

NARACOORTE LUCINDALE COUNCIL

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MINUTES

COMMENCED: Meeting commenced at 5pm in the Council Chamber, DeGaris Place, Naracoorte

PRESENT: Mayor Erika Vickery OAM, Cr Julie Earl, Cr Derek James, Cr Ken Schultz, Cr Damien Ross, Cr Craig McGuire, Cr Monique Crossling, Cr Trevor Rayner, Cr Cameron Grundy, Cr Tom Dennis.

APOLOGIES: Cr Scott McLachlan

ON LEAVE:

OFFICERS:

Trevor Smart	Chief Executive Officer
Daniel Willsmore	Director Infrastructure & Services
Paul McRostie	Manager Planning & Compliance
Alex Edmonds	Manager Finance & Corporate
Josie Collins	Community Engagement Officer

MEDIA REPRESENTATIVES:

Neave Moore	Naracoorte Herald
Chris Oldfield	Naracoorte News

1. Opening Prayer and Acknowledgement of Country

2. Elected Member's Declaration of Interest

Cr Dennis informed the meeting of a perceived conflict of interest relating to item 12.2 - Naracoorte Regional Livestock Exchange Board. The nature of Cr Dennis's interest relates to his work at the NRLE.

3. Public Forum

Mr Malcolm McLean addressed the meeting about rates and valuations.

4. Petitions and Deputations

5. Confirmation of Council Minutes

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**MOVED CR DENNIS
SECONDED CR JAMES**

That the Minutes of the Council meeting held on 26 July 2022 are taken as read and confirmed as an accurate record of the proceedings of the meetings.

CARRIED 23/23

6. Matters Laid on the Table from Previous Meetings

7. Mayor's Report

There was great excitement at Jess Stenson's gold medal win in the Commonwealth Games women's marathon. Naracoorte is very proud to have a connection with Jess and I have asked that we invite her to Naracoorte for a formal community reception to congratulate and recognise her success.

Congratulations to 20 new citizens who took the citizenship pledge last Friday and were supported by many members of their family, friends and community. Countries of origin for the new citizens were the Philippines, India, Taiwan, Afghanistan, the United States of America, Vietnam and Zimbabwe.

On behalf of local government SA, I was part of the ALGA roundtable discussion with Minister Kristy McBain ahead of the Government's Job and Skills Summit which will be held next week. This was an opportunity to discuss the skills and workforce pressures that are being experienced in the regions.

I attended the Pathways to a Pay Packet Career Expo and Information Evening at the Naracoorte High School last night where 45 organisations and businesses shared information with students from the region. Council supported this event and I thank Daniel Willsmore and Paul McRostie for promoting Council as an employer option.

On a very sad note I would like to express my deep sorrow for the tragic vehicle accidents that have occurred in our district over the past month. I extend our sincere sympathy to the families and friends of the young people involved.

Meetings and activities I have attended since the July meeting include:

Wednesday 27th July

Thursday 28th July

Triple M Radio interview re local government elections
Governance & Finance Committee meeting for Country Arts SA

ALGA Board meeting – post NGA review, Motions from NGA that were not put to the NGA, ALGA submission to Federal Government budget

Zuhir Naji with Saleh al Mansoor performance in Town Hall – music from the Middle East played on the oud, percussion and voice. Traditional, original and popular Arabic songs. His original song "Thank you Australia" was a heart-warming and sincere expression of his gratitude to Australia after leaving war-torn Syria.

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Friday 29th July	LCLGA Mayor's Zoom fortnightly meeting
Monday 1st August	Pioneer Park Management Plan media with Naracoorte Lions members World Scouts Day ceremony with the Naracoorte Scouts – I had the honour of being “Scarfed Up” to recognise contribution to the community
Tuesday 2nd August	Meeting with Minister Brock and advisor Skana Gallery Stock Journal media re major project at NRLE Review with Stormwater Expert Panel Council briefing session re North Parklands
Wednesday 3rd August	RDALC Regional Housing working group
Thursday 4th August	Regional Leadership Development Program meeting LGA Homelessness Forum for Local Government EMs and CEOs
Friday 5th August	CEO Performance Committee meeting Meeting and Dinner with LCLGA executive and Glenelg Shire Mayor Rank and CEO Greg Burgoyne. Cross border opportunities were discussed including tourism (GORT), energy and transport. Illuminate event in Mt Gambier
Monday 8th August	Regional Health Workforce LGA webinar
Tuesday 9th August	ABC Radio interview re Pioneer Park Master Plan NLC SAP meeting
Wednesday 10th August	Plan SA Briefing – Teams Australia Migrant Resource Centre (AMRC) Board meeting AMRC Strategic Planning workshop
Friday 12th August	LCLGA General Meeting in Kingston. Guest Tony Pasin MP gave an update of Federal matters, agenda discussion on regional housing, regional growth strategy, SAROC nominations. Workshop for preparations of Regional Plan for Limestone Coast with State Planning Commission (Steven Griffiths, Ben Stiener and Craig Holden and Jess Porter)
Monday 15th August	RDALC Board meeting
Wednesday 16th August	SA LG Boundary Commission meeting ALGA roundtable discussion with Minister Kristy McBain ahead of the Government's Job and Skills Summit. Opportunity to discuss the skills and workforce pressures of the regions.
Thursday 17th August	SA LG Grants Commission meeting 2022 UDIA Major Luncheon with guest speaker Premier Peter Malinauskas at Adelaide Convention Centre. Theme of the speech was Housing Challenge in SA (affordable and social housing, investment in Housing Trust stock for new and backlog of maintenance, Tenancy Act review, Home Start SA – 2% for deposit, land supply and rezoning, Regional Plans, investment program to attract younger investors, collaboration with Federal, State governments and private investors
Friday 18th August	Book launch by John Flint at Naracoorte Library Preparation meeting for Vintage Festival Opening of “I Am” art exhibition in Wonambi Gallery

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Monday 22nd August	Citizenship Ceremony for 20 new citizens LG Research and Development Advisory Committee pre-meeting via Teams Pathways to a Pay packet – Career Expo and Information evening at the Naracoorte High School where over 45 organisations and businesses shared information with students from the region. Council supported this event and I thank staff for promoting Council
Tuesday 23rd August	LGA Board of Directors Special Meeting

**MOVED CR CROSSLING
SECONDED CR SCHULTZ**

That the Mayor's Report is received.

CARRIED 24/23

8. Elected Members' Report

9. Chief Executive Officer's Report

9.1 Chief Executive Report

Responsible Officer:	CEO - Trevor Smart
Strategic Outcome:	Progressive Leadership <ul style="list-style-type: none">• Effective Delivery of projects & services• Engage external stakeholders to leverage local opportunities Prosperous Community <ul style="list-style-type: none">• A vibrant and progressive business centre and townships Harmony & Culture <ul style="list-style-type: none">• An inclusive community
Financial Implication:	Nil
Statutory Implication:	Nil
Policy Implication:	Nil
Consultative and Community Implication:	Nil

Report

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2022 Local Government Elections - Caretaker Period

As per the attached Caretaker Policy (adopted by Council March 2022), and the LGA Caretaker Guidelines (not adopted by Council, but an LGA Guideline), Council Members are reminded that the Caretaker Period commences on **6 September 2022**, and ends at the conclusion of the Election (count commences Saturday 12 November) which should be, subject to final declaration of Election outcome, soon after **12 November 2022**.

