

# WATTLE RANGE COUNCIL

Minutes of the Ordinary Meeting of Wattle Range Council held in the Millicent Council Chamber, George Street, Millicent on 16 January 2024 at 5.00 pm.

## 1. OPENING OF THE MEETING / CIVIC PRAYER / ACKNOWLEDGEMENT OF COUNTRY / RECORDING OF MEETINGS

### 2. PRESENT

His Worship the Mayor D Noll  
 Cr C Brodie  
 Cr E Castine  
 Cr P Dunnicliff  
 Cr D Price  
 Cr D Walshaw

Mr BJ Gower (Chief Executive Officer)  
 Mr PA Duka (Director Corporate Services)  
 Mr PA Halton (Director Engineering Services)  
 Ms EF Clay (Director Development Services)  
 Ms CP Allen (Executive Assistant)

### 3. APOLOGIES

Cr D Muhovics  
 Cr S Cox  
 Cr J Drew  
 Cr R Cassidy  
 Cr D Agnew

### 4. DISCLOSURE OF INTERESTS

NIL

### 5. CONFIRMATION OF THE MINUTES

#### 5.1 Ordinary Meeting of Council – 12 December 2023 (Folio 10938 – Folio 10949)

Cr Dunnicliff moved that the Minutes of the Ordinary Meeting dated 12 December 2023 be taken as presented and confirmed subject to the following amendment (in bold):

*Item 19.3 Confidential Backhoe*

*Cr Muhovics Moved that Council:*

2. *Delegate to the Chief Executive Officer (CEO) to enter into a contract with Tenderer 3, Onetrak for the purchase of Hidromek HMK102S Supra Backhoe Loader with the inclusion of the five-finger rotating grab for a cost of \$214,065.00 **exclusive of GST.***

*Cr Agnew seconded*

**CARRIED**

*Cr Castine seconded*

**CARRIED**

### 6. MATTERS ARISING FROM THE MINUTES

NIL

**7. ADJOURNMENTS**

NIL

**8. MAYORAL COMMUNICATIONS**

8.1 Mayoral Communications

Cr Walshaw moved that Mayoral Communications be received and noted.

Cr Price seconded

**CARRIED**

**9. DEPUTATIONS**

[Dave Taylor and Anthony Thomas commenced their deputation at 5.10 pm]

9.1 Deputation by Dave Taylor and Anthony Thomas - Millicent Lions Park Project

Dave Taylor and Anthony Thomas made a presentation to Council in regard to the Millicent Lions Park Project.

[Dave Taylor and Anthony Thomas ended their deputation at 5.24 pm]

**10. PETITIONS**

NIL

**11. REPORTS FROM COUNCIL MEMBERS**

NIL

**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**

NIL

**15. REPORTS FROM COUNCIL OFFICERS**

15.1 Chief Executive Officer

15.1.1 Monthly Project Status Report

Cr Brodie moved that Council:

1. Receive and note the report.

Cr Walshaw seconded

**CARRIED**

Cr Dunnicliff moved that Council:

2. Approve the extension of the Millicent Swimming Lake operation until Council appoints a contractor to reconstruct the lake or close the facility so we do not exceed the water allocation.

Cr Brodie seconded

**CARRIED**

15.1.2 Electric Vehicle Report (Costs Associated with Purchasing a New Vehicle)

Cr Dunnicliff moved that Council:

1. Receive and note the report.

Cr Brodie seconded

**CARRIED**

15.2 Director Corporate Services

15.2.1 Monthly Financial Performance Report

Cr Castine moved that Council:

1. Receive and note the 2023/24 December Financial Performance Report.

Cr Walshaw seconded

**CARRIED**

15.2.2 Mobile Food Vendor Operating Guidelines and Operating Rules Guidelines

Cr Brodie moved that Council:

1. Receive and note the report.

[Cr Walshaw left the meeting at 5.55 pm]

[Cr Walshaw resumed the meeting at 5.56 pm]

Cr Castine seconded

**CARRIED**

Cr Castine moved that Council:

2. Revoke the operation of the Mobile Food Vendor Policy (Policy 3.11) and Mobile Food Vendor - Location Rules.
3. Authorise the Chief Executive Officer to approve the operation of the Mobile Food Vendor Guidelines.

Cr Price seconded

**CARRIED**

15.2.3 Revocation of Community Land Classification - Allotment 301, Cullens Road, Southend

Cr Castine moved that Council:

1. Pursuant to Section 194 (3)(b) of the *Local Government Act 1999*, revoke the community land classification of the land known as Allotment 301 in Deposited Plan 55711, Hundred of Rivoli Bay,

contained in Certificate of Title Volume 5921 Folio 66 (Cullens Road, Southend).

