

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, 19 February 2018 at 6:30pm

Mayor Flaherty formally declared the meeting open at 6:30pm.

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
Councillor P D (Joe) Daniele
Councillor Margherita Panella

Also in Attendance:

Chief Executive Officer	Mr James Miller
General Manager, Finance and Economic Development	Mr Rajith Udugampola
General Manager, Governance and Communications	Ms Sheree Schenk
General Manager, Infrastructure	Mr Martin Waddington
General Manager, Development and Community	Mr Robert Veitch
Asset Management Officer	Mr Thomas Jones
Governance Support Officer	Mr Rob Adam
Minute Secretary	Ms Andrea Post

1.2 Apologies:

Councillor Carmine Di Troia

1.3 Not Present / Leave of Absence:

Councillor Karen McColl – Leave of Absence



2. CONFIRMATION OF MINUTES

2.1 Confirmation of Council Minutes – Ordinary meeting held 15 January 2018

Moved Councillor Lawrence Seconded Councillor Keen **2018/031**

“that the minutes of the Ordinary Council Meeting held on Monday 15 January 2018 (MB Folios 16398 to 16412, inclusive), be accepted as read and confirmed.”

CARRIED

2.2 Confirmation of Council Minutes – Special meeting held 22 January 2018

Moved Councillor Lawrence Seconded Councillor Panella **2018/032**

“that the minutes of the Special Council Meeting held on Monday 22 January 2018 (MB Folios 16413 to 16416, inclusive), be accepted as read and confirmed.”

CARRIED

2.3 Confirmation of Council Minutes – Special meeting held 6 February 2018

Moved Councillor Keen Seconded Councillor Lawrence **2018/033**

“that the minutes of the Special Council Meeting held on Monday 6 February 2018 (MB Folios 16417 to 16420, inclusive), be accepted as read and confirmed.”

CARRIED

2.4 Confirmation of Council Minutes – Special meeting held 13 February 2018

Moved Councillor Stubing Seconded Councillor Lawrence **2018/034**

“that the minutes of the Special Council Meeting held on Monday 13 February 2018 (MB Folios 16421 to 16423, inclusive), be accepted as read and confirmed.”

CARRIED

3. BUSINESS ARISING

3.1 Northern Food Bowl Protection Areas Development Plan Amendment – Ministerial Determination

Moved Councillor Lawrence Seconded Councillor Daniele **2018/035**

“that the correspondence received from the Hon John Rau MP, Minister for Planning, dated 15 February 2018, in which he approves the Northern Food Bowl Protection Areas Development Plan Amendment, be tabled.”

CARRIED

4. ADJOURNED BUSINESS

Nil

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

- 5.1 Councillor Keen declared an interest in Item 14.7 – *Charter of Affordability* as Councillor Keen is employed by the Department of Communities and Social Inclusion (DCSI). Councillor Keen indicated that she will leave the meeting when this item is considered.
- 5.2 Councillor Jones declared an interest in Item 14.10 - *Proposed Lease of Council Land – NBN Radio Network Base Station* as Councillor Jones resides at Thompson Beach.

6. PUBLIC 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 20 minutes to facilitate 'Public Open Forum'. The meeting was suspended at 6:35pm.

Tracey Smith

Two Wells

Topics Discussed

- Adelaide Plains Equestrian Club (APEC) Inc – Proposed Lease

Mick Lewis

Thompson Beach

Topics Discussed

- NBN Radio Network Base Station – Proposed Lease of Council Land

The meeting resumed at 6:52pm.

