

MINUTES

of

Ordinary Council Meeting



Pursuant to the provisions of section 84 (1) of the
Local Government Act 1999

HELD IN

**Council Chambers
Old Port Wakefield Road
Two Wells**

on

Monday, 19 December 2016

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The Mayor formally declared the meeting open at 6.30 pm

1. ATTENDANCE

1.1 Present

Mayor Tony Flaherty OAM JP
 Cr Melville Lawrence
 Cr S M (Marcus) Strudwicke
 Cr Terry-Anne Keen
 Cr Karen McColl
 Cr Stephen Jones
 Cr Carmine Di Troia
 Cr P D (Joe) Daniele
 Cr Anne Picard
 Cr Eddie Stubing (from 6.32 pm)

Also in attendance for the meeting:

Chief Executive Officer
 General Manager, Governance and Communications
 General Manager, Infrastructure
 Governance Support Officer
 Minute Secretary

Mr James Miller
 Ms Sheree Schenk
 Mr Martin Waddington
 Mr Rob Adam
 Ms Andrea Humphrys

1.2 Apologies

Nil

1.3 Not Present / Leave of Absence

Nil

2. CONFIRMATION OF MINUTES

2.1	<div style="border: 1px solid black; padding: 10px;"> <p>Council Resolution 2016/ 376</p> <p>Moved Cr Strudwicke Seconded Cr McColl</p> <p>“that the minutes of the Ordinary Council meeting held on Monday 21 November 2016 (MB Folios 13411 to 13426, inclusive), be accepted as read and confirmed with the following amendments:-</p> <ul style="list-style-type: none"> • Resolution 2016/359 change reference from one year to two years; and • Resolution 2016/360 change from 2018 to 2017.” <p style="text-align: right;">CARRIED</p> </div>
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Cr Strudwicke called for a Point of Order as no more amendments can be made as the minutes have now been confirmed.



The Mayor accepted the Point of Order.

2.2

Council Resolution

2016/ 377

Moved Cr McColl

Seconded Cr Daniele

"that the minutes of the Special Council meeting held on Thursday 15 December 2016 (MB Folios 13427 to 13430, inclusive), be accepted as read and confirmed with the following amendments:-

- Change Cr McColl from 'absent' to 'apology' as an apology was sent through to the Mayor for the Special Meeting."

CARRIED

3. BUSINESS ARISING

Nil Business Arising

4. ADJOURNED BUSINESS

No Adjourned Business

5. DECLARATION OF MEMBERS' INTEREST

5.1 The Mayor declared an interest in Item 16.6 - Leases and Licences Status Update

Cr Keen declared an interest in Item 16.6 - Leases and Licences Status Update

Cr McColl declared an interest in Item 16.6 - Leases and Licences Status Update

Cr Lawrence declared an interest in Item 16.6 - Leases and Licences Status Update

Cr Stubing declared an interest in Item 16.6 - Leases and Licences Status Update

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 10 minutes to facilitate 'Open Forum'. The meeting was suspended at 6.40 pm.

The following speakers addressed Council in relation to Open Forum:

David Groves

Two Wells



Tom Summerton *Lewiston*

Meeting resumed a 6.50 pm

7. BRIEFINGS

No Briefings

8. MAYOR'S REPORT

8.1 Meetings Attended and / or Discussions Held – Mayor Flaherty

Monday 21 November 2016

Mayor / General Manager Meeting

Ordinary Council Meeting

Thursday 24 November 2016

Mayor / CEO Meeting

Monday 28 November 2016

Inspection Thompson Beach

Wednesday 30 November 2016

Norman Waterhouse Lawyers

Thursday 1 December 2016

Mayor / CEO Meeting

Friday 2 December 2016

Mayor / Deputy Mayor / CEO

Monday 5 December 2016

Elected Member Training

Wednesday 7 December 2016

Northern Adelaide Irrigation Scheme Update

9. MINUTES AND/OR RECOMMENDATIONS

9.1 Governance Advisory Panel

No Minutes

9.2 Strategic Planning and Development Policy Committee

No Minutes

9.3 Audit Committee

Minutes of meeting held 15 December 2016



9.4 Chief Executive Officer Review Committee

No Minutes

9.5 Environmental Management Advisory Committee

No Minutes

9.6 Community Development and Advisory Committee

No Minutes

9.7 Mallala and Districts Homes Committee

No Minutes

9.8 Mallala and Districts Historical Committee

Minutes of meeting held 9 November 2016

10. ASSOCIATED ORGANISATIONS

10.1 Gawler River Floodplain Management Authority

No Minutes

10.2 Central Local Government Region

Minutes of meeting held 18 November 2016

11. QUESTIONS ON NOTICE

No Questions on Notice

12. QUESTIONS WITHOUT NOTICE

Rules from Local Government Act 1999 Regulations:-

Questions and replies are not entered in the minute book unless expressly required by resolution.