Cr Walshaw seconded

**CARRIED**

15.2.4 Wattle Range Youth Development Foundation

Cr Price moved that Council provide financial assistance of \$200 to each of the following:

1. Oliver Braun to assist with costs to attend the Australian Junior Country Basketball Cup being held in the Lauren Jackson Sports Centre, Albury New South Wales from 14 – 20 January 2024.
2. Poppy Venn to assist with costs to attend the Australian Junior Country Basketball Cup being held in the Lauren Jackson Sports Centre, Albury New South Wales from 14 – 20 January 2024.
3. Ashlee Dean to assist with costs to attend the Australian Junior Country Basketball Cup being held in the Lauren Jackson Sports Centre, Albury New South Wales from 14 – 20 January 2024.
4. Jackson Bowden to assist with costs to attend the 2024 Under 20 Men National Champions – Australian Basketball competition being held in Ballarat, Victoria from 30 January – 4 February 2024.

Cr Walshaw seconded

**CARRIED**

15.2.5 Wattle Range Youth Development Foundation Section 41 Committee Review

Cr Castine moved that Council:

1. Receive and note the report.

Cr Brodie seconded

**CARRIED**

Cr Castine moved that Council:

2. Discontinue the operation of the Section 41 Youth Development Foundation Committee.

Cr Price seconded

**CARRIED**

15.2.6 2023/24 Community Grants Program - Round 2

Cr Castine moved that Council:

1. Award, Community Financial Assistance Grants to the value of \$9,978.00 to the following 6 Community groups:

National Trust Glencoe Branch	\$1,593.00
Nangwarry Museum & Community Hall Inc	\$2,000.00
Millicent Shooting Starz Girl Guides	\$1,463.00
Southend Progress Association	\$2,000.00
Beachport Surf Life Saving Club	\$2,000.00
Penola PA & H Society	\$922.00

Cr Dunnicliff seconded

**CARRIED**

Cr Walshaw moved that Council:

- Award, Community Sport and Recreation Grants to the value of \$13,664.59 to the following 9 Sport and Recreation groups:

Millicent Cricket Club	\$1,408.09
Millicent Football Netball Club Incorporated	\$2,000.00
Millicent United Soccer Club Incorporated	\$2,000.00
Millicent Bandits Baseball Club	\$1,138.50
Beachport Pony Club	\$2,000.00
South East Field & Game Association Inc	\$2,000.00
Beachport Bowling Club	\$2,000.00
Tantanoola Football Club	\$905.00
Rendelsham Cricket Club	\$213.00

Cr Brodie seconded

**CARRIED**

### 15.3 Director Development Services

#### 15.3.1 Quarterly Development Services Performance Update

Cr Castine moved that Council:

- Receive and note the report.

Cr Brodie seconded

**CARRIED**

### 15.4 Director Engineering Services

#### 15.4.1 12th December 2023 Storm Event

Cr Castine moved that Council:

- Receive and note the report.
- Write a letter of thanks to both District Council of Grant and City of Mount Gambier on the support provided in the clean-up of the roadsides.

Cr Brodie seconded

**CARRIED**

***Elected Members congratulated staff on their work in regard to the Storm Event.***

## 15.4.2 Beachport Adaptation Strategy

Cr Walshaw moved that Council:

1. Receive and note the report and the draft Coastal Adaptation Strategy being developed for Beachport as attached.
2. Endorse a budget variation of \$20,000 for Council contribution as per the funding agreement for the grant.
3. Undertake public consultation in accordance with Council's Community Engagement Policy.

Cr Brodie seconded

**CARRIED**

## 16. CORRESPONDENCE

### 16.1 Limestone Coast Local Government Association - Meeting Summary - 8 December 2023

Cr Castine moved that the meeting summary from Limestone Coast Local Government Association dated 8 December 2023 be received and noted.

[Cr Walshaw left the meeting at 6.30 pm]

[Cr Walshaw resumed the meeting at 6.31 pm]

Cr Brodie seconded

**CARRIED**

### 16.2 Letter from Hon Nat Cook MP, Minister for Human Services - 2024 Nominations for the South Australian Volunteer Awards - Open 15 January 2024 to 10 March 2024

Cr Castine moved that the correspondence from Hon Nat Cook MP dated 3 January 2024 regarding the 2024 South Australian Volunteer Awards be received and noted.