7. MAYOR'S REPORT

Thursday, 4 January 2018

Mayor and CEO Meeting

Monday, 15 January 2018

Mayor and Executive Management Team

Mayor, Deputy Mayor and Executive Management Team

Ordinary Council Meeting

Monday, 22 January 2018

Informal Gathering

Special Council Meeting

Tuesday, 23 January 2018

Ball Public Relations

Monday, 29 January 2018

Northern Economic Leaders and Horticulture
John Gee MP – 2W2W

Tuesday, 6 February 2018

Local Government Grants Commission
Special Council Meeting

Monday, 12 February 2018

Elected Member Bus Tour and Budget Workshop

Tuesday, 13 February 2018

Special Council Meeting
Audit Committee Meeting

Wednesday, 14 February 2018

Sam Davies 2018 SA-BEST Candidate for Narungga

Friday, 16 February 2018

Legatus Group Meeting – hosted by Adelaide Plains Council

Monday, 19 February 2018

Mayor, Deputy Mayor and Executive Management Team
Ordinary Council Meeting

8. REQUESTED DOCUMENTS/CORRESPONDENCE TO BE TABLED

8.1 Gawler River Floodplain Management Authority – Ministerial Determination

Moved Councillor Lawrence Seconded Councillor Keen 2018/036

“that the correspondence received from the Hon Geoff Brock MP, Minister for Local Government, dated 15 February 2018, advising that Adelaide Plains Council’s request to withdraw from the Gawler River Floodplain Management Authority (GRFMA) has been disallowed pending the review of the GRFMA Charter, be tabled”.

CARRIED

9. DEPUTATIONS

9.1 Mr Alvin Jenkin, spokesperson for the community of Port Parham and surrounds, and the Port Parham Sports and Social Club Inc., gave a 10 minute deputation in relation to the Parham Camp Ground.

10. PRESENTATIONS / BRIEFINGS

- 10.1 Ms Abby Bowden of Ball Public Relations gave a 15 minute briefing regarding the Adelaide Plains Council Community Survey Project Brief.

The Mayor sought and was granted leave of the meeting to bring Item 14.9 – *Community Survey* forward.

14.9 Community Survey

Moved Councillor Lawrence Seconded Councillor Panella **2018/037**

“that Council, having considered Item 14.9 – *Community Survey*, dated 19 February 2018, receives and notes the report and in doing so:-

1. Authorises the Chief Executive Officer to procure the services of an independent market research company through a competitive tender process to undertake a community survey on behalf of Council; and
2. Acknowledges that the appointment of a suitable firm to undertake the community survey will incur expenditure not currently budgeted for and, to that end, Council endorse the appropriate budget variation to be reconciled at the third quarter budget review.”

CARRIED

Councillor Daniele called for a division:

The Mayor declared the vote set aside.

Members voting in the affirmative: Councillors Lawrence, Panella, Jones, Stubing and Strudwicke.

Members voting in the negative: Councillors Daniele and Keen.

The Mayor declared the motion CARRIED

11. PETITIONS

Nil

12. COMMITTEE RECOMMENDATIONS

- 12.1 Audit Committee – minutes of meeting held 13 February 2018

Moved Councillor Lawrence Seconded Councillor Keen **2018/038**

“that Council receives and notes the minutes of the Audit Committee meeting held on 13 February 2018.”

CARRIED

- 12.1 Moved Councillor Lawrence Seconded Councillor Panella **2018/039**

“that Council endorses recommendation 2018/002 of the Audit Committee and in

doing so

1. Endorses in principle the schedule set out in *Table 1* as the process to be undertaken in the preparation of the 2018/2019 Annual Business Plan (ABP), 2018/2019 Budget and 2019-2028 Long Term Financial Plan; and
2. Endorses the following budget parameters and assumptions in principle for the purpose of preparing the draft 2018/2019 Annual Business Plan and 2018/2019 Budget.
 - The Recurrent Operating Budget be prepared based on “business as usual” basis;
 - Maximum Material, Contracts and Other Expenses cost escalation be set at 2.79% in the absence of any other reliable way of estimating “Materials, Contracts and Other Expenses”;
 - Wages and Salaries increases by 2.00% being the year two (2) of the current Enterprise Bargaining Agreements;
 - Fees and charges not set by Legislation and decided by the Council be increased by 2.79% as a minimum;
 - New Capital Projects to be considered and approved within the constraints of the LTFP;
 - New services and one off projects to be funded through Rate Revenue increases or by expenditure savings;
 - New capital projects are funded through a mixture of rate increases, expenditure savings, new grant funding and long term borrowings; and
3. Council continue to review its operations to identify costs savings and productivity improvements.”

