

MINUTES

of the

Ordinary Council Meeting



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

**Council Chamber
Redbanks Road
Mallala**

on

Monday 22 May 2023 at 4.30pm

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

The Acting Mayor formally declared the meeting open at 4.36pm.

1 ACKNOWLEDGEMENT OF COUNTRY

Council acknowledges that we meet on the traditional country of the Kurna people of the Adelaide Plains and pays respect to elders past, present and emerging. We recognise and respect their cultural heritage, beliefs and relationship with the land and we acknowledge that they are of continuing importance to the Kurna people living today.

2 ATTENDANCE RECORD

Present:

Acting Mayor Marcus Strudwicke

Councillor Alana Bombardieri

Councillor Kay Boon

Councillor Terry-Anne Keen

Councillor John Lush

Councillor Dante Mazzeo

Councillor Margherita Panella

Councillor David Paton

Councillor Eddie Stubing

Staff in Attendance:

Chief Executive Officer

Director Corporate Services

Director Finance

Director Growth and Investment

Director Infrastructure and Environment

Group Manager – Development and Community

Administration Support Officer – Infrastructure and Environment/Minute Taker

Senior Information Technology Officer

Governance Administration Officer

Mr James Miller

Ms Sheree Schenk

Mr Rajith Udugampola

Mr Darren Starr

Mr Thomas Jones

Mr Michael Ravno

Ms Lauren Bywaters

Mr Thomas Harris-Howson

Ms Stacie Shrubsole

Apologies:

Mayor Mark Wasley

3 MINUTES

3.1 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING – 24 APRIL 2023

RESOLUTION 2023/119

Moved: Councillor Boon

Seconded: Councillor Panella

“that the minutes of the Ordinary Council Meeting held on 24 April 2023 (MB Folios 17776 to 17790 inclusive) be accepted as read and confirmed.”

CARRIED

3.2 CONFIRMATION OF MINUTES – SPECIAL COUNCIL MEETING – 1 MAY 2023

RESOLUTION 2023/120

Moved: Councillor Keen

Seconded: Councillor Lush

“that the minutes of the Special Council Meeting held on 1 May 2023 (MB Folios 17791 to 17794 inclusive) be accepted as read and confirmed.”

CARRIED

4 BUSINESS ARISING

Nil

5 DECLARATION OF MEMBERS' INTEREST

Nil

6 ADJOURNED BUSINESS

Nil

7 MAYOR'S REPORT

7.1 MAYOR'S REPORT

RESOLUTION 2023/121

Moved: Councillor Keen

Seconded: Councillor Boon

“that Council, having considered Item 7.1 – *Mayor's Report – May 2023*, dated 22 May 2023, receives and notes the report.”

CARRIED

7.2 ACTING MAYOR'S REPORT

RESOLUTION 2023/122

Moved: Councillor Keen
Seconded: Councillor Boon

"that Council, having considered Item 7.2 – *Acting Mayor's Report – May 2023*, dated 22 May 2023, receives and notes the report."

CARRIED

8 REQUESTED DOCUMENTS/CORRESPONDENCE TO BE TABLED

Nil

9 DEPUTATIONS

9.1 DEPUTATION – MR BRENTON BELL SPOKESPERSON FOR THE MALLALA LIONS CLUB – PROPOSED CAMPING GROUND DEVELOPMENT

Mr Brenton Bell, spokesperson for the Mallala and Districts Lions Club, gave an 11-minute briefing to Council, including an introduction to the Mallala and Districts Lions Club and the Clubs recent projects, an update on current projects and in doing so requested Council's support in progressing the development of a proposed campground at Dublin to be managed by the Club, including answering questions of Members.

RESOLUTION 2023/123

Moved: Councillor Lush
Seconded: Councillor Keen

"that the Chief Executive Officer enter into discussion with the Mallala and Districts Lions Club to determine the possibility of leasing land for the development of a bush camp by the Lions Club in Dublin and bring back a report to Council with all relevant considerations and costings."

CARRIED

10 PRESENTATIONS/BRIEFINGS

Nil

11 PETITIONS

Nil

12 COMMITTEE MEETING MINUTES

Nil

13 SUBSIDIARY MEETINGS

13.1 GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY – BOARD MEETING HELD ON 20 APRIL 2023

RESOLUTION 2023/124

Moved: Councillor Keen

Seconded: Councillor Lush

“that Council receives and notes the minutes of Gawler River Floodplain Management Authority Board Meeting held on 20 April 2023.”