As per the Policy, during the Caretaker Period, Elected Council and staff are restricted in some decision making, and these include designated decisions of:

- (a) relating to the employment or remuneration of the Chief Executive Officer, other than a decision to appoint an acting Chief Executive Officer or to suspend the Chief Executive Officer for serious and wilful misconduct;
- (b) to terminate the appointment of the Chief Executive Officer;
- (c) to enter into a contract, arrangement or understanding (**other than a contract for road construction, road maintenance or drainage works**) the total value of which exceeds whichever is the greater of \$100,000 or 1% (based on 21/22 FY Rates, this equals \$107,950) of the Council's revenue from rates in the preceding financial year, **except if the decision:**
 - i. relates to the carrying out of works in response to an emergency or disaster within the meaning of the Emergency Management Act 2004 (SA), or under section 298 of the Local Government Act 1999 (SA);
 - ii. is an expenditure or other decision required to be taken under an agreement by which funding is provided to the Council by the Commonwealth or State Government or otherwise for the Council to be eligible for funding from the Commonwealth or State Government;
 - iii. relates to the employment of a particular Council employee (other than the Chief Executive Officer);
 - iv. is made in the conduct of negotiations relating to the employment of Council employees generally, or a class of Council employees, if provision has been made for funds relating to such negotiations in the budget of the Council for the relevant financial year and the negotiations commenced prior to the Election period; or
 - v. relates to a Community Wastewater Management Systems scheme that has, prior to the Election period, been approved by the Council;

In effect, Elected Council and Council Staff are unable to make certain decisions as per above. Contracts for road construction, road maintenance or drainage works can still proceed subject to budget and procurement policy. Various tenders have already been approved by Council for some significant projects, including NRLE Infrastructure Projects.

Caretaker provisions may have an effect on the more significant Plant & Machinery purchases that were approved in our 22/23FY Budget ie those over \$107,950.

Prohibition on the Use of Council Resources

From a 'Prohibition on the Use of Council Resources' perspective, Elected Members still need to be able to undertake their role. The use of Council property ie laptops, business cards, Council emails, etc should not be used for electioneering purposes.

Council cannot/will not assist existing Elected Members on electioneering matters any more or less than any other member of the public or (following close of nominations) all nominees

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for election. To this extent, as CEO, I will not be aware, nor will I have access to information on who has nominated to stand for Election.

This Prohibition on the Use of Council Resources may be somewhat subjective at times, so your thoughts and discretion should be considered when making request to Council administration and/or staff.

The LGA Caretaker Guidelines provide a number of examples and guidance on this part.

Paul McRostie has been appointed as our primary contact with Electoral Commission SA (ECSA) to coordinate our Election efforts, and process, and any questions on Election processes (but not assistance) should be provided to him.

Other Meetings and Activities

- Geoff Brock MP, Minister for Regional Roads, Minister for Local Government, Minister for Veteran Affairs – general catch-up & discussions
- Council Workshop – Naracoorte North Parklands
- Planning & Land Use Services (State Govt) – Planning Officer Accreditation
- RDA Limestone Coast
- LG Safe – Project Reference Group
- Strategic & Asset Management Committee Meeting
- NRLE Board Meeting
- LGSA Mutual – LGAWCS Self Insurance update
- LCLGA Board Meeting
- LG Safe – Working Group
- Lifeline SA – office accommodation discussion

FOR MEMBERS' INFORMATION

10. Key Projects

FOR MEMBERS' INFORMATION

11. Finance Reports

FOR MEMBERS' INFORMATION

12. Minutes and Recommendations from Council Committees

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12.1 Audit Committee

**MOVED CR EARL
SECONDED CR ROSS**

That the Minutes of the Audit Committee meeting held on 16 August 2022 are received and noted.

CARRIED 25/23

**MOVED CR GRUNDY
SECONDED CR DENNIS**

That the reports relating to the performance of the Naracoorte Regional Livestock Exchange as presented to the NRLE Board on 10 August 2022 have been reviewed and noted by the Audit Committee.

CARRIED 26/23

**MOVED CR ROSS
SECONDED CR GRUNDY**

That the Audit Committee be provided with the NRLE's LTFP as well as pre-finance LTFP forecasts for the facility.

CARRIED 27/23

**MOVED CR SCHULTZ
SECONDED CR GRUNDY**

That Council endorses the Governance Framework and Action Plan as presented, subject to including reference to the Audit Committee under '*Principle Four: Accountability*' in the Governance Framework.

CARRIED 28/23

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12.2 Naracoorte Regional Livestock Exchange Board

Cr Dennis informed the meeting of a perceived conflict of interest relating to item 12.2 - Naracoorte Regional Livestock Exchange Board. The nature of Cr Dennis's interest relates to his work at the NRLE. Cr Dennis left the Council Chamber at 5.14pm, did not take part in the meeting and did not vote on the matters. He returned to the Council Chamber at 5.16pm.

**MOVED CR GRUNDY
SECONDED CR JAMES**

That the Minutes of the Naracoorte Regional Livestock Exchange Board meeting held on 10 August 2022 are received and noted.

CARRIED 29/23

**MOVED CR GRUNDY
SECONDED CR JAMES**

That the Naracoorte Regional Livestock Exchange financial report to 31 July 2022, as presented to the NRLE Board on 10 August 2022, and reviewed by the Audit Committee at its meeting on 16 August 2022, are received and noted.

CARRIED 30/23

**MOVED CR GRUNDY
SECONDED CR ROSS**

That Council only support the installation and implementation of Sheep EID infrastructure at the Naracoorte Regional Livestock Exchange subject to all costs being fully funded by grant funds in line with the NRLE Asset Management Plan.

CARRIED 31/23

12.3 Strategic Asset and Planning Committee

**MOVED CR ROSS
SECONDED CR CROSSLING**

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That the Minutes of the Strategic Asset and Planning Committee meeting held on 9 August 2022 are received and noted.

CARRIED 32/23

**MOVED CR ROSS
SECONDED CR CROSSLING**

That Council seeks approval from the Department of Infrastructure and Transport for a reduction of the 80km/h zone to 50km/h along Macmillan Road between the Riddoch Highway and Banksia Lane.

CARRIED 33/23

**MOVED CR EARL
SECONDED CR CROSSLING**

That the Naracoorte Swimming Lake Draft Masterplan is endorsed by Council for phase two community engagement, and further consideration by Council.

CARRIED 34/23

12.4 CEO Recruitment, Performance and Review Committee

**MOVED CR SCHULTZ
SECONDED CR DENNIS**

That the Minutes of the CEO Recruitment, Performance and Review Committee meeting held on 5 August 2022 are received and noted.

