

**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 27 November 2023 at 4.30pm**

A handwritten signature in black ink, appearing to be a stylized representation of the letters 'A' and 'D'.

The Acting Mayor formally declared the meeting open at 4.30pm.

## **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 Di Troia

Councillor Terry-Anne Keen

Councillor Dante Mazzeo

Councillor Margherita Panella

Councillor David Paton

Councillor Eddie Stubing

### **Staff in Attendance:**

Chief Executive Officer

Director Corporate Services

Director Development and Community

Director Finance

Director Infrastructure and Environment

Manager Development Assessment

Manager Governance

Executive Assistant to the CEO and Mayor/Minute Taker

Team Leader Customer Service/Administration Support Officer

Information Technology Officer

Mr James Miller

Ms Sheree Schenk

Mr Michael Ravno

Mr Rajith Udugampola

Mr Thomas Jones

Mr Josh Banks

Ms Rachel Kammermann

Ms Susan Cook

Ms Amy Fagan

Mr Sean Murphy

### **Apologies:**

Mayor Mark Wasley (Leave of Absence)



### **3 OPENING ITEMS**

#### **3.1 DECLARATION OF OFFICE - COUNCILLOR DI TROIA**

Councillor Carmine Di Troia made an undertaking in accordance with section 60 of the *Local Government Act 1999* and the *Local Government (General) Regulations 2013*.

### **4 MINUTES**

#### **4.1 CONFIRMATION OF MINUTES - ORDINARY COUNCIL MEETING - 23 OCTOBER 2023**

##### **RESOLUTION 2023/339**

**Moved:** Councillor Boon

**Seconded:** Councillor Mazzeo

**"that the minutes of Ordinary Council Meeting held on 23 October 2023 (MB Folios 17902 to 17917) be accepted as read and confirmed."**

**CARRIED**

### **5 BUSINESS ARISING**

Nil

### **6 DECLARATION OF MEMBERS' INTEREST**

Nil

### **7 ADJOURNED BUSINESS**

#### **7.1 ADJOURNED ITEM - 9.1 - DEPUTATION - JACK HARRIS - THE PLAINS COMMUNITY GROUP**

Mr Jack Harris, Anna White, Glennys Clothier and Kaileigh Wilson of the Plains Community Group gave a 11 minute presentation (including taking questions of members) outlining the Plains Community Group purpose and in doing so, requested Council's support with Christmas related activities and funding for other costs.

### **8 MAYOR'S REPORT**

#### **8.1 ACTING MAYOR'S REPORT - NOVEMBER 2023**

##### **RESOLUTION 2023/340**

**Moved:** Councillor Keen

**Seconded:** Councillor Boon

**"that Council having considered Item 8.1 – *Acting Mayor's Report* – November 2023, dated November 2023, 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 SPECIAL AUDIT COMMITTEE MEETING HELD 13 NOVEMBER 2023**

**RESOLUTION 2023/341**

**Moved: Councillor Mazzeo**

**Seconded: Councillor Boon**

**“that Council receives and notes the Minutes of the Special Audit Committee Meeting held 13 November 2023 as presented as Attachment 1 to this report.”**

**CARRIED**

**13.2 MINUTES OF THE AUDIT COMMITTEE MEETING HELD 13 NOVEMBER 2023**

**RESOLUTION 2023/342**

**Moved: Councillor Boon**

**Seconded: Councillor Mazzeo**

**“that Council receives and notes the Minutes of the Audit Committee Meeting held 13 November 2023 as presented at Attachment 1 to this report.”**

**CARRIED**

**RESOLUTION 2023/343**

**Moved: Councillor Keen**

**Seconded: Councillor Di Troia**

**“that Council, having considered Item 13.2 – *Minutes of the Audit Committee Meeting held 13 November 2023*, dated 27 November 2023, receives and notes the Audited Annual Financial Statements and notes forming part of the Annual Financial Statements for the 2022/2023 Financial Year as presented at Attachment 2 to this report.”**

**CARRIED**



**RESOLUTION 2023/344****Moved:** Councillor Boon**Seconded:** Councillor Mazzeo

**"that Council, having considered Item 13.2 – *Minutes of the Audit Committee Meeting held 13 November 2023*, dated 27 November 2023, endorses resolution 2023/65 of the Audit Committee and in doing so formally adopts the Annual Financial Statements for the 2022/2023 Financial Year, presented at Attachment 2 to this report, and authorises same to be certified on behalf of Council by the Mayor and Chief Executive Officer."**

