

WATTLE RANGE COUNCIL

Minutes of the Ordinary Meeting of Wattle Range Council held in the Council Chambers, Civic Centre, George Street, Millicent on 14 July 2020 at 5.00 pm.

1. OPENING OF THE MEETING / CIVIC PRAYER / ACKNOWLEDGEMENT OF COUNTRY / RECORDING OF MEETINGS

2. PRESENT

Deputy Mayor M Neagle
 Cr D Agnew
 Cr D Burrow
 Cr S Cox
 Cr J Drew
 Cr P Dunnicliff
 Cr K McGrath
 Cr D Muhovics
 Cr R Paltridge
 Cr D Price
 Cr G Slarks

Messrs BJ Gower (Chief Executive Officer)
 PA Duka (Director Corporate Services)
 PA Halton (Director Engineering Services)
 SW Chapple (Director Development Services)
 Ms CP Allen (Executive Assistant)

3. APOLOGIES

His Worship the Mayor D Noll

4. DISCLOSURE OF INTERESTS

Cr Burrow disclosed that he had an Actual Conflict of Interest in regard to Item 15.2.7.
 Cr Neagle disclosed that she had a Perceived Conflict of Interest in regard to Item 15.3.1.
 Cr Paltridge disclosed that he had an Actual Conflict of Interest in regard to Item 15.3.1.
 Cr Paltridge disclosed that he had an Actual Conflict of Interest in regard to Item 16.9.

5. CONFIRMATION OF THE MINUTES

5.1 Ordinary Meeting of Council – 9 June 2020 (Folio 8978 – Folio 8986)

Cr Agnew moved that the Minutes of the Ordinary Meeting dated 9 June 2020 be taken as presented and confirmed.

Cr Burrow seconded

CARRIED

5.2 Confidential Meeting of Council – 9 June 2020 (CM 872 – CM 874)

Cr Muhovics moved that the Minutes of the Confidential Meeting dated 9 June 2020 be taken as presented and confirmed.

Cr Cox seconded

CARRIED

5.3 Special Meeting of Council – 23 June 2020 (Folio 8989 – Folio 8997)

Cr Drew moved that the Minutes of the Special Meeting dated 23 June 2020 be taken as presented and confirmed.

Cr Cox seconded

CARRIED

5.4 Special Confidential Meeting of Council – 23 June 2020 (CM 875 – CM 877)

Cr Price moved that the Minutes of the Special Confidential Meeting dated 23 June 2020 be taken as presented and confirmed.

Cr Paltridge seconded

CARRIED

6. MATTERS ARISING FROM THE MINUTES

NIL

7. ADJOURNMENTS

NIL

8. MAYORAL COMMUNICATIONS

Deputy Mayor Neagle advised that a prior Millicent resident Mr Jamie Dunnicliff, Procurement Lead of Charles Sturt and Marion Councils has received the Local Government Association 2020 Emerging Leader of the Year Award.

8.1 Mayoral Communications

Cr Cox moved that Mayoral Communications be taken as presented and confirmed.

Cr Muhovics seconded

CARRIED

9. DEPUTATIONS

9.1 Sandra Young – Declaring a Climate Emergency

[Ms Sandra Young attended the meeting at 5.05 pm]

Ms Sandra Young made a presentation to Council regarding a Climate Emergency.

[Ms Sandra Young left the meeting at 5.30 pm]

9.2 Scott Altschwager – Southend Progress Association – Southend Caravan Park

[Mr Scott Altschwager attended the meeting at 5.30 pm]

Mr Scott Altschwager on behalf of the Southend Progress Association made a presentation to Council regarding the Southend Caravan Park.

[Mr Scott Altschwager left the meeting at 5.41 pm]

10. PETITIONS

NIL

11. REPORTS FROM COUNCIL MEMBERS

NIL

12. QUESTIONS WITH NOTICE

NIL

13. QUESTIONS WITHOUT NOTICE

NIL

14. REPORTS FROM COUNCIL COMMITTEES

NIL

15. REPORTS FROM COUNCIL OFFICERS

15.1 Chief Executive Officer

15.1.1 Monthly Project Status Report

Cr Cox moved that Council receive and note the report.