CARRIED

14 REPORTS FOR DECISION

14.1 GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY – APC BUSINESS CASE CONTRIBUTION

RESOLUTION 2023/125

Moved: Councillor Keen

Seconded: Councillor Boon

“that Council, having considered Item 14.1 – *Gawler River Floodplain Management Authority – APC Business Case Contribution*, dated 22 May 2023, and in considering the staff report and the Gawler River Floodplain Authority’s (GRFMA) letter dated 17 March 2023 where a request is made that Council removes its conditional support, it is noted that for the request of the GRFMA to take effect, a rescission motion would firstly need to be submitted by way of a Motion on Notice.”

CARRIED

14.2 GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY – 2023/2024 DRAFT ANNUAL BUSINESS PLAN AND BUDGET

RESOLUTION 2023/126

Moved: Councillor Panella

Seconded: Councillor Boon

“that Council, having considered Item 14.2 – *Gawler River Floodplain Management Authority – 2023/2024 Draft Annual Business Plan and Budget*, dated 22 May 2023, receives and notes the report and in doing so instructs the Chief Executive Officer to write to the Executive Officer of the Gawler River Floodplain Management Authority to advise that Council is in support of the thrust and direction of the Draft 2023/2024 Annual Business Plan and Budget.”

CARRIED



14.3 THIRD BUDGET UPDATE 2022/2023

RESOLUTION 2023/127

Moved: Councillor Boon

Seconded: Councillor Keen

“that Council, having considered Item 14.3 – *Third Budget Update 2022/2023*, dated 22 May 2023, receives and notes the report and in doing so:

1. Receives and note the project progress reports contained in Attachment 1 and 2 to this Report; and
2. Pursuant to Regulation 9 (1)(a) of the Local Government (Financial Management) Regulations 2011, adopts the revised 2022/2023 Budgeted Financial Statements and revised financial indicators as contained within Attachment 3 that has been updated following the Third Budget Update changes identified in Table 1 of this report.”

CARRIED

14.4 PROPOSED DISCRETIONARY FEES & CHARGES FOR 2023/2024

Councillor Bombardieri left the meeting at 5.35pm.

Councillor Bombardieri returned to the meeting at 5.39pm.

RESOLUTION 2023/128

Moved: Councillor Keen

Seconded: Councillor Mazzeo

“that Council, having considered Item 14.4 – *Proposed Discretionary Fees & Charges for 2023/2024*, dated 22 May 2023, receives and notes the report and in doing so adopts the draft Schedule of Discretionary Fees and Charges for the 2023/2024 Financial Year as provided at Attachment 1 to this Report subject to a further report in relation to concessionary fees and charges .”

CARRIED

14.5 TWO WELLS COMMUNITY FUND COMMITTEE – COUNCIL REPRESENTATIVE APPOINTMENT

RESOLUTION 2023/129

Moved: Councillor Boon

Seconded: Councillor Stubing

“that Council, having considered Item 14.5 – *Two Wells Community Fund Committee – Council Representative Appointment*, dated 22 May 2023, revokes Council resolution 2023/055.”

CARRIED

RESOLUTION 2023/130

Moved: Councillor Keen

Seconded: Councillor Lush

"that Council, having considered Item 14.5 – *Two Wells Community Fund Committee – Council Representative Appointment*, dated 22 May 2023 appoints:

- 1. Council's Group Manager Development and Community as Council's representative to the Two Wells Community Fund Committee and the Director Infrastructure and Environment as the 'Alternate Member' until 30 June 2024 (as per the Two Wells Community Fund Terms of Reference, clauses 3.1 and 3.4); and**
- 2. In exercise of the power contained in Section 44 of the *Local Government Act 1999*, the Council hereby delegates this 22nd day of May 2023 to the person occupying the office of Group Manager Development and Community and in their absence the Director Infrastructure and Environment as the 'Alternate Member' of the Council:**
 - 2.1 The power pursuant to Section 137 of the *Local Government Act 1999* to expend the funds of the Council that have been paid into the Community Fund pursuant to the Development Deed between the Council and Hickinbotham Developments (Two Wells No.1) Pty Ltd, Hickinbotham Agricultural Projects Pty Ltd and Hickinbotham Developments (Two Wells No.4) Pty Ltd (collectively referred as "the Developer") dated 7 November 2012 (the Deed) up to a maximum amount of \$10,000 in any one transaction;**
 - 2.2 The power pursuant to Section 36(1)(c) of the *Local Government Act 1999* to approve expenditure from the Community Fund or actually make such expenditure for the purpose of funding the provision of community facilities or community programs up to a maximum of \$25,000 per particular facility, program or project.**
- 3. The powers delegated in paragraph 2 are subject to the following conditions:**
 - 3.1 The delegate/s must, in exercising all of the delegated powers, have regard to the decisions of the Community Fund Committee established pursuant to the Deed;**
 - 3.2 The delegate/s must, before exercising the delegated power in paragraph 2.2, obtain the approval of the Developer."**

