

MINUTES

of the

Ordinary Council Meeting



Adelaide
Plains
Council

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

**Council Chamber
Redbanks Road
Mallala**

on

Monday 19 December 2022 at 4.30pm

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1. OPEN MEETING

2. ACKNOWLEDGEMENT OF COUNTRY

The Acting Mayor formally declared the meeting open at 4.30pm, and in doing so acknowledged that the meeting was taking place on the traditional land of the Kurna people.

3. ATTENDANCE RECORD

Present:

Acting Mayor Marcus Strudwicke
 Councillor Alana Bombardieri
 Councillor John Lush
 Councillor Margherita Panella (from 4.32pm)
 Councillor David Paton
 Councillor Dante Mazzeo
 Councillor Terry-Anne Keen
 Councillor Eddie Stubing

Apologies

Mayor Mark Wasley
 Councillor Kay Boon

Staff in Attendance:

Chief Executive Officer	Mr James Miller
General Manager – Governance and Executive Office	Ms Sheree Schenk
General Manager – Finance and Business	Mr Rajith Udugampola
General Manager – Infrastructure and Environment	Mr Thomas Jones
General Manager – Development and Community	Mr Darren Starr
Manager Governance and Administration	Ms Alyssa Denicola
Administration and Executive Support Officer/Minute Taker	Ms Stacie Shrubsole
Administration Support Officer – Infrastructure and Environment	Ms Lauren Bywaters
Information Technology Officer	Mr Thomas Harris-Howson
Manager Library and Community (<i>for Item 22.3</i>)	Ms Anne Sawtell
Property Officer (<i>for Item 15.5</i>)	Mr Rob Adam
Property Officer (<i>for Item 15.5</i>)	Mr Maurice Park

Invited Guests:Chair, Norman Waterhouse Lawyers (*for Item 22.1*)

Mr Sean Keenihan

Principal, Alinea Group (*for Item 22.1*)

Mr Ben Koop

Transaction Manager, Alinea Group (*for Item 22.1*)

Ms Ashlyn Shearer

Managing Director, Powell & Co (*for Item 22.1*)

Mr David Powell

Director, Holmes Dyer (*for Item 16.2*)

Mr Stephen Holmes

Consultant, Holmes Dyer (*for Item 16.2*)

Ms Natasha Holmes

4 CONFIRMATION OF COUNCIL MEETING MINUTES**4.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING – 28 NOVEMBER 2022****RESOLUTION 2022/386****Moved:** Councillor Keen**Seconded:** Councillor Paton

“that the minutes of the Ordinary Council Meeting held on 28 November 2022 (MB Folios 17684 to 17704 be accepted as read and confirmed.”

CARRIED**5 BUSINESS ARISING**

Nil

6 DECLARATION OF MEMBERS' INTEREST

Councillor Bombardieri foreshadowed an interest in Item 22.3 – *Australia Day Awards* and indicated that she would deal with the interest at the time that the relevant award was being considered.

7 ADJOURNED BUSINESS

Nil

8 MAYOR'S REPORT**8.1 MAYOR'S REPORT – DECEMBER 2022**

Councillor Margherita Panella joined the meeting at 4.32pm

RESOLUTION 2022/387**Moved:** Councillor Lush**Seconded:** Councillor Mazzeo

“that Council, having considered Item 8.1 – *Mayor's Report – December 2022*, dated 19 December 2022, receives and notes the report.”

CARRIED

8.2 DEPUTY MAYOR'S REPORT – DECEMBER 2022**RESOLUTION 2022/388****Moved: Councillor Keen****Seconded: Councillor Mazzeo**

"that Council, having considered Item 8.2 – *Deputy Mayor's Report – December 2022*, dated 19 December 2022, receives and notes the report."

CARRIED**9 REQUESTED DOCUMENTS/CORRESPONDENCE TO BE TABLED**

Nil

10 DEPUTATIONS

Nil

11 PRESENTATIONS/BRIEFINGS

Nil

12 PETITIONS

Nil

13 COMMITTEE MEETING MINUTES**13.1 MINUTES OF THE ADELAIDE PLAINS COUNCIL HISTORICAL COMMITTEE MEETING HELD 1 NOVEMBER 2022****RESOLUTION 2022/389****Moved: Councillor Paton****Seconded: Councillor Bombardieri**

"that Council receives and notes the minutes of the Minutes of the Adelaide Plains Council Historical Committee Meeting held 1 November 2022."

