



NORTHERN AND YORKE LOCAL GOVERNMENT ASSOCIATION Minutes

Ordinary Meeting 7 June 2024

Quorn Community Hall Park Terrace Quorn

OPENING OF MEETING

The President Mayor Rodney Reid opened the meeting at 10am

ACKNOWLEDGEMENT OF COUNTRY & WELCOME

The Flinders Ranges Mayor Ken Anderson provided an acknowledgement of Country and welcome. He outlined the program of events being held across the council, projects completed and in progress, current initiatives and key issues including Childcare, Health, Water Quality, Housing, Aged Care and Electronic Meetings.

I ADMINISTRATIVE MATTERS (Attendance Sheet)

Members: Cr Peter Sims (Proxy for Mayor Talbot), Mayor Ken Anderson, Mayor Mark Wasley, Mayor Stephen McCarthy, Mayor Grant Chapman, Mayor Allan Aughey OAM, Mayor Bill Gebhardt, Mayor Darren Braund, Mayor Sue Scarman, Mayor Leon Stephens, Mayor Leonie Kerley, Mayor Ruth Whittle OAM and Mayor Rodney Reid.

Non-members: MP Geoff Brock. Council CEOs Sean Holden, Dr Helen Macdonald, Maree Wauchope, Richard Dodson, Dylan Strong and Darren Starr. NYLGA CEO Simon Millcock and LGA CEO Clinton Jury.

1.1 Apologies

Members: Mayor Roslyn Talbot, Mayor Stephen McCarthy and Mayor Bim Lange OAM. Non-members MPs Penny Pratt, Eddie Hughes and Fraser Ellis. Tony Fox (GM Landscape Board), Daniel Willson (CEO RDA YMN). Council CEOs David Stevenson, James Miller, Kelly Westell, Paul Simpson, Andrew Cameron, Peter Ackland, Martin McCarthy and Acting CEO Martin Borgas.

1.2 Leave of Absence

Mayor O'Brien advised he has an approved 'Leave of Absence' from Light Regional Council from 30 June 2024 to 12 July 2024 inclusive.

1.3 Conflict of Interest Nil

1.4 Previous meeting minutes Legatus Group Meeting held 23 February 2024

The Legatus Group CEO provided a report with the agenda and the minutes were distributed.

Motion: That the minutes of the Legatus Group Meeting held on 23 February 2024 be confirmed as a true and correct record.

Moved: Mayor Scarman Seconded: Mayor Wasley CARRIED

1.5 N&YLGA Action List

The N&YLGA CEO provided a report with the agenda.

Motion: That the Northern and Yorke Local Government Association receives and notes the report.

Moved: Mayor Stephens Seconded: Mayor Kerley CARRIED

1.6 Deferred / Adjourned Items Nil

2 PRESENTATIONS / PETITIONS / DEPUTATIONS

2.1 Clinton Jury CEO LGA

Key points: Federal Government Financial Sustainability Enquiry, Untied funding, indexation freeze, regional migration / workforce and unfunded delivery of state services by councils. R&D Scheme will open at the end of June and CWMS Innovation Fund to open soon. SLRP received \$27m of applications with a pool of \$21m. Nomination for LGA elections will open mid-June. New strategic plan process underway. Fair rates bill ready to go with refreshed data.

3 REPORTS FOR INFORMATION

3.1 Committee minutes

The N&YLGA CEO provided a report with attachments of committee minutes with the agenda.

Motion: That the Northern and Yorke Local Government Association receives and notes the Audit and Risk Management Committee, Road Transport and Infrastructure Advisory Committee minutes and the Waste Management Advisory Committee notes and the report on the CWMS Advisory Committee.

Moved: Mayor Scarman Seconded: Mayor Anderson CARRIED

3.2 Business Plan Update

N&YLGA CEO provided a report with the agenda.

Motion: That the Legatus Group notes the report.

Moved: Mayor Stephens Seconded: Mayor Gebhardt CARRIED

3.3 National Disaster Ready Fund

N&YLGA CEO provided a report with the agenda.

Motion: That the Legatus Group notes the report.

Moved: Mayor Wasley Seconded: Mayor Braund

CARRIED

3.4 N&YLGA Board Proxies

N&YLGA CEO provided a report with the agenda which included the responses from 13 member councils of their decision and he advised that Adelaide Plains Council have nominated their Deputy Mayor as Proxy and that the District Council of Mount Remarkable have yet to decide.

Motion: That the Northern and Yorke LGA notes the report.

