

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, 16 January 2017



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 6.39 pm)

Also in Attendance:

Chief Executive Officer
 General Manager, Governance and Communications
 General Manager, Infrastructure
 General Manager, Development and Community
 General Manager, Finance and Economic Development
 Governance Support Officer

Mr James Miller
 Ms Sheree Schenk
 Mr Martin Waddington
 Mr Robert Veitch
 Mr Rajith Udugampola
 Mr Rob Adam

1.2 **Apologies**

Nil

1.3 **Not Present / Leave of Absence**

Nil

2. CONFIRMATION OF MINUTES

2.1	<p>Council Resolution 2017/ 001</p> <p>Moved Cr McColl Seconded Cr Lawrence</p> <p>“that the minutes of the Ordinary Council meeting held on Monday 19 December 2016 (MB Folios 13431 to 13445, inclusive), be accepted as read and confirmed with the following amendment:-</p> <ul style="list-style-type: none"> Item 16 – that the word ‘<i>appropriate</i>’ be deleted and replaced with the words ‘<i>not relevant to the discussion</i>’.” <p style="text-align: right;">CARRIED</p>
-----	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

3. BUSINESS ARISING

Nil

4. ADJOURNED BUSINESS

4.1 Independent Structural Report – Recommendations for Wasleys Bridge Maintenance

- 17.4 **Council Resolution** **2017/ 002**
- 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”.
- LOST**

- 17.4 **Council Resolution** **2017/ 003**
- Moved Cr Strudwicke Seconded Cr Keen
- “that Council, having considered Item 17.4 – *Independent Structural Report - Recommendations for Wasleys Bridge Maintenance*, dated 19 December 2016, undertake consultation in relation to either closure or reduced load limit/local traffic only on Wasleys Bridge and that management bring a subsequent report back to Council for consideration.”
- CARRIED**

5. DECLARATION OF MEMBERS' INTEREST

Nil

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 6.44 pm.

The following speakers addressed Council in relation to Open Forum:

- **Mick Tennant** *Two Wells Resident*

Meeting resumed at 6.46 pm.

7. **BRIEFINGS**

- 7.1 Mr Chris Kaufmann from the Northern Adelaide Irrigation Scheme gave a 35 minute PowerPoint presentation with an update on the Irrigation of the Northern Adelaide Plains.

8. **MAYOR'S REPORT**

- 8.1 Meetings Attended and / or Discussions Held – Mayor Flaherty:-

Thursday 15 December 2016

Audit Committee Meeting

Special Council Meeting

Monday 19 December 2016

Mayor / Councillor / CEO Meeting

Mayor / CEO Meeting / GM Meeting

Citizenship Ceremony

Ordinary Council Meeting

Monday 9 January 2017

Mayor / CEO Meeting

Mayor / Councillor Meeting

Tuesday 10 January 2017

Mayor / Councillor Meeting

Mayor/ Deputy Mayor / CEO Meeting

Wednesday 11 January 2017

Mayor / CEO / EA Meeting

Monday 16 January 2017

Mayor / CEO / GM Meeting

Ordinary Council Meeting

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**

No Minutes

- 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**
No Minutes

10. ASSOCIATED ORGANISATIONS

- 10.1 **Gawler River Floodplain Management Authority**
Minutes of meeting held 22 December 2016
- 10.2 **Central Local Government Region**
No Minutes

11. QUESTIONS ON NOTICE

11.1 Salt Creek Foot Bridge – Two Wells

Councillor Jones gave notice of his intention to ask the following questions:

Preamble	With current and an expected increase of local storm water inflows from Two Wells residential development growth bounding Salt Creek, increase of mosquito presence complaints and exacerbated recently by rain event of 75mm +, it appears evident each rain event large area of water backs up behind Salt Creek Pedestrian walkway, in interest of accountability good governance and what water flow issues were considered including any public consultation prior to development approval process of Salt Creek Pedestrian crossing I ask following questions.
Question 1:	Is Salt Creek Pedestrian walkway on Council land?
Answer:	Answer to be provided at the 20 February 2017 Ordinary Council meeting.
Question 2:	When was construction of Salt Creek Pedestrian walkway approved by CDAP and were any conditions attached? please specify



Answer:	Answer to be provided at the 20 February 2017 Ordinary Council meeting.
Question 3:	Was consideration given to pedestrian walkway design as foot bridge adjacent to bridge line and level rather than follow contour down into creek bed?
Answer:	Answer to be provided at the 20 February 2017 Ordinary Council meeting.
Question 4:	What agencies were consulted during approval process of Salt Creek Pedestrian crossing? please specify
Answer:	Answer to be provided at the 20 February 2017 Ordinary Council meeting.
Question 5:	What information was provided with application regarding likely increased water flows as result of increase development growth within local Salt Creek catchment area?
Answer:	Answer to be provided at the 20 February 2017 Ordinary Council meeting.
Question 6:	As its been threatened a number of times in past by member that in event of flooding from Salt Creek landowners would sue for compensation from Adelaide Plains Council, what liability exists for APC in event of flooding of private land from Salt Creek?
Answer:	Answer to be provided at the 20 February 2017 Ordinary Council meeting.

