

MINUTES

of

Ordinary 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 20 August 2018 at 6:30pm

A handwritten signature in black ink, located in the bottom right corner of the page.

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

1. ATTENDANCE RECORD

1.1 Present:

Mayor A J (Tony) Flaherty OAM JP
 Deputy Mayor Melville Lawrence
 Councillor P D (Joe) Daniele
 Councillor Stephen Jones
 Councillor Terry-Anne Keen
 Councillor Carmine Di Troia
 Councillor Margherita Panella
 Councillor Eddie Stubing
 Councillor Marcus (S M) Strudwicke

Also in Attendance:

Chief Executive Officer	Mr James Miller
General Manager – Governance and Communications	Ms Sheree Schenk
General Manager – Development and Community	Mr Robert Veitch
General Manager – Infrastructure and Environment	Mr Ken Stratton
General Manager – Finance and Economic Development	Mr Rajith Udugampola
Economic Development Officer	Mr David Cowell
Governance Support Officer	Mr Rob Adam
Governance Officer / Minute Taker	Ms Alyssa Denicola
Executive Assistant	Ms Andrea Post

1.2 Apologies:

Councillor Karen McColl

1.3 Not Present / Leave of Absence:

Nil

2. CONFIRMATION OF MINUTES**2.1 Confirmation of Council Minutes – Ordinary Meeting held 16 July 2018**

Moved Councillor Lawrence Seconded Councillor Jones **2018/353**

“that the minutes of the Ordinary Council Meeting held on 16 July 2018 (MB Folios 16630 to 16659 inclusive), be accepted as read and confirmed.”

CARRIED

2.2 Confirmation of Council Minutes – Special Meeting held 16 July 2018

Moved Councillor Lawrence Seconded Councillor Keen **2018/354**

“that the minutes of the Special Council Meeting held on 16 July 2018 (MB Folios 16660 to 16662 inclusive), be accepted as read and confirmed.”

CARRIED

2.3 Confirmation of Council Minutes – Special Meeting held 23 July 2018

Moved Councillor Lawrence Seconded Councillor Keen **2018/355**

“that the minutes of the Special Council Meeting held on 23 July 2018 (MB Folios 16663 to 16666 inclusive), be accepted as read and confirmed.”

CARRIED

2.4 Confirmation of Council Minutes – Special Meeting held 15 August 2018

Moved Councillor Lawrence Seconded Councillor Di Troia **2018/356**

“that the minutes of the Special Council Meeting held on 15 August 2018 (MB Folios 16667 to 16671 inclusive), be accepted as read and confirmed.”

CARRIED

3. BUSINESS ARISING

Nil

4. ADJOURNED BUSINESS

Nil

5. DECLARATION OF MEMBERS' INTEREST (material, actual, perceived)

Nil

6. PUBLIC OPEN FORUM

The Mayor, with approval of two-thirds 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 of 10 minutes to facilitate 'Public Open Forum'.

The meeting was suspended at 6:33pm.

Alvin Jenkin

Parham

Topics Discussed

- Horse Float Parking at Parham

Greville Knight

Mallala

Topics Discussed

- CWMS – maintenance and ownership costs

Andrew Cross

Webb Beach

Topics Discussed

- Ongoing poor condition of Webb Beach Access Road

The meeting resumed at 6:54pm.

7. MAYOR'S REPORT

Friday 13 July 2018

LGA Special Meeting – Rate Capping

Leave

16 July 2018 to 4 August 2018

Wednesday 8 August 2018

Mayor / CEO Meeting

SALA Festival – Certificate Presentation

Thursday 9 August 2018

Mayor / CEO / General Manager – Finance and Economic Development meeting

Friday 10 August 2018

Mayor / CEO Meeting



Tuesday 14 August 2018 16676

Meeting with Mayor / Deputy Mayor / CEO / APRRA President/Public Officer / APRRA Vice President – APRRA and APC Engagement Discussions

Wednesday 15 August 2018

Special Council Meeting

8. REQUESTED DOCUMENTS/CORRESPONDENCE TO BE TABLED

Nil

9. DEPUTATIONS

Chloe Sharpe, spokesperson for the Two Wells Scout Group, gave a 10 minute deputation regarding Agenda Item 14.8 – *Two Wells Scout Group – Relocation*.