Cr Dunnicliff seconded

CARRIED

15.2 Director Corporate Services

15.2.1 Monthly Financial Performance Report

Cr Dunnicliff moved that Council receive and note 2019/20 June Financial Performance Report.

Cr Paltridge seconded

CARRIED

15.2.2 Committee Meetings

Cr Paltridge moved that Council end the temporary suspension of meetings that was resolved at Council's Ordinary Meeting on 14 April 2020 (Folio 8950; Item 16.1.2.1) for the following Committees:

- a. Beachport Recreation Centre Management Committee;
- b. Greenrise Lake Advisory Committee;
- c. Kalangadoo Riddoch Memorial Institute Hall Management Committee;
- d. Lake McIntyre Management Committee;
- e. Rendelsham Community Hall Management Committee; and
- f. Wattle Range Youth Development Foundation.

Cr Slarks seconded

CARRIED

15.2.3 Proposed Road Closure & Sale, Hundred of Hindmarsh

Cr Muhovics moved that Council:

That Council approve in principle the closure of the road reserve as amended, being that portion of unmade road reserve immediately Lot 5, Princes Highway, Hundred of Hindmarsh to PG & B Earl subject to:

1. Council undertaking public consultation in relation to the road closure proposal including consent from the District Council of Grant;

2. The road closure and sale complying with the provisions of the *Roads (Opening and Closing) Act, 1991*;
3. A market valuation of the road reserve being undertaken by an independent licensed Valuer to establish the sale price of the road reserve;
4. The purchasers being responsible for all costs, including the road closure and valuation, associated with the purchase of the road reserve; and
5. Subject to no objections being received throughout the consultation period and the applicants agreeing to all terms and conditions, the Mayor and CEO be authorised to execute the necessary documents relating to the proposed road closure and sale including the affixing of the common seal if required.

Cr Slarks seconded

CARRIED

15.2.4 Independent Audit Committee Member and Amended Charter

Cr Slarks moved that Council:

1. Receive and note the Report.
2. That pursuant to Section 126 (2) of the Local Government Act 1999 that Council appoints Erica Wilson as an Independent Member of the Wattle Range Audit & Risk Committee for a period coinciding with the four-year term of Council, expiring 11 November 2022.
3. Amend the Audit & Risk Committee Terms of Reference, by altering the membership to six (6) Committee Members being: the Mayor, 3 Elected Members and 2 Independent Members.

Cr Burrow seconded

CARRIED

15.2.5 2020/21 Additional Budget Requests

Cr Cox moved that Council receive and note the report.

Cr Price seconded

CARRIED

Cr Price moved that Council approve a budget allocation of \$5,000 toward Foodbank for the 2020/21 financial year.

Cr Drew seconded

CARRIED

Cr Paltridge moved that Council approve a budget allocation of \$1,000 towards Stand Like Stone for the 2020/21 financial year.

Cr Cox seconded

CARRIED

AMENDMENT

Cr Burrow moved that Council approve a budget allocation of \$2,000 towards Stand Like Stone for the 2020/21 financial year.

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15.2.6 Beachport New Year's Eve Dry Area 2020

Cr Slarks moved that Council conduct public consultation with the Beachport Community and other relevant parties in relation to the proposed changes to the establishment of the following long-term dry area in the Beachport township:

1. Centennial Park (Beachport Area 1) – between the hours of 12.01 a.m. and 7.00 a.m. each day during the period 26 December 2020 (Boxing Day) to 31 December 2020 and then 7.01 a.m. on 31 December 2020 to 12.00 p.m. on 2 January 2021; and
2. Beachport Township (Beachport Area 2) – between the hours of 12.00 p.m. on 26 December 2020 (Boxing Day) to 12.00 p.m. on 2 January 2021.

Cr Dunnicliff seconded

CARRIED

Cr Cox moved that following the conduct of the public consultation, a further report be prepared for consideration by Council prior to a formal application being submitted to the Office of Business and Consumer Affairs for a declared dry area at Beachport for the 2020/21 Christmas/New Year period.

Cr Dunnicliff seconded

CARRIED

15.2.7 Lease of Council Land – Penola Commonage

Cr Burrow advised that he had an Actual Conflict of Interest in regard to the Penola Commonage as he is a member of the Penola Lions Club.

