



DRAFT Public MINUTES ORDINARY MEETING

Friday 19 May 2023
Maple & Pine Bundaleer Forest
45 Springs Rd, Bundaleer North

OPENING OF MEETING

The Legatus Group Chair Mayor Rodney Reid opened the meeting at 10.30am

ACKNOWLEDGEMENT OF COUNTRY & WELCOME

Mayor Sue Scarman provided an acknowledgement of Country and welcomed everyone to the meeting and the venue. Mayor Scarman provided background on the Northern Areas Council and the large road and bridges network plus the numerous buildings across the 10 towns and numerous settlements that comprise the Northern Areas Council. Mayor Scarman outlined the role the region has with renewable energy including the wind farms and big battery and the solar being undertaken by the council which has provided significant savings. Two major projects are the Pine Creek Bridge and Main Street of Jamestown.

ADMINISTRATIVE MATTERS

1.1 Attendance

Members: Mayor Rodney Reid, Mayor Allan Aughey OAM, Mayor Ken Anderson, Mayor Bill Gebhardt, Mayor Sue Scarman, Mayor Ruth Whittle OAM, Mayor Kathie Bowman, Mayor Leon Stephens, Deputy Mayor Marcus Strudwicke, Mayor Leonie Kerley and Mayor Stephen McCarthy.

Others: Legatus Group CEO Simon Millcock, Maree Wauchope, Helen McDonald, Eric Brown, Kelly Westell, Paul Simpson, Stephen Rufus, Sam Johnson and Andrew MacDonald.

Apologies

Members: Mayor Roslyn Talbot, Mayor Bill O'Brien, Mayor Darren Braund, Mayor Bim Lange OAM and Mayor Mark Wasley. CEO's Martin McCarthy, Russell Peate, David Stevenson, Richard Dodson, James Miller, Peter Ackland and Andrew Cameron.

1.2 Leave of Absence

The meeting noted that Adelaide Plains Council Mayor Mark Wasley is on leave and as such Deputy Mayor Marcus Strudwicke is the Principal Member for this meeting.

1.3 Conflict of Interest

Legatus Group CEO Simon Millcock outlined a conflict of interest re confidential item 4.16 CEO's Performance Review.

1.4 Previous meeting minutes

The Minutes of the Legatus Group meeting held 10 February 2023 had been distributed.

Motion: That the minutes of the Legatus Group Ordinary Meeting held on 10 February 2023 be confirmed as a true and correct record.

Moved: Mayor Bill Gebhardt Seconded: Mayor Sue Scarman CARRIED

1.5 Legatus Group Action List (July 2021 – May 2023)

Legatus Group CEO Legatus Group CEO provided an update with the agenda on actions relating to meetings.

Motion: That the Legatus Group receives and notes the report.

Moved: Mayor Leon Stephens Seconded: Mayor Leonie Kerley CARRIED

1.6 Deferred/Adjourned Items

Nil

2. PRESENTATIONS / PETITIONS / DEPUTATIONS

2.1 Philip Roetman, Coordinator Environmental Sustainability, City of Burnside - Burnside Carbon Offset Scheme

Philip Roetman provided an update on the City of Burnside environmental sustainability carbon offset scheme which has funding to help support tree plantings in Regional SA and an offer to partner with Legatus Group Constituent councils.

3. REPORTS FOR INFORMATION

The Legatus Group CEO provided a copy of the minutes from the Legatus Group Audit & Risk, Regional Management Group, Community Wastewater Management Schemes Advisory Committee, Waste Management Advisory Committee and Road Transport and Infrastructure Advisory Committee.

Motion:

That the Legatus Group receives and notes the Audit and Risk Management Committee, Regional Management Group, Community Wastewater Management Schemes Advisory Committee, Waste Management Advisory Committee and Road Transport and Infrastructure Advisory Committee minutes.