10. PRESENTATIONS / BRIEFINGS

Nil

11. PETITIONS

Nil

12. COMMITTEE RECOMMENDATIONS

12.1 Adelaide Plains Council Historical Committee – Meetings 4 July 2018 and 13 July 2018

Moved Councillor Keen Seconded Councillor Panella **2018/357**

“that Council receives and notes the minutes of the Adelaide Plains Council Historical Committee meeting held on 4 July 2018 and 13 July 2018.”

CARRIED

13. ASSOCIATED ORGANISATIONS

Nil

14. REPORTS FOR DECISION

- 14.1 Local Government Association 2018 Annual General Meeting – Council Notice of Motion and Voting Delegates

Moved Councillor Panella Seconded Councillor Di Troia **2018/358**

“that Council, having considered Item 14.1 – Local Government Association 2018 Annual General Meeting – Council Notice of Motion and Voting Delegates, dated 20 August 2018, receives and notes the report and in doing so instructs the Chief Executive Officer to confirm to the Local Government Association that Council’s voting delegates for the Annual General Meeting to be held on 26 October 2018 remain as Mayor Tony Flaherty OAM and Deputy Mel Lawrence as deputy voting delegate.”

CARRIED

- 14.1 Moved Councillor Panella Seconded Councillor Stubing **2018/359**

“that Council, having considered Item 14.1 – Local Government Association 2018 Annual General Meeting – Council Notice of Motion and Voting Delegates, dated 20 August 2018, receives and notes the report and in doing so instructs the Chief Executive Officer to submit the following Notice of Motions to the Local Government Association for inclusion in the agenda for the Annual General Meeting to be held on 26 October 2018:-

“that the Annual General Meeting request the Local Government Association liaise with the State Government to commence a state wide asbestos identification, collection and rehabilitation program with particular focus on coastal areas known for the illegal dumping of asbestos materials.”

CARRIED

- 14.1 Moved Councillor Keen Seconded Councillor Strudwicke **2018/360**

“that Council, having considered Item 14.1 – Local Government Association 2018 Annual General Meeting – Council Notice of Motion and Voting Delegates, dated 20 August 2018, receives and notes the report and in doing so instructs the Chief Executive Officer to submit the following Notice of Motions to the Local Government Association for inclusion in the agenda for the Annual General Meeting to be held on

26 October 2018:-

“that the Local Government Association lobby the State Government that the major northern gateway to Adelaide (Port Wakefield Highway) be cleaned up and maintained, and monies be resourced from waste levies.”

CARRIED

14.1 Moved Councillor Strudwicke Seconded Councillor Lawrence 2018/361

“that Council, having considered Item 14.1 – Local Government Association 2018 Annual General Meeting – Council Notice of Motion and Voting Delegates, dated 20 August 2018, receives and notes the report and in doing so instructs the Chief Executive Officer to submit the following Notice of Motions to the Local Government Association for inclusion in the agenda for the Annual General Meeting to be held on 26 October 2018:-

“that the Annual General Meeting requests that the Local Government Association liaise with the Natural Resources Adelaide and Mount Lofty Ranges to investigate the possibility of reimbursing Council for the unpaid NRM Levy on rateable properties.”

and

“that the Annual General Meeting requests that the Local Government Association liaise with the Office of the Valuer-General and propose finalising property valuation data by 31 March of each year to align with Council budget timelines, processes and adoption.””

CARRIED

14.2 Review of Confidential Items Register

Moved Councillor Lawrence Seconded Councillor Panella 2018/362

“that Council, having considered Item 14.2 – Review of Confidential Items Register, dated 20 August 2018, receives and notes the report and acknowledges that a formal review of the Confidential Items Register has been undertaken.”

CARRIED



14.2 Moved Councillor Strudwicke Seconded Councillor Keen 2018/363

"that Council, having considered Item 14.2 – *Review of Confidential Items Register*, dated 20 August 2018, resolves that the Section 91(7) of the *Local Government Act 1999* order made on 26 February 2018 in relation to Item 3.2 – *Junction Australia Ltd – Lease Agreement* be revoked."

CARRIED

14.2 Moved Councillor Daniele Seconded Councillor Di Troia 2018/364

"that Council, having considered Item 14.2 – *Review of Confidential Items Register*, dated 20 August 2018, resolves that the Section 91(7) of the *Local Government Act 1999* order made on 30 April 2018 in relation to Item 3.1 – *Gawler River Floodplain Management Authority – Outcomes of 19 April 2018 Meeting* be revoked."

