

MINUTES

of

Ordinary Council Meeting



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

HELD IN

**Council Chamber
Redbanks Road
Mallala**

on

Monday 23 August 2021 at 6.00pm

The Mayor formally declared the meeting open at 6.01pm.

1. ATTENDANCE RECORD

1.1 Present:

Mayor Mark Wasley

Councillor Marcus Strudwicke Mallala/Dublin Ward

Councillor Terry-Anne Keen Mallala/Dublin Ward

Councillor John Lush Mallala/Dublin Ward

Councillor Kay Boon Two Wells Ward

Councillor Frank Maiolo Two Wells Ward

Councillor Joe Daniele Two Wells Ward

Councillor Brian Parker Lewiston Ward *by audio-visual link*

Councillor Carmine Di Troia Lewiston Ward *by audio-visual link*

Councillor Margherita Panella Lewiston Ward *by audio-visual link*

Also in Attendance:

Chief Executive Officer Mr James Miller

Acting General Manager – Governance and Executive Office Ms Alyssa Denicola

General Manager – Development and Community Mr Darren Starr

General Manager – Finance and Business Mr Rajith Udugampola

General Manager – Infrastructure and Environment Mr Thomas Jones

Administration and Executive Support Officer/Minute Taker Ms Stacie Shrubsole

Information Technology Support Officer (*by audio-visual link*) Mr Sean Murphy

Independent Chairperson, Adelaide Plains Council Audit Committee
(*by audio-visual link from 7.17pm*) Mr Alan Rushbrook

Independent Member, Adelaide Plains Council Audit Committee
(*by audio-visual link 7.17pm*) Mr Peter Fairlie-Jones

Chair of the Board, Norman Waterhouse Lawyers (*from 7.20pm*) Mr Sean Keenihan

2. CONFIRMATION OF MINUTES

2.1 Confirmation of Council Minutes – Ordinary Council Meeting held on 26 July 2021

Moved Councillor Di Troia Seconded Councillor Boon **2021/ 311**

“that the minutes of the Ordinary Council Meeting held on 26 July 2021 (MB Folios 17414 to 17427 inclusive), be accepted as read and confirmed.”

CARRIED

2.2 Confirmation of Council Minutes – Special Council Meeting held 4 August 2021

Moved Councillor Keen Seconded Councillor Parker **2021/ 312**

“that the minutes of the Special Council Meeting held on 4 August 2021 (MB Folios 17428 to 17431 inclusive), be accepted as read and confirmed.”

CARRIED

2.3 Confirmation of Council Minutes – Special Council Meeting held 12 August 2021

Moved Councillor Strudwicke Seconded Councillor Lush **2021/ 313**

“that the minutes of the Special Council Meeting held on 12 August 2021 (MB Folios 17432 to 17435 inclusive), be accepted as read and confirmed.”

CARRIED

3. BUSINESS ARISING

Nil

4. PUBLIC OPEN FORUM

Pursuant to Council’s *Code of Practice – Meeting Procedures*, Council did not facilitate the holding of Public Open Forum due to the COVID-19 public health emergency.

5. DECLARATION OF MEMBERS’ INTEREST

Nil

6. ADJOURNED BUSINESS

Nil

7. MAYOR’S REPORT

7.1 Mayor’s Report

Reporting Period – Thursday 22 July 2021 to Wednesday 18 August 2021

Monday 26 July 2021

Meeting – Mayor/Chief Executive Officer – Various Matters

Pre-Council Meeting – Mayor/Chief Executive Officer/Executive Management Team

Ordinary Council Meeting

Wednesday 28 July 2021

Walk the Yorke Coastal Project Meeting with Legatus Group Coastal Councils

Thursday 29 July 2021

Meeting – Mayor/Chief Executive Officer – Various Matters

Wednesday 4 August 2021

Pre-Council Meeting – Mayor/Chief Executive Officer/Executive Management Team

Special Council Meeting

Infrastructure and Environment Committee Meeting

Friday 6 August 2021

Meeting – Mayor/Chief Executive Officer – Various Matters

Meeting – Adelaide Plains Council and District Council Mount Remarkable, Mayors and Chief Executive Officers

