

## WATTLE RANGE COUNCIL

Minutes of the Ordinary Meeting of Wattle Range Council held in the Council Chambers, Civic Centre, George Street, Millicent on Tuesday, 15 January 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 P Dunnicliff  
 Cr K McGrath  
 Cr M Neagle  
 Cr R Paltridge  
 Cr D Price [arrived at 5.02 pm]  
 Cr G Slarks

Messrs BJ Gower (Chief Executive Officer)  
 PA Duka (Director Corporate Services)  
 DK Sexton (Acting Director Engineering Services / Manager Assets)  
 SW Chapple (Director Development Services)  
 Ms CP Allen (Executive Assistant)

### 3. APOLOGIES

Cr J Drew

[Cr Price attended the meeting at 5.02 pm]

### **MINUTE'S SILENCE**

*A minute's silence was observed in honour of former Councillor Robert Thornett who passed away suddenly on 12 December 2018.*

*Rob served as an Elected Member for Wattle Range Council from March 2011 to June 2018 (when he moved to Adelaide to be closer to his family).*

*Rob was an intelligent compassionate man. He was very well respected and much loved in Penola and the surrounding districts and made a great contribution over many years in his role as Councillor and Teacher.*

### 4. DISCLOSURE OF INTERESTS

Cr Brown disclosed that he had a Perceived Conflict of Interest in regard to Item 9.2.

Cr Paltridge disclosed that he had a Perceived Conflict of Interest in regard to Item 15.3.1.

Cr Agnew disclosed that she had a Perceived Conflict of Interest in regard to Item 16.2.

### 5. CONFIRMATION OF THE MINUTES

5.1 Ordinary Meeting of Council – 11 December 2018 (Folio 7994 – Folio 8006)

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

Cr Brown seconded

**CARRIED**

5.2 Confidential Meeting of Council – 11 December 2018 (CM 786 – CM 795)

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

Cr Price seconded

**CARRIED**

**6. MATTERS ARISING FROM THE MINUTES**

A statement was made but there was no resolution that entry be made into the Minutes.

**7. ADJOURNMENTS**

Nil

**8. MAYORAL COMMUNICATIONS**

8.1 Mayoral Communications

Cr Paltridge moved that Mayoral Communications be received and noted.

Cr Agnew seconded

**CARRIED**

**9. DEPUTATIONS**

***Mr Gower advised that Cr John Drew has asked that he be allowed to listen (via the telephone) to the following two Deputations. Legal advice recommended a formal motion for this to transpire.***

Cr Price moved that Cr John Drew be allowed to listen to the two Deputations via telephone but that he is not allowed to participate in any discussion.

Cr Neagle seconded

**CARRIED**

***Cr Drew was dialled into the meeting at 5.11 pm***

Cr Price moved that key points in regard to the Delegations be recorded in the Council Minutes.

Cr Neagle seconded

**CARRIED**

9.1 Environmental Protection Authority

[Mr Andrew Pruszinski and Ms Naomi Grey attended the meeting at 5.12 pm]

Mr Andrew Pruszinski, Manager of the Site Contamination Branch and Naomi Grey, Manager, SE Office made a presentation to Council in regard to Groundwater Contamination at the Miland Treated Timbers Facility.

- An information pack was provided to all Elected Members and a disk which contains all of the Public Register documents was provided to the EA.
- The response from residents to the letters that the EPA sent out was good.
- Next course of action is to see how large the plume is.
- Question: Some of the residents have had their water tested, is there any follow-up to gather the test results? EPA advised that no results have been provided to-date and it was suggested that residents be encouraged to send these to the EPA. EPA stated that it would write to residents to request results from testing.
- Question: Is the flow rate 1 metre per year? EPA advised it is approximately 1 metre per year depending on underground outcrops that may slow the flow rate down. There is no doubt that this contamination happened quite a while ago.
- Question: Are there other areas in SA where this has happened and what has been put in place? EPA advised that there have been issues in Edwardstown, Clovelly Park etc. The solution is to prohibit the taking of ground water, and at the source, prevent more contamination.
- Discussion ensued on the responsibilities of the owner.

Cr Price moved that Council:

1. Pursuant to Sections 90(2) and 90(3)(j) 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 9.1 excepting the following persons:
  - Mr BJ Gower – Chief Executive Officer
  - Mr PA Duka – Director Corporate Services
  - Mr DK Sexton – Acting Director Engineering Services / Manager Assets
  - Mr SW Chapple – Director Development Services
  - Ms CP Allen – Executive Assistant / Minute Taker

to enable the Council to consider Item 9.1 Environment Protection Authority 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 9.1:

Information the disclosure of which:

- (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the Council, or a person engaged by the Council); and
- (ii) would on balance, be contrary to the public interest.