No debate shall be allowed on any question or reply to any question.

13. PETITIONS

No Petitions



14. DEPUTATIONS

No Deputations

15. MOTIONS ON NOTICE**15.1 Rescind Motion – Sea Level Gauge****Council Resolution**

Moved Cr Strudwicke Seconded Cr Stubing

“that Council resolution 2016/133 which provides:-

“that prior to any current or future coastal protection infrastructure works or policy being undertaken/adopted, such works or policy be subject to further peer review based on local data obtained from modern Sea Level Gauge.”

be rescinded”.

Cr Strudwicke called for a Point of Order as no Elected Member can speak to a formal motion.

The Mayor accepted the Point of Order.

Formal Motion**2016/ 378**

Moved Cr Jones Seconded Cr Keen

“that this matter lay on the table.”

LOST

The original motion was put

Council Resolution**2016/ 379**

Moved Cr Strudwicke Seconded Cr Stubing

“that Council resolution 2016/133 which provides:-

“that prior to any current or future coastal protection infrastructure works or policy being undertaken/adopted, such works or policy be subject to further peer review based on local data obtained from modern Sea Level Gauge.”

be rescinded”.

LOST


16. ITEMS FOR NOTING / INFORMATION

Cr Picard called for a Point of Order as she does not think that Cr Daniele's opinion is **appropriate**. *not relevant to the discussion.*

*Resolution
2017/00
16 January
2017*

The Mayor accepted the Point of Order.

16.1 2016 – A Year in Review / 2017 – The Journey Ahead

Council Resolution	2016/ 380
Moved Cr McColl	Seconded Cr Keen
"that Council, having considered Item 16.1 – 2016 – A Year in Review / 2017 – The Journey Ahead, dated 19 December 2016, receives and notes the report."	
CARRIED	

16.2 Council Resolutions/Action Report

Council Resolution	2016/ 381
Moved Cr Lawrence	Seconded Cr McColl
"that Council, having considered Item 16. - Council Resolutions/Action Report, dated 19 December 2016, receives and notes the report."	
CARRIED	

16.3 LGA Governance Review Update

Council Resolution	2016/ 382
Moved Cr Lawrence	Seconded Cr Strudwicke
"that Council, having considered Item 16.3 - LGA Governance Review Update, dated 19 December 2016, receives and notes the report."	
CARRIED	

16.4 Mallala CWMS Property Inundation – Independent Structural Report

Council Resolution	2016/ 383
Moved Cr Strudwicke	Seconded Cr Keen
"that Council, having considered Item 16.4 – Mallala CWMS Property Inundation - Independent Structural Report, dated 19 December 2016, receives and notes the report."	
CARRIED	

16.5 Control Options for Colomba Daisy and other Declared Plants

Formal Motion**2016/ 384**

Moved Cr Jones

Seconded Cr Keen

"that the matter lay on the table."

CARRIED

Cr Strudwicke called for a Point of Order. As a correction to meeting proceedings, the formal motion can only lay on the table no time limit is applied to it.

The Mayor accepted the Point of Order.

16.6 Leases and Licences Status Update

Council Resolution**2016/ 385**

Moved Cr Strudwicke

Seconded Cr Lawrence

"that Council, having considered Item 16.6 – *Leases and Licences Status Update*, dated 19 December 2016, receives and notes the report."

CARRIED**17. ITEMS FOR DECISIONS**

17.1 Camping Reserves and Short Stay Accommodation Policy

Council Resolution**2016/ 386**

Moved Cr Lawrence

Seconded Cr Strudwicke

"that Council, having considered Item 17.1 - *Camping Reserves and Short Stay Accommodation Policy* dated 19 December 2016:

- a) designate the land adjacent to the Mallala Oval, comprised in Certificate of Title Register Book (part) Volume 6163 Folio 218 and (part) Volume 6163 Folio 219 outlined in red in Map 1 of Attachment 2 to this report, as a camping reserve for the purposes of camping in accordance with Clause 2.5 of Council's *By-law No.2 – Local Government Land*."
- b) authorise the Chief Executive Officer to give passing of the above resolution in the *Bunyip* and *Plains Producer* newspapers and the *South Australian Government Gazette*, in line with the *Local Government Act 1999* (Part 1, 246, 4a)."
- c) endorse the *Draft Short Stay Accommodation Policy*."

CARRIED


17.2 Essential Services Commission of South Australia (ESCOSA) Licensing Policy Introduction

Council Resolution

2016/ 387

Moved Cr Jones

Seconded Cr Strudwicke

"that Council, having considered Item 17.2 - *Essential Services Commission of South Australia (ESCOSA) Licensing Policy Introduction*, dated 19 December 2016, receive and note the report".