Moved: Mayor Chapman Seconded: Mayor Gebhardt

CARRIED

4 REPORTS FOR DECISIONS

4.1 Financial Reports 2023/2024

N&YLGA CEO provided a report and attachments with the agenda.

Motion: That the Northern and Yorke Local Government Association:

- 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 2024.**
- 2. Receives and adopts the revised 2023/2024 Budget Review 4.**
- 3. Notes the CEOs credit card expenditure report.**

Moved: Mayor Whittle Seconded: Mayor Braund

CARRIED

4.2 N&YLGA 2024/2025 Business Plan and Budget

N&YLGA CEO provided a report and attachments with the agenda.

Motion:

That the Northern and Yorke Local Government Association receives and notes the report and adopts the Northern and Yorke Local Government Association 2024/2025 Business Plan and Budget and requires as its priority to:

- 1. Deliver an advocacy plan via consultation with individual councils, the advisory committees and the board.**
- 2. Deliver a major review of the Northern and Yorke LGA Regional Transport Plan.**
- 3. Undertake increased consultation with individual councils on the 4 year rolling business plan.**

Moved: Mayor Stephens Seconded: Mayor Anderson CARRIED

4.3 Audit and Risk Committee Membership and Terms of Reference

The N&YLGA CEO provided a report and attachments with the agenda.

Motion:

That the Northern and Yorke Local Government Association notes the report and:

- 1. Approves the names of Mayor Rodney Reid, Mayor Stephen McCarthy, Stephen Rufus and Ian McDonald to be distributed to member council of confirmation of their membership of the Northern and Yorke Local Government Association Audit and Risk Management Committee.**
- 2. Approves the Terms of Reference as presented for the Northern and Yorke Local Government Association Audit and Risk Management Committee.**
- 3. Request the member councils encourage a professionally qualified officer to apply to fill the vacancy for this position.**

Moved: Mayor Anderson Seconded: Mayor Stephens CARRIED

4.4 Special Local Roads Program (SLRP)

The N&YLGA CEO provided a report with the agenda.

Motion:

That the Northern and Yorke Local Government Association endorses the following response provided for the 2024/2025 Special Local Roads Program:

- 1. The Northern and Yorke LGA has assessed the following roads for the 2024 SLRP application with their priorities as:**
 - Yorke Peninsula Council North Coast Road Point Turton Township to Point Souttar Road**
 - The Barossa Council Bethany Road Barossa Valley Way to Menge Road**
 - Copper Coast Council Bowman Road Copper Coast Highway to Spencer Highway**
 - Light Regional Council Bethel Road Horrocks Highway to End of Seal**
- 2. The Northern and Yorke LGA provides no comment on the applications by the Northern Areas Council for Andrews Road and Upgrade Bute Road and Belalie Creek Culvert.**

Moved: Mayor Braund Seconded: Mayor Kerley CARRIED

4.5 Executive Committee

The N&YLGA CEO provided a report and attachments with the agenda.

Motion:

- 1. That the Northern and Yorke Local Government Association forms an Executive Committee as outlined in the attached terms of reference.**
- 2. That the nomination of CEO Dylan Strong be accepted for the CEO position to the Committee.**

Moved: Mayor Whittle Seconded: Mayor Aughey CARRIED

4.6 Financial Services

The N&YLGA CEO provided a report with the agenda.

Motion: That the Northern and Yorke Local Government Association financial services continue to be delivered beyond the 31 December 2024 by an external independent financial service.

Moved: Mayor Scarman Seconded: Mayor Braund CARRIED

4.7 Forums

The N&YLGA CEO provided a report with the agenda.

Motion:

- 1. That the Northern and Yorke Local Government Association notes the report.**
- 2. That the Northern and Yorke Local Government Association delivers 2 forums (1) Regional Roads and (2) Regional Waste for member councils.**

Moved: Mayor Kerley Seconded: Mayor Scarman CARRIED

5 MOTIONS AND QUESTIONS

5.1 Motions of which Notice has been given.

5.1.1 ALGA National General Assembly Motions Wakefield Regional Council

Darren Starr CEO Wakefield Regional Council provided a report with the agenda.

Motion: That the Board receive and note the report titled 2024 ALGA National General Assembly Motions Wakefield Regional Council.

Moved: Mayor Chapman Seconded: Mayor Gebhardt CARRIED

5.2 Motions without Notice

Mayor Bill Gebhardt introduced the matter of Dog and Cat Management Act 1995 Breeder Reforms.