CARRIED**13.2 MINUTES OF THE AUDIT COMMITTEE MEETING HELD 7 NOVEMBER 2022****RESOLUTION 2022/390****Moved: Councillor Mazzeo****Seconded: Councillor Lush**

"that Council receives and notes the minutes of the Minutes of the Adelaide Plains Council Audit Committee Meeting held 7 November 2022."

CARRIED

RESOLUTION 2022/391**Moved: Councillor Keen****Seconded: Councillor Mazzeo**

“that Council endorses resolution 2022/055 of the Audit Committee and in doing so acknowledges the progress made to complete the activities identified for the Audit Committee during the 2022/2023 Financial Year.”

CARRIED**RESOLUTION 2022/392****Moved: Councillor Keen****Seconded: Councillor Stubing**

“that Council endorses resolution 2022/056 of the Audit Committee and in doing so adopts the revised Risk Management Policy as presented at Attachment 2 to this Report.”

CARRIED**RESOLUTION 2022/393****Moved: Councillor Lush****Seconded: Councillor Mazzeo**

“that Council endorses resolution 2022/062 of the Audit Committee and in doing so instructs the Chief Executive Officer (CEO) to review Council’s Credit Card Policy, via the Audit Committee, to include the reporting of the CEO’s credit card transactions to the Audit Committee on a 6-monthly basis and including the details of ‘Supplier’, ‘Amount’ and ‘Description’.”

CARRIED

13.3 MINUTES OF THE ADELAIDE PLAINS COUNCIL HISTORICAL COMMITTEE MEETING HELD 6 DECEMBER 2022

RESOLUTION 2022/394**Moved: Councillor Bombardieri****Seconded: Councillor Mazzeo**

“that Council receives and notes the minutes of the Minutes of the Adelaide Plains Council Historical Committee Meeting held 6 December 2022.”

CARRIED


RESOLUTION 2022/395

Moved: Councillor Keen
 Seconded: Councillor Lush

“that Council, having considered Item 13.3 – Minutes of the Adelaide Plains Council Historical Committee Meeting held 6 December 2022, dated 19 December 2022, endorses Resolution 2022/055 of the Adelaide Plains Council Historical Committee and in doing so appoints Councillor Marcus Strudwicke as Presiding Member and Mrs Christine Young as Deputy Presiding Member for a term expiring on 30 December 2024.”

CARRIED

14 SUBSIDIARY MEETINGS**14.1 GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY – BOARD MEETING – 20 OCTOBER 2022****RESOLUTION 2022/396**

Moved: Councillor Keen
 Seconded: Councillor Lush

“that Council receives and notes the Minutes and Key Outcomes Summary of the Gawler River Floodplain Management Authority meeting held on 20 October 2022.”

CARRIED

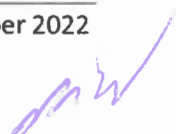
The Acting Mayor sought leave of the meeting to bring item 22.1 – *Two Wells Town Centre – Market Engagement* forward. Leave was granted.

22 CONFIDENTIAL ITEM**22.1 TWO WELLS TOWN CENTRE – MARKET ENGAGEMENT****RESOLUTION 2022/397**

Moved: Councillor Keen
 Seconded: Councillor Paton

“that:

1. Pursuant to section 90(2) of the *Local Government Act 1999*, the Council orders that all members of the public, except the Chief Executive Office, General Manager – Governance and Executive Office, General Manager – Development and Community, General Manager – Finance and Business, General Manager – Infrastructure and Environment, Manager Governance and Administration, Administration and Executive Support Officer/Minute Taker, Information Technology Officer, Administration Support Officer – Infrastructure and Environment, Mr Sean Keenihan of Norman Waterhouse Lawyers, Mr Ben Koop and Ms Ashlyn Shearer of Alinea Group and Mr David Powell of Powell & Co be excluded from attendance at the



meeting of Council for Agenda Item 22.1 – *Two Wells Town Centre – Market Engagement*;

2. Council is satisfied that pursuant to section 90(3)(b) of the *Local Government Act 1999*, Item 22.1 – *Two Wells Town Centre – Market Engagement* concerns information of a confidential nature, the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
3. Council is satisfied that the principle that Council meetings should be conducted in a place open to the public has been outweighed by the need to keep the information, matter and discussion confidential.”

