



**Minutes of the Ordinary Council
Meeting held on Tuesday 18 May 2021
at 4.34pm at the Community Hub, Cnr
Karpfanger and Pedersen Streets, Port
Germein**

PRESENT

Presiding Member	Mayor PM Heaslip
Councillors	Cr IG Keller Cr SR McCarthy Cr DP Norton Cr CE Nottle Cr BJ Richards

OFFICERS PRESENT

Chief Executive Officer	Mr S Johnson
Manager Administrative Services	Ms J Kelleher (minutes)
Manager Community & Economic Development	Ms E Rodda

ACKNOWLEDGEMENT

Cr Norton read the Nukunu acknowledgement.

PRAYER AND SERVICE ACKNOWLEDGEMENT

Cr Keller read the prayer.

Members stood in silence in memory of community members who had died since the previous Council meeting, and in memory for those who had made the supreme sacrifice in the service for their country, at sea, on land and in the air.

WELCOME

The Mayor welcomed Members of Council, administration staff, the Member for Frome Hon Geoff Brock MP, the Member for Grey Rowan Ramsey MHR and all other observers in the Gallery to the meeting. The Mayor noted an apology from the Member for Stuart Hon Dan van Holst Pellekaan MP who has indicated availability to provide a presentation at the August meeting.

The Mayor declared the meeting open at 4.35pm.

1. ADMINISTRATIVE MATTERS

1.1 Apologies

Cr GJ Prestridge

Manager Infrastructure & Regulatory Services	Mr B Daw
Manager Corporate Services	Mr C Mudge

1.2 Leave of Absence - Cr GJ Prestridge

The Manager Administrative Services confirmed that Cr Prestridge seeks leave of absence for the May 2021 meeting due to health reasons, noting also his previous apologies for the February, March and April 2021 meetings (also due to health reasons).

Moved	Cr Keller
Seconded	Cr McCarthy

That Council grants Cr Prestridge leave of absence for the May 2021 meeting due to health reasons, noting also Cr Prestridge's apologies for the February, March and April 2021 meetings (also due to health reasons).

Carried
[095-2021]

1.3 Conflict of Interest

Nil.

1.4 Confidential Provisions

Nil.

1.5 Previous Meeting Minutes

1.5.1 Minutes of the Ordinary Council Meeting held 20 April 2021

Moved	Cr McCarthy
Seconded	Cr Norton

That the minutes of the Ordinary Council Meeting held on 20 April 2021 be taken as read and confirmed.

Carried Unanimously
[096-2021]

1.5.2 Council Minutes Action List (January-April 2021)

Moved	Cr McCarthy
Seconded	Cr Nottle

That Council receives and notes the report.

Carried Unanimously
[097x-2021]

1.6 Deferred/Adjourned Items

Nil.

2. PRESENTATIONS / PETITIONS / DEPUTATIONS

2.1 Presentation – Member for Grey – Rowan Ramsay MP – Free to Air TV

4.43pm Rowan Ramsay Member for Grey addressed the meeting.

Suspension of Formal Meeting Procedures

The Presiding Member sought approval of the members present to suspend meeting procedures pursuant to Regulation 20(1) of the Local Government (Procedures at Meetings) Regulations 2013 at 5.00pm for up to 10 minutes to facilitate an informal discussion.

Moved Cr Norton
Seconded Cr McCarthy

That Council meeting procedures be suspended for 10 minutes from 5.00pm – 5.10pm to allow questions of Members of Mr Ramsay.

Carried Unanimously
[098-2021]

Mr Ramsay answered questions from Members and left the meeting at 5.08pm.

Moved Cr Richards
Seconded Cr Norton

That formal meeting procedures resume.

Carried Unanimously
[099-2021]

Moved Cr Norton
Seconded Cr Richards

That the meeting adjourn for a short break.

Carried Unanimously
[100-2021]

The meeting resumed at 5.20pm

3. REPORTS OF COMMITTEES

3.1 Audit & Risk Committee – Minutes of meeting 4 May 2021

Moved Cr Richards
Seconded Cr McCarthy

That the minutes of the Audit & Risk Committee Meeting held on 4 May 2021 be received and the following recommendations contained therein be adopted by Council:

- (a) Item 3.1 - Budget Review #3 – 2020/2021 Financial Year

That the Audit & Risk Committee:

1. receives and notes the report; and
2. recommends to Council that it adopt the amendments recommended in the Budget Review #3 financial reports for the financial year ending 30 June 2021.

