercial position of the person who supplied the information to the Board where the disclosure of it would, on balance, be contrary to the public interest.

And Further;
That accordingly, on this basis, the principle that meetings of the GRFMA Board should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

CARRIED

Discussion ensued regarding item 8.1. without the need for further specific action.

GRB 17/074 Out of Confidential 10.10am

Moved: Cr M Herrmann Seconded: Cr M Lawrence

That the GRFMA having considered this matter in confidence under Section 90(2) and 90(3)(d) & (e) of the Local Government Act 1999, makes an order pursuant to Section 91(7), that the attachments and details of documents of the confidential Minutes of the meeting held on 19 June 2017, Item 8.1 Land Acquisition which was considered in confidence pursuant to Section 90(3)(d) & (e) remain confidential until settlement concludes.

CARRIED

GRB 17/075 UNHaRMED

Moved: Mr. J Miller Seconded: Cr D Davey

That the GRFMA:

1. Receive the report; and
2. Request the Executive Officer to facilitate a workshop with the University of Adelaide and relevant constituent Council staff (planning and engineering) on UNHaRMED to enable consideration and recommendation of the preferred pathway for GRFMA (and Council) participation and utilisation of the program.

CARRIED

(EO to correspond with Council CEOs to facilitate suitable Council staff representatives)

GRB 17/076 GRFMA Charter Review.

Moved: Cr M Herrmann Seconded: Mr. S Dilena

That the GRFMA:

1. Receive the report;
2. Notes the pending potential decision by the Minister for Local Government in relation to the Adelaide Plains Council’s application for withdrawal from the GRFMA and determines that the advancement of the Charter Review for the GRFMA be deferred until the December 2017 meeting of the GRFMA; and
3. Request the Executive Officer to make inquiries with the LGA Mutual Liability Scheme on any relevant risk issues that might need to be considered should the GRFMA not proceed with recommended flood mitigation initiatives provided in the Final Gawler River 2016 Flood Review Project report.

CARRIED
**Conflict of Interest**
Cr Lawrence advised of his membership of the Adelaide Plains Council Development Assessment Panel, noted that as such he had a prescribed interest in relation to item 8.4 arising for decision by the GRFMA, and left the meeting at 10.45am.

**GRB 17/077 Proposed Land Division (non-complying)**

| Moved: Mr. G Mavrinac | Seconded: Mr. M Salver |

That the GRFMA:
1. Receive the report; and
2. Determine that a letter of support not be provided to Regional Planning Directions at this time on the basis that the formal planning assessment process will include the opportunity and process for the GRFMA to provide comments on the proposed land division.

CARRIED

Cr Lawrence returned to the meeting at 10.57 am.

**GRB 17/078 Adelaide Plains Council - Decision to withdraw from GRFMA**

| Moved: Cr M Lawrence | Seconded: Mr. S Dilena |

That the GRFMA:
1. Receive the report; and
2. That consideration of the matters raised be deferred until such time as:
   - the process of the Charter review by the GRFMA is determined; and
   - formal application by the Adelaide Plains Council to withdraw from GRFMA has been determined by the Minister for Local Government.

CARRIED

Mr. M Salver left the meeting at 11.15 am.

**GRB 17/079 GRFMA Financial Report**

| Moved: A Philpott | Seconded: Cr D Davey |

That the financial report as at 30 September 2017 showing a balance of total funds available of $168,866.67 be received.

CARRIED

**GRB 17/080 GRFMA Correspondence**

| Moved: Mayor B Sloane | Seconded: Mr. J Miller |

That the correspondence be received.

CARRIED

Following conduct of meeting business, the Chair Mr Ian Baldwin noted the media article, “*The Bunyip, October 18th 2017, Ratepayers back APC flood stance*” and expressed disappointment that the article in his view did not fairly represent the discussion undertaken at the Special Meeting held on 5 October 2017, noting particularly that all GRFMA members had engaged in open discussion and support for a GRFMA Charter review. The Chair further advising that he would discuss this matter with the Bunyip Newspaper journalist responsible for the article and seek a balance of opinion in future press releases.
Closure of meeting

The Chair thanked the Adelaide Plains Council for hospitality as host and noted the next Ordinary Board Meeting will be held 9.45 am, Thursday 14 December 2017, City of Playford.

Meeting closed 11.18 am.

Confirmed Chair…………………………………………..
MEETING MINUTES

Committee: Audit Committee
Held On: Monday 4 December at 12.30pm
Location: Meeting Room, SA Water Offices, 250 Victoria Square, Adelaide

1. PRESENT
   Mr Peter Brass, Independent Member, Chair
   Cr Des Ellis, Light Regional Council
   Mr Greg Pattinson, City of Playford
   Mr David Hitchcock, Executive Officer

2. APOLOGIES
   Nil.

3. MINUTES OF THE PREVIOUS MEETING
   Confirmation of the Minutes of the previous Error! Reference source not found. Meeting held on Thursday 3 August 2017
   GAC 17/012 Minutes 3 August 2017
   Moved: Cr Ellis    Seconded: Mr Pattinson
   That the minutes of the previous GRFMA Audit Committee meeting held on Thursday 3 August 2017 as per copies supplied to members be adopted as a true and correct record of that meeting.
   CARRIED

4. BUSINESS ARISING FROM THE MINUTES
   NIL

5. GENERAL BUSINESS
That the GRFMA Audit Committee;
1. Receive the report regarding process of review of GRFMA policies; and
2. Recommends the following Policy amendments for GRFMA Board consideration:
   - Access to meetings and Documents - Approved as provided subject to
     Inclusion of reference to section 8(a) Local Government Act 1999 - In addition, an
     informal gathering or discussion under subsection (8) may only be held if— (a) the
     council has adopted a policy on the holding of informal gatherings or discussions;
     and (b) the informal gathering or discussion complies with the policy.
   - Internal Review of Decisions- Approved as provided
   - Operation, Tenders and Quotations Approved as provided
     with following revised to –
     VI. where the value or estimated value of a contract for the supply of goods, the
         rendering of a service or construction of works exceeds $100,000 tenders shall
         be called and the procedure be followed.
     VII. where the value or estimated value of a contract for the supply of goods, the
          rendering of a service or the construction of work exceeds $20,000 but does
          not exceed $100,000, quotations in writing shall be invited.
     VIII. where the value or estimated value of a contract for the supply of goods,
            rendering of a service of the construction of works does not exceed $10,000,
            quotations shall be obtained.
   - Remove wording in relation to Revaluation and Depreciation of the Dam and
     refer to separate GRFMA policy on this matter
   - Undertake word search to replace “Association” with “Authority”
   - Seek the view of the Board regarding do they want the Audit Committee to view
     the Register of Contracts and if so at what level of detail.
   - Dam Valuation - Approved as provided. Note finalisation of the GRFMA Asset
     Management Plan may result in further review of the Dam Valuation policy.
   - Public Consultation – Refer to constituent councils for feedback on the policy.
   - Treasury Management - Approved as provided with recommendation that a
     minimum balance of cash reserves at any one time be maintained. Such balance
     to be equivalent to 50%of the annual GRFMA Budget as determined in accordance
     with the approved GRFMA Business Plan as amended annually and that any Board
     authorisation of payments from reserves that are extraordinary to the Business
     Plan be required to be repaid by constituent council contributions within 12
     months following. Note – the cash reserve balance to separately identify the
     proportional value of Consultancy budget values and operational/maintenance
     Budget values.
   - Asset Management Plan – Remains a work in progress and given its strategic
     importance be further considered by the Audit Committee following completion.
GRFMA Budget Review

Moved: Cr Ellis Seconded: Mr Pattinson

That the GRFMA Audit Committee

1. receives the Profit and Loss Budget Analysis Document for November 2017, (actual) and June 2018 (projected); and
2. notes the additional and unbudgeted cost of attendance and presentation by the Independent Auditor to the GRFMA Audit Committee and requests that this cost be reflected in future Independent Annual Audit quotations.

CARRIED

5.3 Review/progress of the GRFMA Business Plan 2017-2020

Moved: Cr Ellis Seconded: Mr Pattinson

That the GRFMA

1. Receives the progress report of the GRFMA Business Plan 2017-2020;
2. Notes comments regarding the Australian National Committee on Large Dams (ANCOLD), Guidelines on Dam Safety Management, August 2003: and
3. Requests the Executive Officer to provide a relevant report on this matter to the 14 December 2017 GRFMA meeting.

CARRIED

The Executive Officer provided a verbal update on the actions by Adelaide Plains Council to withdraw from the GRFMA.

6. GENERAL BUSINESS

7. NEXT MEETING
   To be held in March 2018

8. CLOSURE
   The Chair thanked Members for their contribution, wished all a Merry Christmas and closed the meeting at 1.30 pm.