**CARRIED****RESOLUTION 2023/345****Moved:** Councillor Di Troia**Seconded:** Councillor Boon

**"that Council, having considered Item 13.2 – *Minutes of the Audit Committee Meeting held 13 November 2023*, dated 27 November 2023, endorses resolution 2023/66 of the Audit Committee and in doing so acknowledge that the Audit Committee has authorised the Audit Committee Chairperson to sign the Certification of Auditor Independence."**

**CARRIED****RESOLUTION 2023/346****Moved:** Councillor Keen**Seconded:** Councillor Boon

**"that Council, having considered Item 13.2 – *Minutes of the Audit Committee Meeting held 13 November 2023*, dated 27 November 2023, endorses resolution 2023/67 of the Audit Committee and in doing so acknowledges that Council's Independent Auditor Mr Tim Muhlhausler of Galpins Accountants, Auditors & Business Consultants intends to issue an unmodified opinion in relation to the Financial Statements and the Internal Financial Controls of the Council for the 2022/2023 Financial Year."**

**CARRIED****RESOLUTION 2023/347****Moved:** Councillor Stubing**Seconded:** Councillor Di Troia

**"that Council, having considered Item 13.2 – *Minutes of the Audit Committee Meeting held 13 November 2023*, dated 27 November 2023, endorses resolution 2023/67 of the Audit Committee and in doing so acknowledges the progress made to complete the activities identified for Audit Committee during 2023/2024 Financial Year."**

**CARRIED**

**13.3 MINUTES OF THE ADELAIDE PLAINS COUNCIL HISTORICAL COMMITTEE MEETING HELD 2 NOVEMBER 2023**

**RESOLUTION 2023/348**

**Moved: Councillor Boon**

**Seconded: Councillor Bombardieri**

**“that Council receives and notes the Minutes of the Adelaide Plains Council Historical Committee Meeting held 2 November 2023.”**

**CARRIED**

**14 SUBSIDIARY MEETINGS**

**14.1 GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY - MINUTES OF THE BOARD MEETING HELD 19 OCTOBER 2023**

**RESOLUTION 2023/349**

**Moved: Councillor Keen**

**Seconded: Councillor Boon**

**“that Council receives and notes the minutes and key outcomes summary of the Gawler River Floodplain Management Authority Board meeting held on 19 October 2023, presented as Attachment 1 and Attachment 2 to this report.”**

**CARRIED**



**15 REPORTS FOR DECISION****15.1 ORDINARY COUNCIL MEETING SCHEDULE 2024****MOTION**

**Moved:** Councillor Boon

**“that Council, having considered Item 15.1 – *Ordinary Council Meeting Schedule 2024*, dated 27 November 2023, receives and notes the report and in doing so resolves that Ordinary Council Meetings for January 2024 to December 2024 (inclusive) be held in the Mallala Council Chamber commencing at 6:00pm on the following dates:**

- **Monday 29 January 2024**
- **Monday 26 February 2024**
- **Monday 25 March 2024**
- **Monday 22 April 2024**
- **Monday 27 May 2024**
- **Monday 24 June 2024**
- **Monday 22 July 2024**
- **Monday 26 August 2024**
- **Monday 23 September 2024**
- **Monday 28 October 2024**
- **Monday 25 November 2024**
- **Monday 16 December 2024.”**

The motion **LAPSED** for want of a seconder



**RESOLUTION 2023/350****Moved: Councillor Panella****Seconded: Councillor Bombardieri**

**“that Council, having considered Item 15.1 – *Ordinary Council Meeting Schedule 2024*, dated 27 November 2023, receives and notes the report and in doing so resolves that Ordinary Council Meetings for January 2024 to December 2024 (inclusive) be held in the Mallala Council Chamber commencing at 5:30pm on the following dates:**

- **Monday 29 January 2024**
- **Monday 26 February 2024**
- **Monday 25 March 2024**
- **Monday 22 April 2024**
- **Monday 27 May 2024**
- **Monday 24 June 2024**
- **Monday 22 July 2024**
- **Monday 26 August 2024**
- **Monday 23 September 2024**
- **Monday 28 October 2024**
- **Monday 25 November 2024**
- **Monday 16 December 2024.”**

**CARRIED**



**15.2 BOARD MEMBER APPOINTMENTS - GAWLER RIVER FLOODPLAIN MANAGEMENT AUTHORITY****RESOLUTION 2023/351**

Moved: Councillor Keen

Seconded: Councillor Boon

**“that Council, having considered Item 15.2 – *Board Member Appointments - Gawler River Floodplain Management Authority* dated 27 November 2023, receives and notes the report and in doing so appoints:**