CARRIED

12.1 Moved Councillor Panella Seconded Councillor Strudwicke **2018/040**

“that Council endorses recommendation 2018/003 of the Audit Committee and in doing so acknowledges that Council’s emphasis should be on improving its overall financial position and Council should consider pursuing grants for strategic priorities.”

CARRIED

12.1 Moved Councillor Stubing Seconded Councillor Panella **2018/041**

“that Council endorses recommendation 2018/004 of the Audit Committee and in doing so authorises that the contract for the provision of audit service with Bentleys SA Pty Ltd to be extended by one (1) year to 30 June 2018.”

CARRIED

12.1 Moved Councillor Panella Seconded Councillor Strudwicke **2018/042**

“that Council endorses recommendation 2018/006 of the Audit Committee and in doing so Council acknowledges the progress made to complete the activities identified for Audit Committee during 2017/2018 Financial Year”.

CARRIED

13. ASSOCIATED ORGANISATIONS

13.1 Gawler River Floodplain Management Authority – meeting held 14 December 2017

Moved Councillor Lawrence Seconded Councillor Panella **2018/043**

“that Council receives and notes the minutes of the Gawler River Floodplain Management Authority Meeting held 14 December 2017.”

CARRIED

14. REPORTS FOR DECISION

14.1 Road Upgrade Matrix – Sealing Gravel Roads

Moved Councillor Strudwicke Seconded Councillor Lawrence **2018/044**

“that Council, having considered Item 14.1 – Road Upgrade Matrix – Sealing Gravel Roads, dated 19 February 2018, receives and notes the report and in doing so:-

- 1. Endorse the “Road Upgrade Matrix – Sealing Gravel Roads” as presented in Attachment 2 and the methodology that underpins the matrix presented in Attachment 1 of this Report to be utilised to develop a sealing of gravel road priority list;**
- 2. Direct that the Resident Contributions to Road Sealing Policy be reviewed to align with the Road Upgrade Matrix – Sealing Gravel Roads”.**

CARRIED

14.2 2017/2018 – Mid-Year Budget Review

Moved Councillor Strudwicke Seconded Councillor Panella **2018/045**

“that Council, having considered Item 14.2– 2017/2018 – Mid-Year Budget Review, dated 19 February 2018, receives and notes the report and in doing so:

- 1. Receive and note the project progress reports contained in Attachment 1 and 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



14.3 Relocation – Adelaide Plains Kennel and Obedience Club


Moved Councillor Panella

Seconded Councillor Stubing

2018/046

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

- 1. Authorises Council staff to commence the public consultation process pursuant to Section 202 of the *Local Government Act 1999*, in regard to the leasing of Allotment 29, DP 17602, Lewiston, known as Clara Harniman Reserve, and comprised in Certificate of Title Volume 5546 Folio 494, to the Adelaide Plains Kennel and Obedience Club Inc;**
- 2. In the event that objections are received to the leasing of portion of Allotment 29, DP 17602, Lewiston, known as Clara Harniman Reserve, comprised in Certificate of Title Volume 5546 Folio 494, to the Adelaide Plains Kennel and Obedience Club Inc, by the conclusion of the public consultation process, a report be presented to Council for consideration;**
- 3. In the event that no objections are received to the leasing of portion of Allotment 29, DP 17602, Lewiston, known as Clara Harniman Reserve, comprised in Certificate of Title Volume 5546 Folio 494, to the Adelaide Plains Kennel and Obedience Club Inc, by the conclusion of the public consultation process, the Chief Executive Officer be authorised to seek the assistance of Norman Waterhouse Lawyers and to negotiate and finalise the terms and conditions of the lease ;**
- 4. Authorises, pursuant to Sections 38 and 44 of the *Local Government Act 1999*, the Mayor and Chief Executive Officer to execute the lease agreement between the Adelaide Plains Council and the Adelaide Plains Kennel and Obedience Club Inc;**
- 5. In accordance with Section 166(1)(j) of the Local Government Act 1999, Council, being satisfied that the portion of Allotment 29 comprised in Certificate of Title Volume 5546 Folio 494, is being used by an organisation which, in the opinion of Council, provides a benefit or service to the local community, grants a discretionary rebate of 100% of the rates imposed, effective from the 2018/19 rating year; and**
- 6. That the following expenditure be considered in Council’s 2018/19 budget deliberations:**
 - 1. \$5,000 - SA Water Connection/Meter**
 - 2. \$5,000 - Water – trenching to site**
 - 3. \$2,000 - Fencing upgrade, gate installation (adjacent Gawler Rd)**
 - 4. \$15,000 - SA Power Networks Connection to site including trenching**