(b) Item 3.2 - Corporate Credit Cards

That the Audit & Risk Committee receives and notes the report and Councils appropriate policy be varied to ensure that any person cannot sign off authorisation expenditure on their own corporate credit card.

(c) Item 3.3 - Rates Policy

That the Audit & Risk Committee:

1. receives and notes the report; and
2. recommends to Council that it adopt the Rates Policy.

(d) Item 3.4 - Rate Rebate Policy

That the Audit & Risk Committee:

1. receives and notes the report; and
2. recommends to Council that it adopt the Rate Rebate Policy.

Carried Unanimously

[101-2021]

3.2 Chief Executive Officer Review Committee – Minutes of meeting 18 May 2021

Moved Cr Richards
Seconded Cr McCarthy

That the minutes of the CEO Review Committee Meeting held on 10 May 2021 be received and the following recommendation contained therein be adopted by Council:

(a) That the CEO Review Committee:

1. receives and notes the report;
2. requests the consultant to update the draft evaluation form based on feedback provided at the meeting and a revised draft be circulated to Committee members by email for final sign off; and
3. confirms that the next meeting of the Committee be scheduled in approximately 8 weeks' time to review the results of the review process, meet with the CEO to discuss his self-evaluation and discuss KPIs and remuneration.

Carried Unanimously

[102-2021]

4. REPORTS OF OFFICERS

4.1 Policies – Review and Policy Register

Moved Cr McCarthy
Seconded Cr Norton

That Council:

1. receives and notes the report.
2. approves the amended / updated / new Policies as set out in Appendices 1 - 41 to Report 4.1 titled *Policies – Review and Policy Register*;
3. revokes the following Policies:
 - 3.1 04.73 – Citizenship Ceremony Policy

- 3.2 04.59 – Community Question Time
- 3.3 04.22 – Council’s Protocol – Ombudsman’s Enquiry Procedure
- 3.4 04.61 – Deputation to Council Policy
- 3.5 04.54 – Election Signs Policy
- 3.6 04.51 – Flag Flying Policy
- 3.7 04.66 – Information Sharing Policy and Procedure
- 3.8 04.55 – Opal Trailer Policy and Procedure
- 3.9 04.53 – Organisational Social Media Policy
- 3.10 04.68 – Pre-Used (Second Hand) Transportable Buildings Policy
- 3.11 04.69 – Shipping Container Policy
- 3.12 04.17 – Urban Street Numbering Policy; and

4. notes the ongoing work on the review of Council’s Policies including that further policies will be presented to Council for consideration at the June 2021 Council meeting.

Carried Unanimously
[103-2021]

4.2 Legal Retainers

Moved Cr Richards
Seconded Cr Norton

That Council:

1. receives and notes the report;
2. continues its retainer arrangements with Norman Waterhouse and Kelledy Jones; and
3. authorises the Chief Executive Officer to sign the required retainer agreements for the 2021-2022 financial year.

Carried Unanimously
[104-2021]

4.3 Elector Representation Review – Outcome of Community Consultation and Seeking Preferred Option

Moved Cr Richards
Seconded Cr Nottle

That Council:

1. receives and notes the report;
2. considers the submission (1) received (Attachment 2 to the report) in response to the Representation Review Options Paper released for public consultation between 23 March 2021 and 10 May 2021; and
3. in accordance with the requirements of Section 12(8)(a) of the Local Government Act 1999 a Representation Review Report be prepared and presented for endorsement at the Council meeting on 15 June 2021 based on Option 1A included within the Representation Review Options Paper.

Carried Unanimously
[105-2021]

4.4 Hard Waste – Update

Moved Cr Richards
Seconded Cr McCarthy

That Council receives and notes the report.

Carried Unanimously
[106-2021]

4.5 Waste Strategy

Suspension of Formal Meeting Procedures

The Presiding Member sought approval of the members present to suspend meeting procedures pursuant to Regulation 20(1) of the Local Government (Procedures at Meetings) Regulations 2013 at 6.02pm for up to 15 minutes to facilitate an informal discussion.

Moved Cr Norton
Seconded Cr Keller

That Council meeting procedures be suspended for up to 15 minutes to enable informal discussion on this item.