CARRIED 35/23

13. Reports for Decision

13.1 North Parklands

Responsible Officer:

CEO, Trevor Smart
Manager Planning and Compliance, Paul McRostie

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	Manager Engagement and Community, Jayne Miller
Strategic Outcome:	Progressive Leadership <ul style="list-style-type: none">• Ensure informed decision maintained for current and future community benefit• Engage with the community in Council decision-making processes Ensure transparency in Council's responsibilities and decision making
Financial Implication:	Nil
Statutory Implication:	Nil
Policy Implication:	Public Consultation and Engagement Policy
Consultative and Community Implication:	Endorsed Community Consultation and Engagement Plan and Report

Background

Located north of the Naracoorte Township, the Naracoorte North Parklands is a large land area of close to 197 hectares, containing multiple parcels of land with a variety of land uses.

All of this land is owned by the State Government, and is under the care and control of Naracoorte Lucindale Council. Most people would associate the North Parklands as being the Naracoorte Nature Park. However, the Nature Park is located within the North Parklands area and is a large area of beautiful grassy pine plantations, stringybark and other native trees. The Nature Park is home to a large number of native bird and animal species.



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The Nature Park is included in the Naracoorte Creek Walk loop and is used by schools for cross country events and other outdoor activities and the Naracoorte Lake parkrun meets there weekly. The North Parklands contains other dedicated land use areas including the Naracoorte Swimming Lake, Naracoorte Cemetery, Naracoorte Golf Course, forestry land and Naracoorte & District Sports Centre.

A summary of the various land uses and spaces within the North Parklands:

Asset	Dedicated Land Use	Area
Naracoorte Cemetery	Cemeteries	5.5 hectares (0.055 sq km)
Forestry Land	Forestry	68.38 hectares (0.6838 sq km)
Naracoorte Golf Course	Land Lease	64.91 hectares (0.6491 sq km)
Naracoorte Nature Park Naracoorte Swimming Lake Naracoorte Sports Centre	Land Lease	57.66 hectares (0.5766 sq km)

As part of Council's Strategic Planning process, Council has been undertaking numerous Master Plans and concept designs for long-term planning of Council. These include the Lucindale and Frances Master Plans, Naracoorte Town Rejuvenation Plan and most recently Pioneer Park with the Draft Naracoorte Swimming Lake Masterplan included within this agenda.

Council has undertaken four workshops, in addition to many discussions over an extended period of time (10 years) looking at land use options for the future use of the land. A broad range of options have been tabled from external people including animal habitats and wildlife parks, to future expansion for residential development. Council in the past has also highlighted various opportunities, but has not yet settled on a preferred land use or uses of the various parcels of land.

Much of the general discussion about the future of this area had been largely driven by any effect the harvesting of pine plantations would have on the appearance of the northern entrance to Naracoorte along with future land use options and opportunities in the general North Parklands area.

It is also worth noting the current leases Council has with the Naracoorte Golf Club till 2038 and the Naracoorte & District Sports Centre Inc. till 2034. Council has also earmarked approx. 4.5ha of land for future expansion of the Naracoorte Cemetery.

There is 49.9ha of pine plantations located within the parklands which are forecast to be harvested from 2026 onwards. Council has the harvesting rights on these plantations, with the financial return to Council somewhat unknown at this stage. Council has in the past received broad proposals for the harvesting of the pines, but these have not been formally requested by Council.

The land is deferred urban under the Planning Development and Infrastructure Act.

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Section	Area ha	Planted date	Estimated date to be removed
A1	14.9	2003	2038
A2	11.8	2003	2038
D	4.7	1994	2026
E	8.7	1994	2038
F	5.1	1994	2026
F	5.1	1994	2026
G	4.7	1994	2038

Community Engagement & Consultation

At the Ordinary Meeting of Council 22 March 2022, it was resolved:

That Council Administration prepare a community engagement report for general public consultation on the Greater Northern Parklands areas to preferred future land use(s), and that this report be provided to Council at the April 2022 Council Meeting for consideration.

Following that, at an Ordinary Meeting of Council 26 April 2022, a report with an attached engagement plan was tabled and Council resolved:

That Council endorse the North Parklands Engagement Plan, and for community engagement to occur between 2 May 2022 and 10 June 2022.

Council undertook community engagement between 2 May 2022 and 10 June 2022 which was extensive and varied, engaging as many people as possible. This effort, combined with the importance of the North Parklands to the community, resulted in 396 submissions (6.6% of the Naracoorte Population) which, given the size and diversity in the Naracoorte population, is a solid survey sample from which Council can reference. This return is significantly above any other engagement undertaken during this term of Council and indicates the level of community interest in the North Parklands.

People were not asked to formally register as this consultation was not aligned with any specific development proposal nor was it aligned to a specific decision-making process of Council (i.e. considering a specific submission).

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The consultation was undertaken to allow the community to express their thoughts on the future use of the North Parklands (collectively and for separate parcels). The intent was to assist Council in its decision making of a future vision for the area through community feedback. Questions & information were included within the survey on the unsolicited development proposal received by Council & the State Government by Mr Robert Moore, but did not focus on that development proposal in itself, as we sought an indication from the community on their views as to development generally, rather than the specific proposal.

As the State Government is also seeking Council's views on the unsolicited development proposal, this engagement will also assist Council in providing comment to the State Government on land development which could include any development proposal.

Consultation Outcomes

Question	Main Response	% Number Ranking	Comment
Where do you live?	Naracoorte	85.1% 337 people	Other main areas were Mount Gambier (1.5%) and Lucindale (1.0%).
How often would you or a member of your household use the North Parklands?	A few times a week	49.0% 194 people	A further 19.7% (78 people) visit at least once a week.
During a visit to the North Parklands what is the main thing you do there?	Unstructured sport and recreation (walking, yoga, meditation)	36.1% 143 people	Other main response was 'spending time with family and friends' 17.2% (68 people) and 'structured sport and recreation' 17.2% (68 people).
How important are the following aspects of the North Parklands to you? (Ranked top 5)	The natural setting and bushland environment	3.77	At the least important end of the scale was seating, parking and BBQs.
	Protection of flora and fauna	4.67	
	Free access	5.01	
	Access and Inclusion for all	5.64	
	Proximity to the Naracoorte Township	5.74	
What do you love about	396 respondents made comment providing valuable insight into the		

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<p>the North Parklands?</p>	<p>community's thoughts and observations, as well as data as to how the space is used for unstructured recreation and general enjoyment.</p> <p>Respondents love the open spaces and trails and the proximity of the North Parklands to Naracoorte. They also enjoy the swimming lake, the flora fauna and overall the natural beauty and tranquillity of the setting. Overwhelming the Naracoorte North Parklands is seen as a significant asset for the community and provides a great balance between natural and urban environments offering residents the best of both.</p>		
<p>What would you change about the North Parklands?</p>	<p>396 respondents provided excellent feedback on new projects ideas or improvements for the North Parklands, most of which support the enjoyment of unstructured and structured recreation use.</p> <ul style="list-style-type: none"> • Rubbish bins along the walking track • Removing all bitumen • Extend trails into harvested pine plantation and increase trails offerings overall • Planting more native vegetation • Signage for trails and other spaces that engage children • More seating and shade • BBQ area • Option of selling some land surrounding the golf club for development • Improved promotion of the North Parklands • Fountains and bird feeders • Improved weed management • Dog off-lead area • More shade around the swimming lake area • Seating in the cemetery • Lighting in parking areas • Harvest pines and return the area to native bushland • Nature playground and more nature-based activities for children • Better overall connectivity of the whole area • The Sports Club Masterplan implemented • Happy with the North Parklands and remain as is • More tracks for mountain bike riding or cycling • Mobility scooter friendly trails 		
<p>Would you support development in the North Parklands?</p>	<p>No</p>	<p>64.4% 255 people</p>	<p>It should be noted that 25% or 99 people were neutral, subject to further information and a further 10.6% or 42 people</p>