5. \$5,000 - site levelling
6. Clubroom replacement – Option A \$70,000 or Option B \$20,000
7. \$20,000 - Provision for waste water disposal - (subject to Engineers Report - which will require soil report to determine if Enviro Cycle or septic tank and soakage trench would be suitable for the site).
8. \$2,000 car parking area – site preparation
9. \$1,000 Rubbish removal from site
10. \$5,000 External lighting”.

CARRIED

14.4 Adelaide Plains Equestrian Club Inc – Proposed Lease - Clara Harniman Reserve, Lewiston
 Moved Councillor Strudwicke Seconded Councillor Lawrence 2018/047

“that Council, having considered Item 14.4 – *Adelaide Plains Equestrian Club Inc – Proposed Lease - Clara Harniman Reserve, Lewiston*, dated 19 February 2018, receives and notes the report and in doing so:-

1. Authorises the Chief Executive Officer to seek the assistance of Norman Waterhouse Lawyers and to negotiate and finalise the Lease Agreement between Council and the Adelaide Plains Equestrian Club Inc for the leasing of portion of Allotment 29 DP 17602, Lewiston, known as Clara Harniman Reserve and comprised in Certificate of Title Volume 5546 Folio 494;
2. Authorises, pursuant to Section 38 and 44 of the *Local Government Act 1999*, the Mayor and Chief Executive Officer to execute the lease agreement between the Adelaide Plains Council and the Adelaide Plains Equestrian Club Inc;
3. In accordance with Section 166(1)(j) of the *Local Government Act 1999*, Council, being satisfied that the portion of Allotment 29 DP 17602, Lewiston, known as Clara Harniman Reserve and comprised in Certificate of Title Volume 5546 Folio 494, is being used by an organisation which, in the opinion of Council, provides a benefit or service to the local community, grants a discretionary rebate of 100% of the rates imposed, effective from the 2018/19 rating year; and
4. Formally responds to the submission from Mr Michael Picard.”

CARRIED

14.4 Moved Councillor Keen Seconded Councillor Strudwicke 2018/048

“that Council, having considered Item 14.4 – *Adelaide Plains Equestrian Club Inc – Proposed Lease - Clara Harniman Reserve, Lewiston*, dated 19 February 2018, receives and notes the report and in doing so, the following expenditure be considered in Council’s 2018/19 budget deliberations:-



1. \$5,000 - SA Water Connection/Meter
2. \$20,000 fencing native remnant vegetation at the site".

CARRIED

14.4 Moved Councillor Keen Seconded Councillor Daniele 2018/049

"that Council, having considered Item 14.4 – *Adelaide Plains Equestrian Club Inc – Proposed Lease - Clara Harniman Reserve, Lewiston*, dated 19 February 2018, that a remnant native vegetation audit be undertaken on Clara Harniman Reserve if one has not been completed in the last three years".

CARRIED

14.5 Relocation – Two Wells Trotting Owners and Trainers Association

Moved Councillor Panella Seconded Councillor Daniele 2018/050

"that Council, having considered Item 14.5 – *Relocation – Two Wells Trotting Owners and Trainers Association*, dated 19 February 2018, receives and notes the report and in doing so:-

1. Authorises Council staff to commence the public consultation process pursuant to Section 202 of the *Local Government Act 1999*, in regard to the leasing of Lot 27 Kurt Way, Lewiston, commonly known as Hams Park, and comprised in Certificate of Title Volume 5543 Folio 580, to the Two Wells Trotting Owners Association Inc;
2. Engage a Hydrological Engineer to undertake a flood assessment of the site; and
3. That the following expenditure be considered in Council's 2018/19 budget deliberations:
 1. \$10,000 - SA Water Connection/Meter plus connection to shelter
 2. \$30,000 - Construction of Horse Shelter, wash bay and 'tie up' rails
 3. \$600 – 50% of lease preparation costs".