Moved: Mayor Leon Stephens Seconded: Mayor Sue Scarman CARRIED

4. REPORTS FOR DECISIONS

4.1 Business Plan Update

The Legatus Group CEO provided a report on the 2022/23 Business Plan.

Motion: That the Legatus Group notes the report.

Moved: Mayor Kathy Bowman Seconded: Mayor Ruth Whittle CARRIED

4.2 Financial Report 2022/2023

Legatus Group CEO Simon Millcock provided a report with the agenda on the 2022/2023 Legatus Group Budget review.

Motion: That the Legatus Group:

- 1. Receives the report and that pursuant to Section 123(13) of the Local Government Act 1999 and Section 7 of the Local Government (Financial Management) Regulations 2011 the Legatus Group notes the contents of the Statutory Finance Reports for the period ending 30 April 2023.**
- 2. Receives and adopts the revised 2022/2023 Budget Review 4 and notes that there is no need to submit the revised budget to member councils for their approval.**

Moved: Mayor Ken Anderson Seconded: Acting Mayor Marcus Strudwicke CARRIED

4.3 CEO Credit Card Expenditure

Legatus Group CEO Simon Millcock provided a report with the agenda of CEO's Credit Card Expenditure.

Motion: That the Legatus Group notes the CEOs credit card expenditure report for 1 February 20223 till 30 April 2023.

Moved: Mayor Kathy Bowman Seconded: Mayor Ken Anderson CARRIED

4.4 Legatus Group Charter

Legatus Group CEO provided a report with the agenda.

Motion:

1. That the Legatus Board requests the CEO to obtain quotations from at least three (3) independent consultants to complete a review of the Legatus Group Charter and that these quotations be presented to the Board at the next scheduled Ordinary Legatus Board Meeting for consideration and decision.
2. That this process of review includes a full review of the Legatus Group Charter but with specific emphasis on narrowing and limiting the current operational focus of the Legatus Group and pivoting to its key responsibility of advocacy.
3. That this process of review includes the preparation of an independent report, from the appointed consultant, reporting on the outcome of the review including proposed amendments to the Charter.
4. That this process of review includes workshops with the Board and the Regional Management Group.
5. That this process be commenced with the intention of completing the review as soon as practical.

Moved: Mayor Leon Stephens

Seconded: Mayor Leonie Kerley

CARRIED

4.5 Legatus Group Strategic Plan Review

Legatus Group CEO provided an update on the Legatus Group strategic plan with the agenda.

Motion: That the Legatus Group:

1. **Receives the report noting that four of the constituent council have not approved the draft Legatus Group Strategic Plan 2023 – 2027 and Long-Term Financial Plan.**
2. **That the Legatus Board requests the CEO to obtain quotations from at least three (3) independent consultants to facilitate the development of a new Strategic Plan for the Legatus Group and that these quotations be presented to the Board at the next scheduled Ordinary Legatus Board Meeting for consideration and decision.**
3. **That the process of review includes workshops with the Board, the Regional Management Group, Independent Consultants and CEO with specific emphasis on narrowing and limiting the focus to items of clear and direct relevance to Member Councils only and pivoting the Legatus Group to the key responsibility of advocacy.**
4. **That the independent consultant report directly to the Board with the draft Strategic Plan and report on the success of narrowing and limiting the Strategic Plan to items of clear and direct relevance to member Councils only and pivoting to the key responsibility of advocacy.**
5. **That the process be commenced with the intention of completing the review as soon as practical.**

Moved: Mayor Leon Stephens

Seconded: Mayor Alan Aughey

CARRIED

4.6 Legatus Group 2023/2024 Business Plan and Budget

Legatus Group CEO provided a report with the agenda for discussion and consideration.