CARRIED

Council’s Chief Executive Officer gave an 18-minute presentation in relation to Item 22.1 – *Two Wells Town Centre – Market Engagement*.

Mr Sean Keenihan, Mr Ben Koop, Ms Ashlyn Shearer and Mr David Powell delivered a 41-minute briefing in relation to the Two Wells Town Centre Market Engagement and Expression of Interest process, including taking questions from Members.

RESOLUTION 2022/398

Moved: Councillor Keen

Seconded: Councillor Panella

“that Council, having considered Item 22.1 – *Two Wells Town Centre – Market Engagement*, dated 19 December 2022, receives and notes the report.”

CARRIED

RESOLUTION 2022/399

Moved: Councillor Keen

Seconded: Councillor Panella

“that Council, having considered the matter of Agenda Item 22.1 – *Two Wells Town Centre – Market Engagement* in confidence under section 90(2) of the *Local Government Act 1999*, resolves that:

1. The staff report and attachments 1, 2, 3 and 4 pertaining to Agenda Item 22.1 – *Two Wells Town Centre – Market Engagement*, remain confidential and not available for public inspection until further order of Council;
2. Pursuant to section 91(9)(a) of the *Local Government Act 1999*, the confidentiality of the matter will be reviewed every 12 months; and
3. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, Council delegates the power to revoke this confidentiality order to the Chief Executive Officer.”

CARRIED

The Acting Mayor sought leave of the meeting to bring Item 16.2 – *Civic and Community Centre* forward. Leave was granted.

16 REPORTS FOR INFORMATION

16.2 CIVIC AND COMMUNITY CENTRE

Mr Stephen Holmes and Ms Natasha Holmes, of Holmes Dyer, gave a 22-minute presentation in relation to the 'Community and Civic Centre Hub Investigation'.

RESOLUTION 2022/400

Moved: Councillor Panella

Seconded: Councillor Paton

"that Council, having considered Item 16.2 – *Civic and Community Centre*, dated 19 December 2022, receives and notes the report."

CARRIED

15 REPORTS FOR DECISION

15.1 CODE OF PRACTICE - ACCESS TO COUNCIL MEETINGS AND DOCUMENTS

RESOLUTION 2022/401

Moved: Councillor Panella

Seconded: Councillor Mazzeo

"that Council, having considered Item 15.1 – *Code of Practice - Access to Council Meetings and Documents*, dated 19 December 2022, receives and notes the report and in doing so:

- 1. Acknowledges that public consultation in relation to the revised *Code of Practice – Meeting Procedures* was undertaken from 24 August 2022 to 15 September 2022 and that no feedback was received; and**
- 2. Adopts the revised Code of Practice – Access to Council Meetings and Documents as presented at Attachment 1 to this report."**

CARRIED

15.2 APPOINTMENT OF DELEGATE – GENERAL MEETINGS – LOCAL GOVERNMENT ASSOCIATION

RESOLUTION 2022/402

Moved: Councillor Panella

Seconded: Councillor Lush

"that Council, having considered Item 15.2 – *Appointment of Delegate – General Meetings – Local Government Association*, dated 19 December 2022, receives and notes the report and in accordance with Clause 12.1 of the Local Government Association (LGA) Constitution and Rules, appoints the

Mayor to act as Council's Delegate at LGA Ordinary General Meetings, Annual General Meetings and Special General Meetings held during the 2022-2026 term of Council."

CARRIED

RESOLUTION 2022/403

Moved: Councillor Keen

Seconded: Councillor Panella

"that Council, having considered Item 15.2 – *Appointment of Delegate – General Meetings – Local Government Association*, dated 19 December 2022, resolves that in the event that the Mayor, as Council's Delegate, is unable to attend an Ordinary General Meeting, Annual General Meeting or Special General Meeting of the Local Government Association (LGA) the Deputy Mayor will be taken to be appointed as substitute Delegate for that meeting in accordance with Clause 12.5 of the Local Government Association (LGA) Constitution and Rules."