- 1. Mr Tom Jones (Director, Infrastructure and Environment) as Council’s Administration Deputy Board Member on the Gawler River Floodplain Management Authority until 25 November 2024; and**
- 2. Councillor Dante Mazzeo as Deputy Board Member representing the elected body of Adelaide Plains Council on the Gawler River Floodplain Management Authority.”**

**CARRIED**

**15.3 FIRST BUDGET UPDATE 2023/2024****RESOLUTION 2023/352**

Moved: Councillor Boon

Seconded: Councillor Di Troia

**“that Council, having considered Item 15.3 – *First Budget Update 2023/2024*, dated 27 November 2023, receives and notes the report and in doing so:**

- 1. Receives and notes the project progress reports contained in Attachment 1 and 2 to this report;**
- 2. Pursuant to regulation 9 (1)(a) of the *Local Government (Financial Management) Regulations 2011*, adopts the revised 2023/2024 Budgeted Financial Statements as contained within Attachment 3 that has been updated following the First Budget Review changes identified in Table 1, Table 2 and Table 3; and**
- 3. Instructs Chief Executive Officer to reallocate savings made from the project budget to other projects in Attachments 1 and 2 where necessary up to the overall project budget of \$10.517m as summarised in Table 4.”**

**CARRIED**

Councillor Boon called for a **division**:

The Acting Mayor declared the vote set aside

**Members voting in the affirmative:** Councillors Mazzeo, Boon, Bombardieri, Di Troia, Keen

**Members voting in the negative:** Councillors Stubing, Panella and Paton

The Acting Mayor declared the motion **CARRIED**



**15.4 AUDIT COMMITTEE – TERMS OF REFERENCE REVIEW****RESOLUTION 2023/353**

Moved: Councillor Mazzeo

Seconded: Councillor Keen

“that Council, having considered Item 15.4 – *Audit Committee – Terms of Reference Review*, dated 27 November 2023, receives and notes the report and in doing so adopts the updated Audit and Risk Committee Terms of Reference (to take effect on 30 November 2023) as presented in Attachment 1 to this report.”

**CARRIED**

**15.5 AUDIT AND RISK COMMITTEE – APPOINTMENT OF TWO COUNCIL MEMBERS****RESOLUTION 2023/354**

Moved: Councillor Boon

Seconded: Councillor Mazzeo

“that Council, having considered Item 15.5 – *Audit and Risk Committee – Appointment of Two Council Members*, dated 27 November 2023, receives and notes the report and in doing so appoints the following Council Members to the Audit and Risk Committee for the period of 1 December 2023 until the end of the current term of Council:

1. Mayor Mark Wasley; and
2. Councillor Marcus Strudwicke.”

**CARRIED**

**15.6 THOMPSON BEACH & PARHAM - WEBB BEACH DISCUSSION PAPER FOR CONSULTATION****RESOLUTION 2023/355**

Moved: Councillor Di Troia

Seconded: Councillor Stubing

“that Council, having considered Item 15.6 – *Thompson Beach & Parham - Webb Beach Discussion Paper for Consultation*, dated 27 November 2023, receives and notes the report and in doing so:

1. Endorses in principle the Discussion Paper - Thompson Beach and Parham - Webb Beach, as presented as Attachment 1 to this report, to be released for the purposes of undertaking consultation as envisaged in the Consultation Policy; and
2. Delegates authority to the Chief Executive Officer to undertake editorial but not policy changes to enable the Discussion Paper to be suitable for consultation.”

**CARRIED**



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Councillor Panella raised a Point of Order in relation to Councillor Di Troia on the basis that the first recommendation/motion was being moved. The Acting Mayor ruled that there is no motion at this stage but that he was happy for Councillor Panella to move one if she wished.

## **15.7 COUNCIL ASSESSMENT PANEL - COUNCIL ASSESSMENT PANEL MEMBERSHIP**

### **RESOLUTION 2023/356**

**Moved:** Councillor Panella

**Seconded:** Councillor Mazzeo

**"that Council, having considered Item 15.7 – *Council Assessment Panel - Council Assessment Panel Membership*, dated 27 November 2023, receives and notes the report and in doing so notes the resignation of Councillor Margherita Panella from the Council Assessment Panel on 17 November 2023."**

**CARRIED**

### **RESOLUTION 2023/357**

**Moved:** Councillor Boon

**Seconded:** Councillor Keen

**"that Council, having considered Item 15.7 – *Council Assessment Panel - Council Assessment Panel Membership*, dated 27 November 2023, and in light of Councillor Margherita Panella's resignation:**