Monday 9 August 2021

Audit Committee Meeting

Thursday 12 August

Meeting – Mayor/Chief Executive Officer/Acting General Manager – Governance and Executive Office – Various Matters

Special Council meeting

8. REQUESTED DOCUMENTS/CORRESPONDENCE TO BE TABLED

Nil

9. DEPUTATIONS

Nil

10. PRESENTATIONS/BRIEFINGS

- 10.1 The Chief Executive Officer, Mr James Miller, presented a four minute video highlighting the outcomes of the Drought Communities Programme Rounds 1 and 2.

11. PETITIONS

Nil

12. COMMITTEE MEETINGS**12.1 Infrastructure and Environment Committee Meeting – 4 August 2021**

Moved Councillor Keen Seconded Councillor Boon **2021/ 314**

“that Council receives and notes the minutes of the Infrastructure and Environment Committee Meeting held 4 August 2021.”

CARRIED

12.1 Moved Councillor Strudwicke Seconded Councillor Boon 2021/ 315

“that Council endorses resolution 2021/022 of the Infrastructure and Environment Committee and in doing so instructs the Chief Executive Officer to release the draft Infrastructure Asset Management Strategy and Plans as presented in Attachment 2 to this report for public consultation in accordance with Council’s Public Consultation Policy.”

Councillor Panella disconnected from the meeting at 6.16pm.

CARRIED

12.1 Moved Councillor Lush Seconded Councillor Keen 2021/ 316

“that Council endorses resolution 2021/023 of the Infrastructure and Environment Committee and in doing so adopts the revised Asset Management Policy as presented in Attachment 3 to this report.”

CARRIED

12.2 Adelaide Plains Council Historical Committee Meeting – 4 August 2021

Moved Councillor Strudwicke Seconded Councillor Boon **2021/ 317**

“that Council receives and notes the minutes of the Adelaide Plains Council Historical Committee meeting held 4 August 2021.”

CARRIED

12.3 Audit Committee Meeting – 9 August 2021

Moved Councillor Parker Seconded Councillor Di Troia **2021/ 318**

“that Council receives and notes the minutes of the Audit Committee Meeting held on 9 August 2021 as presented at Attachment 1 to this Report.”

CARRIED

12.3 Moved Councillor Lush Seconded Councillor Maiolo 2021/ 319

Councillor Panella reconnected to the meeting at 6.19pm.

“that Council endorses resolution 2021/033 of the Audit Committee and in doing so adopts the draft Council Vehicle Policy as presented at Attachment 2 to this Report”

CARRIED

- 12.3 Moved Councillor Keen Seconded Councillor Strudwicke **2021/ 320**
“that Council endorses resolution 2021/035 of the Audit Committee and in doing so acknowledges the progress made to complete the activities identified for Audit Committee during 2020/2021 Financial Year.”

CARRIED

13. SUBSIDIARY MEETINGS

Nil

14. REPORTS FOR DECISION

14.1 Consultation – Commencement of the Council Member Behaviour Framework

Moved Councillor Strudwicke Seconded Councillor Daniele **2021/ 321**

“that Council, having considered Item 14.1 – Consultation – Commencement of the Council Member Behaviour Framework, dated 23 August 2021, receives and notes the report and in doing so instructs the Chief Executive Officer to notify the Local Government Association that it supports commencement of the Council Member Behaviour Framework after the November 2022 local government elections as set out within Attachment 1 to this Report.”

CARRIED UNANIMOUSLY

14.2 Consultation – Casual Vacancy Elections Countback Systems

Moved Councillor Boon Seconded Councillor Strudwicke **2021/ 322**

“that Council, having considered Item 14.2 – Consultation – Casual Vacancy Elections Countback System, dated 23 August 2021, receives and notes the report and in doing so instructs the Chief Executive Officer to provide feedback to the Local Government Association that, in relation to the countback systems that could be used in the case of a casual vacancy within 12 months of a council periodic election, it supports the Preferential Candidate method on the basis that this method sees the votes of those people who originally voted for the departing member still counted in determining a replacement candidate and indeed that the successful candidate determined using this method will be preferred by the majority of voters.”

