

77

11 Reports

11.9 Gift Report

An invitation was extended, and accepted, to the Mayor and Chief Executive Officer to the South Australia Suite at the Clipsal 500. The value of each ticket is estimated to be between \$250 and \$350 each.

12 Other Business

13 Confidential Items

13.1 Matters Pertaining to Legal Advice

Recommendation

Pursuant to Section 90 [2] of the Local Government Act 1999 the Council orders that all persons, except the Acting Chief Executive Officer, and the Minute Secretary be excluded from attendance at the meeting for Agenda Item 13.1 Matters Pertaining to Legal Advice

The Council is satisfied that pursuant to section 90 [3] [a] of the Act, the information to be received, discussed or considered in relation to the Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person living or dead

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed by the need to discuss this agenda item in confidence because the disclosure would involve the unreasonable disclosure of information concerning the personal affairs of any person living or dead

Recommendation

That invoice number 216642 for the amount of \$1,186.13, invoice number 215755 for the amount of \$2817.32 and invoice number 215598 for the amount of \$7,700.00 received from Wallmans Lawyers for confidential legal advice on matters pertaining to the Acting Chief Executive Officer be approved for payment

13 Confidential Items

13.1 Matters Pertaining to Legal Advice

Recommendation

Having considered agenda Item 13.1 in confidence under section 90 [2] and [3] [a] of the Local Government Act 1999, the Council pursuant to section 91 [7] of the Act orders that the item and the minutes, reports and all other records, relating to the matter be retained in confidence. This order is to be reviewed at or before the Ordinary Council Meeting to be held in January 2017, as to if this order is to continue in operation

13.2 Elector Representation Review – Appointment of a Qualified Person to Undertake Review

Recommendation

Pursuant to Section 90 [2] of the Local Government Act 1999 the Council orders that all persons, except the Acting Chief Executive Officer, and the Minute Secretary be excluded from attendance at the meeting for Agenda Item 13.2 Elector Representation Review – Appointment of a Qualified Person to Undertake Review

The Council is satisfied that pursuant to section 90 [3] [k] of the Act, the information to be received, discussed or considered in relation to the Agenda Item is information the disclosure of which would involve tenders for the supply of goods, the provision of services or the carrying out of works

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed by the need to discuss this item in confidence because the disclosure would involve tenders for the supply of goods, the provision of services or the carrying out of works

13 Confidential Items

13.1 Matters Pertaining to Legal Advice

Cr Neville Pfeiffer moved Cr Stacey Milde seconded that pursuant to Section 90 [2] of the Local Government Act 1999 the Council orders that all persons, except the Chief Executive Officer, Manager Executive Services and the Minute Secretary be excluded from attendance at the meeting for Agenda Item 13.1 Matters Pertaining to Legal Advice

The Council is satisfied that pursuant to section 90 [3] [a] of the Act, the information to be received, discussed or considered in relation to the Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person living or dead

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed by the need to discuss this agenda item in confidence because the disclosure would involve the unreasonable disclosure of information concerning the personal affairs of any person living or dead at 2.27 pm

Carried 35 / 0316

Cr Allan Dunsford moved Cr Mark White seconded that invoice number 216642 for the amount of \$1,186.13, invoice number 215755 for the amount of \$2817.32 and invoice number 215598 for the amount of \$7,700.00 received from Wallmans Lawyers for confidential legal advice on matters pertaining to the Acting Chief Executive Officer be approved for payment

Carried 36 / 0316

Cr Allan Dunsford moved Cr Mark White seconded that having considered agenda Item 13.1 in confidence under section 90 [2] and [3] [a] of the Local Government Act 1999, the Council pursuant to section 91 [7] of the Act orders that the item and the minutes, reports and all other records, relating to the matter be retained in confidence. This order is to be reviewed at or before the Ordinary Council Meeting to be held in January 2017, as to if this order is to continue in operation at 2.34 pm

Carried 37 / 0316



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L5, 400 King William St
Adelaide SA 5000

GPO Box 1018
Adelaide SA 5001

Tel (08) 8236 3000
Fax (08) 8232 0928

general@wallmans.com.au
www.wallmans.com.au

ABN 98 602 484 422

TAX INVOICE

Southern Mallee District Council
PO Box 49
Pinnaroo SA 5304

E-MAILED
22 December 2015

@10.13am

Attention: Mayor Grieger

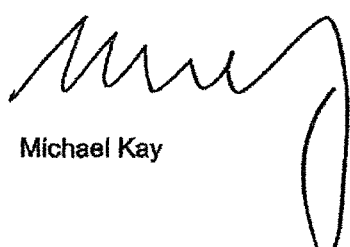
Invoice Date: 21 December 2015
Invoice No: 215598
Matter No: 152441
Due Date: 04 January 2016