CARRIED

15.3 CALL FOR PROPOSED ITEMS OF BUSINESS – 2023 LOCAL GOVERNMENT ASSOCIATION ORDINARY GENERAL MEETING

RESOLUTION 2022/404

Moved: Councillor Panella

Seconded: Councillor Stubing

"that Council, having considered Item 15.3 – *Call for Proposed Items of Business – 2023 Local Government Association Ordinary General Meeting*, dated 19 December 2022, receives and notes the report."

CARRIED

15.4 REQUEST FROM FORMER COUNCIL MEMBER TO RETAIN/PURCHASE IPAD

RESOLUTION 2022/405

Moved: Councillor Panella

Seconded: Councillor Bombardieri

"that Council, having considered Item 15.4 – *Request from Former Council Member to Retain/Purchase iPad*, dated 19 December 2022, receives and notes the report and in doing so instructs the Chief Executive Officer to facilitate the sale and transfer of ownership of the iPad currently issued to former council member Mr Joe Daniele (the iPad) for a total amount of \$20.00 and the change of ownership in relation to the current Telstra service account connected to the iPad."

CARRIED

15.5 UPDATE ON PARHAM CAMPGROUND AND ROAD CLOSURE**RESOLUTION 2022/406****Moved: Councillor Lush****Seconded: Councillor Keen**

“that Council, having considered Item 15.5 – *Update on Parham Campground and Road Closure*, dated 19 December 2022, receives and notes the report and in doing so:

- 1. Acknowledges the Public Mapping System data anomaly and that the resultant issues are through no fault of Adelaide Plains Council;**
- 2. Resolves to enter into an interim Licence Agreement with the Minister for Climate, Environment and Water to continue upgrade works and operation of the Parham Campground on portion of Section 631 CR 6202/438, effective from 10 January 2023;**
- 3. Resolves to enter into a long-term Lease Agreement with the Minister for Climate, Environment and Water to operate the Parham Campground on portion of Section 631 CR 6202/438, with provision for the site to be managed by a third party; and Instructs the Chief Executive Officer to execute the documents specified above, on behalf of Council, in accordance with Section 44 of the *Local Government Act 1999*.”**

CARRIED**RESOLUTION 2022/407****Moved: Councillor Keen****Seconded: Councillor Lush**

“that Council, having considered Item 15.5 – *Update on Parham Campground and Road Closure*, dated 19 December 2022:

- 1. Endorses the action of the Chief Executive Officer to proceed with the closure of portion of *The Esplanade* from North Parade Road to North Terrace, Parham, comprising part of the Parham Campground, in accordance with Section 5 of the *Roads (Opening and Closing) Act 1991*; and**
- 2. Resolves to exclude the portion of *The Esplanade* being closed, from North Parham Road to North Terrace, Parham, from classification of Community Land pursuant to Section 193(4a) of the *Local Government Act 1999* prior to the Final Plan being approved by the Surveyor-General under the *Roads (Opening and Closing) Act 1991* and Certificate of Title issued.”**

CARRIED

RESOLUTION 2022/408**Moved: Councillor Lush****Seconded: Councillor Keen**

“that Council, having considered Item 15.5 – *Update on Parham Campground and Road Closure*, dated 19 December 2022 instructs the Chief Executive Officer to formally advise the Mallala and Districts Lions Club (the Club) that:

- 1. The Section 222 Permit executed by Council and the Club on 4 July 2022 is no longer valid as the majority of the Parham Campground is located on the Adelaide International Bird Sanctuary National Park;**
- 2. Negotiations for the management of the Parham Campground by the Club be deferred:**
 - a. until Council has executed a long-term Lease Agreement with the Minister for Climate, Environment and Water; and**
 - b. subject to the closure of portion of *The Esplanade* between North Parham Road and North Terrace, Parham being finalised under the *Roads (Opening and Closing) Act.*”**

CARRIED**15.6 REGIONAL PUBLIC HEALTH PLANNING AND REGIONAL PUBLIC HEALTH PLAN****MOTION 2022/409****Moved: Councillor Keen****Seconded: Councillor Panella**

“that Council, having considered Item 15.6 – *Regional Public Health Planning and Regional Public Health Plan*, dated 19 December 2022, receives and notes the report and in doing so appoints Councillor Kay Boon and Darren Starr, General Manager – Development and Community as Council’s representatives on the Regional Public Health Advisory Group for the term of this Council or until further reviewed and changed.”

