

WATTLE RANGE COUNCIL

Minutes of the Ordinary Meeting of Wattle Range Council held in the Millicent Council Chamber, George Street, Millicent on 14 March 2023 at 5.00 pm.

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

A minute's silence was observed in honour of former Councillor Barry Stoddart who passed away on 10 February 2023.

Barry was a Councillor of Wattle Range Council from 22 November 2010 to 1 November 2014.

2. PRESENT

His Worship the Mayor D Noll
 Cr D Agnew
 Cr C Brodie
 Cr R Cassidy
 Cr E Castine
 Cr S Cox
 Cr J Drew
 Cr P Dunicliff
 Cr D Muhovics
 Cr D Price
 Cr D Walshaw

At the Council Meeting of 14 February 2023, the following advice was provided by Mr Ben Gower Chief Executive Officer:

In accordance with Section 54(6) of the Local Government Act 1999, the Chief Executive Officer advised that a vacancy had occurred in the office of member of the Riddoch Ward effective 20 January 2023, because the office formerly occupied by Ms Emma Castine is now vacant by operation of Section 54(1)(h) of the Local Government Act 1999.

Mr Paul Duka, Acting Chief Executive Officer advised the following:

Members are advised that the *Local Government (Casual Vacancies) Amendment Act 2023* commenced operation on 9 March 2023.

The effect of this Act is to provide that the office occupied by **Ms Emma Castine** is taken not to be, and to never have been, vacant as a result of the ordinary operation of Section 54(1)(h) of the *Local Government Act 1999*.

Mr PA Duka (Acting Chief Executive Officer / Director Corporate Services)
 Mr PA Halton (Director Engineering Services)
 Ms EF Clay (Director Development Services)
 Ms CP Allen (Executive Assistant)

3. APOLOGIES

Cr M Neagle
 Mr BJ Gower (Chief Executive Officer)

4. DISCLOSURE OF INTERESTS

NIL

5. CONFIRMATION OF THE MINUTES

5.1 Ordinary Meeting of Council – 14 February 2023 (Folio 10419 – Folio 10486)

Cr Dunnicliff moved that the Minutes of the Ordinary Meeting dated 14 February 2023 be taken as presented and confirmed.

Cr Agnew seconded

CARRIED

5.2 Confidential Meeting of Council – 14 February 2023 (CM 1012 – CM 1016) – Not Fully Released

Cr Walshaw moved that the Minutes of the Confidential Meeting dated 14 February 2023 be taken as presented and confirmed.

Cr Muhovics seconded

CARRIED

6. MATTERS ARISING FROM THE MINUTES

NIL

7. ADJOURNMENTS

NIL

8. MAYORAL COMMUNICATIONS

8.1 Mayoral Communications

Cr Brodie moved that Mayoral Communications be received and noted.

Cr Price seconded

CARRIED

9. DEPUTATIONS

[Simone Berry, Ron Wood and Trevor Sinclair commenced their deputation at 5.06 pm]

9.1 Deputation by Simone Berry, Ron Wood and Trevor Sinclair - Millicent Hospital Student Nurses Accommodation – Refurbishment Project

Simone Berry and Ron Wood made a presentation to Council in regard to the Millicent Hospital Student Nurses Accommodation.

[Simone Berry, Ron Wood and Trevor Sinclair ended their deputation at 5.20 pm]

[Don Gilbertson commenced his deputation at 5.20 pm]

9.2 Deputation by Don Gilbertson – Rural Rates

Don Gilbertson made a presentation to Council in regard to primary production rates and forestry land valuations.

[Don Gilbertson ended his deputation at 5.51 pm]

10. PETITIONS

NIL

11. REPORTS FROM COUNCIL MEMBERS

Cr Cassidy and Cr Cox attended the celebration of the new renovations at the Beachport Golf Club on Sunday, 12 March 2023. The Club was very appreciative of the funding provided by Wattle Range Council.

Cr Muhovics advised that he and Cr Drew attended the Lake McIntyre Management Committee meetings on 15 February 2023 and 8 March 2023. He also attended the Building Fire Safety Committee Meeting on 23 February 2023 and the Millicent Saleyards Advisory Committee Meeting held on 6 March 2023.

[Cr Muhovics left the meeting at 5.52 pm]

[Cr Muhovics resumed the meeting at 5.53 pm]

12. QUESTIONS WITH NOTICE

12.1 Questions on Notice – Cr John Drew – Craft Group Shed, Men’s Shed, Lion’s Shed and Rotary’s Shed Status

Cr John Drew submitted the following Question(s) with Notice:

Question

Would Deputy CEO Duka please update Council on progress regarding the transfer of ownership of the Craft Group Shed to the club?