- 1. Appoints Cr Carmine Di Troia to the Council Assessment Panel (CAP) pursuant to section 83(1)(b)(i) of the *Planning, Development and Infrastructure Act 2016* (PDI Act) for a term commencing 27 November 2023 and ending 30 June 2024; and**
- 2. Determines, in accordance with section 83(1)(b) of the PDI Act, that this appointment is subject to the Member's compliance with, and acceptance of, the Terms of Reference for the CAP (adopted 3 March 2021).**

**CARRIED**

## **15.8 COMMUNITY GROUPS - CHRISTMAS PUBLIC EVENTS 2023**

### **RESOLUTION 2023/358**

**Moved:** Councillor Paton

**Seconded:** Councillor Keen

**"that Council, having considered Item 15.8 – *Community Groups - Christmas public events 2023*, dated 27 November 2023, receives and notes the report and in doing so agrees to allocate an additional \$10,000 in the mid-year Budget Review to support Adelaide Plains Council's approved Christmas community events as detailed in this report."**

**CARRIED**

Councillor Paton left the meeting at 5.44pm.



**15.9 LIQUOR LICENCE APPLICATIONS****RESOLUTION 2023/359****Moved: Councillor Boon****Seconded: Councillor Keen**

**“that Council, having considered Item 15.9 – *Liquor Licence Applications*, dated 27 November 2023, receives and notes the report and in doing so, instructs the Chief Executive Officer to complete the Landlords Consent Form as presented in Attachment 4 to this report, and provide to the Thompson Beach Progress Association, Mallala and Districts Lions Club and Mallala Football Club, in support of their respective Liquor Licence applications.”**

**CARRIED****RESOLUTION 2023/360****Moved: Councillor Keen****Seconded: Councillor Stubing**

**“that Council, having considered Item 15.9 – *Liquor Licence Applications*, dated 27 November 2023, instructs the Chief Executive Officer to complete and provide to the Thompson Beach Progress Association, Mallala and Districts Lions Club and Mallala Football Club, the Council Approvals forms presented in Attachments 1, 2 and 3 to this report, inclusive of the following conditions and notes request:**

- 1. The applicant must comply with all statutory requirements relating to the liquor licence at the applicant’s cost;**
- 2. The applicant must provide copies of all notices or orders received in relation to the liquor licence to Council; and**
- 3. Any further increase in capacity or trading hours would require further Council consent.”**

**CARRIED****16 REPORTS FOR INFORMATION****16.1 COUNCIL RESOLUTIONS - STATUS UPDATE****RESOLUTION 2023/361****Moved: Councillor Di Troia****Seconded: Councillor Mazzeo**

**“that Council, having considered Item 16.1 – *Council Resolutions - Status Update* dated 27 November 2023, receives and notes the report.”**

**CARRIED**

Councillor Paton returned to the meeting at 5.46pm.



## 16.2 CAPITAL WORKS AND OPERATING PROGRAM MONTHLY UPDATE - NOVEMBER 2023

### RESOLUTION 2023/362

Moved: Councillor Boon

Seconded: Councillor Mazzeo

**"that Council, having considered Item 16.2 – *Capital Works and Operating Program Monthly Update - November 2023*, dated 27 November 2023, receives and notes the report."**

**CARRIED**

## 16.3 FILLING OF AREA COUNCILLOR VACANCY - RESULTS - NOVEMBER 2023

### RESOLUTION 2023/363

Moved: Councillor Keen

Seconded: Councillor Bombardieri

**"that Council, having considered Item 16.3 – *Filling of Area Councillor Vacancy - Results - November 2023*, dated 27 November 2023, receives and notes the report."**

**CARRIED**

## 16.4 PUBLIC FORUM 30 OCTOBER 2023 - SUMMARY

### RESOLUTION 2023/364

Moved: Councillor Di Troia

Seconded: Councillor Keen

**"that Council, having considered Item 16.4 – *Public Forum 30 October 2023 - Summary*, dated 27 November 2023, receives and notes the report."**

**CARRIED**

## 16.5 BLACKSPOT FUNDING APPLICATION

### RESOLUTION 2023/365

Moved: Councillor Boon

Seconded: Councillor Paton

**"that Council, having considered Item 16.5 – *Blackspot Funding Application*, dated 27 November 2023, receives and notes the report and in doing so acknowledges that a Blackspot funding application has been submitted to address the Road Safety Audit (Old Port Wakefield Road and Dawkins Road intersection) recommendations."**

**CARRIED**



## 16.6 ECONOMIC DEVELOPMENT UPDATE

### RESOLUTION 2023/366

Moved: Councillor Keen

Seconded: Councillor Mazzeo

“that Council, having considered Item 16.6 – *Economic Development Update* , dated 27 November 2023, 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 2023/367

Moved: Councillor Paton

Seconded: Councillor Panella

“that the Council instructs the Chief Executive Officer to provide Council Members via email with the processes and procedures around contesting the result of the election of the Deputy Mayor position so that there is a complete and full understanding of the Deputy Mayor position.”