CARRIED



14.6 UPDATED EQUINE STRATEGY

RESOLUTION 2023/131

Moved: Councillor Boon

Seconded: Councillor Bombardieri

“that Council, having considered Item 14.6 – *Updated Equine Strategy*, dated 22 May 2023, receives and notes the report and in doing so

1. Adopts the updated Equine Strategy, as presented in Attachment 1 to this report.
2. Adopts the updated Background Paper, as presented in Attachment 2 to this report.
3. Delegates to the Chief Executive Officer authority to undertake editorial but not policy amendments to these documents.”

CARRIED

15 REPORTS FOR INFORMATION

15.1 COUNCIL RESOLUTIONS – STATUS REPORT

RESOLUTION 2023/132

Moved: Councillor Boon

Seconded: Councillor Stubing

“that Council, having considered Item 15.1 – *Council Resolutions – Status Report*, dated 22 May 2023, receives and notes the report.”

CARRIED

15.2 CAPITAL WORKS AND OPERATING PROGRAM MONTHLY UPDATE – MAY 2023

RESOLUTION 2023/133

Moved: Councillor Lush

Seconded: Councillor Mazzeo

“that Council, having considered Item 15.2 – *Capital Works and Operating Program Monthly Update – May 2023*, dated 22 May 2023, receives and notes the report.”

CARRIED

15.3 PUBLIC FORUM 1 MAY 2023 – SUMMARY

RESOLUTION 2023/134

Moved: Councillor Keen

Seconded: Councillor Mazzeo

“that Council, having considered Item 15.3 – *Public Forum 1 May 2023 – Summary*, dated 22 May 2023, receives and notes the report.”

CARRIED

16 QUESTIONS ON NOTICE

Nil

17 QUESTIONS WITHOUT NOTICE

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

18 MOTIONS ON NOTICE

Nil

19 MOTIONS WITHOUT NOTICE

RESOLUTION 2023/135

Moved: Councillor Paton

Seconded: Councillor Boon

“that Council formally tables the communications from the Two Wells Football and Netball Club received on 4 May 2023 which provides the mural design relating to resolution 2022/187.”

CARRIED

RESOLUTION 2023/136

Moved: Councillor Paton

Seconded: Councillor Panella

“that Council adopts the design and artwork provided by the Two Wells Football and Netball Club as contained within the email to Council dated 4 May 2023.”

CARRIED UNANIMOUSLY

20 URGENT BUSINESS

Nil

21 CONFIDENTIAL ITEMS**21.1 TWO WELLS TOWN CENTRE – UPDATE****RESOLUTION 2023/137****Moved:** Councillor Keen**Seconded:** Councillor Mazzeo**“that:**

1. Pursuant to section 90(2) of the *Local Government Act 1999*, Council orders that all members of the public, except Chief Executive Officer, Director Corporate Service, Director Finance, Director Growth and Investment, Director Infrastructure and Environment, Group Manager – Development and Community, Administration Support Officer – Infrastructure and Environment/Minute Taker, Senior Information Technology Officer and Governance Administration Officer be excluded from attendance at the meeting of Council for Agenda Item 21.1 – *Two Wells Town Centre - Update*;
2. That Council is satisfied that pursuant to section 90(3)(b) of the *Local Government Act 1999*, Item 21.1 – *Two Wells Town Centre – Update* concerns commercial information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting business, or to prejudice the commercial position of Council, being a verbal briefing by the Director Growth and Investment in relation to the Two Wells Town Centre Project;
3. That 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

Mr Darren Starr, Director Growth and Investment, gave a 30-minutes verbal briefing in relation to the Two Wells Town Centre Project, including answering questions of Members.

21.1 TWO WELLS TOWN CENTRE – UPDATE**RESOLUTION 2023/138****Moved:** Councillor Boon**Seconded:** Councillor Lush

“that Council, having considered Item 21.1 – *Two Wells Town Centre – Update*, dated 22 May 2023, receives and notes the verbal report.”

CARRIED

22 CLOSURE

There being no further business, the Acting Mayor declared the meeting closed at 6.43pm.

Confirmed as a true record.

Mayor: manWaley
Date: 26/5/2023