AMENDMENT 2022/410**Moved: Councillor Bombardieri****Seconded: Councillor Lush**

“that the words ‘Kay Boon’ be replaced with the words ‘Alana Bombardieri’.”

AMENDMENT CARRIED UNANIMOUSLY

AS AMENDED**RESOLUTION 2022/409****Moved: Councillor Keen****Seconded: Councillor Panella**

“that Council, having considered Item 15.6 – *Regional Public Health Planning and Regional Public Health Plan*, dated 19 December 2022, receives and notes the report and in doing so appoints Councillor Alana Bombardieri and Darren Starr, General Manager – Development and Community as Council’s representatives on the Regional Public Health Advisory Group for the term of this Council or until further reviewed and changed.”

CARRIED**15.7 REGIONAL PUBLIC HEALTH AND WELLBEING PLAN – SECTION 52 PROGRESS REPORT****RESOLUTION 2022/411****Moved: Councillor Panella****Seconded: Councillor Mazzeo**

“that Council, having considered Item 15.7 – *Regional Public Health and Wellbeing Plan – Section 52 Progress Report*, dated 19 December 2022, receives and notes the report and in doing so adopts the Adelaide Plains Council component of the biennial Regional Public Health and Wellbeing Plan Section 52 Report contained in Attachments 2 and 3, noting the amendments outlined in Attachment 4.”

CARRIED**15.8 MID NORTH COMMUNITY PASSENGER NETWORK ADVISORY COMMITTEE – APPOINTMENT OF MEMBER****RESOLUTION 2022/412****Moved: Councillor Keen****Seconded: Councillor Paton**

“that Council, having considered Item 15.8 – *Mid North Community Passenger Network Advisory Committee – Appointment of Member*, dated 19 December 2022, receives and notes the report and in doing so appoints Councillor Kay Boon as an Elected Member representative on the Mid North Community Passenger Network Advisory Committee until the end of the current term of Council.”

CARRIED UNANIMOUSLY

16 REPORTS FOR INFORMATION**16.1 COUNCIL RESOLUTIONS – STATUS REPORT****RESOLUTION 2022/413**

Moved: Councillor Keen

Seconded: Councillor Paton

“that Council, having considered Item 16.1 – *Council Resolutions – Status Report*, dated 19 December 2022, receives and notes the report.”

CARRIED

16.3 GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY – OVERVIEW AND RISK ASSESSMENT – REPORT 1**RESOLUTION 2022/414**

Moved: Councillor Lush

Seconded: Councillor Keen

“that Council, having considered Item 16.3 – *Gawler River Floodplain Management Authority – Overview and Risk Assessment – Report 1*, dated 19 December 2022, receives and notes the report and in doing so acknowledges that the Chief Executive Officer intends to bring back a further report to the 30 January 2023 Meeting of Council which provides for the second element of resolution 2022/326 to be addressed, namely a report identifying risks to Council in either remaining or withdrawing from the subsidiary.”

CARRIED

16.4 LIGHT AND ADELAIDE PLAINS REGION ECONOMIC DEVELOPMENT AUTHORITY**RESOLUTION 2022/415**

Moved: Councillor Mazzeo

Seconded: Councillor Stubing

“that Council, having considered Item 16.4 – *Light and Adelaide Plains Region Economic Development Authority*, dated 19 December 2022, receives and notes the report.”

CARRIED



16.5 CAPITAL WORKS AND OPERATING PROGRAM MONTHLY UPDATE – DECEMBER 2022**RESOLUTION 2022/416****Moved: Councillor Mazzeo****Seconded: Councillor Panella**

“that Council, having considered Item 16.5 – *Capital Works and Operating Program Monthly Update – December 2022*, dated 19 December 2022, receives and notes the report.”