Secondly, as a result of Council's recent decision to purchase Fifth Street/Belt Road land, information on Men's Shed, Lions' and Rotary's facilities status would be appreciated.

Answer

Council is in the process of acquiring Crown Land Section 989, Hundred of Mount Muirhead – Fifth Street, Millicent. The land is a long triangular block which traverses the boundary of the Millicent Craft Group Shed and Men’s Shed. Council has been advised that the Minister has agreed to the sale and the funds have been transferred to the Department to conclude the sale.

Council is now waiting for formal advice and issue of a Certificate of Title for the land. This requires new Titles to be issued to replace the previous Crown Register Title for the land. Following the issue of Titles, Council staff will realign the Title boundary to incorporate all the community service facilities (Road Safety Centre, Lion’s Den, Men’s Shed, and Craft Group) on to one allotment.

In parallel with this boundary realignment, staff will commence negotiating new ground leases with the affected community groups to clarify the lease boundaries. The signing of these leases will finalise the transfer of ownership of the shed to the Millicent Craft Group.

13. QUESTIONS WITHOUT NOTICE

Various questions were asked but there was no resolution that entry be made into the Minutes.

14. REPORTS FROM COUNCIL COMMITTEES

14.1 Lake McIntyre Management Committee - Minutes of Meeting held on 15 February 2023

Cr Drew moved that the Minutes of the Lake McIntyre Management Committee Meeting dated 15 February 2023 be received and noted.

Cr Muhovics seconded

CARRIED

14.2 Millicent Saleyards Advisory Committee - Minutes of Meeting held on 6 March 2023

Cr Price moved that the Minutes of the Millicent Saleyards Advisory Committee Meeting dated 6 March 2023 be received and noted.

Cr Cassidy seconded

CARRIED**15. REPORTS FROM COUNCIL OFFICERS**

15.1 Chief Executive Officer

15.1.1 Monthly Project Status Report

Cr Walshaw moved that Council receive and note the report.

[Cr Price left the meeting at 6.11 pm]

[Cr Price resumed the meeting at 6.12 pm]

Cr Agnew seconded

CARRIED

15.1.2 Millicent Rail Trail

Cr Cassidy moved that Council:

1. Receive and note the report.

[Cr Muhovics left the meeting at 6.21 pm]

[Cr Muhovics resumed the meeting at 6.22 pm]

Cr Price seconded

CARRIED

Cr Castine moved that Council:

2. Revokes its former resolution of 17 January 2023 (Folio 10416) to “negotiate with the State Government to take care and control of the former railway line between Cattle Bridge Road Millicent to the centre of Tantanoola.”

Cr Dunicliff seconded

CARRIED

15.2 Director Corporate Services

15.2.1 Monthly Financial Performance Report

Cr Castine moved that Council receive and note the 2022/23 February Financial Performance Report.

Cr Brodie seconded **CARRIED**

15.2.2 Mid-Year Budget Review 2 - 2022/23

Cr Muhovics moved that Council:

1. Receive and note the mid-year 2022/23 Budget review report.

Cr Walshaw seconded **CARRIED**

Cr Walshaw moved that Council:

2. Adopt the 2022/23 mid-year budget review as presented subject to a change under (1) Operating Expenses dot point (a) to proposed movement of the Finance Project Officer (to be renamed Finance Officer) from a contracted position (end date 30th June 2023) to a Full-Time position (nil budget change 2022/23).

Cr Cox seconded **CARRIED**

ADJOURNMENT OF MEETING

Cr Dunnicliff moved that the meeting be adjourned for dinner until 7.20 pm

Cr Cox seconded **CARRIED**

The meeting adjourned at 6.42 pm.

The meeting reconvened at 7.20 pm.

15.2.3 Public Access to Council and Committee and Associated Documents - Code of Practice 6

Cr Walshaw moved that Council:

1. Receive and note the report.

Cr Cassidy seconded **CARRIED**

Cr Brodie moved that Council:

2. Adopt the Public Access to Council and Committee Meetings and Associated Documents Code of Practice as presented.

Cr Dunnicliff seconded **CARRIED**

15.2.4 Budget Framework

Cr Cassidy moved that Council:

1. Receive and note the report.

Cr Castine seconded

CARRIED

Cr Drew moved that Council:

2. Endorse the operation of the Draft Budget Framework document.

Cr Brodie seconded

CARRIED

15.2.5 Revocation of Community Land Classification (Cullens Road Southend and Campbell Street, Millicent)

Cr Agnew moved that Council:

1. Pursuant to Section 194(2) of the *Local Government Act 1999*, agree to commence the formal public consultation process to revoke the community land classification of land situated at:

Minute Amended at Council Meeting held on 13 June 2023 (Folio 10560; Item 15.1.2) – Change CT of Allotment 9 from 5248/722 to 5249/722.