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			were supportive of development.
<p>If yes, what sort of development?</p> <p>(Tick all that apply)</p>	<p>Additional recreational facilities and open spaces</p>	<p>62 responses (combined)</p>	<p>354 people chose not to respond to this question.</p> <p>21 people were open to a residential development and 18 open to tourism development.</p>
<p><u>Dedicated Forestry Land</u></p> <p>In the North Parklands, there are 68.38 hectares (0.6838 sq km) of forestry land. Please indicate the level of development you support on this land.</p> <p>(Tick all that apply)</p>	<p>Dedicating the land to conservation (protecting the wildlife and environment)</p>	<p>270 responses</p>	<p>Other respondents were open to harvesting pine plantations (143 responses) and 174 responses indicated that they want no change to the land use. 47 responses indicated a transfer to residential and a further 17 would like to see the land use transferred to commercial.</p>
<p><u>Dedicated Land Lease</u></p> <p>Sport and Recreation - In the North Parklands, there are 57.66 hectares (0.5766 sq km) of land leased to community recreational spaces. Please indicate the level of development you support on this land.</p> <p>(Tick all that apply)</p>	<p>No change to current land dedication</p>	<p>262 responses</p>	<p>A further 151 responses would like to see an increase in land dedication for sport and recreation to allow further recreational development in the area.</p>
<p><u>Dedicated Cemeteries Land</u></p>	<p>No change to current land dedication</p>	<p>210 responses</p>	<p>This question was closely split with</p>

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<p>In the North Parklands, there are 5.5 hectares (0.055 sq km) of cemetery land. There are no proposed changes to the dedicated land use of the Naracoorte Cemetery. Please indicate below the option you would support.</p> <p>(Tick all that apply)</p>			<p>186 people seeking further expansion to increase the size of the cemetery.</p>
<p><u>Dedicated Land Lease</u> Golf Course – In the North Parklands, there are 64.91 hectares (0.6491 sq km) of golf course. Please indicate the level of development you support on this land.</p>	<p>No change in current land dedication</p>	<p>338 people</p>	<p>A further 42 respondents indicated they would like to see a zone change adjacent to the golf course to residential.</p>
<p><u>Please provide any further comments on the Naracoorte North Parklands?</u></p>	<p>258 people provided further comment at the end of the survey.</p> <p>In summary, most feedback was centred around recreational improvements balanced with conservation activities and the respondents identified the area as an asset for wellbeing, tourism and an attractive value-add for people currently living in Naracoorte or encouraging new people to reside in Naracoorte. Some people were open to the idea of residential development in the pine plantation areas only.</p>		

Council Action to Date

- Various workshops and Council discussion over many years.
- An unsolicited proposal from a private developer was presented to Council initially, and they consequently also presented to the State Government (DEW/Crown Lands), seeking their thoughts on a possible redevelopment of the North Parkland's complex of land parcels.
- DEW has had initial and very general conversations with the developer however further meetings will most likely occur to then provide a more detailed overview of the proposal.
- Council staff have had informal discussions with members of Department Environment & Water (DEW) seeking a position from Council on the North Parklands.

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- Council undertook consultation to determine the community's thoughts on the future use of the land, including any type of development in the North Parklands. This consultation was not aligned to any specific development proposal.
- Following the consultation phase, Council received a further 11 written objections to any future development in the North Parklands.
- The results of the consultation were reported back to Council.
- Subsequently Council held a Briefing Session to further assess the community feedback.
- This report was prepared as an outcome of Council's past discussions on the future of the North Parklands, the most recent Briefing Session, and in response to our community engagement process.

Current land availability

Naracoorte currently has a number of parcels of land within the Neighbourhood zone (formally Residential zone) of Naracoorte available for development, or have been developed ready for purchase/building. Current and future land available equates to approximately 169 vacant parcels of land.

Over the last three years an average of 24 homes within the Naracoorte township have been built each year.

New sub-divisions/vacant land (suitable for development):

1. Bushlark Drive (available)
2. Continuation of Bates Lane (available)
3. Rear of the Naracoorte RSL (available)
4. Continuation of Jersey, Illawarra and Guernsey St to Old Caves Rd (future)
5. Land adjacent to Kaczmarek scrub off Cedar Ave (future)
6. Playford Drive (future)
7. Nunyara Gardens (available)

Consideration could also be given to other existing dwellings within the area that are nearing their tenure that may need to be demolished and replaced at some stage also.

While all of this may assist in relieving a shortage of housing in Naracoorte, land availability is one factor, but building is an additional challenge (time & supply) and is not a short-term outcome or solution.

Given the number of growth areas within the Naracoorte area as mentioned above there is possibly some merit in future development for housing in the North Parklands around the areas where the pine plantations are currently located. As with existing land availability, this would not be a short-term outcome.

Should development take place in the North Parklands, the following processes would still need to be considered and/or undertaken:

- Native Title claim over all Crown Land, including North Parklands. This is being progressed by and through State Government at the moment with no known outcome on timelines.
- Development costs/responsibilities for infrastructure – road access, lighting, stormwater, sewerage, communication design work. These would not be costs that Council would contribute to.

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- Native Vegetation and Environmental Impact assessment (if development takes place within the Native Veg area)
- Cost to acquire the land from the Crown at market value
- Development approval
- Community Land considerations

The process to undertake development in the North Parkland would require significant investment by a developer (whoever that may be). The steps as listed above may take many years to resolve before development can commence on the land therefore, the North Parklands land should not be looked at as a short-term fix to the housing shortage within the area.

Next Steps

What does Council now need to consider?

As outlined above, Council has considered the matter of preferred and/or appropriate land uses across the North Parklands for some time. Given that Council has chosen to seek the community's views on this matter, are Council now sufficiently informed to provide for a clear direction? If not, what additional information is required to allow for decision and direction?

Council and the State Government have received an unsolicited development proposal - how does this impact on Council views, or does it impact at all?

The State Government is seeking our views, so it would be in the best interests of Council to provide a position. If we do not, we may be at risk of State Government deciding on the future use, including development without input or opinion.

Are Council and the community at risk of the State Government (as owner of the land) deciding what the best uses of the land are regardless of what our opinion is? How can Council reduce this risk, or have a greater say?