CARRIED

14.2 Moved Councillor Lawrence Seconded Councillor Keen 2018/365

"that Council, having considered Item 14.2 – *Review of Confidential Items Register*, dated 20 August 2018, resolves that:

- a. Pursuant to Section 91(9)(a) of the *Local Government Act 1999*, having reviewed the confidential order made on 21 August 2017 under Sections 90(2) and 90(3)(a) of the *Local Government Act 1999*, the Council, pursuant to Section 91(7) of the *Local Government Act 1999* orders that the agenda report, attachments and resolutions 2018/261, 2018/262 and 2018/264 relating to Item 12.2 – *Chief Executive Officer Review Committee Meeting – held 14 August 2017*, dated 21 August 2017 continue to be retained in confidence and not available for public inspection until further order of Council, and that this order be reviewed every 12 months on the basis that it contains information relating to the personal affairs of a person, and that resolutions 2018/260, 2018/263 be released and made available for public inspection; and
- b. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, Council delegates the authority to the Chief Executive Officer to revoke this confidentiality order."

CARRIED

14.2 Moved Councillor Daniele Seconded Councillor Strudwicke 2018/366

“that Council, having considered Item 14.2 – *Review of Confidential Items Register*, dated 20 August 2018, resolves that:

- a. Pursuant to Section 91(9)(a) of the *Local Government Act 1999*, having reviewed the confidential order made on 22 January 2018 under Sections 90(2) and 90(3)(a) of the *Local Government Act 1999*, the Council, pursuant to Section 91(7) of the *Local Government Act 1999* orders that the agenda report and annexures to Item 2.1 – Waste Management Practices dated 22 January 2018 continue to be retained in confidence and not available for public inspection until further order of the Council, and that this order be reviewed every 12 months on the basis that it contains information relating to the personal affairs of a person, and that resolutions 2018/020, 2018/021 and 2018/022 be released and made available for public inspection; and
- b. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, Council delegates the authority to the Chief Executive Officer to revoke this confidentiality order.”

CARRIED

14.2 Moved Councillor Lawrence Seconded Councillor Daniele 2018/367

“that Council, having considered Item 14.2 – *Review of Confidential Items Register*, dated 20 August 2018, resolves that:

- a. Pursuant to Section 91(9)(a) of the *Local Government Act 1999*, having reviewed the confidential order made on 6 February 2018 under Sections 90(2), 90(3)(a) and 90(3)(k) of the *Local Government Act 1999*, the Council, pursuant to Section 91(7) of the *Local Government Act 1999* orders that the agenda annexures and legal advice relating to Item 3.1 – Waste Management Practices dated 6 February 2018 continue to be retained in confidence and not available for public inspection until further order of the Council, and that this order be reviewed every 12 months on the basis that the documents contain information relating to the personal affairs of a person, and information relating to a tender for the provision of services, and that the agenda report and minutes relating to this item be released and made available for public inspection; and
- b. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, Council delegates the authority to the Chief Executive Officer to revoke this confidentiality order.”

CARRIED

14.2 Moved Councillor Panella Seconded Councillor Keen 2018/368

“that Council, having considered Item 14.2 – *Review of Confidential Items Register*, dated 20 August 2018, resolves that:

- a. Pursuant to Section 91(9)(a) of the *Local Government Act 1999*, having reviewed the confidential order made on 26 March 2018 under Sections 90(2) and 90(3)(a) of the *Local Government Act 1999*, the Council, pursuant to Section 91(7) of the *Local Government Act 1999* orders that the annexure to Item 9.1 – *Waste Management Practices* dated 26 March 2018 continue to be retained in confidence and not available for public inspection until further order of the Council, and that this order be reviewed every 12 months on the basis that it contains information relating to the personal affairs of a person, and that the agenda report and minutes relating to this item be released and made available for public inspection; and
- b. Pursuant to Section 91(9)(c) of the *Local Government Act 1999*, Council delegates the authority to the Chief Executive Officer to revoke this confidentiality order.”

CARRIED

14.3 Policy Review – Social Media Policy

Moved Councillor Panella Seconded Councillor Di Troia 2018/369

“that Council, having considered Item 14.3 – *Policy Review – Social Media Policy*, dated 20 August 2018, receives and notes the report and in doing so:-

1. Rescinds the current *Social Media Policy* as provided in Attachment 1; and
2. Adopts the proposed *Social Media Policy* as provided in Attachment 2.”

