MINUTES

of

Adjourned Council Meeting

Adelaide Plains Council

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

HELD IN

Council Chambers
Redbanks Road,
Mallala

on

Monday 28 May 2018 at 6:30pm

MINUTES OF THE ADJOURNED ORDINARY MEETING OF THE ADELAIDE PLAINS COUNCIL HELD IN THE COUNCIL CHAMBERS, REDBANKS ROAD, MALLALA ON MONDAY 28 MAY 2018 COMMENCING AT 6:30PM (CONTINUATION OF ADJOURNED MEETING OF MONDAY 21 MAY 2018)

The Mayor formally declared the meeting open at 6:30pm.

ATTENDANCE RECORD

1.1 **Present:**

Mayor A J (Tony) Flaherty OAM JP

Councillor Carmine Di Troia

Councillor Terry-Anne Keen

Councillor Eddie Stubing

Councillor P D (Joe) Daniele

Councillor Margherita Panella

Also in Attendance:

Chief Executive Officer	Mr James Miller
General Manager, Infrastructure and Environment	Mr Martin Waddington
General Manager, Finance and Economic Development	Mr Rajith Udugampola
General Manager, Development and Community	Mr Robert Veitch
Governance Officer/Minute Taker	Ms Alyssa Denicola
Incoming Acting General Manager – Infrastructure and Environment	Mr Ken Stratton

1.2 **Apologies:**

Councillor Melville Lawrence

Councillor Karen McColl

Councillor S M (Marcus) Strudwicke

Councillor Stephen Jones

1.3 **Not Present / Leave of Absence:**

Nil

21. CONFIDENTIAL ITEMS

21.1 Two Wells Main Street Design Guidelines Review

Moved Councillor Keen Seconded Councillor Panella **2018/219**

"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 Officer, General Manager – Development & Community, General Manager – Infrastructure, General Manager – Finance and Economic Development, Governance Officer and Incoming Acting General Manager – Infrastructure and Environment be excluded from attendance at the meeting of the Council for Agenda Item 21.1 – *Two Wells Main Street Design Guidelines Review*;**
2. **Council is satisfied that pursuant to section 90(3)(d) of the *Local Government Act 1999,* Item 21.1 – *Two Wells Main Street Design Guidelines Review* concerns commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and on balance it would be contrary to the public interest.**
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

21.1 Moved Councillor Keen Seconded Councillor Di Troia **2018/220**

"that Council, having considered Item 21.1 – *Two Wells Main Street Design Guidelines Review,* dated 21 May 2018, receives and notes the report and in doing so authorises the Chief Executive Officer to appoint the services of Jensen Plus to undertake a peer review of the 2010 Two Wells Main Street Design Guidelines."

CARRIED

21.1 Moved Councillor Panella Seconded Councillor Di Troia **2018/221**

"that Council, having considered the matter of Agenda Item 21.1 – *Two Wells Main Street Design Guidelines Review* in confidence under sections 90(2) and 90(3)(d) of the *Local Government Act 1999*, resolves:-

1. **That the staff report pertaining to Agenda Item 21.1 – *Two Wells Main Street Design Guidelines Review* and all annexures in relation to the matter remain confidential and not available for public inspection until further order of Council;**
2. **That the minutes of the meeting pertaining to Agenda Item 21.1 – *Two Wells Main Street Design Guidelines Review* remain confidential and not available for public inspection until the Chief Executive Officer has notified both consultants of the outcome;**
3. **Pursuant to section 91(9)(a) of the *Local Government Act 1999*, the confidentiality of the matter will be reviewed every 12 months;**
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

21.2 105 Limerock Road Lower Light – Review of Lease Arrangements

Moved Councillor Panella Seconded Councillor Keen **2018/223**

"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 Officer, General Manager – Development & Community, General Manager – Infrastructure, General Manager – Finance and Economic Development, Governance Officer and Incoming Acting General Manager – Infrastructure and Environment be excluded from attendance at the meeting of the Council for Agenda Item 21.2 – *105 Limerock Road Lower Light – Review of Lease Arrangements*;**
2. **Council is satisfied that pursuant to section 90(3)(d) of the *Local Government Act 1999*, Item 21.2 - *105 Limerock Road Lower Light – Review of Lease Arrangements* concerns commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and on balance it would be contrary to the public interest.**
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