Chair

Date
### 6. Actions on previous GRFMA resolutions

<table>
<thead>
<tr>
<th>Number</th>
<th>Resolution</th>
<th>Action</th>
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<tbody>
<tr>
<td>17/012</td>
<td>That the GRFMA</td>
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<tr>
<td></td>
<td>1. Notes general support from constituent councils for further development of</td>
<td>Completed</td>
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<td></td>
<td>Gawler River Flood Management options for a 20 ARI and 100 ARI and further</td>
<td>Meeting undertaken</td>
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<td>detailed design and costing for the;</td>
<td>with Minister Hunter.</td>
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<td>a. proposed Gawler River northern floodway,</td>
<td>State Government</td>
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<td>b. upgrade and maintenance of the levee system and</td>
<td>support for the proposal indicated.</td>
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<td>c. management of silt and pest vegetation;</td>
<td>Correspondence forwarded to Senator</td>
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<td>2. Recognises that delivery of a long term and sustainable solution to</td>
<td>Ruston</td>
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<td>mitigation of flooding in the Gawler River flood plain will require</td>
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<td>engagement with and resource commitment from all three spheres of</td>
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<td>government (Local, State, Federal) and other funding partners and</td>
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<td>beneficiaries; and</td>
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<td>3. Requests, the Independent Chair and the Executive Officer, as a matter</td>
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<td>of priority to provide a copy of the draft Gawler River 2016 Flood Review</td>
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<td>report and recommendations to;</td>
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<td></td>
<td>a. Senator the Hon Anne Ruston, Assistant</td>
<td>To be considered by councils at</td>
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<td>Minister for Agriculture and Water, as a First Stage budget cost</td>
<td>appropriate time</td>
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<td>specification for implementation of Gawler River Flood Management</td>
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<td>actions (noting that further work to establish the job specification</td>
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<td>is required to facilitate ground truthing of potential works and provide</td>
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<td>more specific identification of associated costs) and to initiate</td>
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<td>discussion/negotiation for potential funding for the works identified;</td>
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<td>b. Ian Hunter MLC, Minister for Sustainability</td>
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<td>Environment and Conservation, Minister for Water and River Murray</td>
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<td>to confirm the above and to further engage and work with the State</td>
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<td>Government to identify and further develop the most appropriate</td>
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<td>solution designs, costings and funding mechanisms required by Local,</td>
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<td>State and Federal Governments and other funding partners and</td>
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<td>beneficiaries;</td>
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<td>4. Reserves right of approval for any designs and funding commitments until</td>
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<td>they are formally considered at a subsequent meeting of the GRFMA.</td>
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<tr>
<td>17/052</td>
<td>That the audited Financial Statements for the year 2016 – 2017 be adopted</td>
<td>Completed</td>
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<td>for the purposes of Part 4 Financial Statements of</td>
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<td>Item</td>
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<td>17/055</td>
<td>That GRFMA having received the verbal update on the Northern Floodway’s funding proposal and draft Strategic Pathway (Action) plan as provided by the Focus Group and GRFMA Technical Assessment Panel notes that further work on the Action Plan will be required as matters progress to get to a suitable point where a pre-project funding program might be established.</td>
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<tr>
<td>17/066</td>
<td>That the GRFMA: 1. Receive the report; and 2. That the Executive Officer provide a copy of the final 2016 Gawler River Flood Review Project Report and the separate Hydrology report to constituent councils for their relevant comment and support; and 3. That the Executive Officer make inquiries to ascertain how much it might cost to undertake the further work indicated at page 21 of the 2016 Gawler River Flood Review Project Report, including provision of estimated on going costs.</td>
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<tr>
<td>17/067</td>
<td>That the GRFMA: 1. Note the in principle support by Senator Anne Ruston, Assistant Minister for Agriculture and Water Resources for the proposal for funding of flood mitigation infrastructure in the Gawler River floodplain; and 2. Request the GRFMA Chair to write to: o Senator Anne Ruston, Assistant Minister for Agriculture and Water Resources and the Hon Ian Hunter Minister for Water and the River Murray to confirm their respective governments formal position regarding providing funding support and all constituent councils being on board; and o Confirm with Senator Anne Ruston, Assistant Minister for Agriculture and Water Resources her comments regarding capital versus recurrent costs.</td>
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<td>17/077</td>
<td>That the GRFMA: 1. Initiate processes to progress the review of the GRFMA Charter and Governance framework; 2. Consult with the Hon Geoff Brock Minister for Local Government regarding the Charter review; and 3. Request the Executive Officer to provide a report to the 19/10/17 GRFMA meeting outlining considered approaches to assist in determining the scope of review, review mechanisms and financial resources required.</td>
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<tr>
<td>17/075</td>
<td>That the GRFMA: 1. Receive the report; and</td>
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</table>
2. Request the Executive Officer to facilitate a workshop with the University of Adelaide and relevant constituent Council staff (planning and engineering) on UNHaRMED to enable consideration and recommendation of the preferred pathway for GRFMA (and Council) participation and utilisation of the program.

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<tr>
<th>17/076</th>
<th>That the GRFMA:</th>
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<tr>
<td>1.</td>
<td>Receive the report;</td>
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<td>2.</td>
<td>Notes the pending potential decision by the Minister for Local Government in relation to the Adelaide Plains Council’s application for withdrawal from the GRFMA and determines that the advancement of the Charter Review for the GRFMA be deferred until the December 2017 meeting of the GRFMA; and</td>
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<td>3.</td>
<td>Request the Executive Officer to make inquiries with the LGA Mutual Liability Scheme on any relevant risk issues that might need to be considered should the GRFMA not proceed with recommended flood mitigation</td>
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<th>17/078</th>
<th>That the GRFMA:</th>
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<td>3.</td>
<td>Receive the report; and</td>
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<td>4.</td>
<td>That consideration of the matters raised be deferred until such time as:</td>
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<td>• the process of the Charter review by the GRFMA is determined; and</td>
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<td>• formal application by the Adelaide Plains Council to withdraw from GRFMA has been determined by the Minister for Local Government.</td>
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</table>
GAWLDER RIVER FLOODPLAIN MANAGEMENT AUTHORITY

Adelaide Hills Council
Adelaide Plains Council
The Barossa Council
Town of Gawler
Light Regional Council
City of Playford

Address: 266 Seacombe Road SEACLIFF PARK SA 5049
Mobile: 0407717368
Email: davidehitchcock@bigpond.com
Web Site: www.gawler.sa.gov.au/grfma

REPORT - CONFIDENTIAL

Committee Gawler River Floodplain Management
Meeting Held 14 December 2017
Report Name 8.1 Land Acquisition - SEE SEPARATE CONFIDENTIAL ATTACHMENT

RECOMMENDATION - IN CONFIDENCE
That under the provisions of Section 90(2) of the Local Government Act 1999, an Order be made that the public be excluded from attendance at the meeting in order to consider in confidence agenda item 8.1 Land Acquisition excepting the following persons:
- Executive Officer; and
- Deputy Board Members.

And Further;
That the GRFMA Board is satisfied that it is necessary that the public be excluded to enable the Board to receive, discuss or consider the report at the meeting on the following ground/s:
Section 90(3)(d)&(e) information the disclosure of which—
(i) could reasonably be expected to prejudice the commercial position of the person who supplied the information to the Board where the disclosure of it would, on balance, be contrary to the public interest.

And Further
That accordingly, on this basis, the principle that meetings of the GRFMA Board should be conducted in a place open to the public has been outweighed by the need to keep the information and discussion confidential.

Subsequent to discussion

RECOMMENDATION - OUT OF CONFIDENCE
That the GRFMA having considered this matter in confidence under Section 90(2) and 90(3)(d)&(e) of the Local Government Act 1999, makes an order pursuant to Section 91(7),
that the attachments and details of documents of the confidential Minutes of the meeting held on 14 December 2017, Item 8.1 Land Acquisition which was considered in confidence pursuant to Section 90(3)(d)&(e, be released and made available for public inspection; and

Pursuant to Section 91(9)(c) of the Local Government Act 1999, GRFMA delegates the authority to the Executive Officer to revoke this confidentiality order.
RECOMMENDATION

That the GRFMA:

1. Receive the report;
2. Endorse preparation of a suitable funding application proposal for UNHaRMED;
3. Request the Executive Officer to consult with constituent councils on the proposal; and
4. The Board receive a further report regarding this matter prior to any external funding application being made.

At the 19/10/17 Meeting of the GRFMA the following resolution was passed.

That the GRFMA:

1. Receive the report; and
2. Request the Executive Officer to facilitate a workshop with the University of Adelaide and relevant constituent Council staff (planning and engineering) on UNHaRMED to enable consideration and recommendation of the preferred pathway for GRFMA (and Council) participation and utilisation of the program.

Over the past three years the University of Adelaide, and the Research Institute for Knowledge Systems, funded by the Bushfire & Natural Hazard CRC, has been developing UNHaRMED, a software application for the understanding and mitigation of long-term natural hazard risk.
This development has been supported by the inputs of many stakeholders around Australia, in what the software should be able to do and what it should look like.

UNHaRMED is designed to explore how to manage risk into the future in an integrated and dynamic approach considering different drivers and options impacting on future risk. Hazards included in the application of UNHaRMED to Greater Adelaide are earthquake, bushfire, coastal inundation and riverine flood.

The CRC is keen to trial the tool with the GRFMA in a Gawler River floodplain (flood) aspect. The tool may have considerable potential to assist the GRFMA develop a “landscape master plan” for the future of the catchment area at the infrastructure, environmental and socio-economic level.

UNHaRMED may have considerable potential to assist the GRFMA to develop a “landscape master plan” for the future of the catchment area at the infrastructure, environmental and socio-economic level.

In accordance with the GRFMA resolution a workshop was held at Gawler on 17 November 2017.

Persons attending the workshop included, Planning and Engineering staff from constituent councils, University of Adelaide (project proponents) and the GRFMA Executive Officer.

Outcomes from the workshop were.