CARRIED

14.4 Policy Review – Procurement Policy

Moved Councillor Lawrence Seconded Councillor Keen **2018/370**

“that Council, having considered Item 14.4 – *Procurement Policy Review*, dated 20 August 2018, receives and notes the report and in doing so:-

- 1. Adopts the proposed Procurement Policy as presented in Attachment 1 to this Report subject to the following amendments:-**

Value of Purchase (\$)	Possible Method of Procurement
Up to \$30	Petty cash – no quotations required
\$31 to \$5,000	
\$5,001 \$31 to \$10,000	At least two (2) written quotations, and recorded with Purchase Order (including terms and conditions)
\$10,001 to \$50,000	Request for Quotation (RFQ) (specific terms and conditions) with at least three (3) written quotations.
\$50,001 to \$100,000	Request for Expression of Interest (REOI), Request for Quotation (RFQ). & Request for Tender (RFT).
Over \$100,001	Request for Tender (RFT).

and

- 2. Request that the Chief Executive Officer bring a report back to Council in January 2019 outlining savings as a result of the proposed Procurement Policy.”**

CARRIED

14.5 Policy Review – Disposal of Surplus Land Policy

Moved Councillor Panella Seconded Councillor Strudwicke **2018/371**

“that Council, having considered Item 14.5 – *Disposal of Land and Other Assets Policy Review* dated 20 August 2018, receives and notes the report and in doing so adopts the proposed *Disposal of Land and Other Assets Policy* as presented in Attachment 1 to this Report.”

CARRIED



14.6 Asset Management Policy Review

Moved Councillor Strudwicke Seconded Councillor Di Troia **2018/372**

“that Council, having considered Item 14.6 – *Asset Management Policy Review* dated 20 August 2018, receives and notes the report and in doing so adopts the proposed *Asset Management Policy* as presented in Attachment 1 to this report.”

CARRIED

14.7 Renewal of Lease – Dublin Cricket Club Inc

Moved Councillor Strudwicke Seconded Councillor Lawrence **2018/373**

“that Council, having considered 14.7 – *Renewal of Lease – Dublin Cricket Club Inc*, dated 20 August 2018, receives and notes the report and in doing so authorises the Chief Executive Officer to:-

- 1. Commence the public consultation process pursuant to Section 202 of the *Local Government Act 1999*, in regard to the leasing of portion of Section 637, South Terrace, Dublin comprised in Certificate of Title Volume 5392 Folio 9, to the Dublin Cricket Club Inc; and**
- 2. In the event that objections are received to the leasing of portion of Section 637, South Terrace, Dublin comprised in Certificate of Title Volume 5392 Folio 9, to the Dublin Cricket Club Inc at the conclusion of the public consultation process, a report be presented to Council for consideration; and**
- 3. In the event that no objections are received to the leasing of portion of Section 637, South Terrace, Dublin comprised in Crown Record Volume 5392 Folio 9, to the Dublin Cricket Club Inc, at the conclusion of the public consultation process:**
 - a. Negotiate and finalise the terms and conditions of the Proposed Lease, and to seek the assistance of Norman Waterhouse Lawyers to prepare the Proposed Lease for execution**
 - b. Pursuant to Sections 38 and 44 of the *Local Government Act 1999*, the Mayor and Chief Executive Officer execute the lease agreement between the Adelaide Plains Council and the Dublin Cricket Club Inc; and**
 - c. In accordance with Section 166(1)(j) of the *Local Government Act 1999*, Council, being satisfied that the portion of Section 637, South Terrace, Dublin comprised in Certificate of Title Volume 5392 Folio 9, is being used by an organisation which, in the opinion of Council, provides a benefit or service to the local community, grants a discretionary rebate of 100% of the rates imposed, effective from the 2018/19 rating year.”**

CARRIED

14.7 Moved Councillor Jones Seconded Councillor Lawrence 2018/ 374

"that Council instructs the Chief Executive Officer to not seek reimbursement of 50% of the legal costs for preparation of the lease and 50% of the public consultation costs in regards to the leasing of portion of Section 637, South Terrace, Dublin comprised in Certificate of Title Volume 5392 Folio 9, to the Dublin Cricket Club Inc."

CARRIED

14.8 Two Wells Scout Group – Relocation

Moved Councillor Strudwicke Seconded Councillor Lawrence 2018/ 375

"that Council, having considered Item 14.8 – *Two Wells Scout Group – Relocation*, dated 20 August 2018, receives and notes the report and in doing so instructs the Chief Executive Officer to liaise with the community in accordance with Council's *Public Consultation Policy* for the relocation of the scout hall in Two Wells."