21.2 Moved Councillor Panella Seconded Councillor Di Troia **2018/227**

"that Council, having considered the matter of Agenda Item 21.2 – *105 Limerock Road Lower Light – Review of Lease Arrangements* in confidence under sections 90(2) and 90(3)(d) of the *Local Government Act 1999*, resolves:-

1. **That the staff report pertaining to Agenda Item 21.2 – *105 Limerock Road Lower Light – Review of Lease Arrangements*, all annexures, 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 further order of Council;**
2. **Pursuant to section 91(9)(a) of the *Local Government Act 1999*, the confidentiality of the matter will be reviewed every 12 months;**
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

21.3 Follow up on Asbestos Contamination Found at Other Council Sites

Moved Councillor Panella Seconded Councillor Di Troia **2018/228**

"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 Officer, General Manager – Development & Community, General Manager – Infrastructure, General Manager – Finance and Economic Development, Governance Officer and Incoming Acting General Manager – Infrastructure and Environment be excluded from attendance at the meeting of the Council for Agenda Item 21.3 – *Follow up on Asbestos Contamination Found at Other Council Sites*;**
2. **Council is satisfied that pursuant to section 90(3)(d) of the *Local Government Act 1999,* Item 21.3 – *Follow up on Asbestos Contamination Found at Other Council Sites* concerns commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party and on balance it would be contrary to the public interest.**
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

21.3 Moved Councillor Keen Seconded Councillor Panella **2018/229**

"that Council, having considered Item 21.3 – *Follow up on Asbestos Contamination Found at Other Council Sites,* dated 21 May 2018, receives and notes the report and in doing so:-

1. **Engages McMahon Services Australia Pty Ltd to carry out the safe removal, transport and disposal of all ACM at the Stony Point Reserve and the Mallala Waste Resource Centre in accordance with RFQ31/2017/2018 "The Removal of Asbestos Contaminated Hard Waste" and in accordance with the Environment Protection Authority Clean up Order yet to be issued;**
2. **Engage a suitably qualified asbestos specialist to oversee the monitoring of the clean up operations in accordance with the Environment Protection Authority requirements.**
3. **Acknowledges the development of an asbestos inspection routine at the horse float parking area corner of Esplanade and Main Road Parham and the adjacent**

foreshore area together with any other area the Environment Protection Authority deems required;

4. **Acknowledges the development of an Asbestos Management Plan for all relevant sits as per *Work Health and Safety Regulations 2012;***
5. **Delegates authority to the Chief Executive Officer to finalise and execute the contracts; and**
6. **Acknowledges an allocation will be made as part of the third budget review to accommodate the cost of the clean up."**

CARRIED

21.3 Moved Councillor Panella Seconded Councillor Keen **2018/230**

"that Council, having considered the matter of Agenda Item 21.3 – *Follow up on Asbestos* Contamination *Found at Other Council Sites* in confidence under sections 90(2) and 90(3)(d) of the *Local Government Act 1999*, resolves:-

1. **That Attachment 1 to Agenda Item 21.3 – *Follow up on Asbestos Contamination Found at Other Council Sites*, remains confidential and not available for public inspection until further order of Council;**
2. **Pursuant to section 91(9)(a) of the *Local Government Act 1999*, the confidentiality of the matter will be reviewed every 12 months;**
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

22. LATE ITEM

14.10 Late Item - Legatus Group 2018-2019 Business Plan and Strategic Plan Review

Moved Councillor Keen Seconded Councillor Di Troia **2018/231**

"that Council, having considered Item 14.10 – *Late Item - Legatus Group 2018-2019 Business Plan and* Strategic *Plan Review*, dated 21 May 2018, receives the report."

CARRIED

14.10 Moved Councillor Stubing Seconded Councillor Di Troia **2018/232**

"that Council resolves to adjourn Item 14.10 – *Late Item - Legatus Group 2018-2019 Business Plan and Strategic Plan Review*, dated 21 May 2018, until the next Ordinary Meeting of Council anticipated to be held on Monday 18 June 2018 at 6:30pm."

CARRIED

23. CLOSURE

There being no further business, the Mayor declared the meeting closed at 7:19pm.

Confirmed as a true record.

Mayor: .....

Date: 18/8/18