11.2 Bakers Road Ford Upgrade – Scope of project

Councillor Jones gave notice of his intention to ask the following questions:	
Preamble	September 30 edition of Bunyip Press contained article re Baker Ford upgrade , the article stated that Mallala Council was forced to spend an extra \$234,785 on the project after contractor made changes to works due to sub grade conditions and two organisations Telstra and SA Water called for their infrastructure to be relocated as result of works , initial project was expected to cost \$417,000 but ended up at \$630,596 , Mayor Kennington at time was quoted over budget cost was managed through "incidental budget savings" further the article stated the upgrade will see a span-deck bridge installed at the ford, as public interest in this matter has continued I ask the following Questions:

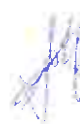
Question 1:	Was a project manager appointed to oversee works? Please specify
Answer:	Answer to be provided at the 20 February 2017 Ordinary Council meeting.
Question 2:	What was the technical nature of changes contractor made to original project? Please specify in detail and why any sub grade conditions were not taken into consideration in original quote
Answer:	Answer to be provided at the 20 February 2017 Ordinary Council meeting.
Question 3:	What communications were entered into (email, letter etc) with Telstra and SA Water prior to works commencing and are copies in Council records?
Answer:	Answer to be provided at the 20 February 2017 Ordinary Council meeting.
Question 4:	The spin “incidental budget savings” that managed budget blow out, in financial terms exactly how was that shortfall managed?
Answer:	Answer to be provided at the 20 February 2017 Ordinary Council meeting.
Question 5:	In the exacting definition of a span-deck bridge is Baker Ford crossing defined in that category?
Answer:	Answer to be provided at the 20 February 2017 Ordinary Council meeting.

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.



Councillor McColl moved the following motion without notice:-

Council Resolution	2017/ 004
Moved Cr McColl	Seconded Cr Picard
<p>"A report be presented to the 20 February 2017 Council Meeting which outlines various options for fence replacement and associated costs at 210 Hayman Road, Lewiston."</p>	
	CARRIED

13. PETITIONS

Nil

14. DEPUTATIONS

Nil

15. MOTIONS ON NOTICE

15.1 Environmental Assessment

Council Resolution	2017/ 005
Moved Cr Jones	Seconded Cr Lawrence
<p>"that Council instruct the CEO to engage a suitably qualified and experienced site contaminant consultant to undertake an environmental assessment of property namely 210 Hayman Road to presences/absence of any site contaminants."</p>	
	CARRIED

16. ITEMS FOR NOTING / INFORMATION

16.1 Council Resolutions/Action Report

Council Resolution	2017/ 006
Moved Cr Lawrence	Seconded Cr Strudwicke
<p>"that Council, having considered Item 16.1 - <i>Council Resolutions/Action Report</i>, dated 16 January 2017, receives and notes the report."</p>	
	CARRIED

The Chief Executive Officer formally tabled a letter from the Department of Planning, Transport and Infrastructure received 11 January 2017 in relation to speed limits in coastal settlements (Resolution No. 2016/057 – Council Meeting 15 February 2016). A copy will be forwarded to each Elected Member.

16.2 Kerb Side Waste Collection Fees System Information

Council Resolution	2017/ 007
Moved Cr Strudwicke Seconded Cr McColl	
“that Council, having considered Item 16.2 - <i>Kerb Side Waste Collection Fees System Information</i> , dated 16 January 2017, receives and notes the report.”	
	CARRIED

Councillor Strudwicke raised a Point of Order in relation to Councillor Daniele speaking to the motion after the debate had closed.

The Mayor accepted the Point of Order and ruled that the debate was closed.

17. ITEMS FOR DECISIONS

17.1 Strategic Plan Update

Council Resolution	2017/ 008
Moved Cr Strudwicke Seconded Cr Picard	
“that Council, having considered Item 17.1 – <i>Strategic Plan Update</i> , dated 16 January 2017, receive and note the report.”	
	CARRIED

Council Resolution	2017/ 009
Moved Cr Strudwicke Seconded Cr Lawrence	
“that Council, having considered Item 17.1 – <i>Strategic Plan Update</i> , dated 16 January 2017, endorses the commencement of the comprehensive review of its strategic management plan and delegates to the Chief Executive Officer the scoping and timeframe for the review and letting of the tender for the successful consultant; with further advice to be presented to Council at the first workshop.”	
	CARRIED

8.05 pm Councillor Picard left the meeting

17.2 2017/2018 Annual Business Plan, Budget and 2018-2027 Long Term Financial Plan Development Framework

Council Resolution

2017/ 010

Moved Cr Lawrence

Seconded Cr Stubing

"that the Council having considered Item 17.2 – *2017/2018 Annual Business Plan, Budget and 2018-2027 Long Term Financial Plan Development Framework*, dated 16 January 2017, schedule as set out in Table 1 be endorsed in principle as the process to be used in the preparation of the 2017/2018 Annual Business Plan (ABP), Budget & Long Term Financial Plan".