CARRIED

14.9 Adelaide International Bird Sanctuary National Park – Port Prime

Moved Councillor Strudwicke Seconded Councillor Lawrence 2018/376

"that Council, having considered Item 14.9 – *Adelaide International Bird Sanctuary National Park – Port Prime*, dated 20 August 2018, receives and notes the report and in doing so:-

- 1. Supports the revocation of dedication of the 4 allotments which are currently dedicated under Adelaide Plains Council's care and control (namely CR5755/729, CR5755/730, CR5755/731 and CR5755/732) and the transfer of the 27 land parcels held by Adelaide Plains Council at Port Prime listed under CT5687/238, subject to there being no cost burden to Council in advancing and finalising this initiative; and**
- 2. Authorises the Chief Executive Officer to provide a response to the Department of Environment and Water on behalf of Adelaide Plains Council accordingly."**

CARRIED

Moved Councillor Jones Seconded Councillor Di Troia 2018/377

"that the Chief Executive Officer bring back a report to Council in relation to the current status of the Port Prime Cemetery."

CARRIED



14.10 Recruitment of Independent Members – Audit Committee

Moved Councillor Strudwicke Seconded Councillor Lawrence **2018/378**

“that Council, having considered Item 14.10 – *Recruitment of Independent Members – Audit Committee*, dated 20 August 2018, receives and notes the report and in doing so:-

- 1. Instructs the Chief Executive Officer to call for Expressions of Interest in relation to two (2) independent member positions on Council’s Audit Committee and report back to Council as soon as possible; and**
- 2. Appoints outgoing Chairman of the Audit Committee, Mr John Comrie, Councillor Keen and Councillor Panella to the interview panel along with the Chief Executive Officer and the General Manager – Finance and Economic Development.”**

CARRIED

15. REPORTS FOR INFORMATION

15.1 Council Resolutions/Action Report

Moved Councillor Jones Seconded Councillor Keen **2018/379**

“that Council, having considered Item 15.1 – *Council Resolutions/Action Report*, dated 20 August 2018, receives and notes the report.”

CARRIED

15.2 Local Government (Rate Oversight) Amendment Bill 2018 – Outcomes of the 10 August 2018 Meeting

Moved Councillor Keen Seconded Councillor Di Troia **2018/380**

“that Council, having considered Item 15.2 – *Local Government (Rate Oversight) Amendment Bill 2018*, dated 20 August 2018 receives and notes the report.”

CARRIED

15.3 Community Survey Results

Moved Councillor Panella Seconded Councillor Keen **2018/381**

“that Council, having considered Item 15.2 *Community Survey Results*, dated 20 August 2018, receives and notes the report and in doing so:-

- 1. Accepts the feedback received from residents and ratepayers via the Community Survey; and,**

2. Agrees that all future decisions of Council will take into account the results of the Community Survey (June 2018) in conjunction with the Strategic Plan (2017-2020) and Infrastructure and Asset Management Plan (February 2017) as the key strategic management plans of Council."

CARRIED

15.4 Mallala Lions Club – Mallala Oval Campgrounds

Moved Councillor Keen Seconded Councillor Di Troia **2018/382**

"that Council, having considered Item 15.4 – *Mallala Lions Club – Mallala Oval Campgrounds*, dated 20 August 2018, receives and notes the report."

CARRIED

15.5 Mallala CWMS Private Property Domestic Pumps

Moved Councillor Lawrence Seconded Councillor Keen **2018/383**

"that Council, having considered Item 15.5 – Mallala CWMS Private Property Domestic Pumps, dated 20 August 2018, receives and notes the report and in doing so:-

1. Acknowledges deficiencies surrounding the origins of the Mallala CWMS in which failure to make grade has eventuated thereby resulting in the need for some landowners to have on site CWMS infrastructure;
2. Acknowledges that the current CWMS Policy places an onus of responsibility on the individual to maintain and fund replacement on site infrastructure; and
3. Instructs the Chief Executive Officer to bring a report back to Council via a prudential analysis to the Audit Committee on this matter prior to determining responsibility obligations into the future."

CARRIED

15.6 Fleet Review

Moved Councillor Lawrence Seconded Councillor Keen **2018/384**

"that Council, having considered Item 15.6 - *Fleet Review*, dated 20 August 2018, receives and notes the report."