CARRIED**17 QUESTIONS ON NOTICE**

Nil

18 QUESTIONS WITHOUT NOTICE

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

19 MOTIONS ON NOTICE

Nil

20 MOTIONS WITHOUT NOTICE**RESOLUTION 2022/417****Moved: Councillor Keen****Seconded: Councillor Paton**

“that the Chief Executive Officer bring back a report regarding options to restrict vehicle access with appropriate exemptions, including jinkers, on Thompson Beach.”

CARRIED**RESOLUTION 2022/418****Moved: Councillor Panella****Seconded: Councillor Paton**

“that Council, instructs the Chief Executive Officer to bring back a report, updating council on the progress of the Two Wells Tennis/Netball court surface renewal (300K) encompassing:

- 1. The consultation process taken with the affected community groups;**
- 2. Any Issues raised by the affected community groups;**
- 3. An outline of the timeline of the resurfacing of the Netball and Tennis Courts;**
- 4. How long will the resurfacing last (what is the life span of this asset being resurfaced) and**
- 5. When will the Two Wells Recreation Precinct Master Plan likely to commence?”**

CARRIED


21 URGENT BUSINESS

Nil

22 CONFIDENTIAL ITEMS

The Acting Mayor sought leave of the meeting to bring Item 22.3 – *Australia Day Awards 2023 forward*. Leave was granted.

22.3 AUSTRALIA DAY AWARDS 2023**RESOLUTION 2022/419**

Moved: Councillor Keen

Seconded: Councillor Lush

“that:

1. Pursuant to section 90(2) of the *Local Government Act 1999*, the Council orders that all members of the public, except the Chief Executive Officer, General Manager – Governance and Executive Office, General Manager – Development and Community, General Manager – Finance and Business, General Manager – Infrastructure and Environment, Manager Governance and Administration, Administration and Executive Support Officer/Minute Taker, Administration Support Officer – Infrastructure and Environment, Information Technology Officer and Manager Library and Community be excluded from attendance at the meeting of Council for Agenda Item 22.3 – *Australia Day Awards 2023*;
2. Council is satisfied that pursuant to section 90(3)(o) of the *Local Government Act 1999*, Item 22.3 – *Australia Day Awards 2023* concerns information relating to a proposed award recipient before the presentation of the award; and
3. Council is satisfied that the principle that Council meetings should be conducted in a place open to the public has been outweighed by the need to keep the information, matter and discussion confidential.”

CARRIED

The Acting Mayor sought leave of the meeting to suspend meeting procedures pursuant to Regulation 20(1) of the *Local Government (Procedures at Meetings) Regulations 2013* for a period of time sufficient to facilitate informal discussions in relation to nominations for, and awarding of, the *Citizen of the Year Award*. Leave was granted

The meeting was suspended at 7.23pm.

The meeting resumed at 7.24pm.

It being 7.24pm, Council resolved to extend the meeting until 8.00pm in accordance with Division 2, Clause 7(6) of Council's *Code of Practice – Meeting Procedures*.

RESOLUTION 2022/420

Moved: Councillor Keen

Seconded: Councillor Panella

“that the meeting be extended by 30 minutes.”

CARRIED

The Acting Mayor sought leave of the meeting to suspend meeting procedures pursuant to Regulation 20(1) of the *Local Government (Procedures at Meetings) Regulations 2013* for a period of time sufficient to facilitate informal discussions in relation to the nominations for, and awarding of, the Citizen of the Year Award. Leave was granted

The meeting was suspended at 7.25 pm.

The meeting resumed at 7.27 pm.

Councillor Panella declared a general conflict of interest in relation to Item 23.3 – *Australia Day Awards 2023*, on the basis that she nominated a person for Citizen of the Year Award. Councillor Panella indicated that she would leave the meeting prior to Council determining the Citizen of the Year Award recipient.

Councillor Stubing declared a general conflict of interest in relation to Item 23.3 – *Australia Day Awards 2023* on the basis that he is a friend of one of the nominees for the Citizen of the Year Award. Councillor Stubing indicated that he would remain in the meeting and participate in the debate and vote to determine the Citizen of the Year Award recipient.

Councillor Bombardieri declared a general conflict of interest in relation to Item 23.3 – *Australia Day Awards 2023* on the basis that she is a Two Wells Regional Action Team (TWRAT) Committee Member (a nominee for the Community Event of the Year Award) and, further, that her family business has provided a letter supporting the nomination. Councillor Bombardieri indicated that she would leave the meeting prior to Council considering, and determining, the Community Event of the Year Award recipient.