CARRIED

8.08 pm Councillor Picard re-entered the meeting

17.2

Council Resolution

2017/ 011

Moved Cr Stubing

Seconded Cr Keen

"that the Council having considered Item 17.2 – *2017/2018 Annual Business Plan, Budget and 2018-2027 Long Term Financial Plan Development Framework*, dated 16 January 2017, the following budget parameters and assumptions be adopted in principle for the purpose of preparing the draft 2017/2018 Annual Business Plan and Budget.

- The Recurrent Operating Budget be prepared based on "business as usual";
- Maximum Material, Contracts and Other Expenses cost escalation be set at 2.6% in the absence of any other reliable way of estimating "Materials, Contracts and Other Expenses";
- Wages and Salaries increases by 2.00% pending the finalisation of a new Enterprise Bargaining Agreements;
- Fees and charges not set by Legislation and decided by the Council be increased by 2.6% at 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, grant funding and long term borrowings; and
- Council continue to review its operations to identify costs savings and



productivity improvements”.

CARRIED

17.3 Committee Review

Council Resolution

2017/ 012

Moved Cr Strudwicke Seconded Cr McColl

“that Council, having considered Item 17.3 – *Committee Review*, dated 16 January 2017 supports Management to undertake a review of Council’s Committee structure, including holding future workshops and bringing further detailed reports back to Council for consideration, with the focus to be on alignment to Council’s organisational structure.”

CARRIED

17.4 Bank Account Signatories

Council Resolution

2017/ 013

Moved Cr Keen Seconded Cr Daniele

“that Council, having considered Item 17.4 – *Bank Account Signatories*, dated 16 January 2017, receive and note the report, and in doing so authorises Mr Rajith Udugampola, General Manager – Finance and Economic Development, to be added as a signatory to all Council Trading Bank Accounts and authorises Council staff to finalise the administrative requirements associated with this matter.”

CARRIED

17.5 Dublin History Group Inc – Exercise of Lease Renewal

Council Resolution

2017/ 014

Moved Cr Strudwicke Seconded Cr Jones

“that Council, having considered Item 17.5 – *Dublin History Group Inc – Exercise of Lease Renewal*, dated 16 January 2017, authorise Council staff to exercise the right of renewal in accordance with the Dublin History Group Inc Lease over the Dublin Institute for a further five (5) years from 1 March 2017 to 28 February 2022.”

CARRIED

17.6 Re-seal Program Amendment

Council Resolution**2017/ 015**

Moved Cr Stubing

Seconded Cr Strudwicke

"that Council, having considered Item 17.6 – *Re-seal Program Amendment*, dated 16 January 2017, endorse the changes to the re-seal Capital Expenditure for the year ending 30 June 2017 budget and in so doing allocate an additional \$44,347 towards the program as a consequence of the Second Quarter 2016/17 budget review."

CARRIED

17.7 Junction & Women's Housing Ltd – Lease and Working Agreement

Council Resolution**2017/ 016**

Moved Cr Strudwicke

Seconded Cr Lawrence

"that Council, having considered Item 17.7 - *Junction & Women's Housing Ltd – Lease and Working Agreement report*, dated 16 January 2017, receive and note the report and authorise the Chief Executive Officer to remove *Indemnity Clause 19* from the Lease Agreement."

CARRIED**18. URGENT BUSINESS**

Nil

19. CONFIDENTIAL ITEMS**19.1 Gawler River Floodplain Management Authority (GRFMA) – Gawler River 2016 Flood Review Preliminary Report: First Draft****Council Resolution****2017/017**

Moved Cr Strudwicke

Seconded Cr Keen

"that under the provisions of Section 90(2) and (3)(d) and (e) 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 discuss and consider in confidence a report titled '19.1 – *Gawler River Floodplain Management Authority (GRFMA) – Gawler River 2016 Flood Review Preliminary Report: First Draft*', dated 16 January 2017, on the



following grounds:-

- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which –
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on third party; and
 - (ii) would, on balance, be contrary to the public interest;
- (e) matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person.