CARRIED

16. QUESTIONS ON NOTICE

Councillor Jones gave notice of his intention to ask the following questions:	
Preamble	Renewal of dog registration online or other when renewing this years dog registration.
Question 1:	Why is a drivers licence number and other personal information required to enable dog registration renewal? Please specify
Answer:	<p>A driver's licence number assists in the administration and enforcement of the <i>Dog and Cat Management Act 1995</i> (the Act). It is an important way of verifying the identity of pet owners and enables authorised officers in particular to better carry out their duties under the Act for the benefit of the broader community. This information is only accessible to authorised council officers in the course of their formal duties under the Act. It is similar in concept to the owner of a vehicle being able to be identified from a license plate: personal records are held by Motor Registration, for the purposes of enforcing the <i>Road Traffic Act</i>.</p> <p>Further, these are not new requirements. Prior to the new Dogs and Cats Online (DACO) system, the owner of a new dog had to complete a form which included date of birth and ID confirmation (license/passport). This information was kept by councils on their own registers.</p> <p>The provision of a driver's licence is mandatory to register a dog or cat. If a pet is not registered in accordance with the Act, penalties/expiations apply.</p>
Question 2:	What happens to this information? Please specify
Answer:	The information is stored in DACO and subject to the DACO Privacy Policy, which is based upon SA Government Information Privacy Principles.
Question 3:	Is it stored? If so, how is it stored? Please specify
Answer:	As above.
Question 4:	Is it also passed onto Dog and Cat Management Board? How is it stored? Please specify
Answer:	The Dog and Cat Management Board (the Board) has access to all information stored in the DACO system, except suppressed records.
Question 5:	How would risk be managed if the information is hacked in future and if losses occurred, would Council be liable?

Answer:	<p>SA Government Information Privacy Principles are binding on the state government but there are no monetary penalties for a breach (by state government, local government or any citizen).</p> <p>After the 2018/2019 registration renewal period is complete, the Board is likely to formally consult with councils, through the LGA, on DACO's administrative arrangements. One issue for consideration may be whether the Dog and Cat Management Regulations should be amended to introduce penalties for people who use information in DACO, in a manner that is inconsistent with the DACO Privacy Policy.</p>
Question 6:	How will any resident dog owner who has never or does not hold a current drivers licence be able to register their dog as required under new regulations?
Answer:	<p>If a dog owner does not have a driver's licence, they are asked to declare this in the DACO system, during the dog registration process.</p> <p>Fines of up to \$10,000 apply for people who provide false or misleading information under the Act.</p>
Question 7:	What legislation exists in SA that would provide protection for the privacy rights of individuals in light of new requirements when registering dogs under SA legislation?
Answer:	The SA Government Information Privacy Principles are not legislation, but do bind the Board in the way that it has designed and now operates the DACO system.
Question 8:	What public consultation was undertaken by State Government prior to the implementation of the current legislation which makes changes to the way dog registrations are handled? Was council provided an opportunity to make input? If so, did council respond? Please specify on all points
Answer:	<p>The changes regarding collection of driver's licence information were made, for the commencement of the 2016-17 dog registration year. The changes were made at the request of the LGA, on behalf of councils. The Board amended the form for registering a dog (Form 1) and then distributed a draft of the amended Form 1 to each council for comment, before approving the change.</p> <p>The dog registration requirements in DACO encapsulate the existing arrangements.</p> <p>Council staff were involved in workshops to assist in the development of the DACO system.</p>

17. QUESTIONS WITHOUT NOTICE

Not recorded in Minutes in accordance with Regulation 9(5) of the *Local Government (Procedures at Meetings) Regulations 2013*.

Councillor Di Troia left the meeting at 8:17pm.

Councillor Di Troia returned to the meeting at 8:18pm.

18. MOTIONS ON NOTICE

18.1 Request to Fly the Rainbow Flag during Feast Festival

Moved Councillor Strudwicke Seconded Councillor Panella **2018/385**

"that Council, having considered Item 14.1 – Request to fly the Rainbow Flag during Feast Festival, dated 18 June 2018, receives and notes the report and in doing so authorises the Rainbow Flag to be displayed on the East Reserve flagpole, Mallala for the duration of the Feast Festival from 10 – 25 November 2018, excluding 11 November 2018 in recognition of Remembrance Day, and be listed as a supporter on the dedicated page in the Feast Program Guide."

CARRIED

18.2 Rescind Motion (2018/348) - Local Government (Rate Oversight) Amendment Bill 2018

Moved Councillor Jones Seconded Councillor Keen **2018/386**

Councillor Jones raised a Point of Order on the basis that discussions related to Members' understanding of the effect of a rescission order.

The Mayor accepted the Point of Order.

Councillor Panella left the meeting at 8:32pm.

