

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, 15 May 2017

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1. ATTENDANCE RECORD

1.1 Present:

Mayor A J (Tony) Flaherty OAM JP

Cr Melville Lawrence

Cr Terry-Anne Keen

Cr Eddie Stubing

Cr Stephen Jones

Cr P D (Joe) Daniele

Cr Carmine Di Troia

Cr Karen McColl

Cr Anne Picard

Also in Attendance:

Chief Executive Officer

General Manager, Governance and Communications

General Manager, Infrastructure

General Manager, Finance and Economic Development

General Manager, Development and Community

Minute Secretary

Mr James Miller

Ms Sheree Schenk

Mr Martin Waddington

Mr Rajith Udugampola

Mr Robert Veitch

Ms Andrea Post

1.2 Apologies:

Cr S M (Marcus) Strudwicke

1.3 Not Present / Leave of Absence:

Nil



2. CONFIRMATION OF MINUTES

2.1 Moved Cr Lawrence Seconded Cr Keen 2017/ 113

"that the minutes of the Ordinary Council meeting held on Tuesday 18 April 2017 (MB Folios 13503 to 13525, inclusive), be accepted as read and confirmed, subject to the inclusion of the following:-

Moved Cr Keen Seconded Cr Lawrence 2017/099

"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."*

CARRIED

to be inserted following resolution number 2017/098, with all subsequent resolution and page numbers to be amended accordingly."

CARRIED

3. BUSINESS ARISING

Nil

4. ADJOURNED BUSINESS

Nil

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

Councillor Karen McColl declared a perceived interest in Item 15.5 – *Regional Youth Bus Project*, as she is employed by Barossa Lower North Futures Flexible (BLNF) and will leave the Chamber when the item is considered by the Elected Body.

6. OPEN FORUM

The Mayor sought leave of the meeting to suspend Part 2 of the *Local Government Act (Procedures at Meetings) Regulations 2013*, for a period of 20 minutes to facilitate 'Open Forum'. The meeting was suspended at 6.32 pm.



The following speakers addressed Council in relation to Open Forum:

- 6.1 **John Lush** *Mallala*
 Barb Reid *Parham*

The meeting resumed at 6.41 pm.

7. MAYOR'S REPORT

7.1 Meetings and Discussions

18 April 2017

Ordinary Council Meeting

19 April 2017

Mayor/ Deputy Mayor/ CEO and General Manager, Governance and Communications
 Ordinary Council Meeting

20 April 2017

LGA Ordinary General Meeting and Conference

21 April 2017

LGA Ordinary General Meeting and Conference

McArthur meeting – re Annual CEO Review Process

25 April 2017

Anzac Day Civic Duties

30 April 2017

Development Inspection – Gawler River Road

1 May 2017

Governance Matters – Mayor/ Deputy Mayor/ CEO and General Manager, Governance
 and Communications

3 May 2017

Mayor and CEO Meeting

9 May 2017

Mayor / CEO and EA Administration Meeting

10 May 2017

McArthur meeting – re Annual CEO Review Process



7.2 Request for Deputation Denied – Update to Elected Body

Moved Cr Lawrence

Seconded Cr Di Troia

2017/ 114

"that Council, having considered Item 7.2 – Request for Deputation Denied – Update to Elected Body, dated 15 May 2017, receives and notes the report."

CARRIED

8. REQUESTED DOCUMENTS/CORRESPONDENCE TO BE TABLED

Nil

9. DEPUTATIONS

- 9.1 Mr Alvin Jenkin gave a 10 minute deputation to the Elected Members seeking support to review the Short Stay Accommodation Policy in consultation with the community.

Councillor Jones sought, and was granted, leave of the meeting to move Item 18.1 – *Short Stay Accommodation Policy Review* forward.

18. MOTIONS ON NOTICE

18.1 Short Stay Accommodation Policy Review

Moved Cr Jones

Seconded Cr Keen

2017/ 115

"that the next Short Stay Accommodation Policy Review be brought forward to June 2017 in conjunction with community and stakeholder consultation with view to include any changes or issues identified from community and stakeholder consultation updated into forward review."