- Council could consider purchase of land (some parcels, or all)
- What would be the cost – and it is presumed that any land sale would be based on commercial values?
- Is purchase of land a sound investment of ratepayer funds if the land use is not expected to change?
- Future Councils can also decide on any change of land use if Council do own (which is any elected Councils' right to decide)

A suggested next step is that Council write to DEW outlining Councils' current position (retain current usage) and indicate our interest to acquire any parcel of land within the North Parklands that the Crown may consider for sale in the future.

Some of the matters outlined at our recent Council Briefing Session included:

- Development - Do Council wish to support development of any areas of the North Parklands? If so:
 - What areas?
 - What process would Council prefer if development was to occur (control, influence, none, land owner, etc)?
 - If Council supports some development – it isn't obligated to support existing proposal

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- Pine Plantations
 - Do Council wish to harvest the pine plantations?
 - If so, return land to what usage?
- Development Proposal response
 - What feedback does Council wish to provide to the State Government/DEW/Crown Lands?
 - Do Council wish to formally respond to the unsolicited developer?
- Do Council want to undertake any further investigations?
 - Native Vegetation
 - Environmental impact
 - Correspondence from the South-eastern Red-tailed Black-Cockatoo Recovery Team
- If no Development supported - what future plans and use of North Parklands is envisaged?
 - Development of additional recreational facilities (structured or non-structured)
 - Further master planning/concept planning utilising engagement feedback and further engagement with community
 - Do Council need to actually further develop parcels, or is the value to community 'as is'?
- Communication
 - What position will Council communicate publicly?
 - What information do we provide?
 - Timing

On balance, considering all the information presented, including the community feedback, the current land availability for residential development, the complexities associated with any development in the North Parklands at present and the significant and long-term approach to housing development in the area suggests that no change is made to the current land usage of the North Parklands.

Subject to Council discussion and decision, this does not mean that Council cannot continue to explore various options, and these could include:

- Master planning of the North Parklands, building on community feedback provided, and further community engagement
- Discussions with State Government (Minister, DEW, Crown Lands) on the opportunity to possibly purchase all or some parcels of land within the North Parklands, and any conditions, costs, process, etc. This would provide additional information for Council to further consider security or greater control/influence over the land
- Forestry land – seek advice on management & harvesting of pines (timelines, \$ return, etc) – what use post-harvest ie replant, covert to native vegetation, community uses, etc

In my opinion, I would suggest that Council does need to seriously consider and take into account the feedback of our community, and their clear preference to maintain the land use for community purposes rather than residential/commercial development.

For your consideration and direction.

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**MOVED CR EARL
SECONDED CR MCGUIRE**

That Council, in line with community feedback obtained through the North Parklands Community Engagement, retain the North Parklands land uses as currently exists with no change to current land use and dedications.

CARRIED 36/23

**MOVED CR MCGUIRE
SECONDED CR CROSSLING**

That Council:

1. Provide comment to the State Government regarding the unsolicited development proposal, that Council is not supportive of the proposal, and that recognising community feedback received, our preference is for existing community use of the North Parklands to be retained.
2. Provide the State Government with the correspondence in relation to the North Parklands from the South-eastern Red-tailed Black Cockatoo Recovery Team and Native Orchid Society of South Australia, in addition to the Council's full community consultation report.

CARRIED 37/23

**MOVED CR CROSSLING
SECONDED CR DENNIS**

That Council undertake further discussion with the State Government to explore information on possible purchase of all or part of North Parklands, including any cost implications, conditions of sale, and other matters to enable further consideration by Council.

CARRIED 38/23

**MOVED CR MCGUIRE
SECONDED CR SCHULTZ**

That Council undertake a master planning project for the whole of the North Parklands area, with funding required to undertake this to be included in Council's 2023/24 Budget for consideration – with this process to include further community engagement.

CARRIED 39/23

MOVED CR EARL

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23 August 2022

SECONDED CR SCHULTZ

That Council thank the community for the extensive feedback provided to Council, and that a statement outlining Council's position on the future use of North Parklands be provided to the general community.

CARRIED 40/23

MOVED CR MCGUIRE

SECONDED CR EARL

That Council seek a suitably qualified consultant to do a full biological survey (involving both flora and fauna) of the North Parklands to provide Council with a baseline understanding of the areas natural values.

CARRIED 41/23

13.2 Retain and Review of Confidential Items

Responsible Officer:	Risk & Governance Coordinator – Wendy Sanders
Strategic Outcome:	Progressive Leadership – Organisational Excellence
Financial Implication:	Nil
Statutory Implication:	Compliance with the <i>Local Government Act 1999</i> Section 90 & 91
Policy Implication:	Adherence to Code of Practice - "Confidentiality, Access to Council and Committee Meetings and Associated Documents"
Consultative and Community Implication:	Access to Council Agendas, Minutes and Agenda Attachments

Report

Section 90 of the Local Government Act 1999 (the Act) prescribes matters which Council may consider in confidence where it considers it necessary and appropriate to do so.

Section 91 of the Act enables a Council to order that documents or part of a document relating to matters considered in confidence be kept confidential.

Where Council makes such an order it must specify the duration of the order, or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed.

In accordance with these Sections, Council has made orders restricting public access to information and orders to retain the confidentiality of certain documents and information.

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Any order that operates for a period exceeding 12 months must be reviewed at least once a year to determine whether or not the confidentiality of the document needs to be retained.

The tables in this report provides an overview of all confidential orders since 2003 requiring review and will enable Council to:

- review the confidentiality orders related to the listed items
- consider whether it is appropriate for the confidentiality orders to be retained; and if so:
 - determine the appropriate period of time for the maintenance of confidential orders to ensure Council continues to adhere to both the confidentiality provisions within the Act and the principles of open government.
 - to consider whether new orders are required on documents where the orders are due to expire.

In determining whether the ground/s (in s90(3) of the Act) on which the original order was made, are still applicable Council must consider the following:

- Does the information concern the personal affairs of an individual (living or dead), the disclosure of which would still be unreasonable ((90(3)(a))?
- Does the document contain commercial information that the disclosure of which would on balance be contrary to the public interest ((90(3)(b))?
- Does the document relate to matters affecting the security of the council, members or employees, or council property, or safety of any person ((90(3)(e))?
- Does Council still have a duty of confidence, or other legal obligation or duty((90(3)(c), (d), (f) and (g))?
- Does the document relate to litigation, or possible litigation, involving the council or a council employee ((90(3)(i))?
- Does the document relate to a tender for goods or services that has not been finalised ((90(3)(k))?
- Does the document contain legal advice that is still necessary and appropriate to be kept confidential ((90(3)(h))?

Should the confidentiality orders be retained or new orders created, then the matters will be referred to the Council again in 12 months for review unless the order lapses.

The order will lapse if the time or event specified has been reached or carried out and if there has been no valid new order put in place – in this instance the minutes and any document automatically become public and must be released on Council's website.

Only the Council itself has the power under the Act to review orders with the intention of extending them and Council must remake section 91(7) orders by valid resolution if it wishes to extend them.