CARRIED

17.2

Council Resolution

2016/ 388

Moved Cr Strudwicke

Seconded Cr Stubing

"that Council, having considered Item 17.2 - *Essential Services Commission of South Australia (ESCOSA) Licensing Policy Introduction*, dated 19 December 2016, endorses the Customer Service Charter - Sewerage Services as appended to Attachment 1 to the report".

CARRIED

17.2

Council Resolution

2016/ 389

Moved Cr Strudwicke

Seconded Cr Daniele

"that Council, having considered Item 17.2 - *Essential Services Commission of South Australia (ESCOSA) Licensing Policy Introduction*, dated 19 December 2016, endorses the Dispute Resolution Procedure - Sewerage Services, as appended to Attachment 2 to the report".

CARRIED

17.3 Policy Review – Informal Gatherings Policy

Council Resolution

2016/ 390

Moved Cr Strudwicke

Seconded Cr McColl

"that Council, having considered Item 17.3 – *Policy Review – Informal Gatherings Policy*, dated 19 December 2016, receives and notes the report and in doing so adopts the updated Informal Gatherings Policy as presented in Attachment 1 to this Report."

CARRIED

17.4 Independent Structural Report – Recommendations for Wasleys Bridge Maintenance

Council Resolution

2016/ 391

Moved Cr McColl

Seconded Cr Daniele

“that Council, having considered Item 17.4 – *Independent Structural Report - Recommendations for Wasleys Bridge Maintenance*, dated 19 December 2016,” receive and note this report”.

CARRIED

17.4

Council Resolution

Moved Cr McColl

Seconded Cr Keen

“that Council, having considered Item 17.4 – *Independent Structural Report - Recommendations for Wasleys Bridge Maintenance*, dated 19 December 2016,” endorse option four in the Mace Engineering report and allocate budget for \$25,000 for the recommendation of stage one in 2017-2018 budget for maintenance repairs Wasleys Bridge”.

17.4

Formal Motion

2016/ 392

Moved Cr Picard

Seconded Cr Jones

“that the motion be adjourned until discussions have been had with Light Regional Council confirming the ownership status of the Wasleys Road bridge”.

CARRIED

At this juncture, 8.06 pm Cr McColl left the chamber.

17.5 Adelaide Plains Equestrian Club – Proposed Licence

Council Resolution

2016/ 393

Moved Cr Daniele

Seconded Cr Lawrence

“that Council, having considered Item 17.5 – *Adelaide Plains Equestrian Club - Proposed Licence* dated 19 December 2016, receive and note the report.”

CARRIED

At this juncture, 8.09 pm Cr McColl returned to the chamber.

17.5

Council Resolution**2016/ 394**

Moved Cr Keen

Seconded Cr Strudwicke

"that Council, having considered Item 17.5 – *Adelaide Plains Equestrian Club - Proposed Licence* dated 19 December 2016, and subject to Development Approval being granted and remnant vegetation being adequately fenced off, authorises, pursuant to Sections 38 and 44 of the Local Government Act 1999, the Mayor and Chief Executive Officer to execute the Licence Agreement between Council and the Adelaide Plains Equestrian Club Inc, and to execute the licence agreement as amended."

CARRIED

17.6

Proposed Grazing Lease**Council Resolution****2016/ 395**

Moved Cr Strudwicke

Seconded Cr Jones

"that Council, having considered Item 17.6 – *Proposed Grazing Lease* dated 19 December 2016, receive and note 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 Section 296 and Sections 335, Redbanks, comprised in Crown Record Volume 5764 Folio 748 and Volume 5764 Folio 753,
2. and in the event that objections are received to the leasing of Section 296 and Sections 335, Redbanks, comprised in Crown Record Volume 5764 Folio 748 and Volume 5764 Folio 753 during the public consultation process, a report be presented to Council for consideration,
3. and in the event that no objections are received to the leasing of Section 296 and Sections 335, Redbanks, comprised in Crown Record Volume 5764 Folio 748 and Volume 5764 Folio 753 by the conclusion of the public consultation process, the Chief Executive Officer be authorised to negotiate and finalise any outstanding terms of the lease,
4. authorises Council staff to make application to the Crown Lands Unit of the Department of Environment, Water & Natural Resources pursuant to Section 22(1) of the Crown land Management Act 2009



seeking Ministerial consent in regard to the granting of a lease to CS Musolino over Section 296 and Sections 335, Redbanks, comprised in Crown Record Volume 5764 Folio 748 and Volume 5764 Folio 753, and subject to Ministerial consent, 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 CS Musolino."

CARRIED

17.7 The Light and Wakefield Rivers Monitoring and Alert System

Council Resolution

2016/ 396

Moved Cr McColl

Seconded Cr Strudwicke

"that Council, having considered Item 17.7 - *The Light and Wakefield Rivers Monitoring and Alert System*, dated 19 December 2016, receives and notes this report."