CARRIED

Moved Cr McColl

Seconded Cr Lawrence

2017/ 116

"that administration undertake a review of Council's Public Consultation Policy and bring a report back to the June 2017 meeting, with a focus of viewing the activities that form part of appendix one and align with the various levels of consultation."

CARRIED



10. PRESENTATIONS / BRIEFINGS

Nil

11. PETITIONS

Nil

12. COMMITTEE RECOMMENDATIONS**12.1 Audit Committee – meeting held 10 April 2017**

Moved Cr Jones

Seconded Cr McColl

2017/ 117

“that Council receives and notes the minutes of the Audit Committee meeting held 10 April 2017.”

CARRIED

Moved Cr Lawrence

Seconded Cr Stubing

2017/ 118

“that Council endorses the recommendations of the 10 April 2017 Audit Committee meeting, by consideration of the application of a special rate to finance Council’s contractual obligations with Hickinbotham Group associated with Eden and Liberty development in Two Wells applicable only to properties in those two developments subject to consideration of the Long Term Financial projections of revenue and expenses associated with the development.”

CARRIED**12.2 Mallala and Districts Historical Committee – meeting held 3 May 2017**

Moved Cr McColl

Seconded Cr Keen

2017/ 119

“that Council receives and notes the minutes of the Mallala and Districts Historical Committee meeting held 3 May 2017.”

CARRIED


- “that Council receives and notes the minutes of the Gawler River Floodplain Management Authority meeting held 28 April 2017.”**

CARRIED

- “that Council staff immediately initiate the appropriate procedures to allow Adelaide Plains Council to withdraw from Gawler River Floodplain Management Authority.”**

Cr Picard called a Point of Order stating that the discussion is getting off topic.

The Mayor did not accept the Point of Order.

CARRIED

Division

Councillor Jones called for a division.

The Mayor declared the vote set aside.

Members voting in the affirmative: Councillors Lawrence, McColl, Picard, Jones, Stubing, Daniele, Keen and Di Troia.

Those voting in the negative: No votes.

The Mayor declared the motion CARRIED

14. REPORTS FOR DECISION

- “that Council, having considered Item 14.1 – *Waiving Development Application Fees – Dublin History Group*, dated 15 May 2017, receives and notes the report and in doing so:-**

1. endorses the Chief Executive Officer to authorise and waive Council Development Application Fees, inclusive of the DEWNR (Heritage Branch) Application Fee.”

CARRIED

14.2 Asset Management Plan

Moved Cr Jones

Seconded Cr Lawrence

2017/ 123

“that Council, having considered Item 14.2 - *Asset Management Plan*, 15 May 2017, receives and notes the report and in doing so adopts the Asset Management Plan as presented in Attachment 1 to this Report.”

CARRIED

14.3 2016/2017 - Mid-Year Budget Review

Moved Cr Lawrence

Seconded Cr Keen

2017/ 124

“that Council, having considered Item 14.3 – *2016/2017 - Mid-Year Budget Review*, dated 15 May 2017, receives and notes the report and in doing so:-

1. **Receives and notes the project progress reports contained in Attachment A; and**
2. **Pursuant to Regulation 9 (1) (a) of the Local Government (Financial Management) Regulations 2011, the updated Budgeted Financial Statements as contained within Attachment B be adopted.”**

CARRIED

14.4 2016/2017 - Third Budget Update Report

Moved Cr Lawrence

Seconded Cr Stubing

2017/ 125

“that Council, having considered Item 14.4 – *2016/2017 - Mid-Year Budget Review*, dated 15 May 2017, receives and notes the report and in doing so:-

1. **Receives and notes the project progress reports contained in Attachment 1; and**
2. **Pursuant to Regulation 9 (1) (a) of the Local Government (Financial Management) Regulations 2011, the updated Budgeted Financial Statements as contained within Attachment 2 be adopted.”**

CARRIED



14.5 Discretionary Fees and Charges 2017/2018

Moved Cr Daniele

Seconded Cr Keen

2017/ 126

“that Council, having considered Item 14.5 – *Discretionary Fees and Charges 2017/2018*, dated 15 May 2015, receives and notes the report and in doing so adopts the draft Schedule of discretionary Fees and Charges for the 2017/2018 Financial Year as detailed in Attachment 1 with a change to the 2017/2018 fee for the Advertising to be \$390.”