There are 7 confidentiality orders which fall into the category related to private personal circumstances, such as workers compensation or industrial relations and also relate to matters subject to agreements to preserve confidentiality (primarily in the interests of the individuals concerned). It is recommended that Council resolves to retain in confidence for a period of 12 months unless the order lapses the following items:

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MEETING	SUBJECT
10 September 2003	Workers Compensation Claim
12 November 2003	Workers Compensation Claim
14 November 2004	Unfair Dismissal Claim
25 January 2005	Proposed Separation Package
21 August 2008	Workers Compensation Matter
18 February 2009	Workers Compensation Matter
24 February 2009	Workers Compensation Matter

2018-2019

Date	Item	Subject
28 August 2018	16.3	CEO Recruitment, Performance Review & Remuneration Committee Meeting – 22 August 2018
5 February 2019	NRLE 9.1	Energy Audit

2020-2021

22 September 2020	20.2	CEO Recruitment, Performance Review & Remuneration Committee Meeting
15 December 2020	20.3	Naracoorte Regional Sports Centre Project
27 April 2021	20.1	Minutes Strategic Asset Planning Committee 13 April 2021 – Naracoorte North Parklands
27 April 2021	20.2	Confidential Minutes CEO Recruitment, Performance Review and Remuneration Committee Meeting 13 April 2021 – CEO 2021 Annual Review

2021-2022

Nil

Note - if Council wishes to discuss any items in more detail Council will need to resolve Pursuant to Section 90(2) of the Local Government Act 1999 to order that all members of the public be excluded from attendance at the meeting for this Item.

The register of confidential items by year is available on Council's website at:
<https://www.naracoortelucindale.sa.gov.au/council/registers2/confidentialitems>

MOVED CR DENNIS SECONDED CR JAMES

That pursuant to Sections 91(9)(a) of the *Local Government Act, 1999*, the following Confidential items have been reviewed;

MEETING	SUBJECT
10 September 2003	Workers Compensation Claim
12 November 2003	Workers Compensation Claim
14 November 2004	Unfair Dismissal Claims
25 January 2005	Proposed Separation Package
21 August 2008	Workers Compensation Matter

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18 February 2009		Workers Compensation Matter
24 February 2009		Workers Compensation Matter
Date	Item	Subject
28 August 2018	16.3	CEO Recruitment, Performance Review & Remuneration Committee Meeting – 22 August 2018
5 February 2019	NRLE 9.1	Energy Audit
22 September 2020	20.2	CEO Recruitment, Performance Review & Remuneration Committee Meeting
15 December 2020	20.3	Naracoorte Regional Sports Centre Project
27 April 2021	20.2	Confidential Minutes CEO Recruitment, Performance Review and Remuneration Committee Meeting 13 April 2021 – CEO 2021 Annual Review

That Council is satisfied that all documents and minutes relating to the items listed in the table above are matters listed pursuant to Section 90(3) of the Act (as identified in the column titled Grounds for Confidential Order - Section 90(3)) and that having considered the items listed in the table above Council, pursuant to Section 91(7) of the Act, orders that all documents and minutes relevant to the listed items be retained in confidence for a period of 12 months unless the order lapses, and that as required by Section 91(9) of the Act order that items that do not lapse are reviewed prior to or no later than August 2023.

CARRIED 42/23

13.3 Child Safe Environments Policy Review

Responsible Officer:	Manager Engagement & Community, Jayne Miller
Strategic Outcome:	Theme 5 - Progressive leadership <ul style="list-style-type: none"> • Organisational excellence • Meet all legislative requirements
Financial Implication:	\$10,000 fine for non-compliance
Statutory Implication:	<i>Children and Young People (Safety) Act 2017</i> <i>Child Safety (Prohibited Persons) Act 2016</i>
Policy Implication:	Child Safe Environments Policy 111
Consultative and Community Implication:	Nil

Background

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Children and young people have a right to be safe and protected at all times, including when accessing services in the community.

The new, stronger laws for people working or volunteering with children were recommended as part of Federal and South Australian Royal Commission, to help keep children safe in our community.

In South Australia, organisations providing services to children and young people must, by law, provide child safe environments and

- have Child Safe Environments Policy in place and at a minimum, review their policy once every 5 years
- meet Working with Children Check obligations, and
- lodge a Child Safe Environments Compliance Statement with the Department of Human Services and lodge a new statement each time policies are reviewed and updated

The National Principles for Child Safe Organisations have replaced the former South Australian Principles of Good Practice. From 1 July 2021, all organisations developing child safe policies and procedures must:

- align these with the National Principles, and
- reflect the SA legislative context

Both the *Children and Young People (Safety) Act 2017* and the *Child Safety (Prohibited Persons) Act 2016* require a broad range of government and non-government organisations to provide child safe environments.

Child safe environments are safe and friendly settings where children and young people are protected and feel respected, valued and encouraged to reach their full potential.

Key revisions to the current policy

The current Naracoorte Lucindale Council Child Safe Environment Policy 111 does not reflect legislative requirements.

Section 17 and 18 of the *Safety Act* has significantly lowered the threshold of mandatory reporting to 'harm and risk of harm' from the previous threshold under the Children's Protection Act 'abuse and neglect'.

The current Council Policy, while it refers to the new legislation, includes outdated terminology and this has been rectified in the updated Policy.

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Overall the Policy has been updated to align to National Principles for Child Safe Organisations (meeting the July 2021 change), including further detail on a Code of Conduct.

Council's obligation under Section 114 of the *Children and Young People (Safety) Act 2017*, is to lodge a Child Safe Environments Compliance Statement with the Department of Human Services.

Once this updated Child Safe Environments Policy C.5 is adopted by Council, administration will lodge a statement with the Child Safe Environments Compliance system for review.

MOVED CR CROSSLING SECONDED CR DENNIS

That Council adopt the Child Safe Environments Policy C.5, and revokes Child Safe Environments Policy 111.

CARRIED 43/23

13.4 Naracoorte Lucindale Wellbeing Program Evaluation Report

FOR MEMBERS' INFORMATION

13.5 Naracoorte Lucindale Public Art Strategy 2022-2026

Responsible Officer:	Jessie Lumb – Arts and Cultural Facilitator
Strategic Outcome:	Theme 3 - Harmony and Culture Outcome - A creative and artistic community Our Role - Use art to create a sense of place and identity
Financial Implication:	Nil
Statutory Implication:	Nil
Policy Implication:	Nil
Consultative and Community Implication:	A community consultation plan as outlined in the report

Background:

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The Draft Naracoorte Lucindale Public Art Strategy 2022 – 2026 outlines a broad overview of how Council can contribute to a vibrant and enriched community through permanent and temporary public art, as identified as a key outcome in Council’s Community Art Framework 2016-2026.

The four key aims of the draft Naracoorte Lucindale Public Art Strategy are;

1. To improve the practice of commissioning, developing and managing public art in the Naracoorte Lucindale Council area
2. To facilitate and support the development of new public artworks across a range of diverse spaces throughout the Naracoorte Lucindale Council area
3. To build and promote a collection of public art works that is sustainable, relevant and engaging that reflects the local culture, identity and history of the region
4. To establish Naracoorte Lucindale Council as a centre for public art that attracts visitors to the region

Purpose of the Naracoorte Lucindale Public Art Strategy 2022-2026

Public art contributes to the vibrancy and vitality of our community. This Strategy recognises that high quality public art has the ability to enhance public spaces and adds to a community’s sense of place and identity and can provide educational value.