CARRIED

14.6 Information Technology and Communications – Strategic Directions for Corporate IT Systems and Hardware

Moved Councillor Lawrence Seconded Councillor Panella 2018/051

"that Council, having considered Item 14.6 – *Information Technology and Communications - Strategic Directions for Corporate IT Systems and Hardware*, dated 19 February 2018, receives and notes the report and in doing so:-

1. Acknowledges the issues raised to date in relation to Council's Corporate IT Systems and Hardware;
2. Acknowledges and supports the requirement of an overhaul of Council's Information Technology Systems;
3. Acknowledges that failure to achieve the above will eventually result in service delivery impacts to Council staff, Council Members, the community and Council's business; and
4. Acknowledges the importance of Information Technology for Council and the need to resolve the current shortcomings."

CARRIED

At this juncture, 8:06pm, Councillor Keen left the meeting as an interest had been declared in Item 14.7 – *Charter of Affordability*.

14.7 Charter of Affordability

Moved Councillor Strudwicke Seconded Councillor Lawrence **2018/052**

"that Council, having considered Item 14.7 – *Charter of Affordability*, dated 19 February 2018, receives and notes the report and in doing so adopts the Charter of Affordability contained on the page 3 of the Attachment 1".

CARRIED

14.8 Webb Beach Community Emergency Management Plan

Moved Councillor Panella Seconded Councillor Lawrence **2018/053**

"that Council, having considered Item 14.8 – *Webb Beach Community Emergency Management Plan*, dated 19 February 2018, receives and notes the report and in doing so acknowledges the acceptance of the grant offer from the Natural Disaster Resilience Program in respect of the project."

CARRIED

At this juncture, 8:08pm, Councillor Keen returned to the meeting.

14.10 Proposed Lease of Council Land – NBN Radio Network Base Station

Moved Councillor Strudwicke Seconded Councillor Panella **2018/054**

"that Council, having considered Item 14.10 – *Proposed Lease of Council Land – NBN Radio Network Base Station* dated 19 February 2018 resolve that the matter be adjourned until the next Special meeting of Council".

CARRIED



15. REPORTS FOR INFORMATION

15.1 Council Resolutions / Actions Report

Moved Councillor Lawrence Seconded Councillor Jones **2018/055**

“that Council, having considered Item 15.1 – *Council Resolutions/Action Report*, dated 19 February 2018, receives and notes the report.”

CARRIED

15.2 2018 General Election Timetable

Moved Councillor Keen Seconded Councillor Lawrence **2018/056**

“that Council, having considered Item 15.2 – *2018 General Election Timetable*, dated 19 February 2018, receives and notes the report.”

CARRIED

15.3 Council Committee Review – Update

Moved Councillor Panella Seconded Councillor Daniele **2018/057**

“that Council, having considered Item 15.3 – *Council Committee Review – Update*, dated 19 February 2018, receives and notes the report.”

CARRIED

15.4 Disability Access and Inclusion Plan – Public Consultation

Moved Councillor Panella Seconded Councillor Lawrence **2018/058**

“that Council, having considered Item 15.4 – *Disability Access and Inclusion Plan – Public Consultation*, dated 19 February 2018, receives and notes the report.”

CARRIED

15.5 Conclusion of Kurna Indigenous Land Use Agreement Negotiations

Moved Councillor Lawrence Seconded Councillor Keen **2018/059**

“that Council, having considered Item 15.5 – *Conclusion of Kurna Indigenous Land Use Agreement Negotiations*, dated 19 February 2018, receives and notes the report.”