CARRIED

14.6 Draft 2017/2018 Annual Business Plan, Budget and Long Term Financial Plan – Consideration of Public Submissions

Moved Cr Lawrence

Seconded Cr Di Troia

2017/ 127

“that Council, having considered Item 14.6 – *Draft 2017/2018 Annual Business Plan, Budget and Long Term Financial Plan – Consideration of Public Submissions*, dated 15 May 2017, receives and notes the report and in doing so:-

- 1. that written submissions which have been received in respect to the Draft 2017/2018 Annual Business Plan and Long Term Financial Plan be received and noted and where appropriate, the relevant plans be amended for consideration and final adoption by the Council at the general Council meeting scheduled to be held on 19 June 2017; and**
- 2. that the residents and organisations who have made written submissions in respect to the Draft 2017/2018 Annual Business Plan and Long Term Financial Plan be thanked and advised of the Council’s decision in respect to their submissions.”**

CARRIED

14.7 Central Local Government Region of South Australia (referred to as Legatus Group) - Charter

Moved Cr Lawrence

Seconded Cr Stubing

2017/ 128

“that Council, having considered Item 14.7 – *Central Local Government Region of South Australia (referred to as Legatus Group) - Charter*, dated 15 May 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)."

CARRIED

15. REPORTS FOR INFORMATION

15.1 Barossa Regional Procurement Group

Moved Cr McColl

Seconded Cr Picard

2017/ 129

"that Council, having considered Item 15.1 – *Barossa Regional Procurement Group*, dated 15 May 2017, receives and notes the report."

CARRIED

15.2 Council Resolutions / Actions Report

Moved Cr McColl

Seconded Cr Keen

2017/ 130

"that Council, having considered Item 15.2 – *Council Resolutions/Action Report*, dated 15 May 2017, receives and notes the report."

CARRIED

15.3 Draft Adelaide International Bird Sanctuary Management Plan Consultation

Moved Cr Jones

Seconded Cr Keen

2017/ 131

"that Council, having considered Item 15.3 – *Draft Adelaide International Bird Sanctuary Management Plan Consultation*, dated 15 May 2017, receives the report and in doing so, endorses the proposed feedback to DEWNR."

CARRIED

15.4 Cat Management

Moved Cr Lawrence

Seconded Cr McColl

2017/ 132

"that Council, having considered Item 15.4 – *Cat Management*, dated 15 May 2017, receives and notes the report."

CARRIED



At this juncture, 8.32 pm Cr McColl left the Chamber as a perceived interest had been declared in Item 15.1 – *Regional Youth Bus Project Options*, as Cr McColl is employed by Barossa Lower North Futures Flexible (BLNF).

At this juncture, 8.32 pm Cr Di Troia left the Chamber.

15.5 Regional Youth Bus Project

Moved Cr Lawrence

Seconded Cr Jones

2017/ 133

“that Council, having considered Item 15.5 – *Regional Youth Bus Project*, dated 15 May 2017, receives and notes the report and that the Chief Executive Officer writes to Barossa Light North Futures and member Councils associated with the Regional Youth Bus Project and advise them that the Adelaide Plains Council will not be entering into another Agreement.”

CARRIED

At this juncture, 8.34 pm Cr McColl returned to the Chamber.