- Allotment 301, Cullens Road, Southend, CT 5291/66; and
- Allotment 9, 22 Campbell Street, Millicent CT 5249/722.

Cr Castine seconded

CARRIED

15.3 Director Development Services

15.3.1 Cat Registrations

Cr Brodie moved that Council:

1. Receive and note the report.

Cr Agnew seconded

CARRIED

Cr Brodie moved that Council:

2. Defer the implementation of cat registration and further management within Wattle Range Council until the review of the *Dog and Cat Management Act 1995* and the *Animal Welfare Act 1985* are complete.

Cr Agnew seconded

CARRIED

15.3.2 Quarterly Development Services Performance Update

Cr Cox moved that Council receive and note the report.

Cr Cassidy seconded

CARRIED

15.3.3 Climate Change Action Plan - Community Consultation Feedback

Cr Walshaw moved that Council:

1. Receive and note the report.

Cr Muhovics seconded

CARRIED

Cr Walshaw moved that Council:

2. Adopt the Climate Change Action Plan as amended with the most recent information from the IPCC.

Cr Brodie seconded

CARRIED

15.4 Director Engineering Services

15.4.1 Stormwater Asset Management Plan for Consultation

Cr Cox moved that Council:

1. Receive and note the report.

Cr Castine seconded

CARRIED

Cr Cox moved that Council:

2. Release the draft Stormwater Asset Management Plan for public consultation for a period of 21 days.

Cr Cassidy seconded

CARRIED

16. CORRESPONDENCE

16.1 Hon Joe Szakacs MP - Minister for Police, Emergency Services and Correctional Services - South Australia's Road Safety Action Plan (2023 - 2025)

Cr Castine moved that the correspondence from Hon Joe Szakacs MP dated 1 March 2023 regarding finding ways to stop tragedy on our roads and improve road safety be received and noted.

Cr Brodie seconded

CARRIED

16.2 Nominations for the 2023 Premier's Certificate of Recognition for Outstanding Volunteer Services

Cr Castine moved that the correspondence from Hon Nat Cook MP dated 21 February 2023 regarding nominations for the 2023 Premier's Certificate of Recognition for Outstanding Volunteer Service be received and noted.

Cr Cox seconded

CARRIED

16.3 SA Country Football Championships - Invitation to Tender for 2024 & 2025

Cr Castine moved that the correspondence from Jessica Wainwright dated 24 February 2023 regarding SA Country Football Championships be received and noted.

Cr Muhovics seconded

CARRIED

16.4 Southend Coastal Erosion - Tony Pasin MP

Cr Castine moved that the correspondence from Tony Pasin MP dated 28 February 2023 regarding the ongoing issue of coastal erosion at Southend be received and noted.

Cr Cox seconded

CARRIED

16.5 Works Notice - Annual Road Pavement Renewal Works

Cr Price moved that the correspondence from DIT Engagement Team dated February 2023 regarding Annual Road Pavement Renewal Works be received and noted.

Cr Cassidy seconded

CARRIED**17. MOTIONS ON NOTICE**

17.1 Cr John Drew - Millicent Shares a Plate

Cr Drew moved that the auspice arrangements provided by Council for Millicent Shares a Plate be extended to October of 2023.

Cr Agnew seconded

CARRIED

17.2 Cr Dale Price – Millicent Saleyards

Cr Price moved that Council engage with the community via an informative preamble and survey on the Council's website to assist Council in its deliberations with regard to the closure of the Millicent Saleyards.

Cr Brodie seconded

CARRIED**Short Term Suspension of Proceedings**

The Mayor, with the 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 sufficient to facilitate informal discussion in relation to the Millicent Saleyards.

Cr Price moved that the meeting be suspended until 8.17 pm.

Cr Drew seconded

CARRIED

The meeting adjourned at 8.02 pm.

The meeting reconvened at 8.22 pm.

Cr Walshaw moved that Council direct the Chief Executive Officer to workshop a draft preamble and survey including a history of the decision to originally close the saleyards based on through-put numbers.