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

19.1

Council Resolution

2017/ 018

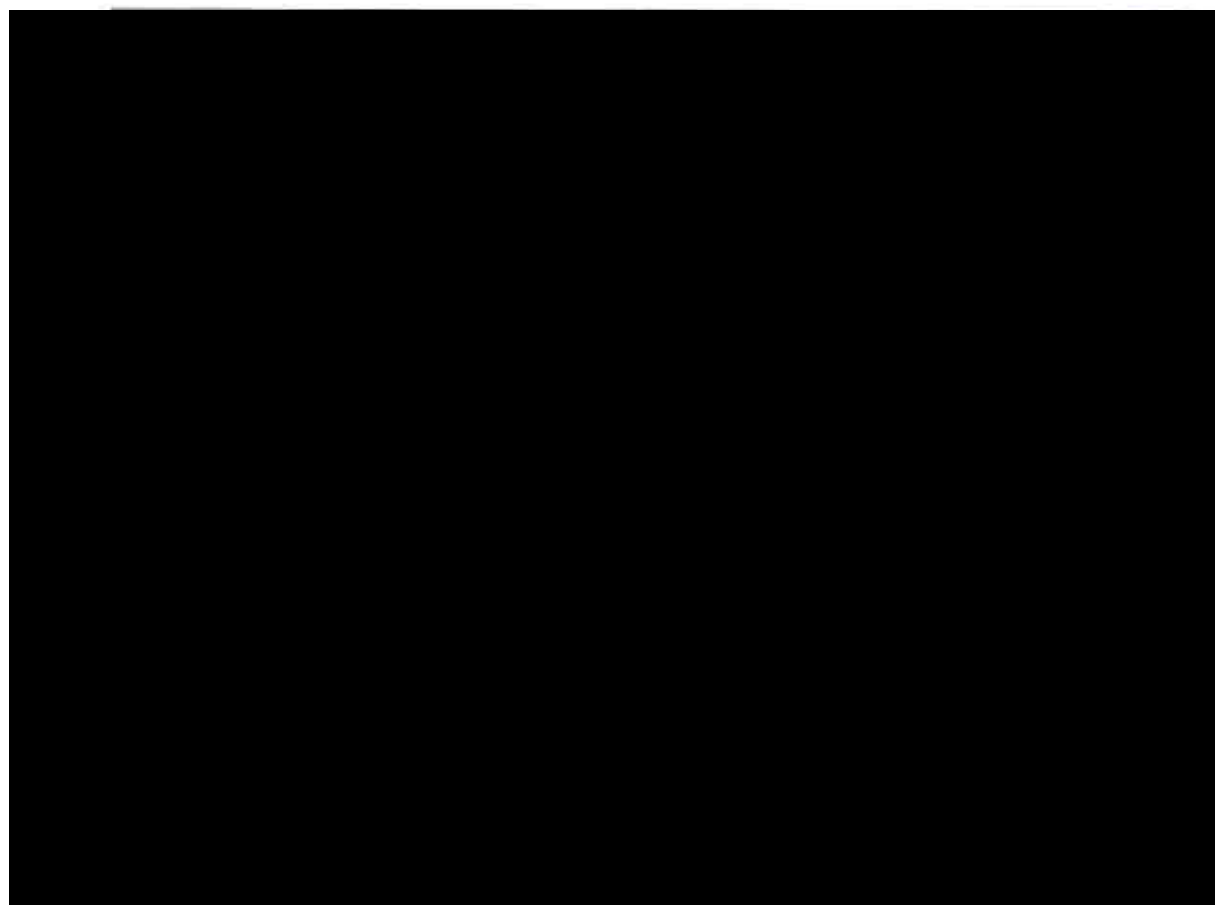
Moved Cr Picard

Seconded Cr Lawrence

“that Council, having considered the report entitled *Gawler River Floodplain Management Authority (GRFMA) – Gawler River 2016 Flood Review Preliminary Report: First Draft*, dated 16 January 2017, receives and notes the report.”

CARRIED

Handwritten signature



19.1

Council Resolution**2017/ 021**

Moved Cr Strudwicke Seconded Cr Lawrence

“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 - *Gawler River Floodplain Management Authority (GRFMA) – Gawler River 2016 Flood Review Preliminary Report: First Draft* for Council meeting held on 16 January 2017, was received, discussed and considered in confidence pursuant to Section 90 (3)(d) and (e) 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 report has been made public by the Board”.

CARRIED

Councillor Picard moved the following motion without notice:-

Council Resolution**2017/ 022**

Moved Cr Picard

Seconded Cr Keen

"that Council takes the position that the Gawler River and its levee banks be the responsibility of a single authority that has the necessary resources and access rights to maintain the river in good condition from a flood conveyance as well as biodiversity perspective."

CARRIED

The Mayor declared the meeting closed at 9.01 pm.

Confirmed as a true record.

Mayor:

Date: 20 / 2 / 17