



DISTRICT COUNCIL OF GRANT

**MINUTES OF ORDINARY MEETING OF COUNCIL HELD AT THE
COUNCIL CHAMBERS, 324 COMMERCIAL STREET WEST, MOUNT GAMBIER**

ON WEDNESDAY 20 JUNE 2018 AT 5.32 PM

ATTENDANCE

Elected Members

Mayor Richard Sage
Cr BJ Collins
Cr AH Hill
Cr BR Kuhl
Cr SE Little
Cr JA Reis
Cr GW Saunders

Council Officers

GK Maxwell, Acting Chief Executive Officer
JF Fetherstonhaugh, Deputy Chief Executive Officer
LJ McEvoy, Director, Environmental Services
JA O’Hehir, Executive Support Officer

Other Attendees

Mrs Annie O’Connor and Mr Trevor Twilley of the South East Animal Welfare League
Sandra Morello – The Border Watch

APOLOGIES FOR ABSENCE

Cr BJ Bain
Cr GR Slarks

LEAVE OF ABSENCE

Cr GM Clayfield - Leave of absence granted for period from 4 June 2018 to 15 August 2018 inclusive.

18085 - CONFIRMATION OF MINUTES

1. Moved Cr Hill that the minutes of the Ordinary Meeting of Council held Monday 4 June 2018 be taken as read and confirmed as a true and correct record of the proceedings of that meeting.
Seconded Cr Collins CARRIED

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18086 – PRESENTATIONS / DEPUTATIONS

1. Submission from the South East Animal Welfare League - [1.85.1/4 & 7.11.2/4]
Item 7.1

Mrs Annie O'Connor, Secretary, and Mr Trevor Twilley, 1st Vice President, of the South East Animal Welfare League (SEAWL) presented their submission to Council in response to Council's 2018-2019 draft Annual Business Plan and Budget.

Moved Cr Collins that Council thank Mrs Annie O'Connor and Mr Trevor Twilley of the South East Animal Welfare League for presenting to Council their submission to Council's 2018-2019 draft Annual Business Plan and Budget.

Seconded Cr Reis

CARRIED

6.06pm - Mrs Annie O'Connor and Mr Trevor Twilley of the SEAWL vacated the meeting.

18087 – ANNOUNCEMENTS BY THE CHAIR

1. Mount Gambier Junior Motorcycle Club - [17.3.2/12]

Moved Cr Saunders that Council write to the Hon Corey Wingard, Minister for Recreation, Sport and Racing, regarding the Mount Gambier Junior Motorcycle Club no longer being able to utilise MacNamara Park.

Seconded Cr Little

CARRIED

18088 – REPORTS FROM REPRESENTATIVES ON OTHER ORGANISATIONS AND COMMITTEES

Cr Collins	<ul style="list-style-type: none">• Port MacDonnell Offshore Angling Club meeting• Mount Gambier & District Saleyards Advisory Committee special meeting• District Council of Grant Academic School Scholarship presentation at Allendale East Area School
Cr Little	<ul style="list-style-type: none">• District Council of Grant Volunteers Morning Tea• South East Scottish Dancing competition
Cr Reis	<ul style="list-style-type: none">• Youth Opportunities meeting• Mount Gambier & District Saleyards Advisory Committee special meeting• Draft Annual Business Plan public meeting• Australian Citizenship ceremony• UniSA scholarship dinner• Group Training Employment meeting• Group Training Employment Performance review general meeting

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Cr Hill	<ul style="list-style-type: none">• District Council of Grant Volunteers Morning Tea• District Council of Grant Draft Annual Business Plan public meeting• Australian Citizenship ceremony
Mayor Sage	<ul style="list-style-type: none">• Tourism Promotion Concept – Presentation by Glenelg Shire• District Council of Grant Academic School Scholarship presentation at Tenison Woods College• District Council of Grant Volunteers Morning Tea• CEO Recruitment – Presentation by David Singe• Regional Growth Strategy – Chardonnay Lodge• Economic Development Group meeting – Naracoorte• Youth Opportunities Training & Development Session followed by first Community Development meeting• Natural Resources Management Subregional Community Forum – Volcanic Plains and Southern Dunes Subregion• Special meeting of the Mount Gambier & District Saleyards Committee• Australian Citizenship ceremony• Great South Coast bike race meeting• Meeting with Alex Reid, CEO TAFE SA - Adelaide• Reception in honour of the birthday of Her Majesty the Queen, Government House Adelaide• Meeting with Sean Sloan, Executive Director & Director Operations, PIRSA - Adelaide• Meeting with EPA• Dinner with Minister for Environment, the Hon David Speirs• Youth Opportunities meeting• Regions in Focus - Canberra• National General Assembly – Canberra• Meetings at Parliament House, Canberra<ul style="list-style-type: none">○ Damian Callachor, the Deputy Prime Minister's Chief of Staff and Steve Campbell the Senior Transport and Aviation Adviser○ Assistant Minister Karen Andrews regarding TAFE• Drinks with Mr Tony Pasin, MP

Moved Cr Reis that the reports from the Representatives on other organisations and committees be noted.