[Cr Burrow declared a Conflict of Interest and left the Chamber at 6.11 pm]

Cr Price moved that Council:

1. Pursuant to Section 200 of the *Local Government Act, 1999* authorise the Chief Executive Officer to negotiate and execute a new licence for sheep grazing and hay production over portion of the Penola Commonage land (Pieces 31 and 32, D90641; Allotment 33, D90641 and Sections 217 and 465, Hundred of Penola) to the Lions Club of Penola for a fixed term of five (5) years commencing on 1 July 2020 subject to the conditions outlined in the EOI document; and
2. Pursuant to Section 202 of the *Local Government Act, 1999* undertake public consultation prior to finalising any new licence agreement.

Cr Drew seconded

CARRIED

Cr Cox moved that subject to negotiating a new Licence Agreement, the Lions Club of Penola be advised that Council supports the relocation of the current sheep yards subject to the Club providing more specific details of the proposed new location.

Cr Paltridge seconded

CARRIED

[Cr Burrow resumed the Chamber at 6.20 pm]

15.3 Director Development Services

15.3.1 Genetically Modified Crops

Deputy Mayor Neagle advised that she had a Perceived Conflict of Interest in regard to Genetically Modified Crops as she and her husband run a farm which includes cropping.

[Deputy Mayor Neagle declared a Conflict of Interest and left the Chamber and Chair at 6.20 pm]

Cr Paltridge advised that he had an Actual Conflict of Interest in regard to Genetically Modified Crops as he had previously grown GMO Crops.

[Cr Paltridge declared a Conflict of Interest and left the Chamber at 6.20 pm]

Mr Ben Gower, Chief Executive Officer asked whether any Elected Member wishes to move a motion to appoint a person to preside at the meeting for this item in the absence of the Deputy Mayor.

Cr Price moved that Cr Dunnicliff preside at the meeting in the absence of Deputy Mayor Neagle for this item.

Cr Cox seconded

CARRIED

[Cr Dunnicliff took the Chair at 6.21pm]

Cr McGrath moved that Council consistent with its Community Engagement Policy and Section 5A(2) of the *Genetically Modified Crops Management Act 2004*, undertakes public consultation for a period of 21 days on designating the Council area as an area in which no genetically modified food crops may be cultivated.

Cr Drew seconded

CARRIED

[Cr Dunnicliff vacated the Chair at 6.33 pm]

[Deputy Mayor Neagle resumed the Chamber and the Chair at 6.33 pm]

[Cr Paltridge resumed the Chamber at 6.33 pm]

ADJOURNMENT OF MEETING

Cr Dunnicliff moved that the meeting be adjourned for dinner until 7.05 pm

Cr Price seconded

CARRIED

The meeting adjourned at 6.34 pm.

15.3.2 Regional Assessment Panel

Cr Price moved that Council:

1. Receive and note the report.
2. Provide in principle support for the development of a Regional Assessment Panel with joint Assessment Manager.

Cr Muhovics seconded

CARRIED

15.4 Director Engineering Services

15.4.1 Council Office – Public Consultation

Cr Paltridge moved that Council lift the matter that lie on the table from 9 June 2020 meeting, being Item 16.1.2 Council Office.

Cr Cox seconded

CARRIED

Recommendation from 9 June 2020 Council Meeting:

Cr Drew moved that Council proposes Apex Park as the preferred site location for a new Principal Office. Seconded Cr Price.

Cr Drew withdrew the motion from 9 June 2020 with the approval of the Seconder Cr Price.