Carried Unanimously
[107-2021]

Moved Cr McCarthy
Seconded Cr Norton

That formal meeting procedures resume.

Carried Unanimously
[108-2021]

Moved Cr McCarthy
Seconded Cr Nottle

That Council:

1. receives and notes the report;
2. introduces a green waste kerb side collection service in the 2021/2022 financial year;
3. refers the increased costs of waste delivery and management to the 2021/22 budget for increases in the annual waste levy;
4. authorises the closure of the Wirrabara Waste Transfer Station;
5. authorises the closure of the Port Germein Waste Transfer Station;
6. approves the operating model for the proposed Willowie Waste Transfer Station facility as follows;
 - i. every second Saturday with hours of open to the public as 9am to 11:30am
7. approves dispensation as per section 5 of the Procurement Policy, authorising the Chief Executive Officer to directly negotiate with Councils current kerbside waste contractor to facilitate a license agreement for the operation of Willowie as an appropriate transfer station for a period not exceeding ten (10) years;
8. refers a capital allocation of \$180,000 to the 2021/22 budget process for appropriate works to be undertaken at Willowie for a transfer station to be constructed; and
9. undertakes a review of current waste charges to be included within the draft 2021/2022 budget.

Carried Unanimously
[109-2021]

4.6 Disposal of Existing Community Bus

The CEO advised that the City of Burnside has now confirmed that it will not proceed with the purchase of Council's 12 seater Mercedes passenger bus.

Moved Cr Richards
Seconded Cr Keller

That Council receives and notes the report.

Carried Unanimously
[110-2021]

4.7 Booleroo Centre Memorial Swimming Pool

Moved Cr Nottle
Seconded Cr Keller

That Council:

1. receives and notes the report; and
2. authorises a condition report and concept plan for the Booleroo Centre Swimming Pool, with an allocation of up to \$40,000.00 to the 2021/2022 budget.

Carried Unanimously
[111-2021]

4.8 Wilmington CWA Hall – Fee Waiving

Moved Cr Norton
Seconded Cr Richards

That Council:

1. receives and notes the report;
2. approves the hire fee waiver to the value of \$2860.00 in relation to the Wilmington CWA Hall by the local seniors exercise group for the 2021/22 financial year.

Carried Unanimously
[112-2021]

4.9 Re-establishment of the Building Fire Safety Committee

Moved Cr Nottle
Seconded Cr McCarthy

That Council:

1. Establish the District Council of Mount Remarkable Building Fire Safety Committee under section 157(17) of the *Planning, Development and Infrastructure Act 2016*.
2. Declare the Building Fire Safety Committee as an Appropriate Authority pursuant to section 157(16) of the *Planning, Development and Infrastructure Act 2016*.
3. Adopt the draft Terms of Reference (refer Attachment 1) as the terms of reference of the Building Fire Safety Committee.
4. Appoint to the Building Fire Safety Committee the following members for a term of three years pursuant to section 157(17) of the *Planning, Development and Infrastructure Act 2016*:
 - 4.1 Mr Peter Harmer as a person who holds prescribed qualifications in building surveying subject to the condition that they retain the prescribed qualifications for the duration of their appointment;

- 4.2 Mr Colin Paton as a person with expertise in the area of fire safety;
and
- 4.3 Mr Nick Heron as a person selected by the Council whom the Council considers to be an appropriate person to be a member of the Building Fire Safety Committee subject to the condition that they are employed and continue to be employed by the Council;
and
5. Appoint Mr Peter Harmer as the Presiding Member of the Building Fire Safety Committee pursuant to section 157(17) of the *Planning, Development and Infrastructure Act 2016* for a term of three years subject to the condition that Mr Peter Harmer remains a member of the Building Fire Safety Committee for the duration of that term.

Carried Unanimously
[113-2021]

4.10 Adoption of LEGATUS Annual Business Plan & Budget 2021/22

Moved Cr McCarthy
Seconded Cr Richards

That Council:

1. receives and notes the report;
2. adopts the LEGATUS Group draft Business Plan & Budget 2021/2022 as presented at Attachment 1 to the report item 4.10.