Having declared a general conflict of interest in Item 22.3, Councillor Panella left the meeting at 7.34pm.

The Acting Mayor sought leave of the meeting to suspend meeting procedures pursuant to Regulation 20(1) of the *Local Government (Procedures at Meetings) Regulations 2013* for a period of time sufficient to facilitate informal discussions in relation to the nominations for, and awarding of, the Citizen of the Year Award. Leave was granted.

The meeting was suspended at 7.35pm.

The meeting resumed at 7.38pm.

RESOLUTION 2022/421**Moved: Councillor Keen****Seconded: Councillor Mazzeo**

“that Council, having considered Item 22.3 – *Australia Day Awards 2023*, dated 19 December 2022, receives and notes the report.”

CARRIED**RESOLUTION 2022/422****Moved: Councillor Keen****Seconded: Councillor Stubing**

“that Council, having considered Item 22.3 – *Australia Day Awards 2023*, dated 19 December 2022, determines Joe and Jasmin Daniele as the recipient of the Citizen of the Year Award.”

CARRIED

Councillor Bombardieri left the meeting at 7.39pm.

Councillor Panella returned to the meeting at 7.39pm.

RESOLUTION 2022/423**Moved: Councillor Lush****Seconded: Councillor Keen**

“that Council, having considered Item 22.3 – *Australia Day Awards 2023*, dated 19 December 2022, determines Jamie Humphrys as the recipient of the Young Citizen of the Year Award.”

CARRIED

Acting Mayor Strudwicke declared a general interest in relation to Item 22.3 – *Australia Day Awards* on the basis that he is a member of the Mallala Museum Committee, which is nominated for the Community Event of the Year Award. The Acting Mayor indicated that he would remain in the meeting, noting that as the Presiding Member he would not influence the debate or vote.

Councillor Panella declared a general interest in relation to Item 22.3 – *Australia Day Awards* on the basis that she is a Two Wells Regional Action Team (TWRAT) Committee Member (a nominee for the Community Event of the Year Award) . Councillor Panella indicated that she would remain in the meeting and participate in the debate and vote to determine the Citizen of the Year Award recipient.

Councillor Bombardieri returned to the meeting at 7.42pm.

Councillor Mazzeo left the meeting at 7.42pm.

Councillor Bombardieri declared a general interest in relation to Item 22.3 – *Australia Day Awards*, on the basis that her family business submitted a letter supporting TWRAT’s nomination for the Community Event of the Year Award. Having declared a general interest, Councillor Bombardieri left the meeting at 7.43pm.

The Acting Mayor sought leave of the meeting to suspend meeting procedures pursuant to Regulation 20(1) of the *Local Government (Procedures at Meetings) Regulations 2013* for a period of time sufficient to facilitate informal discussions in relation to the nominations for, and awarding of, the Community Event of the Year Award. Leave was granted.

The meeting was suspended at 7.43pm.

Councillor Mazzeo returned to the meeting at 7.44pm.

The meeting resumed at 7.47pm.

RESOLUTION 2022/424

Moved: Councillor Lush

Seconded: Councillor Stubing

“that Council, having considered Item 22.3 – *Australia Day Awards 2023*, dated 19 December 2022, determines Mallala Monument Centenary Celebrations as the recipient of the Community Event of the Year Award.”

CARRIED

Councillor Bombardieri returned to the meeting at 7.48pm.

The Acting Mayor sought leave of the meeting to suspend meeting procedures pursuant to Regulation 20(1) of the *Local Government (Procedures at Meetings) Regulations 2013* for a period of time sufficient to facilitate informal discussions in relation to the nominations for the Community Project of the Year Award. Leave was granted.

The meeting was suspended at 7.48 pm.

The meeting resumed at 7.49 pm.

RESOLUTION 2022/425

Moved: Councillor Panella

Seconded: Councillor Stubing

“that Council, having considered Item 22.3 – *Australia Day Awards 2023*, dated 19 December 2022, determines Dublin Cemetery Shelter as the recipient of the Community Project of the Year Award.”