1. Participants agreed the model was worth pursuing further with recommendation to the GRFMA Board.
2. The preferred approach would be for a central model developed and operated by Adelaide University on the one platform with GRFMA councils contributing to development as a user group.
3. Councils could then seek data input and modelling outcomes relevant to their Council area. This would also enable both a “local” and a “landscape” overview of any proposed changes (ie land use planning, infrastructure build, State Government policy).
4. The mechanism to effect this could be by way of application to the National Disaster Resilience Program (NDRP) SA and/or the LGA SA Research and Development Scheme (LGAR&D). The NDRP funding call opens February 2018 and the LGAR&D funding call opens in July 2018.
5. The proposal would be a pilot project that would evaluate the hazard risks and development benefits associated with the proposed Northern Floodway project and the proposed raising of the Bruce Eastick North Para Flood Mitigation Dam.
6. It was agreed that the model would also be beneficial in application to other Councils (Local Government), which the pilot project would demonstrate.
7. Subject to GRFMA Board considerations a suitable pilot proposal to be drafted and circulated to constituent councils for comment and subsequent funding application processes.
The GRFMA is the owner and manager of the Bruce Eastick North Para flood mitigation dam which is located Hundred of Kingsford, Light Regional Council (via Kemp Road), South Australia.

The GRFMA Business Plan has historically provided that the Bruce Eastick Dam is to be “inspected periodically” which fundamentally has been every six months.

See end of this report for a copy of the current inspection regime.
As a matter of process in arranging for inspection of the Dam, the Executive Officer was advised by SA Water that notwithstanding the regular inspection currently being undertaken by GRFMA the Australian National Committee on Large Dams (ANCOLD), Guidelines on Dam Safety Management, August 2003 indicate the types of inspections that should be undertaken.

These are related to the Consequence Category (formerly Hazard Category) of the dam, which is based on the Population at Risk, Potential Loss of Life and Severity of Damage and Loss should a dam fail. The Consequence Category can range from Very Low to Extreme.

Subsequent inquiry and discussion with AECOM (consulting engineers who designed the Dam) indicate that a Consequence Category rating for the Bruce Eastick Flood Mitigation Dam has not previously been undertaken.

Further inquiries have now been made to understand what is involved in undertaking a Consequence Category determination for the Bruce Eastick North Para flood mitigation dam.

Expressions of interest were invited from consulting Dams Engineering Companies for the provision of services to;

1. Identify, and explain the basis of determination of any appropriate Consequence Category((ANCOLD), Guidelines on Dam Safety Management) that might apply to the Bruce Eastick North Para flood mitigation dam.
2. Subject to determination of 1 above, identify a suitable dam inspection /reporting program for:
   - Routine Visual - Monthly to Daily (interval depending on Consequence Category);
   - Intermediate - Annually;
   - Comprehensive - 5 Yearly;
   - Safety Review - 10 to 20 years (interval depending on risk level, Consequence Category and technological changes).

Given the Expressions of Interest contain commercial and in confidence information it is recommended that GRFMA consider the Expressions of Interest received as confidential on the basis of Section 90(3)(d) of the Local Government Act 1999

(d)commercial information of a confidential nature (not being a trade secret) the disclosure of which— (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party

See separate confidential attachment report detailing the expressions of interest received.
## Current Dam Inspection Program

<table>
<thead>
<tr>
<th>Item:</th>
<th>6 M</th>
<th>12 M</th>
<th>Inspector:</th>
<th>Maintenance</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Access Roads, Fencing and Drainage</strong></td>
<td></td>
<td></td>
<td>GFRMA nominated inspector.</td>
<td>Fill potholes and grade road surfaces as required.</td>
</tr>
<tr>
<td><strong>Site Access Roads</strong></td>
<td></td>
<td></td>
<td>GFRMA nominated inspector.</td>
<td>Repair gates as required.</td>
</tr>
<tr>
<td><strong>Site Access Gates</strong></td>
<td></td>
<td></td>
<td>GFRMA nominated inspector.</td>
<td>Remove sediment and debris as required.</td>
</tr>
<tr>
<td><strong>Drainage Swales and Sumps</strong></td>
<td></td>
<td></td>
<td>GFRMA nominated inspector.</td>
<td>Remove sediment and debris as required.</td>
</tr>
<tr>
<td><strong>Road Culverts</strong></td>
<td></td>
<td></td>
<td>GFRMA nominated inspector.</td>
<td>Remove sediment and debris as required.</td>
</tr>
<tr>
<td><strong>Site Boundary Fencing</strong></td>
<td></td>
<td></td>
<td>GFRMA nominated inspector.</td>
<td>Repair fences as required.</td>
</tr>
<tr>
<td><strong>Safety Signage</strong></td>
<td></td>
<td></td>
<td>GFRMA nominated inspector.</td>
<td>Repair or replace safety signs as required.</td>
</tr>
<tr>
<td><strong>Main Dam</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Main Dam Wall</strong></td>
<td></td>
<td></td>
<td>Dams Engineer.</td>
<td>Repair as required.</td>
</tr>
<tr>
<td><strong>LLOP Inlet Chamber - Routine</strong></td>
<td></td>
<td></td>
<td>GFRMA nominated inspector (6 monthly Dams Engineer (Annually)</td>
<td>Remove floating debris and sediment as required. Repair or replace inlet screen and safety railing.</td>
</tr>
<tr>
<td><strong>LLOP - Routine</strong></td>
<td></td>
<td></td>
<td>GFRMA nominated inspector (6 monthly Dams Engineer (Annually)</td>
<td>Remove floating debris and sediment as required.</td>
</tr>
<tr>
<td><strong>Stilling Basin - Routine</strong></td>
<td></td>
<td></td>
<td>GFRMA nominated inspector (6 monthly Dams Engineer (Annually)</td>
<td>Remove floating debris and sediment as required. Repair or baffle blocks and basin walls as required.</td>
</tr>
<tr>
<td><strong>LLOP Inlet Chamber, LLOP and Stilling Basin - 5 Year Comprehensive Inspection</strong></td>
<td></td>
<td></td>
<td></td>
<td>Clean LLOP. Repaint LLOP walls as required. Remove floating debris and sediment as required.</td>
</tr>
<tr>
<td><strong>HLOP's</strong></td>
<td></td>
<td></td>
<td>GFRMA nominated inspector (6 monthly Dams Engineer (Annually)</td>
<td>Remove floating debris. Repair or replace covers as required.</td>
</tr>
<tr>
<td><strong>Dam Crest Access Ladder and Safety Railings</strong></td>
<td><strong>GRFMA nominated inspector.</strong></td>
<td>Repair or replace dam access ladder and safety railings as required.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Dam Crest Survey Markers</strong></td>
<td><strong>GRFMA nominated surveyor.</strong></td>
<td>Repair or replace markers as required.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Secondary Spillway</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Secondary Spillway Wall</strong></td>
<td><strong>GRFMA nominated inspector (6 monthly Dams Engineer (Annually))</strong></td>
<td>Repair as required.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Downstream Rockwork and Overland Flowpath</strong></td>
<td><strong>GRFMA nominated inspector (6 monthly Dams Engineer (Annually))</strong></td>
<td>Repair as required.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>River Flows and Water Levels</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Rainfall in Catchment</strong></td>
<td><strong>Bureau of Meteorology</strong></td>
<td>not applicable.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>River flows</strong></td>
<td><strong>Bureau of Meteorology</strong></td>
<td>not applicable.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Water levels at dam</strong></td>
<td><strong>Bureau of Meteorology</strong></td>
<td>not applicable.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Water level monitoring equipment.</strong></td>
<td><strong>Bureau of Meteorology</strong></td>
<td>Repair as required.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Issue flood warnings</strong></td>
<td><strong>Bureau of Meteorology</strong></td>
<td>not applicable.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Grounds - Dam Land</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Rainfall in catchment</strong></td>
<td><strong>GRFMA nominated inspector (6 monthly)</strong></td>
<td>Remove debris and sediment as required.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Grounds - Inundation Land</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Rainfall in catchment</strong></td>
<td><strong>GRFMA nominated inspector (6 monthly)</strong></td>
<td>Where covered by provisions of an Easement repair fences to stock standard with breakaway fences. (Does not extend to the removal of debris)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
REPORT

Committee
Gawler River Floodplain Management Authority

Meeting Held
14 December 2017

Report Name
8.4 Northern Floodways

RECOMMENDATION

That the GRFMA:

1. Receive the Report;
3. Endorses payment of $1820 ex GST for preparation of the AWE report to ascertain how much it might cost to undertake the further work indicated at page 21 of the 2016 Gawler River Flood Review Project Report, including provision of estimated ongoing costs.
4. Requests the Executive Officer to initiate development of a Gawler River Project Prospectus document to assist in further discussion with Ian Hunter MLC, Minister for Sustainability Environment and Conservation, Minister for Water and River Murray Environment and Hon Anne Ruston Senator for South Australia on feasibility of GRFMA obtaining a “seed” grant up to $160,000 to enable actual progress in undertaking the works and agreement on future flood mitigation options for the Gawler River.
At the 5/10/17 Special Meeting of the GRFMA the following resolution was passed.

*That the GRFMA:*

1. Receive the report; and
2. That the Executive Officer provide a copy of the final 2016 Gawler River Flood Review Project Report and the separate Hydrology report to constituent councils for their relevant comment and support; and
3. That the Executive Officer make inquiries to ascertain how much it might cost to undertake the further work indicated at page 21 of the 2016 Gawler River Flood Review Project Report, including provision of estimated on going costs.

In accordance with item 1 of the resolution, correspondence was forward to all constituent councils seeking their feedback by 11 December 2017 on the final 2016 Gawler River Flood Review Project Report and the separate Hydrology report.

Due to requirement for the 14/12/17 GRFMA meeting agenda to be prepared and distributed to members before 11 December 2017 it was not feasible to include council responses in this report.