CARRIED



16. QUESTIONS ON NOTICE

16.1 Two Wells Memorial

Councillor Panella gave notice of her intention to ask the following questions:	
Preamble	At the January 2018 Ordinary Council meeting, we saw a recommendation that the pine trees adjacent to the Two Wells Memorial be removed on the basis of potential wall damage. I respect the importance of the War Memorial but I also respect the trees they were planted by the pioneers of our council areas. I'm sure that our pioneers planted these trees therefore I would hope we show the same respect to them. I therefore ask the following questions:
Question 1:	What planning approvals were given for Two Wells War Memorial precinct upgrade? Please specify:
Question 2:	During assessments of the application was any consideration given to the established Pine Trees and the proximity of the proposed War Memorial boundary stone wall? Please specify
Question 3:	As the War Memorial is on council land, what public consultation took place prior to any work taking place? Please specify
Question 4:	What is our Open Space policy? Is the War Memorial included in the Open Space policy? Can a copy of the policy be included. What are the requirements of public consultation for the War Memorial?
Question 5:	What are the dimensions of the wall foundation preparation which was apparently dug by council staff and reinforced with steel mesh, can that verbal information be confirmed from staff records? What were the trenching dimensions?
Question 6:	What are the engineering specifications for the wall foundation, MPA strength concrete and what size rio mesh or steel rods was used? Please specify.
Question 7:	Was an engineering consultant used and was a report given to council prior to building the wall? What engineering specifications were recommended?
Question 8:	What measures have been taken to protect the future of the pine trees? Has an independent tree doctor/arborist been consulted to check the health, welfare and longevity of the trees throughout Two Wells and other areas?
Question 9:	If these trees are poisoned and we can see the trees start to die off, will council seek a police investigation regarding the destruction of council property and press charges regarding to the damages or loss of these trees?
Answer:	Due to time constraints and research needed, answers to be provided in full to the 19 March 2018 Ordinary Council meeting.

16.2 MOU Amenities Block Mallala Oval

Councillor Panella gave notice of her intention to ask the following questions:	
Preamble	
Question 1:	The full legal advise that was sought for the report provided in 15 January 2018 Council meeting agenda:
Answer:	Please refer to confidential agenda Item 21.1 – legal advice received.
Question 2:	<p>Is the MOU a legal binding contact and was legal advice attained regarding this, for example: A MOU may be legally binding if it satisfies all of the six elements of a contract:</p> <ol style="list-style-type: none"> 1) an intention to create a legal relationship, 2) an offer and acceptance of that offer, 3) consideration from both parties for example money (consideration) or for a service (consideration) 4) legal capacity 5) genuine consent is provided and 6) the objective of the contract is legal;
Answer:	Please refer to confidential agenda Item 21.1 – legal advice received.
Question 3:	Provide a list of dates and meetings of negotiations that have occurred between the Mallala Lions Club and APC.
Answer:	<p>16 May 2017</p> <p>06 July 2017</p> <p>29 August 2017</p> <p>09 October 2017</p> <p>18 December 2017</p>
Question 4:	Has there been any discussion held with the community group managing Parham Camping Grounds?
Answer:	No. Without a Council resolution, the management has no authority to do so.
Question 5:	What is the total cost to council in regards to the Mallala Camping Ground and Parham Camping Ground?
Answer:	Council has not incurred any expenditure on the Mallala Camping Ground other than the purchase price of the land. Expenditures incurred on the Mallala ablution block are;