CARRIED

RESOLUTION 2022/426**Moved: Councillor Keen****Seconded: Councillor Bombardieri**

“that Council, having considered the matter of Agenda Item 22.3 – *Australia Day Awards 2023* in confidence under sections 90(3)(o) of the *Local Government Act 1999*, resolves that:

- 1. The staff report and the minutes pertaining to Agenda Item 22.3 – *Australia Day Awards 2023*, remain confidential and not available for public inspection until all award recipients have been notified of Council’s decision;**
- 2. Attachments 1-11 pertaining to Agenda Item 22.3 – *Australia Day Awards 2023* remain confidential and not available for public inspection until further order of Council;**
- 3. Pursuant to section 91(9)(a) of the *Local Government Act 1999*, the confidentiality of the matter will be reviewed every 12 months; and**
- 4. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, Council delegates the power to revoke this confidentiality order to the Chief Executive Officer.”**

CARRIED**22.2 SECTION 270 REVIEW – APPOINTMENT OF MEMBERS TO COUNCIL ASSESSMENT PANEL****RESOLUTION 2022/427****Moved: Councillor Keen****Seconded: Councillor Lush****“that:**

- 1. Pursuant to section 90(2) of the *Local Government Act 1999*, the Council orders that all members of the public, except the Chief Executive Officer, General Manager – Governance and Executive Office, General Manager – Development and Community, General Manager – Finance and Business, General Manager – Infrastructure and Environment, Manager Governance and Administration, Administration and Executive Support Officer/Minute Taker, Information Technology Officer and Administration Support Officer – Infrastructure and Environment be excluded from attendance at the meeting of Council for Agenda Item 22.2 – *Section 270 Review – Appointment of Members to Council Assessment Panel*;**
- 2. Council is satisfied that pursuant to sections 90(3)(a), 90(3)(g) and 90(3)(h) of the *Local Government Act 1999*, Item 22.2 – *Section 270 Review – Appointment of Members to Council Assessment Panel* concerns:**
 - a. information of a confidential nature, the disclosure of which would involve the unreasonable disclosure of information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person, being information about the suitability of various applicants for appointment as Independent Members of Council’s Assessment Panel; and**
 - b. matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted bylaw, any duty of confidence, or other legal obligation or duty, being**



- information/documents currently subject to a section 91 order of the Council;
and
- c. legal advice, being Norman Waterhouse Lawyers' assessment of the Section 270 Review; and
3. Council is satisfied that the principle that Council meetings should be conducted in a place open to the public has been outweighed by the need to keep the information, matter and discussion confidential."

CARRIED

A handwritten signature in dark ink, appearing to be 'M W', is located in the bottom right corner of the page.

RESOLUTION 2022/429**Moved:** Councillor Panella**Seconded:** Councillor Mazzeo

“that Council, having considered the matter of Agenda Item 22.2 – *Section 270 Review – Appointment of Members to Council Assessment Panel* in confidence under sections 90(3)(a), 90(3)(g) and 90(3)(h) of the *Local Government Act 1999*, resolves that:

- 1. The staff report and minutes pertaining to Agenda Item 22.2 – *Section 270 Review – Appointment of Members to Council Assessment Panel*, remain confidential and not available for public inspection until the Applicant has been notified of Council’s decision in relation to the review;**
- 2. Attachment 1 and Attachment 3 to Agenda Item 22.2 – *Section 270 Review – Appointment of Members to Council Assessment Panel*, remain confidential and not available for public inspection until further order of Council;**
- 3. Pursuant to section 91(9)(a) of the *Local Government Act 1999*, the confidentiality of the matter will be reviewed every 12 months; and**
- 4. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, Council delegates the power to revoke this confidentiality order to the Chief Executive Officer.”**

CARRIED**FORMAL MOTION****RESOLUTION 2022/430****Moved:** Councillor Panella**Seconded:** Councillor Paton

“that Item 22.4 – *Organisation Review and Proposed Restructure* be formally adjourned to the next Council Meeting.”

CARRIED

23 CLOSURE

There being no further business, the Acting Mayor declared the meeting closed at 8.00pm.

The minutes of this meeting were confirmed as a true record


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MAYOR

30 / 1 / 2023
.....
DATE