Motion: That the Legatus Group:

- 1. Receives and notes the report.**
- 2. Requests the CEO to provide a report at the proposed special meeting on 2 June 2023 outlining all expenditure in the proposed draft Business Plan and Budget for 2023/2024 that can be put on hold until a new Strategic Plan has been adopted, specifically focusing on new projects that do not align with the Legatus Group's key responsibility of advocacy and existing projects that can be placed on hold without causing financial contractual, reputational or other detriment.**

Moved: Mayor Leon Stephens

Seconded: Mayor Leonie Kerley

CARRIED

4.7 Legatus Group Deputy Chairperson

Legatus Group CEO provided a report seeking a decision on the appointment of a deputy chairperson.

Motion: That the Legatus Group notes the report and appoints Mayor Ken Anderson as Deputy Chairman for the Legatus Group until the 2024 AGM.

Moved: Mayor Kathy Bowman

Seconded: Mayor Stephen McCarthy

CARRIED

4.8 Withdrawal of Membership

Mayor Leonie Kerley noted a conflict of interest by Barunga West Council and left the room.

Legatus Group CEO provided attachment with the agenda.

Motion: That the Legatus Group receives and notes the report.

Moved: Mayor Sue Scarman

Seconded: Leon Stephens

CARRIED

Mayor Kerley and Maree Wauchope returned to the meeting.

4.9 Legatus Group and SAROC

Legatus Group CEO provided a report with the agenda.

Motion: That the Legatus Group notes the report and acknowledges that the LGA CEO has indicated that he will meet the Regional LGA Executive Officers to discuss.

Moved: Mayor Rodney Reid

Seconded: Mayor Leonie Kerley

CARRIED

4.10 Northern and Yorke Drought Resilience Plan

Legatus Group CEO provided attachments with the agenda.

Motion: That the Legatus Group notes the report and the role that the Legatus Group has been identified to deliver within the Northern and Yorke Drought Resilience Plan.

Moved: Mayor Ken Anderson Seconded: Mayor Stephen McCarthy CARRIED

4.11 Northern and Yorke Community Continuity Planning for Disasters

Legatus Group CEO provided a report with the agenda.

Motion: That the Legatus Group notes the report and that it encourages constituent councils and their communities to be actively involved in the workshops.

Moved: Mayor Ruth Whittle Seconded: Mayor Leon Stephens CARRIED

4.12 Legatus Regional Management Group (RMG)

Chair RMG CEO Andrew MacDonald provided a report with the agenda.

Motion:

- a) **That the Board recommends that the Legatus Advisory Committees (with the exception of the Audit and Risk Management Committee) meet 6 weeks prior to Legatus Board meetings to provide advice and input into the Legatus quarterly agenda, and strategies and priorities of the Legatus Group.**
- b) **That the Board acknowledges that the Regional Management Group meet 4 weeks prior to Legatus Board meetings to provide advice and input into the Legatus quarterly agenda.**
- c) **That the Board endorses the Chair of the Regional Management Group, attending meetings with the Legatus CEO, Legatus Chair and Deputy Chairs to support the final drafting of the Legatus quarterly agenda, and other related matters.**

Moved: Mayor Leonie Kerley Seconded: Mayor Sue Scarman CARRIED

4.13 Special Local Roads Program (SLRP) and Legatus Group Regional Road Plan

Legatus Group CEO provided attachments Roads Data Base Calculator and Regional Action Plan Legatus Group Road Transport Plan with the agenda.

Motion:

- I. **That the Legatus Group notes the report and approves the Legatus Group updated Roads Data Plan and Legatus Group Roads Data Base priority list.**

Moved: Mayor Ken Anderson Seconded: Mayor Bill Gebhardt CARRIED

2. **Requests a report from the Legatus Group CEO on a recommended approach by the Legatus Group to lobby for increased funding for the SLRP Program.**

Moved: Mayor Leonie Kerley

Seconded: Mayor Rodney Reid

CARRIED

4.14 Material Recovery Facility (MRF)

Legatus Group CEO provided a report with the agenda.