Carried Unanimously
[114-2021]

4.11 Cash Advance Debenture – Melrose Caravan & Tourist Park

Moved Cr Norton
Seconded Cr Keller

That Council:

1. receives and notes the report;
2. authorises for a cash advance debenture to be secured to fund the build of the new cabins at the Melrose Caravan & Tourist Park instead of a procuring a fixed term loan as previously resolved by Council in 2020;
and
3. authorises the Mayor and Chief Executive Officer to sign the required documentation and affix the Common Seal of the District Council of Mount Remarkable.

Carried Unanimously
[115-2021]

5. MOTIONS AND QUESTIONS

5.1 Motions of which Notice has been Given

Nil.

5.2 Motions without Notice

Cr Nottle – Closure of Police Stations in regional SA

Moved Cr Nottle
Seconded Cr Norton

That Council :

1. request the CEO to write to the Member for Stuart seeking an update on whether he has received a response from Minister Wingard in relation to the Member's letter of 16 April regarding any potential planned closures of police stations in regional South Australia; and
2. seek for the Member to also enquire as to the possible re-opening of the Wirrabara Police Station.

Carried Unanimously
[116-2021]

5.3 Questions with Notice

Nil.

5.4 Questions without Notice

6. MEMBERS' COMMUNICATION

6.1 Mayor's Report for the month of April 2021

The Mayor advised of his attendance at the 26 April Anzac Day Dawn Service at Melrose.

Moved Cr Keller
Seconded Cr McCarthy

That the report be received noting the inclusion of the Mayor's attendance at the Anzac Day Dawn Service held at Melrose on 26 April.

Carried Unanimously
[117-2021]

6.2 Elected Members' Activities, Allowances and Reimbursements Reports for month of April 2021

Moved Cr Keller
Seconded Cr Nottle

That the report be received and noted.

Carried Unanimously
[118-2021]

7. CORRESPONDENCE

Moved Cr McCarthy
Seconded Cr Richards

That Council receives and notes the correspondence as listed:

- 7.1 **To LGA of SA President** – follow up invitation to meet
- 7.2 **From LGA of SA President** – response to follow up invitation to meet
- 7.3 **From LGA of SA** – Membership Proposition
- 7.4 **To Hon Kyam Maher MLC** – thank you for meeting
- 7.5 **To Hon John Dawkins MLC** – thank you for meeting
- 7.6 **To Hon Emily Bourke MLC** – thank you for meeting
- 7.7 **To Minister David Speirs** regarding Abundant Species – little corellas
- 7.8 **To Minister Corey Wingard** regarding Port Germein Jetty
- 7.9 **To Minister Corey Wingard** regarding follow up letter seeking response re Port Germein Jetty
- 7.10 **To Northern Areas Council CEO** regarding Pine Creek Bridge
- 7.11 **From Northern Areas Council** regarding Pine Creek Bridge
- 7.12 **From Booleroo Centre Bowling Club** regarding appreciation of Council's assistance

Carried Unanimously
[119-2021]

8. CONFIDENTIAL ITEMS

7.02pm The Mayor advised that the meeting would move into confidence to consider item 8.1 and thanked the Gallery for their attendance.

The Gallery was cleared and the doors to the meeting room were closed.

8.1 Proposed Development – Port Germein Land – Update Report

Moved Cr Richards
Seconded Cr Norton

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 Sam Johnson, Manager Community & Economic Development Ebony Rodda and Manager Administrative Services Jacqui Kelleher, be excluded from attendance at the meeting for Agenda Item 8.1 Proposed Development – Port Germein Land – Update Report.
2. The Council is satisfied that, pursuant to Section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party, and, on balance be contrary to the public interest.

3. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because of commercial in confidence.

Carried Unanimously
[120-2021]

Moved Cr Richards
Seconded Cr Norton

That Council receives and notes the report.

Carried Unanimously
[121-2021]

Moved Cr Richards
Seconded Cr McCarthy

That, having considered Agenda Item 8.1 Proposed Development – Port Germein Land - Section 484 in confidence under Sections 90(2) and 90(3) (d) of the Local Government Act 1999, the Council, pursuant to Section 91(7) (b) of the Act orders that all of the discussion and the report be released immediately.

Carried Unanimously
[122-2021]

CLOSE

The Presiding Member declared the meeting closed at 7.11pm.

NEXT MEETING

Tuesday 15 June 2021 at 4.30pm in the Council Chambers at Melrose.

CONFIRMATION OF MINUTES

Minutes confirmed at the Ordinary Meeting of Council held Tuesday 15 June 2021.

Presiding Member