"that Resolution 2018/348:-

that Council, having considered item 4.1 - Local Government (Rate Oversight) Amendment Bill 2018 dated 23 July 2018, receives and notes the report and in doing so instructs the Chief Executive Officer to advise the Local Government Association of South Australia (LGA) that -

- 1. It opposes the Local Government (Rate Oversight) Amendment Bill 2018 and,***
- 2. The priority issues , amendments and concessions Council would seek the LGA to use its best endeavours to address in discussions with political parties about the Local Government (Rate Oversight) Amendment Bill 2018 include the following:***

- a) Should the legislation provide an obligation for the regulator to consult with councils, the LGA and other interested stakeholders each year on the factors that should be taken into account when setting the cap?***
- b) Should the methodology for the rate cap be a more simple mechanism to give revenue certainty to councils and account for development growth during the***

period? Would a LGPI/WPI+ growth be suitable?

- c) Should all powers for Ministerial direction be removed from the legislation to ensure independence and avoid politicisation of the rate capping scheme?*
- d) Should the reference to councils paying a fee for a variation application be removed from legislation?*
- e) Should the reference to councils paying a fee for a variation application be removed from the legislation?*
- f) Solid Waste Levy,*
- g) Rubble Royalties,*
- h) NRM Levy,*
- i) Development contributions, and*
- j) Benchmarking and data sharing*

be rescinded."

CARRIED

Councillor Jones called for a division:

The Mayor declared the vote set aside.

Members voting in the affirmative: Councillors Jones, Lawrence, Di Troia, Keen and Stubing.

Members voting in the negative: Councillors Daniele and Strudwicke.

The Mayor declared the motion CARRIED.

18.3 Roadside Weed Control

Moved Councillor Jones

Seconded Councillor Keen

2018/387

"that the Chief Executive Officer bring back a report to Council in regard to a review of Council's roadside weed control program and methods, including compliance and auditing under relevant legislation, maintaining replacement of equipment in use and cost effectiveness, how much if any of Council's weed control program is outsourced."

CARRIED

Councillor Panella returned to the meeting at 8:35pm.

18.4 Rescind Motion (2016/133) – Sea Level Gauge

Moved Councillor Jones

Seconded Councillor Keen

2018/388

"that Resolution 2016/133:-

"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 an installed Sea Level Gauge"

be rescinded."

CARRIED

18.5 Highway One Litter Control

Moved Councillor Jones

Seconded Councillor Di Troia

2018/389

"that Council instructs the Chief Executive Officer to write to the South Australian Government, Ministers, relevant departments and agencies including Environment Protection Authority and local member to officially investigate concerns over inadequate litter control measures along Highway One."

CARRIED

18.6 Road Conditions – Webb Beach

Moved Councillor Jones

Seconded Councillor Strudwicke

2018/390

"that Council instructs the Chief Executive Officer to prepare report on how safe road access along Webb Beach Road and George Street can best be achieved in times of rainfall events and peak tide inundation taking into consideration all previous correspondence from residents and previous motions of Council with a view for inclusion in next budget or budget review."

CARRIED

18.7 Sealed Road Maintenance – Lewiston

Moved Councillor Di Troia

Seconded Councillor Daniele

2018/391

"that the Chief Executive Officer bring back a report to Council in relation to Lewiston's long-standing road and safety concerns regarding inundation and road drainage and maintenance within Council's maintenance program constraints."

CARRIED

18.8 Gawler River Reference Group

Moved Councillor Keen

Seconded Councillor Lawrence

2018/392

"that, in relation to recent questions placed on notice by Adelaide Plains Council to the Gawler River Floodplain Management Authority regarding the origins of the Lower Gawler River Reference Group and the Northern Floodway, Council instructs the Chief Executive Officer to formally write to the Gawler River Floodplain Management Authority advising of its concern that a number of answers given appear to relate to the Technical Assessment Panel and not the Gawler River Reference Group. With this in mind, Council hereby requests that all questions previously answered on the matter at the Gawler River Floodplain Management Authority meeting held on 16 August 2018 be answered entirely on the basis that questions posed relate to the Gawler River Reference Group."

CARRIED

Councillor Lawrence left the meeting at 8:46pm.

Councillor Lawrence returned to the meeting at 8:48pm.