CARRIED

17.7

Council Resolution

2016/ 397

Moved Cr Strudwicke

Seconded Cr Keen

"that Council, having considered Item 17.7 - *The Light and Wakefield Rivers Monitoring and Alert System*, dated 19 December 2016, support the Department of Environment Water and Natural Resources preparation of an application in to the 2015-2017 National Disaster Relief Program. A project that implements a flood monitoring and warning system for the Light and Wakefield River catchments."

CARRIED

17.7

Council Resolution

2016/ 398

Moved Cr Strudwicke

Seconded Cr Keen

"that Council, having considered Item 17.7 - *The Light and Wakefield Rivers Monitoring and Alert System*, dated 19 December 2016, In providing support for a 2015-2017 National Disaster Resilience Program project application, reserves its right to commit to funding and proceed with the project subject to considering a cost sharing model for the project ."

CARRIED

Handwritten signature

17.8 Rededication of Crown Land – Two Wells Bowling Club

Council Resolution**2016/ 399**

Moved Cr Strudwicke Seconded Cr Keen

“that Council, having considered Item 17.8 – *Rededication of Crown Land – Two Wells Bowling Club*, receive and note the report and authorise the Chief Executive Officer to make application to Department of Environment, Water & Natural Resources (DEWNR) to have Section 144 Two Wells, comprised in CR 5755/735, rededicated for both a Recreation Reserve to accommodate the Two Wells Bowling Club and a Reserve for a Soldiers Memorial Garden to accommodate the War Memorial and the Playground area.”

CARRIED

17.8

Council Resolution**2016/ 400**

Moved Cr McColl Seconded Cr Stubing

“that Council, having considered Item 17.8 – *Rededication of Crown Land – Two Wells Bowling Club*, amend the Club’s existing lease over Section 144 comprised in CR 5753/647 to include portion of Allotment 103 comprised in CR 5753/647.”

CARRIED**18. URGENT BUSINESS**

18.1

Council Resolution**2016/ 401**

Moved Cr Keen Seconded Cr McColl

“that the Chief Executive Officer commences discussions with State Emergency Service reminding them of their obligation to remediate the Two Wells Oval Staging area adjacent to the Community Centre and Football Clubrooms as a result of the September 2016 flood event. In the event that no action results, the Chief Executive Officer be authorised to elevate the matter with the respective Minister placing them on notice, that Council will carry out the remediation works and seek recompense for the work undertaken”.

CARRIED


19. CONFIDENTIAL ITEMS

At this juncture, 8.29 pm Councillors Stubing, Picard and Jones left the Chamber.

19.1 Australia Day Awards

Council Resolution

2016/ 402

Moved Cr Strudwicke Seconded Cr Keen

"that under the provisions of Section 90(2) and (3)(a) of the *Local Government Act 1999*, an order be made with the exception of the Chief Executive Officer, General Managers and Minute Secretary, all other persons present and the public be excluded from attendance at the meeting in order to consider in confidence a briefing titled '19.1 – Australia Day Awards (CON12/206)':

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);

That accordingly, on this basis, the principle that meetings of Adelaide Plains Council should be conducted in a place open to the public has been outweighed by the need to keep discussion confidential".

CARRIED

At this juncture, 8.30 pm Cr Stubing returned to the chamber.

8.33 pm, The Mayor with approval 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 sufficient to facilitate informal discussions in relation to item 19.1 – Australia Day Awards, and will resume at the discretion of the Mayor.

Meeting resumed at 8.37 pm

19.1

Council Resolution

2016/ 403

Moved Cr Strudwicke Seconded Cr Keen

"that Council, having considered Item 19.1 – Australia Day Awards, dated 19 December 2017, determines

- a) Karen Simmons as the recipient of the Award for Citizen of the Year,



and

- b) Amy Paech as the recipient of the Award for Young Citizen of the Year, and
- c) Two Wells and Districts Tennis Club as the recipient of the Award for Community Event of the Year”.

CARRIED

Council Resolution

2016/ 404

Moved Cr Strudwicke Seconded Cr McColl

“that, in accordance with Section 91(7) and Section 91(9) of the *Local Government Act 1999* and on the grounds that Item 19.1 - *Australia Day Awards (CON12/206)* for Council meeting held on 19 December 2016, was received, discussed and considered in confidence pursuant to Section 90 (3)(a) of the *Local Government Act 1999*, this meeting of the Council, does order that:

- (a) the agenda item, 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 Chief Executive Officer advises the Elected Members that award recipients have been notified by administration of Council”.

CARRIED

There being no further business, the Mayor declared the meeting closed at 8.40 pm.

Confirmed as a true record.

Mayor:

Date: 16/11/16