Confidential Advice - September 2015

Description	GST	Amount (AUD)
Fees Services Rendered 30 November 2015 - 17 December 2015	\$757.41	\$7,574.10
Discount	(57.41)	(574.10)

Net Total	\$7,000.00
GST	\$700.00
Total	\$7,700.00

With Compliments
WALLMANS LAWYERS


Michael Kay

CR. CODE WALLAWAD2 APPROVED			
AMOUNT	JOB NO. / GL	C.C.	E.T.
7700.00	25112	111	5070
GOVERN - LEGAL FEES RE CONFIDENTIAL ADVICE			

Robert

Please check your remittance advice carefully, as our bank account details may vary for each invoice due to Law Society Regulations. Some payments are required to be deposited into our Trust Account, others to our Firm Account. Thank you.

You have certain rights in relation to legal costs. A statement of those rights headed 'Notification of client's rights' can be found on our website www.wallmans.com.au.

Time Detail

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
30/11/15	MZM	Perusing email from Neville Gasmier regarding queries responses	0.10	36.50
30/11/15	MZM	Email Neville Gasmier regarding responses to queries	0.10	36.50
30/11/15	MXK	Settling emails to NG (2 units); reviewing and drafting email re proposed CEO contract (5 units); attendance on emails from BT (2 units)	0.90	387.90
02/12/15	MZM	Perusing email from Neville Gasmier regarding response timeframe	0.10	36.50
02/12/15	MZM	Telephone attendance on Andrew Grieger regarding preliminary matter status	0.20	73.00
02/12/15	MZM	Perusing email from Sheryn Bennier regarding Council composition update	0.10	36.50
02/12/15	MZM	Telephone attendance on Sheryn Bennier regarding Council composition update	0.10	36.50
03/12/15	MZM	Telephone attendance on Andrew Grieger regarding matter status	1.10	401.50
04/12/15	MZM	Email Neville Gasmier regarding investigation response	0.10	36.50
04/12/15	MZM	Email Andrew Grieger regarding investigation with attachments (2)	0.10	36.50
07/12/15	MZM	Email Andrew Grieger regarding investigation status points for Council meeting	0.50	182.50
07/12/15	MZM	Email Neville Gasmier regarding meeting	0.10	36.50
07/12/15	MZM	Telephone attendance on Andrew Grieger regarding investigation	0.40	146.00
07/12/15	MXK	Settling email; conferring; settling further email	0.50	215.50
08/12/15	MZM	Perusing email from Neville Gasmier regarding allegations response with attachments (3); perusal of attachments; consideration of issues	0.50	182.50
08/12/15	MZM	Email Andrew Grieger regarding investigation response and meeting with attachments (2)	0.10	36.50
08/12/15	MZM	Perusing email from Neville Gasmier regarding meeting	0.10	36.50
08/12/15	MXK	Attendance on allegations and concerns as to timing	0.20	86.20

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
09/12/15	MZM	Email Andrew Grieger regarding draft correspondence relating to investigation meeting and attachment	0.20	73.00
09/12/15	MZM	Telephone attendance on Andrew Grieger regarding matter and investigation meeting	0.20	73.00
09/12/15	MZM	Email Neville Pfeiffer regarding allegations response with attachment	0.10	36.50
10/12/15	MZM	Email Andrew Grieger regarding correspondence with attachment	0.10	36.50
10/12/15	MZM	Email Neville Gasmier regarding investigation meeting	0.10	36.50
10/12/15	MZM	Telephone attendance on Andrew Grieger regarding instructions	0.20	73.00
11/12/15	MZM	Telephone attendance on Elizabeth Macey regarding employee meeting confirmation	0.10	36.50
11/12/15	MZM	Telephone attendance on Andrew Grieger regarding employee meeting	0.10	36.50
11/12/15	MZM	Telephone attendance (further) on Andrew Grieger regarding employee meeting	0.10	36.50
11/12/15	MZM	Telephone attendance on Andrew Grieger regarding employee meeting confirmation	0.10	36.50
11/12/15	MZM	Telephone attendance on Margaret Pfeiffer regarding employee meeting	0.10	36.50
11/12/15	MZM	Telephone attendance on Elizabeth Macey regarding employee meeting confirmation	0.10	36.50
11/12/15	MZM	Email Andrew Grieger and Neville Pfeiffer regarding employee meeting confirmation	0.10	36.50
11/12/15	MZM	Email Elizabeth Macey regarding meeting confirmation	0.10	36.50
14/12/15	MZM	Perusing email from Neville Pfeiffer regarding investigation and employee meeting	0.10	36.50
14/12/15	MZM	Telephone attendance on Andrew Grieger regarding investigation and employee meeting	0.20	73.00
14/12/15	MZM	Email Neville Pfeiffer regarding investigation and meeting status	0.10	36.50
15/12/15	MZM	Drafting investigation report summary and advice documentation; attendance on file documents; consideration of issues	5.80	2,117.00