Cr Price moved for Council to commence a 30-day Public Consultation in relation to the (6) six designated site options for the future location and development of the Wattle Range Council principal office being:

- (Site 1) Former Netball Precinct (corner Williams Road & North Terrace)
- (Site 2) Apex Park (Corner George Street & Adelaide Road)
- (Site 3) Jubilee Park (North Terrace)
- (Site 3a) Jubilee Park (North Terrace - overlaying RSL Building)
- (Site 4) Existing George Street office site
- (Alternative Sites 5) Respondents of survey to provide other options

Cr Burrow seconded

AMENDMENT

Cr Drew moved for Council to commence a 30-day Public Consultation in relation to the (5) five designated site options for the future location and development of the Wattle Range Council principal office being:

- (Site 1) Former Netball Precinct (corner Williams Road & North Terrace)
- (Site 2) Apex Park (Corner George Street & Adelaide Road)
- (Site 3) Jubilee Park (North Terrace)
- (Site 4) Existing George Street office site
- (Alternative Sites 5) Respondents of survey to provide other options

Cr Cox seconded

**THE AMENDMENT WAS PUT AND BECAME THE MOTION
THE MOTION WAS PUT AND WAS CARRIED**

Cr Burrow moved that the Council facilitate an opening of the Office for the public and its facilities including transport from outlying areas of the district for those that seldom come to Millicent to view the site and discuss with staff.

Cr Paltridge seconded

LOST

15.4.2 2020/21 Black Spot Program

Cr Slarks moved that Council:

1. Receive and note the report.
2. Authorise the Mayor and CEO to execute the Funding Deed under the 2020/21 Commonwealth Infrastructure Investment Black Spot Program and affix the common seal.

Cr Price seconded

CARRIED

16. CORRESPONDENCE

16.1 2020 LGA Annual General Meeting – Proposed Items of Business

Cr Cox moved that the correspondence from the Local Government Association regarding Proposed Items of Business due by Monday, 17 August 2020 be received and noted.

Cr Muhovics seconded

CARRIED

Cr Drew moved that Council submit the following motion:

That the Wattle Range Council endorse the letter from the Executive Officer of the Marine Fisher's Association and seek the support of the LGA in lobbying the SA Government to legislate constraints on quota trading and amalgamation of fishing licence / quota holder in order to preserve local ownership.

Cr Dunnicliff seconded

CARRIED

Cr Dunnicliff moved the Council make a submission to the LGA seeking a review on recycling services and better support for regional communities in the disposal and management of recycling. With particular focus on greening industries making funding available to provide these services.

Cr Agnew seconded

CARRIED

16.2 Launch of the Community Wellbeing & Resilience Grants

Cr Muhovics moved that the correspondence from Hon David Speirs MP dated 19 June 2020 regarding the launch of the Community Wellbeing and Resilience grants be received and noted.

Cr Agnew seconded

CARRIED

16.3 Public Service Medal – Australia Day 2021

Cr Cox moved the correspondence from Jan Chorley, CEO, Australia Day Council of South Australia dated 25 June 2020 regarding the Public Service Medal – Australia Day 2021 be received and noted.

Cr Agnew seconded

CARRIED

[Cr Drew left the meeting at 8.17 pm]

Cr Price moved that the following person be nominated for the Public Service Medal - Cr John Drew.

Cr Agnew seconded

CARRIED

[Cr Drew resumed the meeting at 8.18 pm]

16.4 Liberal Government's delivery to reform natural resource management in SA

Cr Cox moved that the correspondence from Hon David Speirs MP regarding natural resources management reform in SA dated 1 July 2020 be received and noted.

Cr Burrow seconded

CARRIED

16.5 Coastal Grants

Cr Burrow moved that the correspondence from Hon David Speirs MP regarding Coastal Grants dated 1 July 2020 be received and noted.

Cr Dunnicliff seconded

CARRIED

16.6 Marine Fishers in South Australia

Cr Dunnicliff moved that the correspondence from Dr Gary Morgan regarding Marine Fishers in South Australia dated 29 June 2020 be received and noted.

Cr Agnew seconded

CARRIED

16.7 Statutes Amendment (Local Government Review) Bill 2020

Cr Price moved that the correspondence from Hon Stephen Knoll MP regarding Statutes Amendment (Local Government Review) Bill 2020 dated 18 June 2020 be received and noted.

Cr Burrow seconded

CARRIED

16.8 Limestone Coast Local Government Association – Key Outcomes – 19 June 2020

Cr Cox moved that the Key Outcomes from the Limestone Coast Local Government Association General Meeting dated 19 June 2020 be received and noted.

Cr McGrath seconded

CARRIED

16.9 Penola District Cultural Fund

Cr Paltridge advised that he had an Actual Conflict of Interest in regard to the Penola District Cultural Fund as he is a nominee.