The Naracoorte Lucindale Council Public Art Strategy 2022-2026 outlines a process for the ongoing implementation of public art that reflects our community’s diversity and artistic creativity.

The Strategy proposes that Council will develop a collection based on the key themes of Township Identity and Vibrant Streetscapes, Natural Landscape, Local History, Agriculture and Diversity, as identified in the Community Arts Framework 2016-2026.

A suite of recommendations for possible sites and projects have also been identified, using a mix of permanent, temporary and digital installations.

Next Steps:

Following Council endorsement, the Public Art Strategy 2022-2026 will be shared with the public for feedback and comment and a final consolidated strategy will be presented to Council. As outlined in Council’s Communication and Engagement Strategy, Council will use the IAP2 model for engagement by **consulting** with the community on this Strategy.

Consult		
We will obtain feedback from the community and other stakeholders	We will clearly outline the intent of this Strategy to the community	We will encourage engagement and contact with Council through a variety of channels
We ensure the community’s aspirations are reflected in the final Strategy	We will provide feedback on how public input influenced the Strategy	We will communicate with transparency

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Community Engagement Timeline:

Timeline	Medium	Action
23 August 2022	Council Report	Draft Naracoorte Lucindale Public Art Strategy 2022 – 2026 presented
Consultation Opens 24 August 2022		
August – September 2022	Media release	Media Statement outlining Community Consultation
August – September 2022	Social Media	Facebook post outlining Community Consultation
August – September 2022	Newsroom	Newsroom on Council's website with links to Media Release, Your Say Page and Facebook
August – September 2022	Your Say NLC	Establish a project page + online feedback forum
August – September 2022	Hard Copy Feedback Form	Hard copy of the feedback form to Library, Visitor Information Centre, Council Offices (Naracoorte + Lucindale, Naracoorte Regional Art Gallery
August – September 2022	Poster	Poster with QR code to Your Say NLC link
August – September 2022	Email	Email to the Community Development and Business/Tourism Databases with the Your Say NLC link
August – September 2022	Face to Face	Face-to-face engagement with the Art Club and Naracoorte Regional Art Gallery
August – September 2022	Email	Email to schools for inclusion in School Newsletters
Consultation Closes 14 September 2022		
27 September 2022	Report	Report to Ordinary Meeting of Council with survey findings and Final Public Art Strategy 2022-2026 for resolution
28 September 2022	Media Release	Media Statement announcing adoption of Public Art Strategy
28 September 2022	Social Media	Facebook post announcing adoption of Public Art Strategy
28 September 2022	Website	Public Art Strategy 2022-2026 available on Council's Website

**MOVED CR DENNIS
SECONDED CR CROSSLING**

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That Council endorse the Draft Naracoorte Lucindale Public Art Strategy 2022 – 2026 for community consultation.

CARRIED 44/23

13.6 Limestone Coast Farmers' and Makers' Market – Market Days

Responsible Officer:	Manager Finance & Corporate – Alex Edmonds
Strategic Outcome:	Progressive Leadership – sustainable community finances & assets and organisational excellence
Financial Implication:	Minor income
Statutory Implication:	Section 200, Local Government Act 1999
Policy Implication:	Council Policy No. 92 – Council Land – Permit to Use
Consultative and Community Implication:	Nil

Report

Limestone Coast Food Farmers' and Makers' Market are seeking permission to hold three (3) market days in the Naracoorte Town Square.

The Limestone Coast Food Group has been operating markets in the Limestone Coast for over fourteen (14) years and successfully brought the market to Naracoorte in 2018. After the success of previous years' markets, they would like the opportunity to keep coming.

The Group is asking to hire the Town Square on the following dates, which are all the 3rd Sunday of each month: -

- 16 October 2022
- 20 November 2022
- 20 December 2022

The group would also like permission to hold the markets on the 3rd Sunday of October, November and December in 2023 and 2024.

The markets would operate from 9am to 1pm with occupation of the Square to be from 7am to 2pm allowing for set up and pack up. The market would occupy MacIntosh Square only, in order to be adjacent to the Sound Shell and toilet facilities.

It is a requirement of Council Policy (*No. 92: Council Land – Permit to Use*) that where Council Land is to be used for commercial purposes and the proposed use is not associated with an approved event or a Section 222 Permit for agricultural purposes (e.g. grazing or cultivation) that the request is presented to Council for its consideration and determination of a permit fee as appropriate.

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This requirement was introduced to “*ensure a fair, transparent and accountable process is followed when permitting Council land to be used for commercial purposes*”.

A permit may include conditions of use and must be displayed at all times.

The application has been assessed by Council Officers, including the Manager Finance & Corporate, Manager Operations and Corporate Services Officer.

The Naracoorte Town Squares are a focal point for community activities and the hosting of events centrally creates a feeling of vibrancy for the Naracoorte CBD.

General conditions apply in relation to all open space permits.

It is recommended that approval is granted to the Limestone Coast Food Farmers’ and Makers’ Market to hold markets in Naracoorte’s MacIntosh Square for the next three (3) years subject to the additional conditions as specified in the recommendation below.

MOVED CR CROSSLING SECONDED CR DENNIS

That a permit is granted to Limestone Coast Farmers’ and Makers’ Market to hold markets in Naracoorte’s MacIntosh Square on the following days:

- **16 October 2022**
- **20 November 2022**
- **15 December 2022;** and

That a permit is granted to Limestone Coast Farmers’ and Markers’ Market to hold markets in Naracoorte’s MacIntosh Square for the third Sunday in October, November and December in 2023 and 2024.

subject to the following additional conditions: -

- a) permit hours are limited to 7am to 2pm, including set up and pack up; and**
- b) all waste is removed at the end of the day at the permit holders cost (ie. not placed in park bins); and**
- c) to pay to the Council a charge of \$5 per stall, with a minimum charge of \$50, (gst inclusive); and**
- d) to liaise with the nominated Council Officer prior to each market.**

CARRIED 45/23

14. Reports for Information

14.1 Operations Report

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FOR MEMBERS' INFORMATION

14.2 Planning and Compliance Report

FOR MEMBERS' INFORMATION

14.3 Engagement and Community Report

FOR MEMBERS' INFORMATION

15. Publications, Documents or Information from other Bodies

16. Questions with Notice

17. Motions with Notice

18. Questions without Notice

19. Motions without Notice

20. Matters the CEO Recommends be Considered in Confidence

THE CHIEF EXECUTIVE OFFICER ADVISES THAT THE FOLLOWING ITEMS MAY BE CONSIDERED IN CONFIDENCE ON THE GROUNDS SPECIFIED IN THE RECOMMENDATION. IF MEMBERS ARE OF THE VIEW THAT AN ITEM SHOULD BE CONSIDERED IN CONFIDENCE, THE FIRST RECOMMENDATION FOR EACH ITEM SHOULD BE ADOPTED.