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
15/12/15	MZM	Attendance on Andrew Grieger and Neville Pfeiffer regarding pre and post debriefing sessions; attendance on Neville Gasmier and Elizabeth Macey in company with Andrew Grieger and Neville Pfeiffer regarding allegations responses	4.00	1,460.00
16/12/15	MZM	Attendance on finalising investigation report and advice; email Andrew Grieger in relation to investigation documentation with attachments (6)	0.40	146.00
16/12/15	MXK	Settling report and advice	2.00	862.00
16/12/15	MZM	Email Andrew Grieger regarding investigation queries	0.10	36.50
17/12/15	MZM	Telephone attendance on Andrew Grieger regarding Council meeting and investigation	0.40	146.00
		Total		\$7,574.10

Southern Mallee District Council
PO Box 49
Pinnaroo SA 5304

Invoice Date: 21 December 2015
Invoice No: 215598
Matter No: 152441
Due Date: 04 January 2016

For Professional Services through 17 December 2015

Client: Southern Mallee District Council
Matter: Confidential Advice - September 2015

Total Current Fees	\$	7,574.10
Less Fee Adjustment	\$	(574.10)
GST	\$	<u>700.00</u>
Total Due	\$	<u>7,700.00</u>

Please remit to:

Telephone:
(08) 8235 3000 for bill payment
by Mastercard or Visa.
(Please have your credit card
details and Invoice/Matter
Number ready)

Mail To:
Wallmans Lawyers
GPO Box 1018
Adelaide, SA, 5001

Direct Deposit:
Wallmans Business Account
BSB: 035-000
Account Number: 59-3184
Swift Code: WPACAU2S (International)
(Please Reference Invoice/Matter
Number)

VISA Mastercard Cheque Money Order

Card Number: _____ Name on Card: _____

Expiry Date: _____ Amount: \$ _____ Signature: _____

13 Confidential Items

13.1 Matters Pertaining to Legal Advice

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Carried 35 / 0315

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Cr Allan Dunsford moved Cr Mark White seconded that having considered agenda Item 13.1 in confidence under section 90 [2] and [3] [a] of the Local Government Act 1999, the Council pursuant to section 91 [7] of the Act orders that the item and the minutes, reports and all other records, relating to the matter be retained in confidence. This order is to be reviewed at or before the Ordinary Council Meeting to be held in January 2017, as to if this order is to continue in operation at 2.34 pm

Carried 37 / 0315



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general@wallmans.com.au
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ABN 98 802 494 422

TAX INVOICE

Southern Mallee District Council
PO Box 49
PINNAROO SA 5304

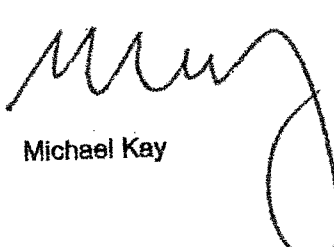
Attention: Andrew Grieger

Invoice Date: 25 February 2016
Invoice No: 218842
Matter No: 152441
Due Date: 10 March 2016

Confidential Advice - September 2015

Description	GST	Amount (AUD)
Fees Services Rendered 28 January 2016 - 19 February 2016	\$107.83	\$1,078.30
	Net Total	\$1,078.30
	GST	\$107.83
	Total	\$1,186.13