	<table><tr><th>Financial Year</th><th>Total</th></tr><tr><td>2013/2014</td><td>14,346.81</td></tr><tr><td>2014/2015</td><td>10,601.05</td></tr><tr><td>2015/2016</td><td>10,115.09</td></tr><tr><td>2016/2017</td><td>12,699.40</td></tr></table> <p>Above expenditure excludes capital expenditures incurred by the Council to comply the ablution block with public safety standards as the ablution block constructed by the Mallala Lions Club was not up to the desired safety standards.</p> <p>Parham Camping Ground</p> <p>On average \$3,500 per year. Total since 2002 is \$62,000</p>	Financial Year	Total	2013/2014	14,346.81	2014/2015	10,601.05	2015/2016	10,115.09	2016/2017	12,699.40
Financial Year	Total										
2013/2014	14,346.81										
2014/2015	10,601.05										
2015/2016	10,115.09										
2016/2017	12,699.40										
Question 6:	What is the rate of occupancy at Mallala Camping Ground since the Mallala Lions Club managed it compared to when council’s management took over?										
Answer:	<p>The Council never took over the management of the Mallala Camping Ground. Council simply made it illegal to camp next to the ablution block within Mallala Oval following numerous requests by the Mallala Football Club and set up a formal camping ground at its current location. (Please refer to April 2017 agenda, Report Reference 12.5.2.</p> <p>Council has never collected occupancy details of Mallala Camping site. Council only has details of number of permits issued since Council decision to issue permits in April 2017.</p>										
Question 7:	What is the rate of occupancy at Parham Camping Ground since the community group managed it compared to when councils management took over?										
Answer:	<p>The Council has been managing and paying for all maintenance expenses since 2002. However, Council never collected occupancy information prior to 14 June 2017. Council’s General Inspector has details of number of permits issued since Council decision to issue permits in April 2017. From that 14 June 2017 to 29 January 2018 there have been 711 permits registered to date.</p>										



Question 8:	What income and expenses has the Mallala Lions Club incurred compared to what APC portions of the costs are;
Answer:	We assume your question is on expenses incurred by the Mallala Lions Club on the Mallala ablution block. The Council's doesn't have information of what Mallala Lions Club has spent. However, because of your interest to know this information, the management has formally requested the President of the Mallala Lions Club to provide this information.
Question 9:	It was stated that the MOU never came to chambers however in 2011/2012 there potentially was a motion passed and the MOU was then signed in 2013 when terms were agree to. Can this be located?
Answer:	The management can't locate any motion on the MOU. If Cr Panella can provide more specific information on the possible resolution date or month, the administration can investigate further.
Question 10:	Why did APC council management take over the Mallala and Parham Camping Ground. What date was it taken over, what has been the cost since council took over?
Answer:	<p>Council never took over Mallala Camping ground from a third party. It is currently sits on a Council owned land and this was established in April 2017.</p> <p>Council has been paying expenses at Parham camping ground since 2002.</p> <p>Since 2002, Council has incurred \$60,346 of maintenance expenses \$22,953 of capital expenses (for BBQ Shelter/Concrete Slab). Further \$20,000 is budgeted in this financial year for septic tank and soakage work.</p>
Question 11:	Anything that is important to be advised to members:
Answer:	<p>Following documents as attached;</p> <ul style="list-style-type: none"> i. Gazetted Mallala Camping Area. ii. Aerial Image of the Mallala Camping Area. iii. Letter from Mallala Football Club to council regarding campers dated 25 February 17.

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 Rescind Motion (2018/006) – Mallala Camping Ground – Update on Lease Negotiations**

Moved Councillor Jones

Seconded Councillor Panella

2018/060**“that the below resolution (2018/006) which provides:-**

“that Council, having considered Item 14.4 – Mallala Camping Ground – Update on Lease Negotiations, dated 15 January 2018, receives and notes the report and in doing so instructs the Chief Executive Officer to call for public expression of interest to develop, operate and maintain Mallala Camping ground and Parham Camping Ground on behalf of the Council and negotiate with such interested parties to draft a lease agreement.”

be rescinded”.**CARRIED**

Councillor Daniele called for a division:

The Mayor declared the vote set aside.

Members voting in the affirmative: Councillors Lawrence, Panella, Jones, Stubing and Keen.

Members voting in the negative: Councillors Daniele and Strudwicke.

The Mayor declared the motion CARRIED**18.2 Request for Policy Review**

Moved Councillor Jones

Seconded Councillor Lawrence

2018/061

“As there has been a number of concerns over time regarding roadside management and parks and garden maintenance I ask the motion be put that Adelaide Plains Council Vegetation Management policy last reviewed 2008 be subject of urgent review inclusive of all aspects of but not limited to under policy statement”.

CARRIED**18.3 Additional Bin Collection**

Moved Councillor Lawrence

Seconded Councillor Jones

2018/062

“that Council write to Solo Resource Recovery encouraging them to provide a bin service free of charge to the upcoming Northern Plains Food Festival scheduled for 25 March 2018 in recognition of their recent success in winning the tender to carry out the greater region's kerbside collection service for the next seven years, and in recognising the profile they stand to gain from the event”.