Motion: That the Chief Executive Officer engage with each Constituent Council in relation to the proposed amendments to the Dog and Cat Management Act 1999 and prepare a submission to the Local Government Association on behalf of the member councils by the due date 1 July 2024.

Moved: Mayor Gebhard Seconded: Kerley CARRIED

Action CEO to liaise with Tony Fox.

5.3 Questions with Notice Nil

5.4 Questions without Notice Nil

6 MEMBERS COMMUNICATION

6.1 Chairperson's Report February 2024

Mayor Rodney Reid Chairperson of N&YLGA provided a report with the agenda. He congratulated the Flinders Alliance Cross Council Collaboration Award and Goyder Council Top Tourism Town Tiny Town and People's Choice for Burra.

Motion: That the chairperson's report for June 2024 be received and noted.

Moved: Mayor O'Brien Seconded: Mayor Scarman CARRIED

6.2 Member Updates

Chairperson invited members to provide updates.

Mayor Wasley – Electoral Commission matters awaiting outcome.

By leave of the meeting MP Geoff Brock was invited to present and he provided an update on his reason for stepping down as Minister and spoke about the issues relating to last Local Govt elections. Will continue to engage with the LGA and the N&YLGA as a strong advocate.

7 BEST PRACTICE PRESENTATION

Port Pirie Regional Council Chris Davey – held over until August 2024 meeting.

8 Northern and Yorke LGA CEO Performance Review and CEO Review

Mayor Rodney Reid provided a report with the agenda

Motion

That the Northern and Yorke Local Government Association:

- 1. Pursuant to section 90(2) of the Local Government Act 1999, orders that all members of the public, be excluded from the meeting to enable discussion on item 8.1 - CEO's Annual Performance Review Proposal and Review of CEO position.**
- 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 information which will be disclosed.

Moved: Mayor Braund Seconded: Mayor Kerley CARRIED

All non-members left the meeting at 12.05pm

The Chairperson with approval of two thirds of the members present suspended the meeting procedures pursuant to Regulation 20 (1) of the Local Government (Procedures at Meetings) Regulations 2013, for a period of 30 minutes to allow informal discussion on 8.1 CEO's annual performance review proposal and review of CEO position.

12.08 Formal meeting procedures suspended

12.45 Formal meeting procedures resumed.

Motion: That the Northern and Yorke Local Government Association receives and notes the report and adopts the 6 recommendations from the CEO Position Review:

- a) **Review and update the Position Description to ensure the objectives, responsibilities, skills and experience of the role accurately reflect the requirements of the role and align to the new strategic directions.**
- b) **Complete the Position Description review prior to June 2024 to inform a decision about the CEO position beyond the current contract expiry in January 2025.**
- c) **Maintain the position title as Chief Executive Officer (CEO).**
- d) **Provide flexibility for a 0.8 FTE to be negotiated in a future employment contract.**
- e) **Maintain the CEO role as an employee of the organisation.**
- f) **By June 2024, confirm organisational needs through the business planning process and consider a term of employment of four years from January 2025.**

Moved: Mayor Scarman Seconded: Mayor Anderson CARRIED

Motion: That the Northern and Yorke Local Government Association board honours the extension given to the CEOs contract till 31 December 2024 and that this meeting enacts the clause in the CEOs contract to give notice, and that the Board informs the CEO of its intent to go to market for the position, and encourage him to apply

Moved: Mayor Stephens Seconded: Mayor Scarman CARRIED

Motion: That the Northern and Yorke Local Government Association seeks expressions of interest from no less than 3 recruitment firms to handle the transaction.

Moved: Mayor Stephens Seconded: Mayor Kerley CARRIED

Motion: That the CEOs review committee be also the Selection Committee but be increased by 2 new members, adding to the existing members to give diversity in selection. The Selection Committee is to bring a recommendation to the board, and that the Selection Committee consists of Chairperson, Mayor Reid, Deputy Chairpersons, Mayors O'Brien and Anderson and Mayor Scarman and Mayor Talbot.

Moved: Mayor Stephens Seconded: Mayor Wasleys CARRIED

Motion:

That, having considered Agenda Item 8.1 – ‘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 Stephens

Seconded: Mayor Scarman

CARRIED

1.03 pm the meeting was reopened to the public

Mayor Reid thanked Mayor Anderson and the Flinders Ranges Council for hosting the meeting.

9 CLOSE and DATE FOR NEXT MEETING Closed at: 1.05pm Next Meeting: AGM 30 August 2024 10am to be followed by Ordinary Meeting – Hosted by Clare and Gilbert Valleys Council.