**CARRIED**

## 21 URGENT BUSINESS

Nil



**22 CONFIDENTIAL ITEMS****22.1 AUDIT COMMITTEE – APPOINTMENT OF THIRD INDEPENDENT MEMBER****RESOLUTION 2023/368**

Moved: Councillor Boon

Seconded: Councillor Keen

“that:

1. Pursuant to section 90(2) of the *Local Government Act 1999*, the Council orders that all members of the public, except Chief Executive Office, Director Corporate Services, Director Development and Community, Director Finance, Director Infrastructure and Environment, Manager Governance, Team Leader Customer Service/Administration Support Officer, Executive Assistant to the Chief Executive Officer and Mayor/Minute Taker, Information Technology Officer be excluded from attendance at the meeting of Council for Agenda Item *21.1 Audit Committee – Appointment of Third Independent Member*;
2. Council is satisfied that pursuant to section 90(3)(a) of the *Local Government Act 1999*, Item *21.1 Audit Committee – Appointment of Third Independent Member* concerns information of a confidential nature, the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); 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**

**22.1 AUDIT COMMITTEE – APPOINTMENT OF THIRD INDEPENDENT MEMBER****RESOLUTION 2023/369**

Moved: Councillor Boon

Seconded: Councillor Panella

“that Council, having considered Item 22.1 – *Audit Committee – Appointment of Third Independent Member*, dated 27 November 2023, receives and notes the report and in doing so appoints Mr Peter Scargill to Council's Audit and Risk Committee for the period 30 November 2023 to 30 November 2025.”

Councillor Di Troia left the meeting at 6.04pm.

Councillor Di Troia returned to the meeting at 6.06pm.

**CARRIED**



**RESOLUTION 2023/370****Moved:** Councillor Keen**Seconded:** Councillor Paton

**“that Council, having considered the matter of Agenda Item 21.1 Audit Committee – Appointment of Third Independent Member in confidence under sections 90(2) and 90(3)(a) of the Local Government Act 1999, resolves that:**

- 1. The staff report and the minutes pertaining to Agenda Item 21.1 Audit Committee – Appointment of Third Independent Member, remain confidential and not available for public inspection until all applicants are advised of the outcome of the interview process;**
- 2. Pursuant to section 91(9)(a) of the Local Government Act 1999, the confidentiality of the matter will be reviewed every twelve (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 TWO WELLS SERVICE CENTRE LAND VALUATION****RESOLUTION 2023/371****Moved:** Councillor Mazzeo**Seconded:** Councillor Stubing**“that:**

- 1. Pursuant to section 90(2) of the Local Government Act 1999, the Council orders that all members of the public, except Chief Executive Office, Director Corporate Services, Director Development and Community, Director Finance, Director Infrastructure and Environment, Manager Governance, Team Leader Customer Service/Administration Support Officer, Executive Assistant to the Chief Executive Officer and Mayor/Minute Taker, Information Technology Officer be excluded from attendance at the meeting of Council for Agenda Item 21.2 Two Wells Service Centre Land Valuation;**
- 2. Council is satisfied that pursuant to section 90(3)(b)(i) of the Local Government Act 1999, Item 21.2 Two Wells Service Centre Land Valuation 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**



**22.2 TWO WELLS SERVICE CENTRE LAND VALUATION**

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**RESOLUTION 2023/375****Moved: Councillor Boon****Seconded: Councillor Keen**

**"that Council, having considered the matter of Agenda Item 21.2 *Two Wells Service Centre Land Valuation* in confidence under sections 90(2) and 90(3)(b)(i) of the *Local Government Act 1999*, resolves that:**

- 1. The staff report, minutes and Attachment 1 pertaining to Agenda Item 21.2 *Two Wells Service Centre Land Valuation*, remain confidential and not available for public inspection until further order of the Council except such disclosure as the Chief Executive Officer determines necessary or appropriate for the purpose of further discussions or actions contemplated;**
- 2. Pursuant to section 91(9)(a) of the *Local Government Act 1999*, the confidentiality of the matter will be reviewed every twelve (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****23 CLOSURE**

There being no further business, the Acting Mayor declared the meeting closed at 6.21pm.

Confirmed as a true record.

Mayor: .....

Date: 18/12/2023