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IF THE COUNCIL IS OF THE VIEW THAT THE REPORT, THE MINUTES, OR A DOCUMENT RELATING TO THE ITEM SHOULD BE KEPT CONFIDENTIAL THE SECOND RECOMMENDATION SHOULD BE ADOPTED.

20.1 Stormwater Claim

**MOVED CR DENNIS
SECONDED CR JAMES**

1. Pursuant to section 90(2) and 90(3)(i) of the *Local Government Act 1999*, the Council orders that the public be excluded from attendance at that part of the meeting relating to the agenda item 20.1 – Stormwater Claim, except the following people:

Chief Executive Officer - Trevor Smart, Director Infrastructure & Services - Daniel Willsmore, Manager Planning & Compliance - Paul McRostie, Manager Finance & Corporate - Alex Edmonds, Community Engagement Officer - Josie Collins.

to enable the Council to consider the item 20.1 in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those peoples listed above) in order to receive, discuss or consider in confidence the following information or matter relating to item 20.1:

information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council

2. Accordingly, on this basis, the principles 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.

CARRIED 46/23

**MOVED CR ROSS
SECONDED CR SCHULTZ**

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

20.1 – All agendas, minutes, reports and other documents relating to – Stormwater Claim.

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2. This order shall operate until the matter is finalised.
3. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, the Council delegates to the Chief Executive Officer the power to revoke this order in whole or part.

CARRIED 48/23

20.2 Major Plant Tender - 202223-05 Tractor - P3025

MOVED CR DENNIS
SECONDED CR GRUNDY

1. Pursuant to section 90(2) and 90(3)(k) of the *Local Government Act 1999*, the Council orders that the public be excluded from attendance at that part of the meeting relating to the agenda item 20.2 – Major Plant Tender - 202223-05 Tractor - P3025, except the following people:
Chief Executive Officer - Trevor Smart, Director Infrastructure & Services - Daniel Willsmore, Manager Planning & Compliance - Paul McRostie, Manager Finance & Corporate - Alex Edmonds, Community Engagement Officer - Josie Collins.

to enable the Council to consider the item 20.2 in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those peoples listed above) in order to receive, discuss or consider in confidence the following information or matter relating to item 20.2:

tenders for the supply of goods, the provisions of services or the carrying out of works
2. Accordingly, on this basis, the principles 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.

CARRIED 49/23

MOVED CR ROSS
SECONDED CR DENNIS

1. Pursuant to section 91(7) of the *Local Government Act 1999*, the Council orders that the following documents (or part) shall be kept confidential, being documents (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:

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20.2 – All agendas, minutes, reports and other documents relating to – Major Plant Tender - 202223-05 Tractor - P3025.

2. This order shall operate until the matter is finalised.
3. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, the Council delegates to the Chief Executive Officer the power to revoke this order in whole or part.

CARRIED 51/23

20.3 Major Plant Tender - 202223-06 Loader - P1320

MOVED CR ROSS
SECONDED CR GRUNDY

1. Pursuant to section 90(2) and 90(3)(k) of the *Local Government Act 1999*, the Council orders that the public be excluded from attendance at that part of the meeting relating to the agenda item 20.3 Major Plant Tender - 202223-06 Loader - P1320, except the following people:

Chief Executive Officer - Trevor Smart, Director Infrastructure & Services - Daniel Willsmore, Manager Planning & Compliance - Paul McRostie, Manager Finance & Corporate - Alex Edmonds, Community Engagement Officer - Josie Collins.

to enable the Council to consider the item 20.3 in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those peoples listed above) in order to receive, discuss or consider in confidence the following information or matter relating to item 20.3:

tenders for the supply of goods, the provisions of services or the carrying out of works

2. Accordingly, on this basis, the principles 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.

CARRIED 52/23

MOVED CR SCHULTZ
SECONDED CR DENNIS

NARACOORTE LUCINDALE COUNCIL

MINUTES FOR COUNCIL MEETING HELD ON 23 August 2022

1. Pursuant to section 91(7) of the *Local Government Act 1999*, the Council orders that the following documents (or part) shall be kept confidential, being documents (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:

20.3 – All agendas, minutes, reports and other documents relating to – Major Plant Tender - 202223-06 Loader - P1320.

2. This order shall operate until the matter is finalised.
3. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, the Council delegates to the Chief Executive Officer the power to revoke this order in whole or part.

CARRIED 54/23

20.4 Contract 202223-00 Rural Roadside Tree Trimming

MOVED CR DENNIS
SECONDED CR ROSS

1. Pursuant to section 90(2) and 90(3)(k) of the *Local Government Act 1999*, the Council orders that the public be excluded from attendance at that part of the meeting relating to the agenda item 20.4 Contract 202223-00 Rural Roadside Tree Trimming, except the following people:

Chief Executive Officer - Trevor Smart, Director Infrastructure & Services - Daniel Willsmore, Manager Planning & Compliance - Paul McRostie, Finance & Corporate - Alex Edmonds, Community Engagement Officer - Josie Collins.

to enable the Council to consider the item 20.4 in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those peoples listed above) in order to receive, discuss or consider in confidence the following information or matter relating to item 20.4:

tenders for the supply of goods, the provisions of services or the carrying out of works

2. Accordingly, on this basis, the principles 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.

CARRIED 55/23

NARACOORTE LUCINDALE COUNCIL

MINUTES FOR COUNCIL MEETING HELD ON 23 August 2022

**MOVED CR JAMES
SECONDED CR CROSSLING**

1. Pursuant to section 91(7) of the *Local Government Act 1999*, the Council orders that the following documents (or part) shall be kept confidential, being documents (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:

20.4 – All agendas, minutes, reports and other documents relating to –
Contract 202223-00 Rural Roadside Tree Trimming.
2. This order shall operate until the matter is finalised.
3. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, the Council delegates to the Chief Executive Officer the power to revoke this order in whole or part.

CARRIED 57/23

20.5 CEO Employment Contract Review

**MOVED CR DENNIS
SECONDED CR JAMES**

1. Pursuant to section 90(2) of the *Local Government Act 1999*, the Council orders that the public be excluded from attendance at that part of the meeting relating to the agenda item 20.5 – CEO Employment Contract Review, except the following people: Chief Executive Officer Trevor Smart, Manager Finance & Corporate Alexandra Edmonds, Community Engagement Officer Josie Collins.

to enable the Council to consider the item 20.5 in confidence on the basis the Council is satisfied that, pursuant to Section 90(3)(a) 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 the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).
2. Accordingly, on this basis, the principles that meetings of the Council should be conducted in a place open to the public has been outweighed in the circumstances to prevent the disclosure of information relating to personal affairs.

CARRIED 58/23

NARACOORTE LUCINDALE COUNCIL

MINUTES FOR COUNCIL MEETING
HELD ON
23 August 2022

**MOVED CR DENNIS
SECONDED CR ROSS**

That having considered agenda item 20.5 CEO Employment Contract Review in confidence under Section 90(2) and (3)(a) of the *Local Government Act 1999*, the Council, pursuant to Section 91(7)(b) of that Act orders that all documents and all minutes be retained in confidence for the duration of the CEO's employment.

CARRIED 61/23

21. Meeting closed

Meeting closed 6.40pm.