Motion:

That the Legatus Group notes the report and provides in principal support to investigating the potential for a regional Material Recovery Facility and that the Legatus Group CEO seeks to gain support from the Eyre Peninsula and Murraylands and Riverland LGA's before considering any recommendations to progress.

Moved: Mayor Ruth Whittle Seconded: Mayor Leon Stephens

CARRIED

4.15 Carbon Offsetting

Legatus Group CEO provided an update on collaborative Local Government Carbon Offsetting with the agenda.

Motion: That the Legatus Group notes the report.

Moved: Mayor Sue Scarman Seconded: Mayor Ken Anderson

CARRIED

4.16 CONFIDENTIAL ITEM

Chair Mayor Rodney Reid asked for all members of the public to leave the meeting except the minute taker Andrew MacDonald for discussion of Legatus Group CEO Performance Review proposal.

Motion:

That the Legatus Group:

1. Pursuant to section 90(2) of the Local Government Act 1999, orders that all members of the public, except the minute taker be excluded from the meeting to enable discussion on item 4.16 - CEO's Annual Performance Review Proposal.
2. 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 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 would, on balance, be contrary to the public interest.
3. Is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information to

be disclosed and discussed has the potential to impact adversely and contains commercial

Moved: Mayor Leonie Kerley Seconded: Mayor Kathy Bowman CARRIED

The meeting was closed to the public and then re-opened to the public.

Motion

That, having considered Agenda Item 5.1– ‘CEO’s Annual Performance Review Proposal’ 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 the discussion, documents and reports relating to this agenda item be retained in confidence for a period of 12 months.

Moved: Mayor Ken Anderson Seconded: Mayor Sue Scarman CARRIED

5 MOTIONS AND QUESTIONS

5.1 Motions of which Notice has been given.

A report on the ESCOSA Fee Structure was provided with the agenda by the District Council Orroroo Carrieton.

MOTION

- 1. That the LEGATUS CEO writes to Adam Wilson, the CEO of ESCOSA, the Honourable Geoff Brock MP, Minister of Local Government and the Honourable Susan Close MP, Deputy Premier and Minister for Environment and Water advising of the Legatus Group’s opposition to the model Fee Structure being set by ESCOSA.**
- 2. That the LEGATUS CEO writes to all other SA Regional LGAs seeking support in advocating for change to the model Fee Structure currently set by ESCOSA.**
- 3. That the LEGATUS Board provide support to the District Council of Orroroo Carrieton in its motion seeking SAROC board support for a change to the model Fee Structure currently set by ESCOSA.**

Moved: Mayor Kathy Bowman Seconded: Mayor Ken Anderson CARRIED

5.2 Motions without Notice

The Chair to ask Members if there are any motions without notice.

5.3 Questions with Notice Nil

5.4 Questions without Notice Nil

6 MEMBERS COMMUNICATION

6.1 Chairperson's Report May 2023

Mayor Rodney Reid Chairperson of Legatus provided a report with the agenda.

Motion: That the chairperson's report for May 2023 be received and noted.

Moved: Mayor Alan Aughey Seconded: Mayor Stephen McCarthy

CARRIED

7 BEST PRACTICE PRESENTATION

Eric Brown CEO Flinders Ranges Council

Award-Winning Quorn Silo Light Show which won Gold at the 2022 Australian Street Art Awards under the Best Mega Mural category.

8 MAYOR BOWMAN

Mayor Bowman has outlined an intention to resign as Mayor of Orroroo Carrieton which would mean that her position as a member of the Legatus Group Audit and Risk Managamnet Committee will become vacant. Mayor Bowman has been a long term (inaugural) member of the Legatus Group Audit and Risk Managamnet Committee.

The Legatus Group acknowledged the contribution by Mayor Bowman.

8 CLOSE and DATE FOR NEXT MEETING

Meeting closed at: 12.57pm

Next meeting: Friday 25 August 2023 AGM 10.00 am which will followed by the Ordinary meeting and to be hosted by the District Council of Peterborough.