

WATTLE RANGE COUNCIL

Minutes of the Ordinary Meeting of Wattle Range Council held in the Council Chambers, Civic Centre, George Street, Millicent on Tuesday 9 April 2019 at 5.00 pm.

1. OPENING OF THE MEETING / CIVIC PRAYER / ACKNOWLEDGEMENT OF COUNTRY

2. PRESENT

His Worship the Mayor D Noll
 Cr D Agnew
 Cr G Brown
 Cr D Burrow
 Cr S Cox
 Cr J Drew [attended the meeting at 5.03 pm]
 Cr P Dunnicliff
 Cr K McGrath [attended the meeting at 5.28 pm]
 Cr M Neagle
 Cr R Paltridge
 Cr G Slarks

Messrs BJ Gower (Chief Executive Officer)
 PA Duka (Director Corporate Services)
 PE Halton (Director Engineering Services)
 SW Chapple (Director Development Services)
 Ms CP Allen (Executive Assistant)

3. APOLOGIES

Cr D Price

4. DISCLOSURE OF INTERESTS

Nil

5. CONFIRMATION OF THE MINUTES

5.1 Ordinary Meeting of Council – 12 March 2019 (Folio 8449 – Folio 8455)

Cr Burrow moved that the minutes be taken as presented and confirmed.

Cr Paltridge seconded

CARRIED

5.2 Confidential Meeting of Council – 12 March 2019 (CM 802 – CM 803)

Cr Agnew moved that the minutes be taken as presented and confirmed.

Cr Brown seconded

CARRIED

5.3 Audit Committee Meeting – 19 March 2019 (Folio 8456 - Folio 8459)

Cr Brown moved that the minutes be taken as presented and confirmed.

Cr Neagle seconded

CARRIED

[Cr Drew attended the meeting at 5.03 pm]

5.4 Confidential Audit Committee Meeting – 2019 (CM 804 - CM 805)

Cr Brown moved that the minutes be taken as presented and confirmed.

Cr Dunnicliff seconded

CARRIED

6. MATTERS ARISING FROM THE MINUTES

Nil

7. ADJOURNMENTS

7.1 Adjourned Report – 15.2.3 Refurbishment Civic & Arts Centre Foyer – 12 March 2019

The Mayor asked leave of the meeting to discuss Item 7 out of sequence after the deputations.

Cr Brown moved that Item 7.1 be discussed out of sequence after the two Deputations.

Cr Burrow seconded

CARRIED

8. MAYORAL COMMUNICATIONS

8.1 Mayoral Communications

Cr Neagle moved that Mayoral Communications be received and noted.

Cr Agnew seconded

CARRIED

9. DEPUTATIONS

9.1 Regional Development Association Limestone Coast

[Mr David Wheaton and Mr Peter Gandolfi attended the meeting at 5.15 pm]

Mr David Wheaton and Mr Peter Gandolfi made a presentation to Council regarding the RDALC's Strategic Plan. A copy of the Plan was provided to Elected Members.

[Cr McGrath attended the meeting at 5.28 pm]

[Mr David Wheaton and Mr Peter Gandolfi left the meeting at 5.35 pm]

9.2 Kalangadoo War Memorial Park & Community Sports Club

[Mr Andre Carlson, Ms Katie Croser and Ms Jayde Peacock attended the meeting at 5.36 pm]

Mr Andre Carlson and Ms Jayde Peacock made a presentation to Council regarding the proposed changeroom facility upgrade.

[Mr Andre Carlson, Ms Katie Croser and Ms Jayde Peacock left the meeting at 5.47 pm]

7. ADJOURNMENTS

7.1 Adjourned Report – 15.2.3 Refurbishment Civic & Arts Centre Foyer – 12 March 2019

Cr Burrow moved that Council engage Heritage Adviser Mr Richard Woods to survey the Civic and Arts Centre and comment on any features of the building, which have architectural merit, which may now or in the future be of value to our community, with particular attention being paid to the foyer. That the decision on how much of the foyer should be renovated be deferred until after a suitable site for the proposed new Council offices and chambers has been decided.

Cr McGrath seconded

LOST

Cr Cox moved that Council proceed with floor coverings, doors, lighting and ceiling in entrance foyer within the \$80,000 budget.

Cr Neagle seconded

AMENDMENT

Cr Drew moved that Council proceed with floor coverings, doors, lighting, improved access for the toilet for people with a disability and ceiling in entrance foyer within the \$80,000 budget.

Cr Dunicliff seconded

THE AMENDMENT WAS PUT AND BECAME THE MOTION

THE MOTION WAS PUT AND WAS CARRIED

Cr Brown moved that Council form a small Sub-Committee of Councillors and Stakeholders to look at future upgrades to the Civic and Arts building and make recommendations to Council.

Cr Drew seconded

CARRIED

10. PETITIONS

Nil

11. REPORTS FROM COUNCIL MEMBERS

Cr McGrath and Cr Agnew attended the inaugural Millicent Saleyards Meeting on Wednesday, 3 April 2019.

12. QUESTIONS WITH NOTICE

Nil

13. QUESTIONS WITHOUT NOTICE

Various questions were asked but there was no resolution that entry be made into the Minutes.

14. REPORTS FROM COUNCIL COMMITTEES

14.1 Lake McIntyre Management Committee - Minutes of Meeting held on Wednesday, 6 March 2019

Cr Brown moved that the report be received and noted.

Cr Drew seconded

CARRIED

15. REPORTS FROM COUNCIL OFFICERS

15.1 Chief Executive Officer

15.1.1 Major Project Status Report

Cr Brown moved that Council receive and note the report.

Cr Burrow seconded

CARRIED

ADJOURNMENT OF MEETING

Cr Dunnicliff moved that the meeting be adjourned for dinner until 7.15 pm.

Cr Cox seconded

CARRIED

The meeting adjourned at 6.32 pm.

The meeting reconvened at 7.15 pm.

15.1.2 CEO's Performance Review Committee

Cr Drew moved that Council appoints Mayor Noll, Deputy Mayor Brown and Councillors Neagle, Drew and Dunnicliff to the CEO's Performance Review Committee to conduct the CEO's annual performance review.

Cr Cox seconded

CARRIED

15.1.3 Council Office

Cr Paltridge moved that Council receive and note the report.

Cr Agnew seconded

CARRIED

Short Term Suspension of Proceedings

The Mayor, with the 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 sufficient to facilitate informal discussion in relation to the proposed Council Office.

Cr Cox moved that the meeting be suspended until 7.55 pm

Cr Burrow seconded

CARRIED

The meeting adjourned at 7.25 pm.

The meeting reconvened at 8.00 pm.

Cr Brown moved that Council authorise the Chief Executive Officer to commission an initial concept plan for a new Council Office at the Community Club site.

Cr Agnew seconded

CARRIED

Cr Brown moved that Council allocates \$3,500,000 to the Long-Term Financial Plan for the design and construction of an upgraded/new Council Office.

Cr Burrow seconded

CARRIED

15.2 Director Corporate Services

15.2.1 Monthly Financial Performance Report

Cr Neagle moved that Council receive and note the 2018/19 March Financial Performance Report.

Cr Cox seconded

CARRIED

15.2.2 Wattle Range Youth Development Foundation

Cr Cox moved that Council provide financial assistance of \$200 to Hayden Crowe to assist with costs to attend and compete in the Australian Athletics Championships in Sydney, NSW from 1-7 April 2019.

Cr Paltridge seconded

CARRIED

15.2.3 Human Resources Policy

Cr Dunnicliff moved that Council adopt the Human Resources Policy as presented.

Cr Drew seconded

CARRIED

15.2.4 Internal Control Policy

Cr Slarks moved that Council adopt the amended Internal Control Policy as presented.

Cr Brown seconded

CARRIED

15.3 Director Development Services

15.3.1 Timber Resources – Media Strategy

Cr Slarks moved that Council endorse and support the regional timber resource media strategy.

Cr Burrow seconded

CARRIED

Cr Drew moved that Council that Council allocate \$5,000 to the 2018/19 Budget for use in conjunction with the timber media strategy.

Cr Dunnicliff seconded

CARRIED

Cr Drew moved that Council write to the LCLGA and advise that it was disappointed that it did not support the timber media strategy.

Cr Cox seconded

CARRIED

15.3.2 Building Fire Safety Committee

Cr Burrow moved that Council receive and note the report.

Cr Dunnicliff seconded

CARRIED

15.3.3 Animal Management Plan

Cr Neagle moved that Council:

1. Receive and note the report.
2. Endorse the draft Animal Management Plan 2017 - 2022 for public consultation in accordance with the requirements of the *Dog and Cat Management Act 1995* and Council's Community Engagement Policy.

Cr Burrow seconded

CARRIED

15.3.4 Revocation of Community Land Classification – 8 and 10 Railway Terrace, Beachport

Cr Cox moved that Council provide in principle support for the sale of 8 and 10 Railway Terrace, Beachport.

Cr Brown seconded

CARRIED

[Cr Burrow left the meeting at 8.30 pm]

Cr Cox moved that Council pursuant to Section 194 (2) of the *Local Government Act 1999*, agree to commence the formal public consultation process to revoke the community land classification of land situated at 8 and 10 Railway Terrace, Beachport (Assessment number: A8633 and A8632).

Cr Brown seconded

CARRIED

15.3.5 Coonawarra Signage – Proposed Alteration to Budgeted Project

Cr Paltridge moved that Council approve a variation in the original project scope of signage for Coonawarra to be utilised for the development of interpretive signage throughout the Coonawarra area.

[Cr Burrow resumed the meeting at 8.33 pm]

Cr Cox seconded

CARRIED

15.3.6 Amendment to Fees & Charges Schedule 2018/19

Cr McGrath moved that Council adopt the amended fees and charges schedule 2018/19 with the newly amended Millicent Saleyard's fees and charges.

Cr Neagle seconded

CARRIED

15.4 Director Engineering Services

15.4.1 Amendment to Wattle Range Council Road Register

Cr Slarks moved that Council amend the Road Register to include a 1.79km section of Weir Lane, Penola north of V&A Lane.

Cr Burrow seconded

CARRIED

15.4.2 Southend Community Meeting on Adaptation Strategy

Cr Neagle moved that Council receive and note the summary from the community meeting held on 14 March 2019 regarding the Southend Adaptation Strategy.

Cr Agnew seconded

CARRIED

15.4.3 Major Plant Replacement Program – Budget Adjustment

Cr Neagle moved that Council receive and note the report.

Cr McGrath seconded

CARRIED

16. CORRESPONDENCE

16.1 Letter from Hon Michelle Lensink MLC, Minister for Human Services re 2019 South Australian Volunteer Awards open on Monday 18 March 2019 and close on Friday, 26 April 2019

Cr Agnew moved that the correspondence be received and noted.

Cr Paltridge seconded

CARRIED

16.2 Letter from David Quill, CEO – South Australian Timber Processors Association re Support for Parliamentary Inquiry into Radiata Pine Exports

Cr Paltridge moved that the correspondence be received and noted.

Cr Brown seconded

CARRIED

16.3 Letter from District Council of Grant re Mount Gambier Regional Airport Strategy Committee advising of the membership of Ben Gower, CEO, Wattle Range Council as aviation career and industry contributor

Cr Dunnicliff moved that the correspondence be received and noted.

Cr Burrow seconded

CARRIED

16.4 LGA Circular 13.3 – Local Government Reform Ideas – LGA Discussion Paper (formed after the letter from Hon Stephan Knoll, MP, Minister for Transport, Infrastructure and Local Government, Minister for Planning re potential Local Government Reform)

Cr McGrath moved:

1. That the correspondence be received and noted.

2. That Council consider if there are any other items above and beyond the LGA Discussion Paper that need to be included in a Wattle Range Council submission.

Cr Neagle seconded

CARRIED

- 16.5 Letter from Tony Pasin, MP, Federal Member for Barker re Wattle Range Council will receive additional funding of \$547,203 under the Roads to Recovery Program

Cr Cox moved:

1. That the correspondence be received and noted.
2. That Council write to Tony Pasin, MP to thank him for the additional funding.

Cr Brown seconded

CARRIED

- 16.6 Letter from John Andre, Chair, Millicent & Surrounds Health Support Group Inc re urging the rescission of the decision to close the Millicent Saleyards to provide a more positive atmosphere in which to develop options for the future

Cr Agnew moved that the correspondence be received and noted.

Cr Cox seconded

CARRIED

- 16.7 Minutes of the LCLGA Meeting held on 8 February 2019

Cr Dunnicliff moved that the correspondence be received and noted.

Cr Brown seconded

CARRIED

- 16.8 Letter from Hon Corey Wingard MP, Minister for Recreation, Sport and Racing re The South Australian Sport and Recreation Infrastructure Plan

Cr Burrow moved that the correspondence be received and noted.

Cr Neagle seconded

CARRIED

17. MOTIONS ON NOTICE

Nil

18. URGENT MOTIONS WITHOUT NOTICE

Nil

19. ITEMS FOR CONSIDERATION IN CONFIDENCE

- 19.1 2019 Annual Review of Confidential Orders

Cr Neagle moved:

1. Pursuant to Sections 90(2) and 90(3)(a),(b),(d),(e) and (k) of the *Local Government Act 1999*, the Council orders that the public be excluded from

attendance at that part of this meeting relating to Item 19.1 – 2019 Annual Review of Confidential Orders, excepting the following persons:

- Mr BJ Gower - Chief Executive Officer
- Mr PA Duka – Director Corporate Services
- Mr PE Halton – Director Engineering Services
- Mr SW Chapple – Director Development Services
- Ms CP Allen – Executive Assistant / Minute Taker

to enable the Council to consider Item 19.1– Annual Review of Confidential Orders in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item 19.1 – 2019 Annual Review of Confidential Orders:

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
- information the disclosure of which—
 - (i) 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
 - (ii) would, on balance, be contrary to the public interest;
- commercial information of a confidential nature (not being a trade secret) the disclosure of which—
 - (i) 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
 - (ii) would, on balance, be contrary to the public interest;
- matters affecting the security of the council, members or employees of the council, or council property, or the safety of any person;
- tenders for the supply of goods, the provision of services or the carrying out of works;

Specifically, the present matters relate to:

- Information relating to actual litigation involving the Council, being litigation and compensation relating to the Penola bypass; and
- Council's internal controls; and
- Personal attributes, nominations and details regarding nominees for Australia Day Awards, and
- Potential sale values on Council land; and
- The extension of the cleaning services contract with Keeping Kleen Pty Ltd trading as Mod Cleaning; and
- A tender for dredging services associated with the Beachport Boat Ramp; and

- A tender for green waste mulching; and
 - A remission of rates request; and
 - A tender for the purchase of a Prime Mover Truck; and
 - A tender for the purchase of new wheel (4WD 12T) Loader; and
 - A tender to undertake drainage upgrade works in Arthur Street, Penola; and
 - A tender for banking services; and
 - The Millicent Community Club; and
 - A tender for the operation of Council's five waste facilities and associated transport of waste; and
 - Information pertaining to unpaid rates, and
 - A tender for a records storage facility.
2. Accordingly, on this basis, the principle 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.

Cr Agnew seconded

CARRIED

Mayor Noll stated:

To all members of the gallery, I advise that Council has resolved that this matter is to be considered in confidence pursuant to section 90 of the Local Government Act 1999 because the matter relates to various matters in regard to that Section i.e. (3)(a),(b),(d),(e) and (k) of the Local Government Act 1999.

Accordingly, I have to ask all members of the public and press to leave the Council Chambers.

Thank you

Cr Burrow moved:

1. Pursuant to section 91(9)(a), having reviewed the confidentiality order made on 8 May 2012 and 10 April 2018 under section 90(2) and (3)(b) of the *Local Government Act 1999*, pursuant to Section 91(7) of that Act, the Council orders **that the following document(s) (or part) shall be kept confidential** being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(b) of the Act:

- **The reports and documents of Item 11.1.3 Penola Bypass Road - Road Openings - Compensation of 8 May 2012 Ordinary Council meeting**

on the grounds that the document(s) (or part) relates to information about the payment of compensation that could prejudice the commercial position of council by impacting on Council's negotiating position and is, on balance contrary to the public interest because it is in the public interest to retain Council's negotiations in confidence.

This order shall operate **until further order of the Council** and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has

occurred.

Cr Neagle seconded

CARRIED

Cr Cox moved:

1. Pursuant to section 91(9)(a), having reviewed the confidentiality order made on 29 May 2012 and 10 April 2018 under section 90(2) and (3)(b) of the *Local Government Act 1999*, pursuant to Section 91(7) of that Act, the Council orders **that the following document(s) (or part) shall be kept confidential** being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(b) of the Act:

- **The reports and documents of Item 4.3.1.1 Penola Bypass Road - Road Openings - Compensation of 29 May 2012 Ordinary Council meeting**

on the grounds that the document(s) (or part) relates to information about the payment of compensation that could prejudice the commercial position of council by impacting on Council's negotiating position and is, on balance contrary to the public interest because it is in the public interest to retain Council's negotiations in confidence.

This order shall operate **until further order of the Council** and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.

Cr Dunnicliff seconded

CARRIED

Cr Cox moved:

1. Pursuant to section 91(9)(a), having reviewed the confidentiality order made on 12 December 2017 under section 90(2) and (3)(a) of the *Local Government Act 1999*, pursuant to Section 91(7) of that Act, the Council orders **that the following document(s) (or part) shall be kept confidential**, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(a) of the Act:

- **The attachment of Item 17.2 2018 Aust Day Awards Nominations of 12 December 2017 Ordinary Council Meeting**

on the grounds that the document(s) (or part) is:

- (i) Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

Specifically, the present matter relates to information pertaining to the personal affairs of persons nominated for Australia Day Awards.

The disclosure of this information would be unreasonable because the information is sensitive to the people nominated and is not a matter of public

knowledge.

This order shall operate **until further order of the Council** and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.

Cr Neagle seconded

CARRIED

Cr Brown moved:

1. Pursuant to section 91(9)(a), having reviewed the confidentiality order made on 13 February 2018 and 10 April 2018 under section 90(2) and (3)(d) of the *Local Government Act 1999*, pursuant to Section 91(7) of that Act, the Council orders **that the following document(s) (or part) shall be kept confidential**, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(d) of the Act:

- **The Report of Item No. 17.1 Council Land Options – Mount Gambier Road Millicent of 13 February 2018 Ordinary Council Meeting**

on the grounds that the document(s) (or part) relates to commercial information of a confidential nature (not being a trade secret) the disclosure of which:

- (i) 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
- (ii) Would, on balance, be contrary to the public interest.

Specifically, the present matter relates to potential sale values on Council land.

This order shall operate **until further order of the Council** and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.

Cr Dunnicliff seconded

CARRIED

Cr Drew moved:

1. Pursuant to section 91(9)(a), having reviewed the confidentiality order made on 13 March 2018 under section 90(2) and (3)(a) of the *Local Government Act 1999*, pursuant to Section 91(7) of that Act, the Council orders **that the following document(s) (or part) shall be kept confidential**, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(a) of the Act:

- **The Report and Attachments of Item No 17.3 Remission of Rates Request of 14 August 2018 Ordinary Council Meeting**

On the grounds that the document(s) (or part) relates to information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

Specifically, the present matter relates to a remission of rates request.

This order shall operate until **14 August 2020** and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.

Cr Brown seconded

CARRIED

Cr Neagle moved:

1. Pursuant to section 91(9)(a), having reviewed the confidentiality order made on 11 December 2018 under section 90(2) and (3)(b)&(d) of the *Local Government Act 1999*, pursuant to Section 91(7) of that Act, the Council orders **that the following document(s) (or part) shall be kept confidential**, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(b)&(d) of the Act:

- **The Minutes of Item 17.2 Motion on Notice – Millicent Community Club of 11 December 2018 Ordinary Council Meeting**

On the grounds that the document(s) (or part) is:

information the disclosure of which:

- (i) 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
- (ii) would, on balance be contrary to the public interest;

commercial information of a confidential nature (not being a trade secret) the disclosure of which:

- (i) 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
- (ii) would, on balance, be contrary to the public interest.

Specifically, the present matter relates to the Millicent Community Club.

This order shall operate **until further order of the Council** and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief

Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.

Cr Slarks seconded

CARRIED

Cr Brown moved:

1. Pursuant to section 91(9)(a), having reviewed the confidentiality order made on 15 January 2019 under section 90(2) and (3)(a) of the *Local Government Act 1999*, pursuant to Section 91(7) of that Act, the Council orders **that the following document(s) (or part) shall be kept confidential**, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(a) of the Act:

- **The Attachments of Item 19.1 Review of Eligible Section 184 – Sale of Properties for Unpaid Rates of 15 January 2019 Ordinary Council Meeting**

On the grounds that the document contains:

Information the disclosure of which would involve the unreasonable disclosure or information concerning the personal affairs of any person (living or dead). Specifically, the present matter relates to information pertaining to unpaid rates.

The disclosure of this information would be unreasonable because the information is sensitive / confidential and is not a matter of public knowledge.

This order shall operate **until further order of the Council** and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.

Cr Slarks seconded

CARRIED

Cr Burrow moved:

1. Pursuant to section 91(9)(a), having reviewed the confidentiality order made on 12 February 2019 under section 90(2) and (3)(b) of the *Local Government Act 1999*, pursuant to Section 91(7) of that Act, the Council orders **that the following document(s) (or part) shall be kept confidential**, being document(s) (or part) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(b) of the Act:

- **The Minutes, Report & Attachments of Item 19.1 Millicent Community Club of 12 February 2019 Ordinary Council Meeting**

On the grounds that the document(s) (or part) is:

information the disclosure of which:

- (i) 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
- (ii) would, on balance be contrary to the public interest.

Specifically, the present matter relates to the Millicent Community Club.

This order shall operate **until further order of the Council** and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91(9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.

Cr Brown seconded

CARRIED

Cr Burrow moved that having considered Agenda Item 19.1 2019 *Annual Review of Confidential Orders* in confidence under section 90(2) and (3)(a),(b),(d),(e) and (k) and of the *Local Government Act 1999, the Council, pursuant to section 91(7) of that Act* orders that the **Minutes and Report related to this item be released to the public.**

Cr Agnew seconded

CARRIED

19.2 Millicent Community Hub Carpark Stage 2

Cr Neagle moved that:

1. Pursuant to Sections 90(2) and 90 (3)(k) of the *Local Government Act, 1999* the Council orders that the public be excluded from attendance at the part of this meeting relating to Item 19.2, excepting the following persons:
 - Mr BJ Gower – Chief Executive Officer
 - Mr PA Duka – Director Corporate Services
 - Mr PE Halton – Director Engineering Services
 - Mr SW Chapple – Director Development Services
 - Ms C Allen – Executive Assistant / Minute Taker

to enable the Council to consider Item 19.2 in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item 19.2 tenders for the supply of goods, the provision of services or the carrying out of works.

Specifically, the present matter relates to a tender to construct parking areas at the Millicent Community Hub, Fifth Street, Millicent.

2. Accordingly, on this basis, the principle 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.

Cr Brown seconded

CARRIED

Cr Brown moved that Council:

1. Delegate to the Chief Executive Officer to enter into a single contract with Teagle Excavations for the sum of \$169,300 (ex GST).
2. Approve a budget variation of an additional \$5,700.
3. Authorise the Director of Engineering to demolish the toilet block on the site to a budget of \$10,000.

Cr Burrow seconded

CARRIED

Cr Neagle moved that:

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

- **The Report of Item No. 19.2 of 9 April 2019**

On the grounds that the document(s) (or part) relates to tenders for the supply of goods, the provision of services or the carrying out of works.

Specifically, the present matter relates to a tender to construct parking areas at the Millicent Community Hub, Fifth Street, Millicent

This order shall operate until **9 April 2020** and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91 (9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.

Cr Agnew seconded

CARRIED

19.3 Davenport Street Pedestrian Management – Blackspot Program

Cr Brown moved that:

- 1 Pursuant to Sections 90(2) and 90 (3)(k) of the *Local Government Act, 1999* the Council orders that the public be excluded from attendance at the part of this meeting relating to Item 19.3, excepting the following persons:
 - Mr BJ Gower – Chief Executive Officer
 - Mr PA Duka – Director Corporate Services
 - Mr PE Halton – Director Engineering Services
 - Mr SW Chapple – Director Development Services
 - Ms C Allen – Executive Assistant / Minute Taker

to enable the Council to consider Item 19.3 in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item

19.3 tenders for the supply of goods, the provision of services or the carrying out of works.

Specifically, the present matter relates to a tender to construct pedestrian management works located at the intersection of Davenport Street, Glen Street and Stuckey Street, Millicent.

2. Accordingly, on this basis, the principle 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.

Cr Cox seconded

CARRIED

Cr Burrow moved that Council:

1. Delegate to the Chief Executive Officer to enter into a single contract with Teagle Excavations for the sum of \$159,070 (ex GST).
2. Approve a budget variation of an additional \$17,500.

Cr Neagle seconded

CARRIED

Cr Brown moved that:

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

- **The Report of Item No. 19.3 of 9 April 2019**

On the grounds that the document(s) (or part) relates to tenders for the supply of goods, the provision of services or the carrying out of works.

Specifically, the present matter relates to a tender to construct pedestrian management works located at the intersection of Davenport Street, Glen Street and Stuckey Street, Millicent.

This order shall operate until **9 April 2020** and will be reviewed at least annually in accordance with the Act.

2. Pursuant to Section 91 (9)(c) of the Act, the Council delegates to the Chief Executive Officer the power to revoke this order and must advise the Council of the revocation of this order as soon as possible after such revocation has occurred.

Cr Agnew seconded

CARRIED

19.4 Verbal Complaint Report

Cr Drew moved that:

[Mr Gower, Mr Chapple and Mr Halton left the meeting at 9.45 pm and did not return]

1. Pursuant to Sections 90(2) and 90(3)(b) of the *Local Government Act, 1999* the Council orders that the public be excluded from attendance at the part of this meeting relating to Item 19.4, excepting the following persons:

- Mr PA Duka – Director Corporate Services
- Ms C Allen – Executive Assistant / Minute Taker

to enable the Council to consider Item 19.4 in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence information relating to Item 19.4 information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

Specifically, the present matter relates to a verbal complaint against an employee of Council and it would be unreasonable to receive, discuss or consider this matter in public.

2. Accordingly, on this basis, the principle 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.

Cr Cox seconded

CARRIED

Cr Burrow moved that:

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

- **Report and Attachment of Item 19.4 of 9 April 2019**
- **Minutes of the Council meeting of 9 April 2019 relating to Item 19.4**

On the grounds that the document(s) (or part) is:

Information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

Specifically, the present matter relates to a verbal complaint against an employee of Council and it would be unreasonable to receive, discuss or consider this matter in public.

This order shall operate **until further order of the Council** and will be reviewed at least annually in accordance with the Act.

Cr Agnew seconded

CARRIED

Meeting closed at 10.22 pm.

Taken as presented and confirmed.

.....
MAYOR

.....
DATE