A separate report collating feedback on the final 2016 Gawler River Flood Review Project Report and the separate Hydrology report will be provided to members at the 14/12/17 meeting.

**Cost to undertake the further work indicated at page 21 of the 2016 Gawler River Flood Review Project Report, including provision of estimated on going costs.**

In regard to item 3 of the resolution the Executive Officer has sought further information from AWE to enable provision of this information.

It is advised the cost by AWE to prepare this document was $1820.00 ex GST. Endorsement of the GRFMA is sought in expenditure of this extraordinary Budget Item – AWE Next Steps Report.

Costs will need to be met from Budget Savings or GRFMA reserves.

<table>
<thead>
<tr>
<th>Item</th>
<th>Indicative cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Prospectus Document (Task 1)</td>
<td>$ 10,000</td>
</tr>
<tr>
<td>Consultation/Information Dissemination (Tasks 2 and 3)</td>
<td>$ 25,000</td>
</tr>
<tr>
<td>Ground Truthing (Tasks 4 and 5)</td>
<td>$ 40,000</td>
</tr>
<tr>
<td>Lower Gawler River Concept Plans and Costing Estimates (Tasks 6, 7, 8 &amp; 9)</td>
<td>$ 50,000</td>
</tr>
<tr>
<td>Financial Analysis and Report (Tasks 10, 11 &amp; 12)</td>
<td>$ 25,000</td>
</tr>
<tr>
<td>Project Management and Liaison with GRFMA</td>
<td>$ 10,000</td>
</tr>
<tr>
<td><strong>Total indicative cost</strong></td>
<td><strong>$160,000</strong></td>
</tr>
</tbody>
</table>

The report also re-iterates previous advice that nonstructural measures such as improved flood warning and flood response measures along with managing new development to avoid increasing the risks and consequences associated with flooding should continue to be pursued as a high priority whilst the Authority further evaluates the structural mitigation options.

See separate attachment for the AWE Report.
It is suggested that subject to determination of actual cost, it would be appropriate for GRFMA to consider facilitating preparation of the Project Prospectus (Task 1). Completion of the prospectus would greatly assist councils and the "Gawler River community" understanding of the flood mitigation proposals and what the next steps and challenges might be. Preparation of the Prospectus would also be a key step forward by the GRFMA in this matter.

The completed Prospectus could also assist in further discussion with Ian Hunter MLC, Minister for Sustainability Environment and Conservation, Minister for Water and River Murray Environment and Hon Anne Ruston Senator for South Australia on feasibility of GRFMA obtaining a “seed” grant up to $160,000 to enable actual progress in undertaking the works and agreement on future options for funding to achieve such outcomes. Ie milestone achievement funding arrangements following completion of the various tasks in completing flood mitigation works/infrastructure.

Costs associated with the facilitation of the Prospectus could be met from GRFMA Reserves with intent to include cost to do so in any future funding discussions as proposed above.

**Note:** A copy of the AWE Report has been provided to members of the GRFMA Project Committee (Braden Austin, Playford and Matt Elding, Barossa) which was previously established to consider a project management/action plan for the Northern Floodways proposal. A verbal update on their views regarding the AWE report will be provided at the 14/12/17 meeting.

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**GRFMA Tenders and Quotations Policy (Extract)**

**Contracts exceeding $50,000**

9.11 Subject to the Local Government Act or any other Act or Law and these procedures, where the value or estimated value of a contract for the supply of goods, the rendering of a service or construction of works exceeds $50,000 tenders shall be called and the procedure be followed and in connection with the calling of such tenders shall, with all necessary adaptations, be in accordance with this policy.

9.30 Contracts not exceeding $10,000

9.31 Subject to the Local Government Act and any other Act or Law and these procedures, where the value or estimated value of a contract for the supply of goods, rendering of a service of the construction of works does not exceed $10,000, quotations shall be obtained so as to ensure a reasonable measure of competition and the most advantageous quotation received having regard to value for money, quality, suitability and other relevant considerations, shall be accepted. Particulars of those quotations shall be recorded appropriately.

9.32 The Executive Officer may approve in the case of emergency or for any other extraordinary cause (particulars of which emergency or other cause shall be indicated in the approval) that this requirement be set aside in a particular case and may substitute alternative arrangements. All such approvals under this Clause must be reported in full to the next meeting of the Board.
RECOMMENDATION

That the GRFMA:
1. Receive the report;
2. Resolves that advancement of the Charter Review for the GRFMA be further deferred until the February 2018 GRFMA Meeting; and
3. Notes pending response from the LGA Mutual Liability Scheme on any relevant risk issues that might need to be considered should the GRFMA not proceed with recommended flood mitigation initiatives provided in the Final Gawler River 2016 Flood Review Project report.

At the 5/10/17 Special Meeting of the GRFMA the following resolution was passed.

That the GRFMA:
1. Receive the report;
2. Notes the pending potential decision by the Minister for Local Government in relation to the Adelaide Plains Council’s application for withdrawal from the GRFMA and determines that the advancement of the Charter Review for the GRFMA be deferred until the December 2017 meeting of the GRFMA; and
3. Request the Executive Officer to make inquiries with the LGA Mutual Liability Scheme on any relevant risk issues that might need to be considered should the GRFMA not proceed with recommended flood mitigation initiatives provided in the Final Gawler River 2016 Flood Review Project report.
Discussions by the Executive Officer with the Office of Local Government indicate that the Hon Goff Brock MP, Minister for Local Government has now received the letter from Adelaide Plains Council (APC) formally seeking approval to withdraw from the GRFMA.

It is understood the Minister is aware of the context of discussion that has been occurring between the GRFMA and APC leading up to receipt of the letter. The Minister is also aware of the Prudential Review Report (Skilmar Solutions) that was considered by both the Adelaide Plains Council Audit Committee and the Council.

The Minister will be writing to APC seeking further information and basis of the APC request and reasons why they want to withdraw.

Constituent Councils and GRFMA will also receive a letter seeking their views and position.

The time frames for the Minister to consider and respond to this matter are likely to be around February 2018. Should it be later than this timeframe complications will occur with caretaker mode requirements for the lead up to the 2018 State Government elections.

In accord with the intent of the 5/10/17 GRFMA resolution above it is recommended that advancement of the Charter Review for the GRFMA be further deferred until the February 2018 Meeting.

With regard to item 2 of the resolution the Executive Officer has engaged with the LGA Mutual Liability Scheme (LGA MLS) on any relevant risk issues that might need to be considered should the GRFMA not proceed with recommended flood mitigation initiatives provided in the Final Gawler River 2016 Flood Review Project report.

The LGA MLS will provide a response as requested.

LGA MLS have also noted that as there are a number of key stakeholders (GRFMA, LGA, LGA MLS and the Minister) it might be beneficial to engage with a “round the table” discussion on the matter.
REPORT

Committee: Gawler River Floodplain Management Authority
Meeting Held: 14 December 2017
Report Name: 8.6 Policy Review

RECOMMENDATION
That the GRFMA:
1. Endorse adoption of the following policies as amended and recommended by the 4/12/17 meeting of the GRFMA Audit Committee:
   - Access to meetings and Documents - Approved as provided subject to Inclusion of reference to section 8(a) Local Government Act 1999 - In addition, an informal gathering or discussion under subsection (8) may only be held if— (a) the council has adopted a policy on the holding of informal gatherings or discussions; and (b) the informal gathering or discussion complies with the policy.
   - Internal Review of Decisions- Approved as provided
   - Operation, Tenders and Quotations Approved as provided with following revised to –
     XII. where the value or estimated value of a contract for the supply of goods, the rendering of a service or construction of works exceeds $100,000 tenders shall be called and the procedure be followed.
     XIII. where the value or estimated value of a contract for the supply of goods, the rendering of a service or the construction of work exceeds $20,000 but does not exceed $100,000, quotations in writing shall be invited.
     XIV. where the value or estimated value of a contract for the supply of goods, rendering of a service of the construction of works does not exceed $20,000, quotations shall be obtained.
     XV. Remove wording in relation to Revaluation and Depreciation of the Dam and refer to separate GRFMA policy on this matter.
XVI. Undertake word search to replace “Association” with “Authority”
- Dam Valuation - Approved as provided. Note finalisation of the GRFMA Asset Management Plan may result in further review of the Dam Valuation policy.
- Treasury Management - Approved as provided with inclusion that a minimum balance of cash reserves at any one time be maintained. Such balance to be equivalent to 50% of the annual GRFMA Budget as determined in accordance with the approved GRFMA Business Plan as amended annually and that any Board authorisation of payments from reserves that are extraordinary to the Business Plan be required to be repaid by constituent council contributions within 12 months following. Note – the cash reserve balance to separately identify the proportional value of Consultancy budget values and operational/maintenance Budget values.

2. Determines that the GRFMA Audit committee not be required to view the Register of Contracts as part of their duties at this time.
3. Requests the Executive Officer to seek feedback from constituent councils on the proposed GRFMA Public Consultation Policy before being further considered by the Board.
4. Notes the GRFMA Asset Management Plan remains a work in progress and given its strategic importance be further considered by the Audit Committee following completion.

A review of the following GRFMA policies has been undertaken:
- Access to meetings and Documents
- Internal Review of Decisions
- Operations
- Dam Valuation
- Public Consultation

Two new policies have been underdevelopment, namely:
- Treasury Management
- Asset Management Plan

See separately attached for copies of the policy documents

Generally, all policies have been updated to reflect the name change from District Council of Mallala to the new title of the Adelaide Plains Council and new GRFMA Executive Officer name and contact details.