15.6 Lewiston Playground - 210 Hayman Road

Moved Cr Lawrence

Seconded Cr Picard

2017/ 134

At this juncture, 8.35 pm Cr Di Troia returned to the Chamber.

“that Council, having considered Item 15.6 – *Lewiston Playground - 210 Hayman Road, Monday May 2017*, receives and notes the report and in doing so:-

- 1. Resolves not to replace the fencing around the playground equipment, to allow for future expansion.”**

CARRIED

Division

Councillor Daniele called for a division.

The Mayor declared the vote set aside.

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

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

The Mayor declared the motion CARRIED



15.6 Lewiston Playground - 210 Hayman Road

Moved Cr Stubing

Seconded Cr Lawrence

2017/ 135

“that Council, having considered Item 15.6 – *Lewiston Playground - 210 Hayman Road, Monday May 2017*, receives and notes the report and in doing so:-

- 1. Endorses \$10,000 to the 2016/2017 budget to complete the remaining upgrade of the playground as per the Local Government Stimulation funding signed agreement deed.”**

Cr Jones called for a Point of Order.

The Mayor did not make a ruling.

Cr Stubing called for a Point of Order as the Members were not resolving the decision of part two of the motion.

The Mayor did not make a ruling.

CARRIED

15.7 Salt Creek Remediation

Moved Cr Jones

Seconded Cr Stubing

2017/ 136

“that Council, having considered Item 15.7 – *Creek Remediation, dated 15 May 2017*, receives and notes the report.”

CARRIED

15.8 Mallala – Short Stay Camping Facility Update

Moved Cr Lawrence

Seconded Cr Stubing

2017/ 137

“that Council, having considered Item 15.8 – *Mallala – Short Stay Camping facility Update, 15 May 2017*, receives and notes the report.”

CARRIED

15.9 Coastal Settlements Speed Limit Reduction Investigation

Moved Cr Jones

Seconded Cr Stubing

2017/ 138

“that Council, having considered Item 15.9 – *Coastal Settlements Speed Limit Reduction Investigation, 15 May 2017*, receives and notes the report.”

CARRIED



15.10 Related Party Transactions

Moved Cr Keen

Seconded Cr McColl

2017/ 139

“that Council, having considered Item 15.10 – *Related Party Transactions*, dated 15 May 2017, receives and notes the report.”

CARRIED

15.11 Donation of Water Tanks – Pinery Fire Ground Update

Moved Cr Daniele

Seconded Cr Jones

2017/ 140

“that Council, having considered Item 15.11 – *Donation of Water Tanks – Pinery Fire Ground Update*, 15 May 2017, receives and notes the report.”

CARRIED

15.12 Exemption from Annual CWMS Service Charge

Moved Cr Keen

Seconded Cr Lawrence

2017/ 141

“that Council, having considered Item 15.12 – *Exemption from Annual CWMS Service Charge*, dated 15 May 2017, receives and notes the report.”

CARRIED

16. QUESTIONS ON NOTICE

Nil

17. QUESTIONS WITHOUT NOTICE

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

19. MOTIONS WITHOUT NOTICE

19.1 Council Development Assessment Panel Recruitment Panel

Moved Cr Lawrence

Seconded Cr Keen

2017/ 142

“that Council appoints the following Elected Member(s) to sit on the Recruitment Panel for the Independent Membership composition of the Council Development Assessment Panel:-

- 1. Councillor Jones; and**
- 2. Mayor Flaherty.”**

CARRIED

20. URGENT BUSINESS

20.1 Australian Local Government Association National General Assembly – Canberra

Moved Cr Lawrence

Seconded Cr Keen

2017/ 143

“that Council appoints the Chief Executive Officer, Mr James Miller, to be the delegate for Adelaide Plains Council at the Australian Local Government Association National General Assembly to be held in Canberra from 18 – 21 June 2017.”

CARRIED

21. CONFIDENTIAL ITEMS

Nil

22. CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 9.21 pm.

Confirmed as a true record.

Mayor: 

Date: 19/06/2017