Cr Cassidy seconded

CARRIED

Cr Price moved that Council continue to defer any further expenditure on Saleyard upgrades until further notice.

Cr Cox seconded

CARRIED**18. URGENT MOTIONS WITHOUT NOTICE****NIL**

19. ITEMS FOR CONSIDERATION IN CONFIDENCE

19.1 Coonawarra Rail Trail Signage Fabrication - Tender Evaluation

Cr Cassidy moved that:

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

- Mr PA Duka – Acting Chief Executive Officer / Director Corporate Services
- Mr PA Halton – Director Engineering Services
- Ms EF Clay – Director Development Services
- Ms C 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 tenders for the supply of goods, the provision of services and the carrying out of works.

Specifically, the present matter relates to a tender for Coonawarra Rail Trail Signage Fabrication.

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 Brodie seconded

CARRIED

Mayor Noll stated:

To all members of the gallery, I advise that Council has resolved that this matter is to be considered in confidence pursuant to section 90 of the Local Government Act 1999 because the matter relates to a tender for Coonawarra Rail Trail Signage Fabrication.

Accordingly, I have to ask all members of the public and press to leave the Council Chambers.

Thank you

[Cr Walshaw left the meeting at 8.42 pm]

[Cr Cox left the meeting at 8.42 pm]

Cr Cassidy moved that Council:

1. Receive and note the report.

[Cr Walshaw resumed the meeting at 8.43 pm]

[Cr Cox resumed the meeting at 8.43 pm]

[Cr Cassidy left the meeting at 8.53 pm]

[Cr Cassidy resumed the meeting at 8.54 pm]

Cr Agnew seconded

CARRIED

Cr Dunnicliff moved that Council adjourn this report until the 11 April 2023 Council Meeting.

Cr Cox seconded

CARRIED

19.2 Beachport Medical Centre

Cr Cox moved that:

1. Pursuant to Sections 90(2) and 90(3)(k) of the *Local Government Act, 1999* the Council orders that the public be excluded from attendance at the part of this meeting relating to Item 19.2, excepting the following persons:

- Mr PA Duka – Acting Chief Executive Officer / Director Corporate Services
- Mr PA Halton – Director Engineering Services
- Ms EF Clay - Director Development Services
- Ms C Allen – Executive Assistant / Minute Taker

To enable the Council to consider Item 19.2 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 19.2 tenders for the supply of goods, the provision of services or the carrying out of works.

Specifically, the present matter relates to the negotiation of a new lease agreement for the Beachport Medical Centre.

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 Muhovics seconded

CARRIED

Cr Castine moved that Council receive and note the report.

Cr Brodie seconded

CARRIED

Cr Price 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)(k) of the Act:

- **The Minutes of Item 19.2 of 14 March 2023**
- **The Report of Item 19.2 of 14 March 2023**
- **The Attachment/s of Item 19.2 of 14 March 2023**

On the grounds that the document(s) (or part) relates to tenders for the supply of goods, the provision of services or the carrying out of works.

Specifically, the present matter relates to the negotiation of a new lease agreement for the Beachport Medical Centre.

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 Walshaw seconded

CARRIED

19.3 Planning Consultancy – Tender Evaluation

Cr Cox moved that:

1. Pursuant to Sections 90(2) and 90(3)(k) of the *Local Government Act 1999* the Council orders that the public be excluded from attendance at the part of this meeting relating to Item 19.3, excepting the following persons:

- Mr PA Duka – Acting Chief Executive Officer / Director Corporate Services
- Mr PA Halton – Director Engineering Services
- Ms EF Clay - Director Development Services
- Ms C Allen – Executive Assistant / Minute Taker

to enable the Council to consider Item 19.3 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 19.3 tenders for the supply of goods, the provision of services or the carrying out of works;

Specifically, the present matter relates to Planning Consultancy Tender.

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 Castine seconded

CARRIED

Cr Cox moved that Council:

1. Receive and note the report.

Cr Cassidy seconded

CARRIED

Cr Muhovics moved that Council:

2. Authorise the Chief Executive Officer to commence contract negotiations with Planning Chambers Pty Ltd for provisions of Planning consultancy services for a period of three years.

Cr Cox seconded

CARRIED

Cr Agnew moved that Council having considered Item 19.3 in confidence under section 90(2) and (3)(k) of the *Local Government Act 1999*, the Council, pursuant to section 91(7) of the Act orders that the Report and Minutes related to this item be released to the public.

Cr Brodie seconded

CARRIED

Meeting closed at 9.30 pm.

Taken as presented and confirmed.

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MAYOR

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DATE