Specifically, the present matter relates to information provided by the EPA. This information was communicated to Council on a confidential basis.

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

2. Accordingly, on the 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 move out of confidence.

Cr Agnew seconded

**CARRIED**

[Mr Andrew Pruszinski and Ms Naomi Grey left the meeting at 5.45 pm]

## 9.2 South East Local Health Network

***Cr Brown advised that he had a Perceived Conflict of Interest as an applicant for a position on the SE Regional Health Board.***

***Cr Brown remained in the Chamber but did not participate in discussions.***

[Ms Ngaire Buchanan and Mr Grant King attended the meeting at 5.46 pm]

Ms Ngaire Buchanan, Deputy CEO and Mr Grant King, Chair – South East Local Health Network made a presentation to Council in regard to the South East Health Service and Millicent and District Hospital Health Service.

The questions below were provided to South East Local Health Network prior to the deputation:

1. What will the Regional Board do to ensure that Hospital services in the LSE and especially the smaller units are fully funded? In other words will the Board see itself as a price taker or a price maker?
2. Will the Regional Board make every effort to re-establish contracts with local doctors who wish to work at the Millicent Hospital?
3. Return lost essential services e.g. the support for visiting specialists is perceived to be diminishing at Millicent. Will the Regional Board work to restore and improve specialist services at Millicent?
4. Will the Board return the power to the HACs to spend independently raised funds without the approval of a central organisation? A reasonable condition would be that any money spent does not impact adversely on the cost of running the health service.
5. Would you lobby to undo the centralised nature of accounts payable (ServicesSA) to recreate a more effective financial system? Key Result Areas of such a move will include: the cost of each transaction reduced, local people employed, improved accountability of the staff, better response times meaning happier contractors and cheaper contracts negotiated.
6. Will the 10-year plans of some years back be implemented?
7. Can responses to the above questions also be provided to Council in writing in addition to a verbal response during the deputation? Council would appreciate a response within two weeks of the Deputation to enable this information to be included in the agenda at the next Ordinary Meeting on 12 February 2019 as correspondence.

Some of these questions were addressed in the PowerPoint Presentation whilst others were dealt with during the Deputation. Some were not answered as the new Board will not commence until July 2019. The questions regarding the Board were Taken on Notice with responses upcoming after the Board commences.

Some pertinent points are listed below:

- Grant King advised that safety and quality of care is key going forward. There is an opportunity to embrace the whole community and that it should not stop at the border as we need new ideas, experience and additional opportunities.
- Health Advisory Council will continue to operate.
- The Board will not be representative, but skills based, with clinical engagement a priority.
- There will be a say in regard to how services are maximized and how they can be improved with resources available and will be running as good a service as possible.
- In regard to funding, they will look at any funding available i.e. State / Federal / SA Variety. The Board needs to make sure that it has an adequate budget so will lobby both Governments.
- Discussed why Ambulances are continuing straight through to Mount Gambier. This is due to Mount Gambier being a Level 5 Hospital with Emergency Specialists on site and making sure patients get to hospital in the Golden Hour.
- Day Surgery is doing well at the Millicent Hospital with overflow from Mount Gambier.
- Discussed the need for Obstetric Services at Millicent.
- A list of Services provided at the Millicent District Health Service was provided at the meeting.
- Discussed the fact that the best care for patients is close to home.
- Discussion ensued on the need to include Limestone Coast into the name rather than South East in line with changes to other organisations.

[Ms Ngaire Buchanan and Mr Grant King left the meeting at 6.37 pm]

**Cr Drew's telephone was disconnected at 6.38 pm**

## **ADJOURNMENT OF MEETING**

**Cr Dunicliff moved that the meeting be adjourned for dinner until 7.10 pm**

**Cr Neagle seconded**

**CARRIED**

**The meeting adjourned at 6.37 pm.**

**The meeting reconvened at 7.13 pm.**

## **10. PETITIONS**

10.1 Petition by Tantanoola Residents – Little Corellas in Tantanoola

Cr Agnew moved that the petition be received and noted.