With Compliments
WALLMANS LAWYERS


Michael Kay

CR. CODE WALLAWAOZAPPROVED

AMOUNT	JOB NO. / GL	C.C.	E.T.
1186-13	25112	111	5070

GOVERN - LEGAL FEES RE CONFIDENTIAL ADVICE

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Time Detail

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
28/01/16	MZM	Telephone attendance on Andrew Grieger regarding investigation correspondence	0.20	73.00
28/01/16	MZM	Telephone attendance (further) on Andrew Grieger regarding investigation correspondence	0.10	36.50
03/02/16	MZM	Email Andrew Grieger regarding revised draft investigation outcome letters with attachments (3)	0.10	36.50
03/02/16	MZM	Perusing email from Andrew Grieger regarding draft investigation letters instructions	0.10	36.50
03/02/16	MZM	Drafting amendments to draft investigation outcome letters	0.20	73.00
04/02/16	MZM	Email Andrew Grieger regarding investigation outcome letters with attachments (3)	0.10	36.50
04/02/16	MZM	Attendance on reviewing and finalising investigation outcome letters	0.30	109.50
04/02/16	MZM	Email Neville Gasmier regarding investigation outcome with attachment	0.10	36.50
12/02/16	MZM	Email Andrew Grieger regarding investigation outcome	0.10	36.50
12/02/16	MZM	Telephone attendance on Marc Wordsworth regarding investigation outcome response	0.10	36.50
12/02/16	MZM	Perusing email from Neville Gasmier regarding investigation outcome	0.10	36.50
15/02/16	MZM	Perusing letter from Lesley Caufield	0.10	36.50
15/02/16	MZM	Email Andrew Grieger regarding complainant correspondence and investigation update; consideration of issues	0.40	146.00
15/02/16	MZM	Perusing email from Andrew Grieger regarding investigation	0.10	36.50
16/02/16	MZM	Email Andrew Grieger regarding investigation debrief; perusing email from Andrew Grieger in response	0.10	36.50
16/02/16	MZM	Perusing email from Marc Wordsworth regarding investigation outcome	0.10	36.50
16/02/16	MXK	Attendance on email; considering progress of matter; settling strategy	0.30	129.30
17/02/16	MZM	Email Andrew Grieger regarding complainant response with attachment	0.10	36.50

Southern Mallee District Council

Invoice Date:

25 February 2016

Invoice No:

216642

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
19/02/16	MZM	Perusing email from Andrew Grieger regarding investigation	0.10	36.50
19/02/16	MZM	Email Andrew Grieger and Mia Dohnt regarding investigation; perusing email from Andrew Grieger in response	0.10	36.50
		Total		\$1,078.30

Southern Mallee District Council
PO Box 49
PINNAROO SA 5304

Invoice Date: 25 February 2016
Invoice No: 216642
Matter No: 152441
Due Date: 10 March 2016

For Professional Services through 19 February 2016

Client: Southern Mallee District Council
Matter: Confidential Advice - September 2015

Total Current Fees	\$	1,078.30
GST	\$	<u>107.83</u>
Total Due	\$	<u>1,186.13</u>

Please remit to:

Telephone:
(08) 8235 3000 for bill payment
by Mastercard or Visa.
(Please have your credit card
details and Invoice/Matter
Number ready)

Mail To:
Wallmans Lawyers
GPO Box 1018
Adelaide, SA, 5001

Direct Deposit:
Wallmans Business Account
BSB: 035-000 ✓
Account Number: 59-3184 ✓
Swift Code: WPACAU2S (International)
(Please Reference Invoice/Matter
Number)

VISA Mastercard Cheque Money Order

Card Number: _____ Name on Card: _____

Expiry Date: _____ Amount: \$ _____ Signature: _____



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Adelaide SA 5000

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Adelaide SA 5001

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general@wallmans.com.au
www.wallmans.com.au

ABN 98 802 494 422

TAX INVOICE

Southern Mallee District Council
PO Box 49
PINNAROO SA 5304

Attention: Andrew Grieger

E-MAILED
21 JAN 2016
@ 3.00pm

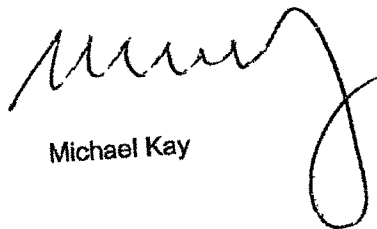
Invoice Date: 20 January 2016
Invoice No: 215755
Matter No: 152441
Due Date: 03 February 2016

Confidential Advice - September 2015

Description	GST	Amount (AUD)
Fees Services Rendered 30 November 2015 - 15 January 2016	\$256.12	\$2,561.20

Net Total	\$2,561.20
GST	\$256.12
Total	\$2,817.32

With Compliments
WALLMANS LAWYERS


Michael Kay

CR. CODE WALLAWAD2 APPROVED *Dohat JS.*

AMOUNT	JOB NO. / GL	C.C.	E.T.
2817.32	25112	///	5070

GOVERN - LEGAL FEES RE
CONFIDENTIAL ADVICE

Please check your remittance advice carefully, as our bank account details may vary for each invoice due to Law Society Regulations. Some payments are required to be deposited into our Trust Account, others to our Firm Account. Thank you.