Some policies received further amendment to reflect current policy template modelling.

The table below identifies each policy, extent of update and relevant comment on action to be considered.
<table>
<thead>
<tr>
<th>Policy Name</th>
<th>Extent of review</th>
<th>Comments</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Access to meetings and Documents</td>
<td>Minor changes new Adelaide Plains Council title and Executive Officer Details</td>
<td></td>
<td>Recommend adoption.</td>
</tr>
<tr>
<td>Internal Review of Decisions</td>
<td>Minor changes new Adelaide Plains Council title and Executive Officer Details</td>
<td></td>
<td>Recommend adoption.</td>
</tr>
<tr>
<td>Operations</td>
<td>Changes as above plus amendment to section 5.00 and 6.02 to reflect new Online Business Banking arrangements</td>
<td></td>
<td>Recommend adoption.</td>
</tr>
<tr>
<td>Dam Valuation</td>
<td>Minor changes new Adelaide Plains Council title and Executive Officer Details</td>
<td></td>
<td>Recommend adoption.</td>
</tr>
<tr>
<td>Public Consultation</td>
<td>New redraft to more appropriately reflect new model policy template for this matter</td>
<td>New redraft</td>
<td>Recommend adoption.</td>
</tr>
<tr>
<td>Treasury Management</td>
<td>New policy completed</td>
<td>GRFMA have requested an indication by the Audit Committee regarding a suitable minimum value (or %) of reserves which should always be maintained.</td>
<td>Audit committee to determine a suitable minimum value (or %) of reserves which should always be maintained and advise GRFMA with recommendation for adoption.</td>
</tr>
<tr>
<td>Asset Management Plan</td>
<td>New policy substantially completed</td>
<td>GRFMA have noted requirement for technical asset management planning expertise from member council staff.</td>
<td>Note further technical assistance required. Should councils be unable to assist extraordinary budget allocations will be required to complete.</td>
</tr>
</tbody>
</table>

The Policies and table of comments were tabled and discussed at the 4 December 2017 GRFMA Audit Committee.

The Audit Committee resolved the following.

*Review of GRFMA Polices*

GAC 17/013 Review of GRFMA Polices

Moved: Mr Pattinson Seconded: Cr Ellis

*That the GRFMA Audit Committee:*

3. *Receive the report regarding process of review of GRFMA policies; and*

4. *Recommends the following Policy amendments for GRFMA Board consideration:*

   - Access to meetings and Documents - Approved as provided subject to Inclusion of reference to section 8(a) Local Government Act 1999 - In addition, an informal gathering or discussion under subsection (8) may only be held if— (a) the council has adopted a policy on the holding of informal gatherings or discussions; and (b) the informal gathering or discussion complies with the policy.
   - Internal Review of Decisions- Approved as provided
   - Operation, Tenders and Quotations Approved as provided
with following revised to –

XVII. where the value or estimated value of a contract for the supply of goods, the rendering of a service or construction of works exceeds $100,000 tenders shall be called and the procedure be followed.

XVIII. where the value or estimated value of a contract for the supply of goods, the rendering of a service or the construction of works exceeds $20,000 but does not exceed $100,000, quotations in writing shall be invited.

XIX. where the value or estimated value of a contract for the supply of goods, rendering of a service of the construction of works does not exceed $10,000, quotations shall be obtained.

XX. Remove wording in relation to Revaluation and Depreciation of the Dam and refer to separate GRFMA policy on this matter

XXI. Undertake word search to replace “Association” with “Authority”

XXII. Seek the view of the Board regarding do they want the Audit Committee to view the Register of Contracts and if so at what level of detail.

• Dam Valuation - Approved as provided. Note finalisation of the GRFMA Asset Management Plan may result in further review of the Dam Valuation policy.

• Public Consultation – Refer to constituent councils for feedback on the policy.

• Treasury Management - Approved as provided with recommendation that a minimum balance of cash reserves at any one time be maintained. Such balance to be equivalent to 50% of the annual GRFMA Budget as determined in accordance with the approved GRFMA Business Plan as amended annually and that any Board authorisation of payments from reserves that are extraordinary to the Business Plan be required to be repaid by constituent council contributions within 12 months following. Note – the cash reserve balance to separately identify the proportional value of Consultancy budget values and operational/maintenance Budget values.

• Asset Management Plan – Remains a work in progress and given its strategic importance be further considered by the Audit Committee following completion.

CARRIED
REPORT

Committee
Gawler River Floodplain Management Authority

Meeting Held 14 December 2017

Report 8.7 Financial Report

RECOMMENDATION

That the financial report as at 30 November 2017 showing a balance of total funds available of $178,191.18 be received.

As provided below

- Summary by month of duties performed by the Executive Officer from 1 October 2017 to 30 November 2017.

Separately Attached
- Balance Sheet to 30 November 2017; and
- Monthly Reconciliation for the GRFMA up to 30 November 2017
- Budget Analysis –November 2017

Executive Officer Activities report

<table>
<thead>
<tr>
<th>Activity</th>
<th>Aug</th>
<th>Sept</th>
<th>Oct</th>
<th>Nov</th>
</tr>
</thead>
<tbody>
<tr>
<td>To keep maintained the business office of the Authority</td>
<td>7</td>
<td>4</td>
<td>11</td>
<td>12</td>
</tr>
<tr>
<td>To prepare the Business Plan, Budgets and reports in a timely manner</td>
<td>2.5</td>
<td>2.5</td>
<td>11</td>
<td>12</td>
</tr>
<tr>
<td>To liaise with Councils, and Stakeholders to foster the outcomes of the Business Plan</td>
<td>16</td>
<td>14</td>
<td>2.5</td>
<td>13</td>
</tr>
<tr>
<td>To attend all meetings of the GRFMA, to prepare agendas, minutes and correspondence as required.</td>
<td>22.5</td>
<td>9.5</td>
<td>21</td>
<td>4.5</td>
</tr>
<tr>
<td>TOTAL</td>
<td>48</td>
<td>30</td>
<td>37.5</td>
<td>34</td>
</tr>
</tbody>
</table>
RECOMMENDATION


Meetings of the Board are held at such time and such place as the Board decides subject only to the requirement that there will be at least one meeting in every two calendar months.

A special meeting of the Board may be held at any time and may be called at the request of the Chairperson or at the written request of six members of the Board representing all of the Constituent Councils.

Ordinary meetings of the Board are generally held bi-monthly on the third Thursday of the even months commencing at 9.45 am: excepting December which is held on the second Thursday.

Meetings are hosted by the Constituent Councils on a rotational roster during the year.

A meeting Schedule for 2018 should now be determined.

The table below indicates a proposed schedule
<table>
<thead>
<tr>
<th>Day</th>
<th>Date</th>
<th>Council/location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thursday</td>
<td>15 February 2018</td>
<td>Light Regional council</td>
</tr>
<tr>
<td>Thursday</td>
<td>19 April 2018</td>
<td>Adelaide Hills Council</td>
</tr>
<tr>
<td>Thursday</td>
<td>14 June 2018</td>
<td>The Barossa Council</td>
</tr>
<tr>
<td>Thursday</td>
<td>16 August 2018</td>
<td>Town of Gawler</td>
</tr>
<tr>
<td>Thursday</td>
<td>18 October 2018</td>
<td>Adelaide Plains Council</td>
</tr>
<tr>
<td>Thursday</td>
<td>14 December 2018 (2nd Thur)</td>
<td>City of Playford</td>
</tr>
</tbody>
</table>
OVERVIEW

Council Auditor, Bentleys SA Audit Partnership have visited the Council from 4 October 2017 to 6 October 2017 to conduct their final audit of Council activities for 2016/2017 Financial Year. Following the completion of the audit, they have issued Independent Auditor’s Report and Independent Assurance Report on Internal Controls which are contained in Attachments.

The auditors have issued a qualified audit opinion on the Adelaide Plains Council’s 2016/2017 Financial Statements only on the basis of their inability to verify, due to insufficient audit evidence, the closing balances of Roads, Kerbing and Footpaths and Stormwater Drainage classes of assets. This was due to moving Council’s assets register from an Excel based spreadsheet to Conquest software and any over/under statements of values of Council’s fixed assets will be rectified when Council do next asset revaluation as at 1 July 2017 as part of the 2017/2018 audit.

In addition, in the report on Council internal financial controls, a qualified report also was issued due to:-

i. balance sheet reconditions not being completed and reviewed on time;

ii. the management couldn’t provide a useable General Ledger Access Report directly from the general ledger software, and as such auditors have not been able to review user access levels within general ledger software; and

iii. The Roads, Kerbing & Footpaths and Stormwater Drainage classes of assets were not appropriately reconciled throughout and at the end of the year.

While there have been some lapses due to competing work priorities in the reconciliation and review of Council balance sheet accounts on time, this has not impacted the accuracy and the integrity of the balances reported as at 30 June 2017 in the audited financial
statement. In addition, the management is currently working with Council’s corporate IT system provider Civica to generate a simple and user-friendly General Ledger Access Report.

The management has already started a process to ensure that Roads, Kerbing and Footpaths and Stormwater Drainage assets are properly reconciled and available in time for the 2017/2018 audit. Any over/under stated fixed assets values will be rectified when the current year asset revaluation is undertaken with an effective date of 1 July 2017.

RECOMMENDATION

“that Council, having considered Item 15.5 – Correspondence received from Council Auditor following 2016-2017 audit, dated 18 December 2017, receives and notes the report”.