[Cr Paltridge declared a Conflict of Interest and left the Chamber at 8.32 pm]

Cr Burrow moved that the correspondence from Bill Murray, Chairman dated 3 July 2020 regarding new Trustees of the Penola District Cultural Fund be received and noted.

Cr Cox seconded

CARRIED

[Cr Paltridge resumed the Chamber at 8.33 pm]

16.10 Local Roads and Community Infrastructure Program

Cr Cox moved that the correspondence from the Hon Michael McCormack MP and the Hon Mark Coulton MP regarding Letter of Offer – Local Roads and Community Infrastructure Program be received and noted.

Cr Muhovics seconded

CARRIED

16.11 Southend Caravan Park

Cr Dunnicliff moved that the correspondence from Southend Progress Association regarding the Southend Caravan Park shower and toilet amenity block dated 1 July 2020 be received and noted.

Cr Agnew seconded

Cr Drew requested the motion be put

CARRIED

Cr Drew moved that Council ask for a staff report on the cost of installing a basic transportable toilet block and a basic amenity block at a site recommended by staff to minimise the impact of inundation.

Cr Dunnicliff seconded

CARRIED

16.12 Local Government Finance Authority – AGM – 29 October 2020

Cr Cox moved that:

1. That the correspondence be received and noted.
2. That the following person be nominated by Council as voting delegate, Mr Paul Duka, Director Corporate Services and this information be submitted prior to Friday, 21 August 2020

Cr Dunnicliff seconded

CARRIED

17. MOTIONS ON NOTICE

17.1 Kalangadoo Police Station

Cr Price moved Council write a letter to the Hon Corey Wingard, Minister for Police requesting a formal response on the position of the Kalangadoo Police Station whether or not it will be staffed on a permanent basis.

Cr Cox seconded

CARRIED

18. URGENT MOTIONS WITHOUT NOTICE

NIL

19. ITEMS FOR CONSIDERATION IN CONFIDENCE

19.1 Confidential – Wattle Range Council Food Precincts Study

Cr Agnew moved that:

1. Pursuant to Sections 90(2) and 90(3)(d) of the *Local Government Act, 1999*, the Council orders that the public be excluded from attendance at that part of this meeting relating to Item 19.1, excepting the following persons:

- Mr BJ Gower – Chief Executive Officer
- Mr PA Duka – Director Corporate Services
- Mr PE Halton – Director Engineering Services
- Mr SW Chapple – Director Development Services
- Ms CP Allen – Executive Assistant / Minute Taker

to enable the Council to consider Item 19.1 in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item 19.1:

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 a third party; and
- ii. would on balance, be contrary to the public interest;

Specifically, the present matter relates to the Food Precinct Study and commercial information of 11 companies who were interviewed and provided information that is contained within the study. The present matter also relates to a report that identifies land options for future development that could provide a commercial advantage onto a third party. The disclosure of this information could reasonably be expected to prejudice the commercial positions of the parties.

2. Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

Cr Burrow seconded

CARRIED

Cr Price moved that Council:

1. Receive and note the report.
2. Authorise Economic Development Staff to further investigate and build on the recommendations in the RCMG Wattle Range Food Precincts Report.

Cr Drew seconded

CARRIED

Cr Paltridge moved that:

1. Pursuant to Section 91(7) of the *Local Government Act, 1999*, Council orders **that the following document(s) (or part) shall be kept confidential**, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(d) of the Act:

- **The Report and Attachments of Item No. 19.1.**

On the grounds that the document(s) (or part) is:

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 a third party; and
- ii. would on balance, be contrary to the public interest;

Specifically, the present matter relates to the Food Precinct Study and commercial information of 11 companies who were interviewed and provided information that is contained within the study. The present matter also relates to a report that identifies land options for future development that could provide a commercial advantage onto a third party. The disclosure of this information could reasonably be expected to prejudice the commercial positions of the parties.

This order shall operate **until further order of the Council** and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.

Cr Burrow seconded

CARRIED

Meeting closed at 9.20 pm.

Taken as presented and confirmed.

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MAYOR

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DATE