CARRIED

14.3 Request for Leave of Absence – Councillor Panella

Moved Councillor Boon Seconded Councillor Keen **2021/ 323**

“that Council, having considered Item 14.3 – Request for Leave of Absence – Councillor Panella, dated 23 August 2021, receives and notes the report and in doing so grants Councillor Panella a leave of absence for the period 30 August 2021 to 3 October 2021 (inclusive).”

CARRIED

15. REPORTS FOR INFORMATION**15.1 Council Resolutions – Status Report**

Moved Councillor Lush

Seconded Councillor Keen

2021/ 324

“that Council, having considered Item 15.1 – *Council Resolutions – Status Report*, dated 23 August 2021, receives and notes the report.”

CARRIED UNANIMOUSLY**15.2 Infrastructure and Environment Department – Monthly Report – August 2021**

Moved Councillor Boon

Seconded Councillor Daniele

2021/ 325

“that Council, having considered Item 15.2 – *Infrastructure and Environment Department – Monthly Report – August 2021*, dated 23 August 2021 receives and notes the report.”

CARRIED**15.3 Adelaide Plains Growth Discussion Paper**

Council’s General Manager – Development and Community, Mr Darren Starr, provided a 29 minute presentation to Council in relation to growth planning for Adelaide Plains Council.

Moved Councillor Daniele

Seconded Councillor Lush

2021/ 326

“that Council, having considered Item 15.3 – *Adelaide Plains Growth Discussion Paper*, dated 23 August 2021, receives and notes the report.”

CARRIED UNANIMOUSLY**15.4 Dog Management in Adelaide Plains Update August 2021**

Moved Councillor Keen

Seconded Councillor Boon

2021/ 327

“that Council, having considered Item 15.4 – *Dog Management in Adelaide Plains Update August 2021*, dated 23 August 2021, 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

Nil

20. URGENT BUSINESS

Nil

21. CONFIDENTIAL ITEMS**21.1 Crown Land, Two Wells – August 2021**

Moved Councillor Keen

Seconded Councillor Boon

2021/ 328**“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, Acting General Manager – Governance and Executive Office, General Manager – Finance and Business, General Manager – Infrastructure and Environment, General Manager – Development and Community and Executive Support Officer/Minute Taker, Information Technology Support Officer, Mr Sean Keenihan – Chair, Norman Waterhouse Lawyers, Mr Alan Rushbrook – Audit Committee Independent Chairperson and Mr Peter Fairlie-Jones – Audit Committee Independent Member be excluded from attendance at the meeting of Council for Agenda Item 21.1 – *Crown Land, Two Wells – August 2021*;
2. Council is satisfied that pursuant to section 90(3)(b) and 90(3)(h) of the *Local Government Act 1999*, Item 21.1 – *Crown Land, Two Wells – August 2021* concerns:
 - a. 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 information relating to ongoing negotiations and would on balance be contrary to the public interest; and
 - b. legal advice, being a verbal briefing by Mr Sean Keenihan, Chair of the Board, Norman Waterhouse Lawyers in relation to the matter of Crown Land at Two Wells;
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

CARRIED

- 21.1 Moved Councillor Keen Seconded Councillor Lush 2021/ 330
- “that Council, having considered the matter of Item 21.1 – *Crown Land, Two Wells – August 2021* in confidence under sections 90(2) and 90(3)(b) of the *Local Government Act 1999*, resolves that:**
- 1. The report, Attachment 1, Attachment 2, Attachment 3 and the minutes of the meeting pertaining to Item 21.1 – *Crown Land, Two Wells – August 2021* confidential and not available for public inspection until further order of the 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; and**
 - 3. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, the Committee delegates the power to revoke this confidentiality order to the Chief Executive Officer.”**

CARRIED

There being no further business, the Mayor declared the meeting closed at 8.35pm.

Confirmed as a true record.



Mayor:

Date: 27 / 08 / 2021