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Time Detail

<u>Date</u>	<u>Initials</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
30/11/15	MZM	Telephone attendance on Robert Sexton regarding	0.30	109.50
04/01/16	MZM	Perusing email from Andrew Grieger regarding investigation documentation	0.10	36.50
05/01/16	MZM	Telephone attendance on Andrew Grieger regarding investigation documentation	0.10	36.50
07/01/16	MZM	Drafting letters (3) to investigation personnel regarding investigation outcome and associated matters; attendance on file documentation in drafting the same	3.00	1,095.00
08/01/16	MXK	Settling letters to staff	1.20	517.20
11/01/16	MZM	Email Andrew Grieger regarding investigation outcome and associated actions with attachments (3)	0.40	146.00
11/01/16	MZM	Attendance on reviewing and amending draft letters (3) regarding investigation outcome	0.60	219.00
12/01/16	MZM	Perusing email from Andrew Grieger regarding investigation	0.10	36.50
13/01/16	MZM	Perusing email from Andrew Grieger regarding investigation and associated matters	0.10	36.50
13/01/16	MZM	Email Andrew Grieger regarding investigation	0.20	73.00
14/01/16	MZM	Email Andrew Grieger regarding investigation outcome and associated matters; consideration of issues	0.30	109.50
15/01/16	MZM	Perusing email from Shona Hyde regarding investigation parties information; email in response	0.10	36.50
15/01/16	MZM	Perusing email from Andrew Grieger regarding draft correspondence and status	0.10	36.50
15/01/16	MZM	Email Andrew Grieger regarding investigation outcome letters	0.10	36.50
15/01/16	MZM	Drafting amendments to investigation outcomes letters	0.10	36.50
Total				\$2,561.20

Southern Mallee District Council
PO Box 49
PINNAROO SA 5304

Invoice Date: 20 January 2016
Invoice No: 215755
Matter No: 152441
Due Date: 03 February 2016

For Professional Services through 15 January 2016

Client: Southern Mallee District Council
Matter: Confidential Advice - September 2015

Total Current Fees	\$	2,561.20
GST	\$	<u>256.12</u>
Total Due	\$	<u>2,817.32</u>

Please remit to:

Telephone:
(08) 8235 3000 for bill payment
by Mastercard or Visa.
(Please have your credit card
details and Invoice/Matter
Number ready)

Mail To:
Wallmans Lawyers
GPO Box 1018
Adelaide, SA, 5001

Direct Deposit:
Wallmans Business Account
BSB: 035-000
Account Number: 59-3184
Swift Code: WPACAU2S (International)
(Please Reference Invoice/Matter
Number)

VISA

Mastercard

Cheque

Money Order

Card Number: _____ Name on Card: _____

Expiry Date: _____ Amount: \$ _____ Signature: _____

SOUTHERN MALLEE DISTRICT COUNCIL

ABN 26 208 717 728

Postal Address:
PO Box 49
PINNAROO SA 5304
Telephone: 08 8577 8002
Facsimile: 08 8577 8443

Sub-Office:
Railway Tee Nth
LAMEROO SA 5302
Telephone: 08 8576 3002
Facsimile: 08 8576 3205

For further information contact:

Order issued by:

WORKS ORDER

SEE OVER FOR IMPORTANT INFORMATION

ORDER No.	13934	DATED	16.3.16	CONTRACT No.	
HEAD CONTRACT (refer Clause 1.1)		YES <input type="checkbox"/>	NO <input type="checkbox"/>	DATE FOR COMPLETION	
SPECIFICATION (refer Clause 1.2)		YES <input type="checkbox"/>	NO <input type="checkbox"/>		

CONTRACTOR NAME: Wallmans Lawyers

ADDRESS: [Blank]

COMPANY No: [Blank]

ABN: 58 802 494 422

LICENCE No: [Blank]

WORKS REQUIRED	DESCRIPTION	COST	ACCOUNT No.
	<u>Fees 28 January 2016 - 19 February 2016</u>	<u>1,186.13</u>	
	<u>Fees 30 November 2015 - 15 January 2016</u>	<u>2,817.32</u>	
	<u>Fees 30 November 2015 - 17 December 2015</u>	<u>7,700.00</u>	
PLEASE SHOW ORDER No. ON ALL INVOICES		TOTAL	11,703.45

Contractor's Declaration: I have read and understand the terms and conditions of the contract and in accepting the work I agree to be bound by such terms and conditions and to notify the Principal of all and any changes prior to commencing the work.

Name of person authorised to sign (Contractor):
 Name of authorised officer of the Principal: M. van Rensburg
 Signature of person authorised to sign (Contractor):
 Signature of authorised officer of the Principal: [Signature]
 Date: