



Minutes of the Council Meeting

Held on 18 July 2022 commencing at 5.00pm



MINUTES OF THE ALEXANDRINA COUNCIL MEETING
HELD ON MONDAY 18 JULY 2022 COMMENCING AT 5.00PM
IN THE COUNCIL COMMUNITY CHAMBERS “WAL YUNTU WARRIN” GOOLWA

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MINUTES

**OF THE COUNCIL MEETING TO BE HELD ON MONDAY 18 JULY 2022
IN THE ALEXANDRINA COUNCIL COMMUNITY CHAMBERS
“WAL YUNTU WARRIN”, 11 CADELL STREET GOOLWA
COMMENCING AT 5.00PM**

An audio recording of this meeting was made for minute-taking purposes and lasted the length of the open meeting. The audio file is available on the Council website.

PRESENT

Mayor Keith Parkes (Presiding Member), Councillors John Carter, Bill Coomans, Michael Farrier, Margaret Gardner, Rex Keily, Craig Maidment, Melissa Rebbeck, Karyn Bradford, Michael Scott and James Stewart.

APOLOGIES

LEAVE OF ABSENCE

A request has been received from Cr Bronwyn Lewis seeking leave of absence from attending Council meetings. Cr Lewis is seeking a leave of absence for a period commencing 18 July 2022 and concluding 13 August 2022 inclusive.

ACM221582 Moved Cr Coomans seconded Cr Stewart

That Cr Bronwyn Lewis be granted leave of absence from Council for a period commencing 18 July 2022 and concluding 13 August 2022 inclusive.

CARRIED UNANIMOUSLY

IN ATTENDANCE

Nigel Morris (Chief Executive Officer), Matt Grant (General Manager Growth), Elizabeth Williams (General Manager Resources and Acting General Manager Environment), Erin Howard (Personal Assistant to General Manager Resources), and other staff as required.

GALLERY

10 members of the public, 8 members of staff, a representative from the Southern Argus, a representative from The Times, a representative from the Fleurieu Sun, and a representative from SouthCoast Television filmed the meeting.

LOCAL GOVERNMENT PRAYER

Almighty God, we humbly beseech thee to grant thy blessing upon the works of this Council, guide us in our deliberations for the advancement and the true welfare of the people of the district.

ACKNOWLEDGMENT OF TRADITIONAL OWNERS

The Alexandrina Council and its communities acknowledge the Ngarrindjeri people as the traditional custodians of the lands and waters of our Council district.

CONFLICT OF INTEREST

Elected Members were reminded of the requirements for disclosure by Members of any conflict of interest in items listed for consideration in the Agenda.

Section 74 of the *Local Government Act 1999* requires that Elected Members declare any interest and provide full and accurate details of the relevant interest to the Council prior to consideration of that item on the Agenda.

Each Member of a Council has a duty to vote at all meetings unless by legislative exception.

The major exception being where a Member has a conflict of interest.

1. CONFIRMATION OF MINUTES

Minutes of the Alexandrina Council meeting held on 20 June 2022, and Special Council meeting held on 4 July 2022.

ACM221583 Moved Cr Farrier seconded Cr Maidment

That the Minutes of the Alexandrina Council meeting held on 20 June 2022, and Alexandrina Council Special meeting held on 4 July 2022, be received as true and correct records.

CARRIED UNANIMOUSLY

2. ADJOURNED DEBATE

2.1 Adjourned Debate - Alexandrina Sustainable Agricultural Round Table - Appointment of Industry Member Representatives

Adjourned debate from 20 June 2022 Council Meeting, Item 9.2, minuted resolution (ACM221540).

ACM221584 Moved Cr Rebbeck seconded Cr Maidment

1. That Council amends the Alexandrina Sustainable Agricultural Round Table Terms of Reference as follows:

a. The Round Table membership is to comprise:

- **The Mayor (ex-officio and Chair)**
- **A maximum of three (3) Councillors**
- **Between six (6) and 12 industry representatives with at least one from each of the following areas:**
 - **Agriculture**
 - **Viticulture**
 - **Horticulture**
 - **Forestry**

- Fishing.

2. That Council appoints Tom Adams, David Basham, Beck Burgess, John Byrne Nathan Duffield, Trish Eats, Neil Harvey, Mel Hollick, Lian Jaensch, Trevor Linke, Chris Littlejohn and Rob Parken as Industry Member Representatives to the Alexandrina Sustainable Agricultural Round Table until June 2024.

CARRIED

3. PRESENTATIONS/DEPUTATIONS

Nil.

4. PETITIONS

Nil.

5. QUESTIONS WITH NOTICE

Nil.

6. QUESTIONS WITHOUT NOTICE

A number of questions without notice were asked by Cr Coomans and taken on notice for presentation at the August 2022 meeting of Council.

7. NOTICE OF MOTIONS

7.1 Cr Carter - Goolwa Wharf / Oscar W

ACM221585 Moved Cr Carter seconded Cr Farrier

1. That regardless if additional funding is achieved for the Goolwa Wharf, that under both plans B and D:

- a. That at the completion of the Goolwa Wharf renovation that the Paddle Steamer 'Oscar W' remain adjacent to the Wharf Shed.
- b. That the volunteer's facilities to support and service the Oscar W be located within the Wharf Shed in accordance with plan D.

CARRIED

FORMAL MOTION

ACM221586 Moved Stewart seconded Cr Keily

That the motion be put.

CARRIED

The motion was put and **CARRIED**

A division was requested by Cr Coomans.

The Mayor declared the vote set aside.

Voting in the AFFIRMATIVE	Voting in the NEGATIVE
Cr Farrier	Cr Stewart
Cr Scott	Cr Rebbeck
Cr Carter	Cr Gardner
Cr Coomans	
Cr Keily	

Voting in the AFFIRMATIVE	Voting in the NEGATIVE
Cr Maidment	
Cr Bradford	

The Presiding Member declared the motion **CARRIED**

ACM221587 Moved Cr Carter seconded Cr Farrier

2. That the Goolwa Wharf Master Plan Option B be updated to illustrate that the plan currently showing the new dedicated building for volunteers to support the operation and maintenance of the Paddle Steamer Oscar W be changed to a commercial space made available for commercial tenancies to build at their cost.

CARRIED

8. REPORTS OF THE ADMINISTRATION

8.1 Heritage Advisory Committee - Minutes of the 7 July 2022 Meeting

ACM221588 Moved Cr Keily seconded Cr Maidment

That the minutes of the Heritage Advisory Committee meeting held on 7 July 2022 be received.

CARRIED UNANIMOUSLY

8.2 Support to Community Group for National Heritage Listing of Goolwa Wharf

ACM221589 Moved Cr Maidment seconded Cr Scott

That Council authorises the signing of the letter of support, as outlined in Attachment 8.2(b), for the proposal to seek National Heritage listing for the Goolwa Wharf Precinct.

CARRIED UNANIMOUSLY

8.3 Update on the Lot 10 Langhorne Creek Road, Strathalbyn Master Plan Project

Cr Maidment declared a perceived conflict of interest in the matter for consideration as he is a life member of the Strathalbyn Harness Racing Club. Cr Maidment advised he would remain in the Chamber, participate in debate and vote on this item.

ACM221590 Moved Cr Keily seconded Cr Gardner

1. That Council receives the report.
2. That Council resolves to include the Strathalbyn Harness Racing Club as part of the Lot 10 Langhorne Creek Road Stakeholder Group.

FORMAL MOTION

ACM221591 Moved Cr Farrier seconded Cr Coomans

That this matter be adjourned and returned when the following have been undertaken:

1. That the report on the progress of Lot 10 be presented to Council.
2. That the received expression of interest from the Harness Racing Club be presented to Council.

3. That feedback be presented to Council after the presentation of the details of the Harness Racing Club's expression of interest of being included in the Lot 10 Stakeholder Group and any implications.

The outcome being TIED, the Mayor exercised his casting vote FOR the motion and declared the motion **CARRIED**

8.4 Harbour Masters Residence - Next Steps

ACM221592 Moved Cr Stewart seconded Cr Maidment

1. That Administration progress investigations on the future use options of the Harbour Masters Residence building and adjoining land and undertake the necessary research work on the following scenarios:

- Scenario 1 – Retain with Community Use;
- Scenario 2 – Retain with Commercial Lease;
- Scenario 3 – Sale of the entire Site (In one Line);
- Scenario 4 – Joint Ventures; and
- Scenario 5 – Development in line with Heritage.

That Council resolves to commence public consultation, in accordance with Council's Public Consultation Policy, and informs the Community that Council is current investigating the three scenarios and seeks Community feedback on the three scenarios along with any other ideas they have for the future of the Harbour Masters Residence;

2. That a report be brought back to Council on completion of the public consultation process and after the November 2022 elections on the results of the investigations of the three scenarios and the community consultation process.

CARRIED UNANIMOUSLY

8.5 Fleurieu Regional Assessment Panel - Operations Report 2020-2022

ACM221593 Moved Cr Carter seconded Cr Scott

That the report titled Fleurieu Regional Assessment Panel - Operations Report 2020-2022 be received.

CARRIED UNANIMOUSLY

8.6 Appointment of Members to the Fleurieu Regional Assessment Panel (FRAP) - 2022-2024

Cr Maidment declared a material conflict of interest as he is a current member of the Panel and has been nominated as the Deputy Elected Member Representative for the Fleurieu Regional Assessment Panel, and left the chamber at 6.08pm.

ACM221594 Moved Cr Gardner seconded Cr Stewart

1. That Council endorse the appointment of the following persons as Members of the Fleurieu Regional Assessment Panel (FRAP) for a two (2) year term commencing on 1 August 2022; in accordance with Section 84 (1) (c) of the *Planning, Development and Infrastructure Act 2016*:

- Michael Doherty – Presiding Member;

- Sue Giles – Independent Member;
 - Kate Shierlaw – Independent Member;
 - Ross Bateup – Independent Member;
 - Cr Peter O’Neil – Elected Member Representative (until the end of the current Council term); and
 - Cr Craig Maidment – Deputy Elected Member Representative (until the end of the current Council term); and
2. That Council delegate the power for the Assessment Manager of the FRAP to appoint a Deputy Independent Member, provided that the person holds current Level 2 accreditation in accordance with the Planning, Development and Infrastructure Act 2016.

CARRIED UNANIMOUSLY

Cr Maidment returned to the Chamber 6.08pm

Cr Farrier left the Chamber at 6.13pm

8.7 Goolwa Aquatic Building - Level One (1) Regular and Casual Community Use

ACM221595 Moved Cr Stewart seconded Cr Gardner

That Council notes the progress made on ACM221493 of 16 May 2022 in regard to the use of Level 1 of the Goolwa Aquatic Building, and further notes that recent commercial interest in the property will be explored prior to a future report to Council.

CARRIED UNANIMOUSLY

8.8 Goolwa Oval Recreation Precinct Stage 1 and Stage 2 Budget and Masterplan Update

ACM221596 Moved Cr Carter seconded Cr Rebbeck

That Council note:

1. The successful completion of Stage 1 of the Goolwa Oval Masterplan (new facility construction and associated landscaping works).
2. The remaining budget of \$4.5m to continue the implementation of the Goolwa Oval Masterplan in Stage 2.
3. That the Stage 2 Masterplan and Prudential Report will be presented to the August 2022 Council Meeting on completion of the development and consultation with the user groups.

CARRIED UNANIMOUSLY

8.9 Clayton Bay Lighting - Dark Skies

ACM221597 Moved Cr Bradford seconded Cr Scott

Cr Farrier returned to the Chamber 6.15pm

1. That Council approve the procurement, installation, and activation of 58 (fifty eight) Sylvania Street LED MK3 in a 3,000 Kelvin (warm tone colour temperature) at a cost estimate of \$50,000 and an ongoing

tariff cost of \$3,536.84 per annum with SA Power Networks who will also manage faults, maintenance and replacement.

2. That Council undertakes community consultation, in accordance with Council's Public Consultation Policy, with the Clayton Bay residents and Clayton Bay Community Association Inc. to determine the level of support to create a community committee to facilitate the application process and manage a Dark Sky Community in Clayton Bay.
3. That the results of the community consultation be presented to Council after the November 2022 Council elections.

CARRIED UNANIMOUSLY

8.10 Shannons Adelaide Rally Strathalbyn Town Stage Proposal

ACM221598 Moved Cr Keily seconded Cr Maidment

1. That Council receives the report and supports the revised event via the 2022/23 Events operational budget.
2. That the \$23,000 allocated to this initiative as part of the 2022/23 budget be removed at the first quarter budget review.

CARRIED UNANIMOUSLY

8.11 Lease and Licence Policy - April to June 2022 Quarterly Report

ACM221599 Moved Cr Carter seconded Cr Rebbeck

That Council receive and note the Lease and Licence report for 1 April 2022 to 30 June 2022.

CARRIED UNANIMOUSLY

8.12 Strathalbyn Model Aircraft Club Inc. - New Lease Request at Lot 10 Langhorne Creek Road, Strathalbyn

ACM221600 Moved Cr Scott seconded Cr Keily

1. That Council grants consent to a five (5) year Ground Lease to the Strathalbyn Model Aircraft Club Incorporated for continued occupancy of a portion of Lot 10 Langhorne Creek Road Strathalbyn, Certificate of Title Volume 5802 Folio 870, for the purpose of a community model aircraft club, in accordance with the following terms:
 - a. Five (5) year community ground lease.
 - b. Commencement date of 1 November 2022.
 - c. Peppercorn rental in accordance with Council's Fees and Charges for Community use.
 - d. That all services, insurances and improvements to the site remain the ownership and responsibility of, and at the cost of the Lessee.
2. That the Mayor and Chief Executive Officer be authorised to sign and seal the ground lease agreement.

CARRIED UNANIMOUSLY

8.13 Strathalbyn Arts and Crafts Group Inc - New Lease Request for 9 High Street, Strathalbyn

ACM221601 Moved Cr Maidment seconded Cr Keily

- 1. That Council grants consent to a 10 year lease (5+5), to the Strathalbyn Community Arts and Crafts Group Incorporated for continued occupancy of 9 High Street, Strathalbyn, Certificate of Title Volume 5780 Folio 549, for the purpose of a community based arts and crafts facility in accordance with the following terms:
 - a. 10 year (5+5 year) community building lease.**
 - b. Commencement date of 1 November 2022.**
 - c. \$500 rental per annum in accordance with Council's Minor Commercial/Community Fees and Charges.**
 - d. That all services, insurances and maintenance responsibilities are at the cost of the Lessee.****
- 2. That the Mayor and Chief Executive Officer be authorised to sign and seal the community building lease agreement.**

CARRIED UNANIMOUSLY

8.14 Partial Waiver of a Building Envelope Clause Contained in a Land Management Agreement between the Owner of 57 Waterport Road, Port Elliot and Alexandrina Council

ACM221602 Moved Cr Maidment seconded Cr Carter

That the Council consents to a partial waiver of Clause 2.7 of the Land Management Agreement registered to 57 Waterport Road, Port Elliot by permitting the Mayor and Chief Executive Officer to sign a letter of waiver to enable the proposed shed to be sited outside of the prescribed building envelope, in accordance with the plans submitted for Development Application 22016061 and subject to planning consent being granted.

CARRIED UNANIMOUSLY

8.15 Appointment of South Australian Wooden Boat Festival Committee Members

ACM221603 Moved Cr Keily seconded Cr Carter

- 1. To approve the appointment of Steven Conway as Acting Chairperson to the 2023 South Australian Wooden Boat Festival Committee.**
- 2. To approve the appointment of Ruth Jurevicius and Kenn Fisher to the 2023 South Australian Wooden Boat Festival Committee.**

CARRIED UNANIMOUSLY

8.16 Goolwa Tidy Towns - Request for Seat and Plaque

ACM221604 Moved Cr Gardner seconded Cr Carter

- 1. That Council approve the request from Goolwa Tidy Towns to install a memorial seat and plaque on the footpath adjacent to the Chart Room, as marked on the attached site map – refer attachment 8.16(b).**

2. That Council approve the plaque wording as nominated by the Goolwa Tidy Towns committee - refer attachment 8.16(c).
3. That Council procure and install the seat and plaque in line with Council specifications and recover the \$3,000 Community Wellbeing Grant already paid for this project.

CARRIED UNANIMOUSLY

8.17 Repair of 'Billingham Headstone' in the Woodchester Cemetery

ACM221605 Moved Cr Keily seconded Cr Maidment

1. That Council approves the Heritage Advisory Committee recommendation that Council source quotes for future consideration of the repair/restoration of the Billingham Headstone located in the Woodchester Cemetery.
2. That the Chief Executive Officer make a determination whether works can be undertaken utilising existing budget, or whether future budget considerations or grant monies would need to be sought.

CARRIED UNANIMOUSLY

8.18 Placement of Interpretative Signage at Mary's Well, Hartley

ACM221606 Moved Cr Stewart seconded Cr Bradford

That Council approve a recommendation from the Heritage Advisory Committee for Administration to progress the installation of an interpretive sign at the site of Mary's Well, Section 97 Red Creek Road Hartley.

CARRIED UNANIMOUSLY

8.19 Proposed Road Name for Strathalbyn Area

ACM221607 Moved Cr Maidment seconded Cr Gardner

That Council approves the use of the name 'Elysium' for the proposed Hickinbotham residential development, located at Lot 201 Sandergrrove Road, Strathalbyn as recommended by the Heritage Advisory Committee.

CARRIED UNANIMOUSLY

8.20 Fleurieu Regional Waste Authority (FRWA) - Asbestos Issue

ACM221608 Moved Cr Stewart seconded Cr Gardner

That the response from Fleurieu Regional Waste Authority on the asbestos remediation program and status of concrete crushing material be noted.

CARRIED UNANIMOUSLY

8.21 Resignation of Cr Lewis from Council Committees

ACM221609 Moved Cr Coomans seconded Cr Farrier

1. That Council receives and notes Cr Bronwyn Lewis' resignation from the following section 41 Committees:
 - Alexandrina Art and Cultural Advisory Committee

- Chief Executive Officer Performance Management Panel
- Climate Emergency Advisory Committee

and thanks Cr Lewis for her service.

2. That Council carry the existing Elected Member vacancy on the Alexandrina Art and Cultural Advisory Committee until the conclusion of the 2022 Local Government elections.
3. That Council carry the existing Elected Member vacancy on the Climate Emergency Advisory Committee until the conclusion of the 2022 Local Government elections.
4. That Council carry the existing Elected Member vacancy on the Chief Executive Officer Performance Management Panel until the conclusion of the 2022 Local Government elections.

CARRIED UNANIMOUSLY

8.22 Confidential Order Review

ACM221610 Moved Cr Bradford seconded Cr Gardner

1. That having considered Agenda Item 8.11 Confidential Order Review, the Council, pursuant to section 91(7) and (9) of the Local Government Act, orders that:
 - 1.1 Agenda Item 14.2 Flying Fish Café – Request for New Lease Public Consultation Outcomes (Confidential)
 - That the minutes, report and attachments and audio recording of the Council meeting held 19 July 2021 in relation to:
 - Agenda Item 14.2 Flying Fish Café – Request for New Lease Public Consultation Outcomes (Confidential), are to be retained in confidence in accordance with section 90 (3)(b)(i)(ii) of the Local Government Act 1999 and will not be available for public inspection until further Order, on the basis that the disclosure of information:
 - Could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - Would, on balance, be contrary to the public interest as disclosure may prejudice the commercial position of Council and jeopardise public monies.
2. That pursuant to section 91(9)(c) of the Local Government Act 1999, the Council delegates the authority to the Chief Executive Officer to review the confidentiality orders on a monthly basis and to revoke, but not extend the orders.