[Cr Cox resumed the meeting at 7.15 pm]

Cr Brown seconded

**CARRIED**

## **11. REPORTS FROM COUNCIL MEMBERS**

**Nil**

**12. QUESTIONS WITH NOTICE**

Nil

**13. QUESTIONS WITHOUT NOTICE**

Cr Neagle moved that the following questions and subsequent answers be entered into the Minutes:

1. Has there been discussion and, if so, is there a plan to address the vehicular and pedestrian congestion on Leake Street, Southend and the adjacent entry to the beach during peak tourist times?
2. Could a public meeting be held at Southend to reiterate what will and won't happen as a result of the Southend Adaptation Strategy plus a dot point document be mailed out to all residents to clarify local understandings?

Cr Brown seconded

**CARRIED**

In answer to Question 1, Mr Gower advised that the issues regarding vehicular and pedestrian congestion were discussed with the community when formulating the Community Town Plan and that Council's Engineering Department is currently looking at these concerns.

In answer to Question 2, Mr Gower advised that he will be arranging a public meeting to update the Community on the Southend Adaptation Strategy.

**14. REPORTS FROM COUNCIL COMMITTEES**

14.1 Lake McIntyre Management Board - Minutes of Meeting held on Tuesday, 11 December 2018

Cr Cox moved that:

1. The report be received and noted.
2. That a letter of appreciation be sent to John Chalmers thanking him for his involvement with the Board.

Cr McGrath seconded

**CARRIED**

**15. REPORTS FROM COUNCIL OFFICERS**

15.1 Chief Executive Officer

15.1.1 Major Project Status Report

Cr Dunnicliff moved that Council receive and note the report.

Cr McGrath seconded

**CARRIED**

15.1.2 Millicent Railway Lands

Cr Burrow moved that Council receive and note the report.

Cr Dunnicliff seconded

**CARRIED**

## Short Term Suspension of Proceedings

The Mayor, with the approval of a minimum 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 Millicent Railway Lands.

Cr Price moved that the meeting be suspended for 15 minutes until 8.00 pm.

Cr Brown seconded

**CARRIED**

The meeting adjourned at 7.46 pm.

The meeting reconvened at 8.15 pm.

Cr Dunnicliff moved that Council commit to the proposed site inspections of both the DEWNR and DPTI land at an approximate cost of \$70,000 in order to get a more accurate estimate of contamination risks and repatriation costs for both parcels of land.

Cr Price seconded

### AMENDMENT

Cr Burrow moved that Council commit to the proposed site inspections of both the DEWNR and DPTI land at an approximate cost of \$70,000 in order to get a more accurate estimate of contamination risks and repatriation costs for both parcels of land and that the results be kept in confidence.

Cr Paltridge seconded

**LOST**

### THE MOTION WAS PUT AND WAS CARRIED

## 15.2 Director Corporate Services

### 15.2.1 Monthly Financial Performance Report

Cr Dunnicliff moved that Council receive and note the 2018/19 December Financial Performance Report

Cr Cox seconded

**CARRIED**

### 15.2.2 Wattle Range Youth Development Foundation

Cr Cox moved that Council provide financial assistance of:

1. \$200 to Georgia Winter, Jack Haggett and Jackson Bowden to assist with costs to attend and compete in the 2019 Australian Junior Basketball Cup in Albury NSW from 12-19 January 2019; and
2. \$400 to Samuel Linton to assist with costs to attend the Christian Football Australia National Academy Australian National Under 19 Men's Tour in Valencia Spain from 6 – 24 January 2019.

Cr Neagle seconded

**CARRIED**

15.3 Director Development Services

15.3.1 Millicent Saleyards Report

***Cr Paltridge advised that he had a Perceived Conflict of Interest as a rural landholder that trades / breeds beef cattle and uses the Glenburnie Saleyards. He advised that he has never used the Millicent Saleyards.***

***Cr Paltridge remained in the Chamber.***

Cr Price moved that Council receive and note the report and attachments.

Cr Paltridge seconded

**CARRIED**

***Cr Paltridge voted in the affirmative.***

***The majority of the members present voted in the affirmative.***

**Short Term Suspension of Proceedings**

The Mayor, with the approval of a minimum 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 Millicent Saleyards.

Cr Brown moved that the meeting be suspended for 20 minutes until 8.50 pm.

Cr Burrow seconded

**CARRIED**

The meeting adjourned at 8.31 pm.

The meeting reconvened at 8.55 pm.

Cr Paltridge moved that Council close the Millicent Saleyards by 30 June 2020.

Cr Neagle seconded

**AMENDMENT**

Cr Brown moved that Council:

1. Provide a facilitated public meeting for all interested saleyard stakeholders to participate in a conversation to offer ideas, options or solutions for the Millicent Saleyards.
2. Subject to no realistic solutions being uncovered to address the current deficits through Public Consultation the Saleyards cease operation on the 30 June 2020.