Attachment

1. Independent Auditor’s report to the members of Adelaide Plains Council issued by Bentleys SA Audit Partnership
2. Independent assurance report on internal controls of the Adelaide Plains Council issued by Bentleys SA Audit Partnership
3. Certification of Auditor Independence issued by Bentleys SA Audit Partnership

Legislation

Local Government Act 1999 (following sections):
- 124 Accounting records to be kept
- 125 Internal control policies
- 127 Financial statements
- 128 The auditor
- 129 Conduct of audit
- 130 CEO to assist auditor
INDEPENDENT AUDITOR’S REPORT
TO THE MEMBERS OF ADELAIDE PLAINS COUNCIL

Qualified Opinion

We have audited the accompanying financial report of the Adelaide Plains Council, which comprises the statement of financial position as at 30 June 2017, the statement of profit or loss and other comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies and the Certification of the Financial Statements.

In our opinion, except for the possible effects of the matter described in the Basis for Qualified Opinion paragraph, the financial report gives a true and fair view of the financial position of the Adelaide Plains Council as of 30 June 2017, and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards and the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011.

Basis for Qualified Opinion

We were unable to verify, due to insufficient audit evidence, the closing balances of Roads, Kerbing & Footpaths and Stormwater Drainage classes of assets. It is not practicable to quantify the financial effects as we were not provided with appropriate audit evidence to reconcile these classes of assets.

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the Auditor’s Responsibilities for the Audit of the Financial Report section of our report. We are independent of the entity in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board’s APES 110 Code of Ethics for Professional Accountants (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.
Responsibilities of Management and Those Charged with Governance for the Financial Report

Management is responsible for the preparation of the financial report, which gives a true and fair view in accordance with Australian Accounting Standards and the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011, and for such internal control as the committee and management determines is necessary to enable the preparation of a financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error.

In preparing the financial report, management is responsible for assessing the entity’s ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless management either intends to liquidate the entity or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the entity’s financial reporting process.

Auditor’s Responsibilities for the Audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor’s report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

A further description of our responsibilities for the audit of the financial report is located at the Auditing and Assurance Standards Board website at: http://www.auasb.gov.au/Home.aspx. This description forms part of our auditor’s report.

BENTLEYS SA AUDIT PARTNERSHIP

[Signature]
DAVID PAPA
PARTNER

Dated at Adelaide this 22nd day of November 2017
INDEPENDENT ASSURANCE REPORT ON INTERNAL CONTROLS
OF THE ADELAIDE PLAINS COUNCIL

We have audited the compliance of the Adelaide Plains Council (the Council) with the requirements of Section 125 of the Local Government Act 1999 in relation to the Internal Controls established by the Council to ensure that financial transactions relating to the receipt, expenditure and investment of money, acquisition and disposal of property and incurring of liabilities for the period 1 July 2016 to 30 June 2017 are in accordance with legislative provisions.

The Council’s Responsibility for the Internal Controls

The Council is responsible for implementing and maintaining an adequate system of internal controls, in accordance with Section 125 of the Local Government Act 1999 in relation to Internal Controls, to ensure that the receipt, expenditure and investment of money, the acquisition and disposal of property, and incurring of liabilities are in accordance with legislative provisions.

Our Responsibility

Our responsibility is to express an opinion on the Council’s compliance with Section 125 of the Local Government Act 1999 in relation only to the Internal Controls established by the Council to ensure that financial transactions relating to the receipt, expenditure and investment of money, acquisition and disposal of property and incurring of liabilities, based on our procedures. Our engagement has been conducted in accordance with applicable Australian Standards on Assurance Engagements ASAE 3100 Compliance Engagements, issued by the Australian Auditing and Assurance Standards Board, in order to state whether, in all material respects, the Council has complied with Section 125 of the Local Government Act 1999 in relation only to the Internal Controls specified above for the period 1 July 2016 to 30 June 2017. ASAE 3100 also requires us to comply with the relevant ethical requirements of the Australian professional accounting bodies.

Our procedures included obtaining an understanding of internal controls in relation to the receipt, expenditure and investment of money, the acquisition and disposal of property and the incurring of liabilities, evaluating management’s assessment of these internal controls, assessing the risk that a material weakness exists, and testing and evaluating the design and implementation of controls on a sample basis on the assessed risks.

Limitation on Use

This report has been prepared for the members of the Council in accordance with Section 129 of the Local Government Act 1999 in relation to Internal Controls specified above. We disclaim any assumption of responsibility for any reliance on this report to any persons or users other than the members of the Council, or for any purpose other than that for which it was prepared.
Limitations of Controls

Because of the inherent limitations of any internal control structure it is possible that, even if the controls are suitably designed and operating effectively, the control objectives may not be achieved so that fraud, error, or non-compliance with laws and regulations may occur and not be detected.

An assurance engagement on internal controls is not designed to detect all instances of controls operating ineffectively as it is not performed continuously throughout the period and the tests performed are on a sample basis. Any projection of the outcome of the evaluation of controls to future periods is subject to the risk that the controls may become inadequate because of changes in conditions, or that the degree of compliance with them may deteriorate.

Independence

In conducting our engagement, we have complied with the independence requirements of the Australian professional accounting bodies.

Qualified Opinion

In our opinion, except for the possible effect on the internal controls of the matters referred to in the Basis for Qualified Opinion paragraph, the Adelaide Plains Council has complied, in all material respects, with Section 125 of the Local Government Act 1999 in relation to Internal Controls, established by the Council in relation to the receipt, expenditure and investment of money, acquisition and disposal of property and incurring of liabilities so as to provide reasonable assurance that the financial transactions of the Council have been conducted properly and in accordance with legislative provisions for the period 1 July 2016 to 30 June 2017.

Basis for Qualified Opinion

From October 2016 to March 2017 there was no evidence of reconciliations being prepared for Sundry debtors and Trade Creditors. The bank reconciliation was not prepared for the month of December 2016. Due to staff changes, no reconciliations were reviewed between December 2016 and March 2017.

Council is unable to produce a useable General Ledger Access Report directly from the general ledger software, and as such have not been able to review user access levels within their general ledger software.

The Roads, Kerbing & Footpaths and Stormwater Drainage classes of assets were not appropriately reconciled throughout and at the end of the year.

BENTLEYS SA AUDIT PARTNERSHIP

DAVID PAPA
PARTNER
Dated at Adelaide this 22nd day of November 2017
Certification of Auditor Independence

I confirm that, for the audit of the financial statements of Adelaide Plains Council for the year ended 30 June 2017, I have maintained my independence in accordance with the requirements of APES 110 – Code of Ethics for Professional Accountants, Section 290, published by the Accounting Professional and Ethical Standards Board, in accordance with the Local Government Act 1999 and the Local Government (Financial Management) Regulations 2011 made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22 (5) Local Government (Financial Management) Regulations 2011.

David Papa
Partner
Bentleys SA Audit Partnership

Dated at Adelaide this 20th day of November 2017
OVERVIEW

Purpose

This report provides an update to a workshop (via powerpoint briefing) held on Monday 30 October 2017 regarding the Joint Planning Arrangements and new Regional Plan discussions taking place with State Government.

Background

The Planning, Development and Infrastructure (PDI) Act 2016 sets out a new Regional Planning framework to enable local government areas to prepare regional plans that provide direction for future strategic planning.

Under the current Development Act 1993, the Planning Strategy (a combination of documents, plans and policy statements that facilitate strategic planning) is maintained by the State Government.

In the new system, the Planning Strategy will be replaced with Regional Plans that are required to reflect State Planning Policies that set out the State's overarching goals or requirements for the planning system. The ‘planning regions’ requiring Regional Plans are not yet set.

The new system presents an opportunity for councils to have involvement in the preparation of a Regional Plan as members of a Joint Planning Board.

Where there is no Joint Planning Board, the Regional Plan is prepared by the State Planning Commission. To maintain an involvement in strategic planning, councils need to explore potential Joint Planning Arrangements to enable the development of a Regional Plan.

A regional submission from Adelaide Plains Council, the Barossa Council, Town of Gawler and Light Regional Council was one of eight (8) expressions of interest received by the Department of Planning, Transport and Infrastructure (DPTI) to take part in a Joint Planning
Arrangements Pilot Project. A total of 41 councils collectively expressed interest in the pilot program.

This strong level of interest has resulted in DPTI appointing consultants to progress the Pilot Project as a collaborative process with a Local Government Association representative and representatives of each of the 8 Council consortiums, which form a Project Working Advisory Group (PWAG).

Gary Mavrinac, Director - Development and Environmental Services at the Barossa Council represents the APC/Barossa/Gawler/LRC initiative on the PWAG for the Pilot Project.

**Discussion**

The Pilot Project involves developing a methodology to guide determination of a suitable Joint Planning Board structure for each region, then defining that through an appropriate boundary and supporting it with the governance, administrative, professional and financial resources needed to ensure that its assigned functions can be completed effectively.

To date, the Joint Planning Agreement Pilot Project group has met on 3 occasions (28 July 2017, 25 August 2017 and 3 November 2017). The PWAG has undertaken initial discussions in relation to the following key areas:

- **Regional Boundaries**  
  - ie consideration of the potential geographic boundaries for each Regional Plan.

- **Preparation of a Planning Arrangements Flowchart**  
  - A structural model for councils entering into a Planning Agreement.

- **Business Case Template**  
  - A document which sets out all the potential requirements for Councils to consider in proposing a Joint Planning Board structure, including the level of collaboration with other Councils proposed.