CARRIED

19. MOTIONS WITHOUT NOTICE**19.1 Request for Organisational Chart inclusive of names and wage brackets**

Moved Councillor Panella Seconded Councillor Jones **2018/063**

“that the Chief Executive Officer provide a hand out to Council Members of the current Organisational Structure inclusive of names, roles, pay scale and classification provided that the provision of such information is in accordance with relevant legislation”.

CARRIED

20. URGENT BUSINESS**20.1 GRFMA Ministerial Decision**

Moved Councillor Jones Seconded Councillor Stubing **2018/064**

“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 – Infrastructure, General Manager – Finance and Economic Development, General Manager – Governance and Communications, Governance Support Officer and Minute Taker be excluded from attendance at the meeting of the Council in order to consider in confidence Item 20.1 – *GRFMA Ministerial Decision*;
- b) the Council is satisfied that it is necessary that the public be excluded to enable the Council to consider this matter at the meeting:-
 - on the grounds provided by Section 90(3)(b)(i) 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;

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

20.1 Moved Councillor Jones Seconded Councillor Panella 2018/065

“that:-

in accordance with Section 91(7) and Section 91(9) of the *Local Government Act 1999* and on the grounds that Item 20.1 – GRFMA Ministerial Decision for the meeting of the Council held on 19 February 2018, was discussed and considered in confidence pursuant to Sections 90(3)(b)(i) of the *Local Government Act 1999*, this meeting of the Council, does order that:

- (a) the discussions held in relation to the matter remain confidential and not available to the public for a period of 12 months;
- (b) the confidentiality of the matter be reviewed once in each 12 months;



LOST

21.1 Moved Councillor Keen Seconded Councillor Stubing **2018/069**
"that the meeting be extended by 30 minutes".

CARRIED

21.1 Moved Councillor Panella Seconded Councillor Strudwicke **2018/070**
"that Council having considered Item 21.1 – *Review of Memorandum of Understanding Signed with Mallala Lions Club*, dated 19 February 2018, instruct the Chief Executive Officer to advise Mallala Lions Club that the Council formally wish to end the MOU signed in May 2013 in order to reduce the financial burden on the general ratepayers of the Adelaide Plains Council".

CARRIED

21.1 Moved Councillor Keen Seconded Councillor Panella **2018/071**
"that Council, having considered Item 21.1 – *Review of Memorandum of Understanding Signed with Mallala Lions Club*, dated 19 February 2018, instruct the Chief Executive Officer to:-

1. Negotiate with the Mallala Lions Club who constructed the ablution block on Council land to enter into a new management/lease agreement to maintain the ablution block at the Mallala Oval on a cost neutral basis to the ratepayers and until such negotiations are concluded, authorise the Mallala Lions Club to continue to manage the access and security and responsibility for collection of fees and utilise the fee income to maintain the shower and toilet facility at the ablution block; and
2. Formally advise Mallala Lions Club that users of the shower facility should be charged \$2 for a 7 minute shower as per Council resolution 2017/099, and a charge of \$20 for the key deposit".

CARRIED

Councillor Strudwicke called for a division:

The Mayor declared the vote set aside.

Members voting in the affirmative: Councillors Lawrence, Panella, Jones, Stubing, Daniele, Keen and Strudwicke.

Members voting in the negative: Nil.

The Mayor declared the motion CARRIED

21.1 Moved Councillor Jones Seconded Councillor Lawrence **2018/072**
"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 – *Review of Memorandum of Understanding Signed with Mallala Lions Club* for the meeting of the Council held on 19 February 2018, was discussed and considered in confidence pursuant to Sections 90(3)(h) of the *Local Government Act 1999*, this meeting of the Council, does order that:

- (a) the agenda item, report and annexures 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 Mallala Lions Club have been formally notified of Council's decision;
- (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*."

CARRIED

22. CLOSURE

There being no further business, the Mayor declared the meeting closed at 9:53pm.

Confirmed as a true record.

Mayor: 

Date: 19/3/2018