Cr Burrow seconded

**THE AMENDMENT WAS PUT AND BECAME THE MOTION**

**THE MOTION WAS PUT AND WAS CARRIED**

## 15.3.2 Great Vic Bike Ride – Funding Support

Cr Neagle moved that Council supports the Great Vic Bike Ride with in-kind support and cash to the amount of \$12,000.

Cr Burrow seconded

**CARRIED**

## 15.4 Director Engineering Services

## 15.4.1 Coonawarra to Penola Rail Trail

Cr Paltridge moved that Council receive and note the report titled “Coonawarra to Penola Trails Project” prepared by One Eighty Sport and Leisure Solutions.

Cr Burrow seconded

**CARRIED**

Cr Price moved that Council proceed to further develop the Coonawarra to Penola rail trail concept as indicated in Section 5 of the “Coonawarra to Penola Trails Project” report and seek \$30,000 to fund the engagement of suitable external assistance.

Cr Paltridge seconded

**CARRIED**

## 16. CORRESPONDENCE

## 16.1 Letter from Tony Pasin, MP – Federal Member for Barker – Road to Recovery Program 2019/20

Cr Slarks moved that the correspondence be received and noted.

Cr Burrow seconded

**CARRIED**

## 16.2 Letter from Fiona Rasheed, Presiding Member, South East Natural Resources Management Board – Draft South East NRM Board Business Plan 2019/20 – 2021/22 – Consultation from 18 December 2018 to 4 February 2019

***Cr Agnew advised that she had a Perceived Conflict of Interest as a Member of the current NRM Board.***

***Cr Agnew remained in the Chamber but did not take part in any discussion.***

Cr Price moved that the correspondence be received and noted.

Cr Neagle seconded

**CARRIED**

***Cr Agnew voted in the affirmative.***

***The majority of the members present voted in the affirmative.***

## 16.3 Letter from Adrian Beresford-Wylie, CEO, Australian Local Government Association re Notices of Motions for National General Assembly 2019 (NGA)

Cr Burrow moved that the correspondence be received and noted.

Cr Cox seconded

**CARRIED**

- 16.4 Letter from David Speirs, MP, Minister for Environment & Water re Native Vegetation Guidelines and \$30,000 for repair of Post Office Rock Causeway at Beachport

Cr Dunnicliff moved that the correspondence be received and noted.

Cr Brown seconded

**CARRIED**

- 16.5 Letter from Lee Morgan, Chairperson, Millicent Business Community Association re sincere thank you for the \$2,000 contribution towards the 2018 Lights Up Event on 24 November 2018

Cr Cox moved that the correspondence be received and noted.

Cr Brown seconded

**CARRIED**

## **17. MOTIONS ON NOTICE**

**Nil**

## **18. URGENT MOTIONS WITHOUT NOTICE**

**Nil**

## **19. ITEMS FOR CONSIDERATION IN CONFIDENCE**

- 19.1 Review of Eligible Section 184 – Sale of Properties for Unpaid Rates

**[Cr Brown left the meeting at 9.55 pm]**

Cr Cox moved that Council:

1. Pursuant to Sections 90(2) and 90(3)(a) 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 excepting the following persons:

- Mr BJ Gower – Chief Executive Officer
- Mr PA Duka – Director Corporate Services
- Mr DK Sexton – Acting Director Engineering Services / Manager Assets
- Mr SW Chapple – Director Development Services
- Ms CP Allen – Executive Assistant / Minute Taker

to enable the Council to consider Item 19.1 Review of eligible section 184 sale of properties for unpaid rates 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:

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 unpaid rates.

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

2. Accordingly, on the 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 resumed the meeting at 9.58 pm]

Cr Burrow seconded

**CARRIED**

Cr Brown moved that Council supports the progression of the following properties to S184 sale of properties for unpaid rates:

- Rate Assessment # A9485 – 7 Ann Street, KALANGADOO
- Rate Assessment # A8176 – 41 Brown Street, MOUNT BURR
- Rate Assessment # A12584 – 2-4 Elder Street, KALANGADOO
- Rate Assessment # A9229 – 13 Sutton Road, KALANGADOO

Cr Slarks seconded

**CARRIED**

Cr Price moved that Council:

1. Pursuant to Section 91(7) of the *Local Government Act, 1999* 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)(a) of the Act:

- **The Attachment of Item No. 19.1**

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 delegations 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 Burrow seconded

**CARRIED**

Meeting closed at 10.16 pm.

Taken as presented and confirmed.

.....  
**MAYOR**

.....  
**DATE**