- **Legal and Financial Management Advice**  
  - The potential to develop a ‘model’ template to establish a constitution or charter for each Joint Planning Board.

- **Toolkit**  
  - Guidelines to assist other groups of councils to develop applications to the Minister for Joint Planning Arrangements in the future.

In relation to the Business Case Template, the Pilot Project consultants are preparing a working draft to be populated by councils proposing a Joint Planning Board structure. This document is still under preparation and not yet finalised.

Given its complexity, the PWAG has also been considering a funding model to assist councils with preparing a Business Case. As a consequence, DPTI will be separately communicating with all 8 council groups regarding the next stage of the project (development of business cases once the templates are completed) and the funding arrangements, including the conditions associated with both matters.
A further report on the status of the Joint Planning Arrangements will be prepared for Council’s consideration once further advice on the next stages of the Pilot Project is received from DPTI.

**Summary**

The *Planning, Development and Infrastructure (PDI) Act 2016* sets out a new Regional Planning framework to enable local government areas to prepare regional plans that provide direction for future strategic planning.

Adelaide Plains Council, the Barossa Council, Town of Gawler and Light Regional Council are taking part in a Joint Planning Arrangements Pilot Project along with other Council consortiums on the preparation of regional plans.

The Pilot Project involves developing a methodology to guide determination of a suitable Joint Planning Board structure for each region and supporting it with the necessary governance, administrative, professional and financial resources for its effective operation.

A further report on the status of the Joint Planning Arrangements will be prepared for Council’s consideration once further advice on the next stages of the Pilot Project (i.e. development of a Business Case) is received from DPTI.

**RECOMMENDATION**

“that Council, having considered Item 15.6 - *Regional Planning Boards – Joint Planning Arrangements Update*, dated 18 December 2017, receives and notes the report.”

---

**Attachments**

N/A

**References**

**Legislation**

*Planning, Development and Infrastructure Act 2016*
OVERVIEW

The Mallala Community Wastewater Management System (CWMS) project updates were recently reported to Council in June and July 2017. The June report highlighted the many shortfalls and faults that were discovered with both the civil construction and the failure of the Waste Water Treatment Plant (WWTP). The July report talked about the communication strategy with residents on the rectification scheduled to ensure all properties will be able to connect to the new CWMS system.

Waste Water Treatment Plant

The WWTP Tender process identified that modifying the existing plant was not a viable option as the submissions from the contractors identified that they could not guarantee the system would meet compliance required by the Department for Health’s approvals. Council administration with Local Government Association (LGA) decided that a new plant was the best viable outcome in this case. Council engaged the assistance of consultant engineers Walbridge Gilbert Aztec (WGA) to oversee the superintendence in accordance with the approvals from the SA Health for the design, compliance, physical construction and the handover of the new WWTP on completion. Minor works have begun at the Wasleys Road WWTP site preparing the footprint required for the new system to be constructed. The new upgraded Treatment Plant is anticipated to be completed and operational in March 2018. There will be no disruptions to any residents of Mallala connected to the scheme. The old unused components will be decommissioned and removed from site on completion. The need for the removal of the wastewater from the lagoon located at the treatment plant site Wasleys Road is no longer required at this stage, as administration has the inflow and outflow balance under control via the woodlot irrigation on Marshman Street. The emergency tankering of the waste water was last undertaken by contractors in October 2017.
and disposed of at an evaporation pond in Balaklava with all approvals required by SA Health endorsed. Administration is not encouraging further connections to the scheme at this stage unless Council’s Environmental Heath Officer has reason under the Health Act to ensure compliance is met.

Property Connections

The outcome of a connection survey audit undertaken by a licensed plumber has confirmed a total of 32 properties could not make the required fall to connect via gravity to the main sewer drain. Properties were identified for either lowering the installed connection point at the front of the property to the required level to make fall, or to install a new domestic pump chamber to pressurise their wastewater to the already installed connection point at the front of the property. In some circumstances it was identified that a gravity connection was not possible due to structural development or very narrow access exposing risk to the house footings when excavating the trench, this activity does not meet the required standards for excavation. The main priority will be to investigate all options to enable a gravity connection in the first instance to the CWMS system in preference to a pump installation.

Council administration with the assistance of WGA consultant engineers and with the funding commitment of the LGA, conducted an open Tender to seek interest from external contractors for the rectification of the identified issues of the 32 properties to ensure connections to the system will be achieved and to also rectify the installed air-valves for operator safety and ease of use.

Administration and WGA assessment panel are reviewing the tender submissions with a view to a recommendation to the funding body LGA for approval to commence works. WGA have been engaged to superintend the project on behalf of Council to ensure all compliance, commissioning and reinstatements are adhered to by the successful contractor once engaged.

Administration have sent letters out to the effected 32 properties identified as part of the communication strategy and have made contact with the residents requiring a pump station either by an organised site visit or by the phone explaining the process in detail. Next stage is to meet the residents for the pump stations on site with the successful contractor, WGA and Council to confirm that a pump is required and to seek the approval to enter the property for construction and to decide on the location of the chamber. There will be the opportunity for the resident and the contractor installing the pump station to negotiate a price to connect the house to the pump chamber while they are onsite for possible cost saving advantages, the house connection to the pump chamber is the responsibility of the owner.
Property Connections

Number of connected properties - 136
Number of application approved but not connected - 24
Number of Properties yet to apply to connect - 146

Aerodrome Road Culvert

The culvert on Aerodrome Road has been identified as a remaining defect for the original civil contractor to rectify. The contractor provided 3 options for Council to consider with the outcome decided was to fully replace the culvert due to an assessment condition of the remaining section of the culvert rated (5 out of 5 Very Poor) as per the Institute Public Works Engineering Australia Condition Assessment for Road Pavements Guidelines.

At a meeting held on the 28 August with the General Manager of Infrastructure LGA and HDS Australia Councils engaged superintendent for this project agreed to issue Final Completion (PC) for the civil construction component with conditions including a cash contribution by the contractor of $15,500 excluding GST towards the repair of the culvert defect. LGA had also agreed to contribute to the overall project to enhance the safety of the road users and for the appropriate disposal of stormwater. The estimated total project cost for the upgrade of the culvert is $40,000.

Water Balance Assessment

As part of the over all compliance, commissioning and diligence of the new CWMS system an investigation of the winter storage and irrigation disposal is being undertaken by WGA to ensure that Council have the required infrastructure in place for when we are at full operational capacity as per the original design specifications.

The water balance investigation report will consider:

- Options to expand storage and reuse capacity (possible land acquisition)
- Historic rain fall events
- Cost option Estimates for LGA approval
- Extra loads from the Accommodation site Aerodrome Road and other future land developments

The water balance report will provide Council with science based recommendations to manage the winter storage of waste water. These investigation assessment recommendations will protect us from the risk of the lagoon toping over when the system is at its full capacity.
Summary

With all this said, there are many controls in place by Council’s administration to ensure we have a fit for purpose community asset for the Mallala residents. Confirmed funding commitment by the LGA that has ensured Adelaide Plains Council will not be financially disadvantaged from the findings of all our investigations and shortfalls identified throughout this process.

RECOMMENDATION

“that Council, having considered Item 15.7– Mallala Community Wastewater Management System Project Update, 18 December 2017, receives and notes the report.”

Attachments

1. Photo - Aerodrome Road Culvert

References

Legislation

South Australian Public Health (Wastewater) Regulations 2013 Part 2 – Establishment of Community wastewater management systems

On-site Wastewater Systems Code 2013

ESCOSA Licence Agreement under the Water Industry Act

CWMS Accounting Principles

Local Government Act and Regulations

Council Policies

Public Consultation Policy

Customer Service Charter
Councillor Jones gave notice of his intention to ask the following questions:

<table>
<thead>
<tr>
<th><strong>Preamble</strong></th>
<th>Over time a view has been expressed that sustainable future of Adelaide Plains Council based on economies of scale lies within amalgamation possibilities of an adjoining Council.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Question 1:</strong></td>
<td>Have there been any discussions by current Administration of Adelaide Plains Council with Light Regional Council in regard to future amalgamation? If so please specify.</td>
</tr>
<tr>
<td><strong>Answer:</strong></td>
<td>No.</td>
</tr>
</tbody>
</table>
Councillor Jones gave notice of his intention to ask the following questions:

<table>
<thead>
<tr>
<th>Preamble</th>
<th></th>
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</thead>
</table>

| Question 1: | How many staff resignations have there been in last 2 years? |
| Answer: | For period 8 December 2015 to 8 December 2017 there have been 13 staff resignations/retirements (plus the former Chief Executive Officer). |

| Question 2: | What was total pay out costs for APC of staff resignations in last 2 years? |
| Answer: | Answer provided in Confidence in accordance with Sections 83(5) and 90(3)(a) and (g) of the *Local Government Act 1999*. |
Councillor Jones gave notice of his intention to ask the following questions:

**Preamble**

**Question 1:** What has been the total all inclusive costs of Adelaide Plains Council Governance Advisory Panel including all associated investigation costs from inception to December 2017?

**Answer:**

Period February 2016 to December 2017

Governance Advisory Panel (GAP) Costs: $20,915*

*GAP costs include Independent Membership Sitting Fees ($8,000), initial set-up costs ($5,282), the provision of various legal advice and attendance of the legal advisor ($7,633).

Investigation Costs: $10,238*

*This cost constitutes the independent investigation relating to a Council Member Code of Conduct complaint, and is separate to the costs of the GAP.

*Figures are GST exclusive
Councillor Jones gave notice of his intention to ask the following questions:

<table>
<thead>
<tr>
<th>Preamble</th>
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</thead>
<tbody>
<tr>
<td>Question 1: What are total legal costs incurred by Adelaide Plains Council across the organisation for 2017 calendar Year?</td>
</tr>
<tr>
<td>Answer: $105,179</td>
</tr>
<tr>
<td>Question 2: What are total legal costs incurred by Adelaide Plains Council's department of Development and Community 2017 calendar year?</td>
</tr>
<tr>
<td>Answer: $38,855</td>
</tr>
<tr>
<td>Question 3: What have been total legal costs in relation to all planning applications and approvals for last 3 calendar years to 2017?</td>
</tr>
<tr>
<td>Answer: $151,067</td>
</tr>
<tr>
<td>Question 4: What total legal costs have been incurred by office of CEO year end 2017? please specify</td>
</tr>
<tr>
<td>Answer: $14,129 (Kaurna Claim, GRFMA membership, Annual Retainer fee)</td>
</tr>
<tr>
<td>Question 5: What total legal costs have been incurred by office of Mayor year end 2017? please specify</td>
</tr>
<tr>
<td>Answer: Nil</td>
</tr>
</tbody>
</table>
Councillor Jones gave notice of his intention to ask the following questions:

**Preamble**

**Question 1:** What safety precautions were in place to protect council staff and Townspeople of Two Wells when Asbestos contaminated building waste was handled, loaded and transported from TW transfer station to Carslake Road?

**Question 2:** What precautions were taken to ensure drivers transporting ACW were adequately protected?

**Question 3:** What protections were in place to ensure no airborne asbestos fibres were present during handling, loading and transport of ACW?

**Question 4:** What systems are in place to monitor short and long term health of all workers involved in handling and transport of contaminated waste from TW to Carslake Road?

**Question 5:** What was the notification process to advise residents surrounding Two Wells Transfer Station that Asbestos Contaminated Waste had been identified at the facility?

**Question 6:** What was the process by which Carslake Road property owner received confirmation that his land was being used by Council to dump asbestos contaminated building waste on his property?

**Question 7:** What notification was sent by Council to all adjoining land owners with regard to asbestos contaminated building waste being dumped on Carslake Road property?

**Question 8:** What Agency approvals were in place to legally dispose of asbestos contaminated building waste on private property Carslake Road? please specify EPA Act 1993, licensing and regulations Development Act 1993 and regulations Other
<table>
<thead>
<tr>
<th>Question 9:</th>
<th>What was Council planning to do with building waste by removing it to Carslake Road?</th>
</tr>
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<tbody>
<tr>
<td>Question 10:</td>
<td>What accountability is there for removal ACW from Two Wells to Carslake Road?</td>
</tr>
<tr>
<td>Question 11:</td>
<td>What logical reason is there why building waste was removed to Carslake Road private property instead of Council owned Waste facility on Limerock Road licensed to receive such waste?</td>
</tr>
<tr>
<td>Question 12:</td>
<td>Has Two Wells transfer station and Carslake Road property been completely decontaminated and removed from EPA Asbestos register?</td>
</tr>
<tr>
<td>Question 13:</td>
<td>What is total all inclusive ACW remediation removal costs including initial transport to Carslake Road and lost Quarry rubble production down time?</td>
</tr>
<tr>
<td>Question 14:</td>
<td>Did Council initially receive any quotes to remove the ap 460 tonne of building waste from Two Wells transfer station to a Wingfield recycle co, please specify and what was original confirmed figure?</td>
</tr>
<tr>
<td>Question 15:</td>
<td>Is there confirmation Carslake Road property owner is satisfied and has signed off on completion of remediation works conducted Council at Quarry pit site?</td>
</tr>
<tr>
<td>Answer:</td>
<td>Answers to all questions will be provided to the 15 January 2018 Ordinary Council Meeting.</td>
</tr>
</tbody>
</table>
21. CONFIDENTIAL ITEMS

Monday 18 December 2017

Items:

CONFIDENTIAL ITEMS

Questions on Notice

16.2 Resignation of Staff

Reports

21.1 Australia Day Awards 2018

21.2 Land Acquisition Reserve Funding Options
16.2 Resignation of Staff

**CEO Indication under Section 83(5) of the Local Government Act 1999**

Notice is hereby given in accordance with Section 83(5) of the *Local Government Act 1999* that the information and matters contained in the following documents [answer to question 2 of Questions on Notice under Item 16.2] may, if the Council so determines, be considered in confidence under Part 3 of the *Local Government Act 1999* at Item 21 of the Agenda for the meeting of the Council on 18 December 2017 on the grounds set out at Section 90(3)(a) and (3)(g) of the *Local Government Act 1999*.

**Martin Waddington**

Acting Chief Executive Officer
16.2 Resignation of Staff

**RECOMMENDATION 1**

“that:-

a) under the provisions of Section 90(2) of the *Local Government Act 1999*, an order be made that the public with the exception of [Chief Executive Officer, General Manager Governance and Communications, General Manager Development and Community, General Manager Infrastructure and General Manager Finance and Economic Development] be excluded from attendance at the meeting of the Council in order to consider in confidence Item 16.2 – *Resignation of Staff*;

b) the Council is satisfied that it is necessary that the public be excluded to enable the Council to consider the answer to question 2 at the meeting:

- on the grounds provided by Sections 90(3)(a) and (g), information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and
- being a matter that must be considered in confidence in order to ensure that the Council does not breach any law, order or direction or a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty; and
- on the basis that information within the answer:
  - contains information about the personal and financial affairs of Council employees, constituting details that form part of confidential agreements between Council and the employees; and
  - it would be unreasonable to disclose this information.

Accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.”
16.2 Resignation of Staff

RECOMMENDATION 2

“that, in accordance with Section 91(7) and Section 91(9) of the Local Government Act 1999 and on the grounds that the answer to question 2 of Item 16.2 – Resignation of Staff for the meeting of the Council held on 18 December 2017, was received in confidence pursuant to Section 90(3)(a) and (g) of the Local Government Act 1999, this meeting of the Council, does order that:

(a) the agenda item, answer, and any other associated information submitted to this meeting in relation to the matter remain confidential and not available for public inspection until further order of the Council;

(b) the confidentiality of the matter be reviewed once in each 12 months; and

(c) the Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein pursuant to Section 91(9)(c) of the Local Government Act 1999.”
21.1 Australia Day Awards 2018

RECOMMENDATION 1

“that:-

c) under the provisions of Section 90(2) of the Local Government Act 1999, an order be made that the public with the exception of [Chief Executive Officer, General Manager Governance and Communications, General Manager Development and Community, General Manager Infrastructure and General Manager Finance and Economic Development] be excluded from attendance at the meeting of the Council in order to consider in confidence Item 21.1 – Australia Day Awards 2018;

d) the Council is satisfied that it is necessary that the public be excluded to enable the Council to consider the report at the meeting:-

• on the grounds provided by Section 90(3)(a), information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and

• on the basis that information within the report and attachments:-

  o contains information about the personal affairs of the Australia Day Nominees; and

  o it would be unreasonable to disclose this information prior to the Award Recipients being notified.

e) Accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.”
21.1 Australia Day Awards 2018

RECOMMENDATION 2

“that, in accordance with Section 91(7) and Section 91(9) of the Local Government Act 1999 and on the grounds that Item 21.1 – Australia Day Awards 2018 for the meeting of the Council held on 18 December 2017, was received, discussed and considered in confidence pursuant to Section 90(3)(a) of the Local Government Act 1999, this meeting of the Council, does order that:

(a) the agenda item, report and attachments and any other associated information submitted to this meeting and the minutes of this meeting in relation to the matter remain confidential and not available for public inspection until the Award Recipients have been notified by Council’s administration;

(b) the confidentiality of the matter be reviewed once in each 12 months; and

(c) the Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein pursuant to Section 91(9)(c) of the Local Government Act 1999.”
RECOMMENDATION 1

“that:-

a) under the provisions of Section 90(2) of the *Local Government Act 1999*, an order be made that the public with the exception of [Chief Executive Officer, General Manager Governance and Communications, General Manager Development and Community, General Manager Infrastructure and General Manager Finance and Economic Development] be excluded from attendance at the meeting of the Council in order to consider in confidence Item 21.2 – *Land Acquisition Reserve Funding Options*;

b) the Council is satisfied that it is necessary that the public be excluded to enable the Council to consider the report at the meeting:-

- on the grounds provided by Section 90(3)(d), commercial information of a confidential nature (not being a trade secret) the disclosure of which:-
  - could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on the third party; and
  - would, on balance, be contrary to the public interest.

- on the basis that information within the report and attachments:-
  - contains commercial information of a confidential nature the disclosure of which could prejudice the commercial position of the supplier; and
  - it would be contrary to the public interest to disclose this information.

c) Accordingly, on this basis the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or discussion confidential.”
RECOMMENDATION 2

“that, in accordance with Section 91(7) and Section 91(9) of the Local Government Act 1999 and on the grounds that Item 21.2 – Land Acquisition Reserve Funding Options for the meeting of the Council held on 18 December, was received, discussed and considered in confidence pursuant to Section 90(3)(d) of the Local Government Act 1999, this meeting of the Council, does order that:-

(a) the agenda item, report and attachments and any other associated information submitted to this meeting and the minutes of this meeting in relation to the matter remain confidential and not available for public inspection until such time that the GRFMA advises that the matter can be released;

(b) the confidentiality of the matter be reviewed once in each 12 months; and

(c) the Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein pursuant to Section 91(9)(c) of the Local Government Act 1999.”