Cr Walshaw seconded

**CARRIED**

### 16.3 Letter from Hon Nick Champion MP, Minister for Planning re Initiative designed to address the shortage of skilled para planners in South Australia - the Para Planner Cadet Program

Cr Brodie moved that the correspondence from Hon Nick Champion MP dated 18 December 2023 regarding the Para Planner Cadet Program be received and noted.

Cr Castine seconded

**CARRIED**

### 16.4 Email from Linda Scott, President - Australian Local Government Association - Annual Conference - 2 to 4 July 2024 - Canberra

Cr Castine moved that the correspondence from Linda Scott dated 19 December 2023 regarding an invitation to submit motions and attend the ALGA's 2024 National General Assembly be received and noted.

Cr Dunicliff seconded

**CARRIED**

Cr Walshaw moved that the Mayor and Deputy Mayor attend the Australian Local Government Association Annual Conference in Canberra from 2 to 5 July 2024 at the National Convention Centre.

Cr Brodie seconded

**CARRIED**

- 16.5 Letter from Craig Holden, Chair - State Planning Commission - Initiation of the State-wide Flood Hazard Code Amendment

Cr Castine moved that the correspondence from Craig Holden dated 12 December 2023 regarding the Initiation of the State-wide Flood Hazard Code Amendment be received and noted.

Cr Brodie seconded

**CARRIED**

- 16.6 Email from Jan Chorley - Chief Executive Officer - Australia Day Council of South Australia - Public Service Medal for the King's Birthday Honours 2024

Cr Price moved that the correspondence from Jan Chorley dated 18 December 2023 regarding nominations for the Public Service Medal for the King's Birthday Honours 2024 being open be received and noted.

Cr Castine seconded

**CARRIED**

- 16.7 2023-24 Coast Protection Grant - Successful Projects - Southend Sand Replenishment (\$80,000) and Beachport Groyne Repairs (\$240,000)

Cr Brodie moved that the correspondence from Hon Susan Close MP dated 4 January 2024 regarding successful applications from Wattle Range Council to the Coast Protection Board be received and noted.

Cr Castine seconded

**CARRIED**

- 16.8 Thank you letter - Her Excellency the Honourable Frances Adamson AC - Governor of South Australia

Cr Dunnicliff moved that the correspondence from the Governor of South Australia dated 30 November 2023 regarding her visit to lay a wreath at the Commemoration of the Centenary of the Millicent Cross of Sacrifice War Memorial be received and noted.

Cr Castine seconded

**CARRIED**

## 17. MOTIONS ON NOTICE

- 17.1 Motion on Notice - Cr John Drew - Millicent Museum

**WITHDRAWN**

## 18. URGENT MOTIONS WITHOUT NOTICE

**NIL**

## 19. ITEMS FOR CONSIDERATION IN CONFIDENCE

- 19.1 Significant Enforcement Action Update

Cr Castine moved that:

1. Pursuant to Sections 90(2) and 90(3)(a)(h)(i) 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 PA Halton – Director Engineering Services
- Ms EF Clay – Director Development Services
- Ms C Allen – Executive Assistant / Minute Taker

to enable the Council to consider Item 19.1 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:

- (a) 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 a person.

This disclosure of this information would be unreasonable because the information is sensitive.

- (h) legal advice

Specifically, the present matter relates to legal advice provided by Norman Waterhouse.

- (i) information relating to actual litigation or litigation that the Council believes on reasonable grounds will take place involving the Council or an employee of the Council.

Specifically, the present matter relates to information pertaining to enforcement action.

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 Brodie seconded

**CARRIED**

Cr Walshaw moved that Council:

1. Receive and note the report.

Cr Price seconded

**CARRIED**

Cr Price 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)(a)(h)(i) of the Act:

- **The Report of Item 19.1 of 16 January 2024**



On the grounds that the document(s) (or part) relates to:

- (a) 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 a person.

This disclosure of this information would be unreasonable because the information is sensitive.

- (h) legal advice

Specifically, the present matter relates to legal advice provided by Norman Waterhouse.

- (i) information relating to actual litigation or litigation that the Council believes on reasonable grounds will take place involving the Council or an employee of the Council.

Specifically, the present matter relates to information pertaining to enforcement action.

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 Walshaw seconded

**CARRIED**

Meeting closed at 6.58 pm.

Taken as presented and confirmed.

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**MAYOR**

.....  
**DATE**