CARRIED UNANIMOUSLY

8.23 Section 41 Chief Executive Officer Performance Management Panel - Minutes of Meetings held 7 March 2022 and 11 July 2022

ACM221611 Moved Cr Coomans seconded Cr Keily

- 1. That the CEO Performance Management Panel Minutes from the meetings held 7 March 2022 and 11 July 2022 be received.**
- 2. That Council note the Key Performance Indicators set for the Chief Executive Officer by the Chief Executive Officer Performance Management Panel.**
- 3. That Council adopt the updated Terms of Reference for the Chief Executive Officer Performance Management Panel per attachment 8.23.**

CARRIED UNANIMOUSLY

8.24 Chief Executive Officer Report

ACM221612 Moved Cr Carter seconded Maidment

- 1. That the Report be received.**
- 2. That Council note the receipt of \$469,700 under the 2022/23 Australian Government Black Spot Program for safety improvements at Nine Mile Road, Strathalbyn.**

CARRIED UNANIMOUSLY

9. ELECTED MEMBER REPORTS

9.1 Mayor's Report

ACM221613 Moved Cr Gardner seconded Cr Bradford

That the Mayor's Report for June 2022 be received.

The Mayor apologised, in keeping with the recommendation from the Ombudsman Office, for a breach of confidentiality in relation to the Goolwa Oval (Sporting Facility). This was in response to an Ombudsman report resulting from a Public Interest Disclosure complaint.

CARRIED UNANIMOUSLY

9.2 Elected Members' Reports (Including Verbal Updates)

ACM221614 Moved Cr Keily seconded Cr Bradford

That the Elected Members' Reports be received.

Cr Rebbeck advised that the Rural City of Murray Bridge put in a bid to host the National Murray Darling Association Conference in 2023. This bid was put to the Board Meeting today (Cr Rebbeck is the Chair) and was awarded to Region 6 hosted at the Rural City of Murray Bridge with extensive tours through the Goolwa and Lower Lakes regions. Cr Rebbeck will be presenting to the National Conference in September 2022 to be held in Albury.

Cr Scott reported on the successful Fleurieu Community Foundation "Black Tie & Boardies" fundraising venture held in the Middleton Hall on 16 July 2022. \$20,000 was raised to support the Homelessness Early Intervention program. Cr Scott also attended the "Matt Birse as Elvis" fundraiser for the Southern

Fleurieu Riding for the Disabled Victor Harbor on 16 July 2022 at the Victor Harbor RSL.

CARRIED UNANIMOUSLY

9.3 Nomination for President of the Local Government Association of South Australia

Mayor Parkes declared a material conflict of interest in this matter as he has expressed his interest in holding the office of President of the Local Government Association of SA for the 2022-2024 term and left the chamber at 7.04pm.

The Chief Executive Officer sought interest from Elected Members for an Acting Presiding Member during the Presiding Members absence from the Chamber.

Cr Keily nominated Cr Gardner – Nomination accepted by Cr Gardner

Cr Farrier nominated Cr Coomans – Nomination accepted by Cr Coomans

As more than one Member volunteered and in accordance with Council's Code of Practice - Council Meeting Procedures, the names of the volunteering members were drawn by the Chief Executive Officer and Cr Coomans' name was drawn first.

Cr Scott left the Chamber at 7.07pm and returned to the Chamber at 7.09pm

Cr Coomans, as Acting Presiding Member, took the Chair at 7.09pm

ACM221615 Moved Cr Keily seconded Cr Scott

That Council nominates Mayor Keith Parkes to the office of President of the Local Government Association of South Australia for the 2022-2024 term.

CARRIED UNANIMOUSLY

Mayor Parkes returned to the Chamber at 7.15pm and resumed the Chair.

10. CONFIDENTIAL REPORTS

Nil.

11. CLOSURE

The Presiding Member declared the meeting closed at 7.16pm.

MINUTES CONFIRMED DATE.....

**Mayor Keith Parkes
PRESIDING MEMBER**