19. MOTIONS WITHOUT NOTICE

Nil

20. URGENT BUSINESS

Nil

21. CONFIDENTIAL ITEMS

21.1 By Law Review

Moved Councillor Strudwicke

Seconded Councillor Keen

2018/393

"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 – Governance and Communications, General Manager – Development and Community, General Manager – Infrastructure and Environment, General Manager – Finance and Economic Development, Governance Officer/Minute Taker and Executive Assistant be excluded from attendance at the meeting of the Council for Agenda Item 21.1 – *By-law Review 2019*;
2. Council is satisfied that, pursuant to section 90(3)(d) of the *Local Government Act 1999*, Agenda Item 21.1 – *By-law Review 2019* 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 persons who supplied the information, or to confer a commercial advantage on a third party, constituting proposals and quotations provided by firms to undertake the By-law Review, 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

Councillor Di Troia left the meeting at 8:50pm.

Councillor Di Troia returned to the meeting at 8:51pm.

21.1 Moved Councillor Strudwicke Seconded Councillor Lawrence 2018/394

“that Council, having considered Item 21.1 – *By-law Review 2019*, 20 August 2018, receives and notes the report and in doing so authorises the Chief Executive Officer to appoint the services of Norman Waterhouse Lawyers to undertake the 2019 by-law review, including the possible introduction of a new by-law to regulate trail bike riding as per the quotation dated 19 June 2018.”

CARRIED

21.1 Moved Councillor Strudwicke Seconded Councillor Di Troia 2018/395

“that Council, having considered the matter of Agenda Item 21.1 – *By-law Review 2019* in confidence under sections 90(2) and 90(3)(d) of the *Local Government Act 1999*, resolves that:-

- 1. The agenda item, report and annexures and any other associated information submitted to this meeting in relation to the matter remain confidential and not available for public inspection until further order of Council;**
- 2. The minutes of this meeting in relation to the matter be released once both firms have been notified of Council’s decision;**
- 3. Pursuant to section 91(9)(a) of the *Local Government Act 1999*, the confidentiality of the matter will be reviewed every 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

21.2 Late Item - Asbestos Contamination – Stony Point

Moved Councillor Panella Seconded Councillor Keen 2018/396

“that Council formally resolves to consider Late Item 21.2 – Asbestos Contamination – Stony Point.”

CARRIED

Motion without Notice

Moved Councillor Strudwicke Seconded Councillor Panella 2018/397

“that, in relation to the Northern Adelaide Food Protection DPA and the Minister for Planning’s imminent decision regarding Caretaker Residences, Council instructs the Chief Executive Officer to correspond directly with the Chairperson of the Environment, Resources and Development (ERD) Parliamentary Committee with a view of advising the Chairperson that Council is yet to receive confirmation of the Minister’s



decision and respectfully requests any assistance from the ERD Committee in advancing this matter.”

CARRIED

21.2 Moved Councillor Strudwicke Seconded Councillor Lawrence 2018/398
“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 – Governance and Communications, General Manager – Development and Community, General Manager – Infrastructure and Environment, General Manager – Finance and Economic Development, Governance Officer / Minute Taker and Executive Assistant be excluded from attendance at the meeting of the Council for Agenda Item 21.2 – *Asbestos Contamination – Stony Point*;
2. Council is satisfied that, pursuant to section 90(3)(b)(i) of the *Local Government Act 1999*, Agenda Item 21.2 – *Asbestos Contamination – Stony Point* concerns information the disclosure of which could reasonably be expected to prejudice the commercial position of Council, being information relating to a potential contractual dispute, and on balance it would be contrary to the public interest; 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

21.2 Moved Councillor Strudwicke Seconded Councillor Panella 2018/399

“that Council, having considered Item 21.2 – *Asbestos Contamination – Stony Point*, dated 20 August 2018, receives and notes the report, and in doing so, requests that the Chief Executive Officer brings back a further report to the Ordinary Meeting of Council to be held on 17 September 2018 in relation to this matter.”

CARRIED

21.2 Moved Councillor Strudwicke Seconded Councillor Keen **2018/400**

Councillor Strudwicke raised a Point of Order on the basis that the Motion refers to a specific confidential item, and discussions outside of that Motion are not in confidence. The Mayor accepted the Point of Order.

“that Council, having considered the matter of Agenda Item 21.2 – *Asbestos Contamination – Stony Point* in confidence under sections 90(2) and 90(3)(b)(i) of the *Local Government Act 1999*, resolves that:-

- 1. The agenda item, report 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 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; 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

22. CLOSURE

There being no further business, the Mayor declared the meeting closed at 9:12pm.

Confirmed as a true record.

Mayor: 

Date: 17/9/18