Seconded Cr Kuhl

CARRIED

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18089 - CONFIRMATION OF MINUTES OF COMMITTEES (AND RECOMMENDATIONS)

1. Mount Gambier and District Saleyards Advisory Committee Minutes – 4 June 2018 - [16.14.1/3] Item 11.1

Council were provided with the Mount Gambier and District Saleyards Advisory Committee minutes of the special meeting held 4 June 2018.

Moved Cr Collins that Council:

1. Receive and adopt the Mount Gambier and District Saleyards Advisory Committee Minutes for the special meeting held Monday 4 June 2018.
2. Adopt the “Mount Gambier and District Saleyards Licence Agreement to Operate as a Stock Agent”.

Seconded Cr Hill

CARRIED

REPORTS FROM OFFICERS AND COMMITTEES

18090 – CHIEF EXECUTIVE OFFICER

1. Statutory Appointments - [12.70.1/2] Item 13.1.1

Council considered revoking the statutory appointments of Council’s Acting Chief Executive Officer, Graeme Maxwell and to appoint Council’s Chief Executive Officer, David Singe, as an Authorised Officer.

Moved Cr Hill that:

1. Council revokes all statutory authorisations of Mr Graeme Maxwell from Monday 2 July 2018.
2. Pursuant to Section 260(1) of the Local Government Act 1999, Council appoints Mr David Singe as an Authorised Officer of the District Council of Grant from Monday 2 July 2018 and authorises the Mayor to sign the relevant Instrument of Appointment.

Seconded Cr Collins

CARRIED

2. Acting Chief Executive Officer’s General Update – [9.24.1/9] Item 13.1.2

Council were provided with a general update of Council business and activities.

Moved Cr Reis that the Acting Chief Executive Officer’s General Business Update be noted.

Seconded Cr Kuhl

CARRIED

18091 – DEPUTY CHIEF EXECUTIVE OFFICER

1. Expression of Interest to Purchase Land – Pelican Point - [14.71.2/15] Item 13.2.1
Council considered to investigate the potential revocation of community land status and subsequent sale of a parcel of land at Pelican Point, following an expression of interest received from the adjoining landowner.

Moved Cr Hill that:

1. The Deputy Chief Executive Officer establish an agreement with Michaela and Troy Bell for the purchase of the portion of land adjacent to their property at 208 Pelican Point Road, Pelican Point (known as Lot 90 Pelican

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Point Road - A7104), including that the landowner be responsible for all costs associated with the transfer of the land, including acquiring two formal valuations. It further be agreed that granting approval to purchase this parcel does not imply or guarantee that any development applications will be approved on this land.

2. Provided that agreement is established as above, the Deputy Chief Executive Officer engage the services of suitably qualified consultants to provide two formal valuations to enable further consideration by Council.

Seconded Cr Collins

CARRIED

2. Adoption of 2018-2019 Budget – [7.11.2/4] Item 13.2.2

Council considered to formally adopt the 2018-2019 Annual Business Plan, Budget and declare the rates to be charged.

6.46pm – Cr BR Kuhl vacated the meeting.

1. Moved Cr Hill that Council adjourn the matter until staff undertake additional rate modelling based on various percentage rate increases for Council's further consideration.

Seconded Cr Reis

LOST

2. Adoption of Budget

Moved Cr Hill that pursuant to Section 123 of the Local Government Act 1999 and Regulation 7 of the Local Government (Financial Management) Regulations 2011, having considered the Budget in conjunction with, and determined the Budget to be consistent with, the Council's adopted Annual Business Plan, the Council adopts the Budget for the year ending 30 June 2019, as detailed in the budget papers laid before the Council at this meeting comprising:

- Budgeted Statement of Financial Position
- Budgeted Income Statement
- Budgeted Cash Flow Statement
- Budgeted Statement of changes in equity
- Uniform Presentation of Finances
- Statement of Financial Indicators

and all recommendations within these documents.

Seconded Cr Collins

CARRIED

3. Adoption of Valuation

Moved Cr Collins that pursuant to Section 167(2)(a) of the Local Government Act 1999, for the year ending 30 June 2019, the Council adopts for rating purposes the most recent valuations of the Valuer-General available to Council of the Capital Value of land within the Council's area, and specifies that the total of those values is \$ 2,280,598,480.

Seconded Cr Hill

CARRIED

4. Declaration of General Rates

Moved Cr Hill that having taken into account the general principles of rating outlined in Section 150 of the Local Government Act 1999 and the requirements of Section 153(2) of the Local Government Act 1999, and pursuant to Section 153(1)(a) of the Local Government Act 1999, the Council declares a single general rate in the dollar based on the capital value

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of land in respect of all rateable land in the Council area for the financial year ending 30 June 2019 of 0.3442 cents in the dollar.

Seconded Cr Collins CARRIED

5. Declaration of a Minimum Rate

Moved Cr Collins that pursuant to Section 158(1)(a) of the Local Government Act 1999, Council declares that a minimum amount of \$597.00 payable by way of rates be fixed in respect of all rateable land within the Council area for the financial year ending 30 June 2019.

Seconded Cr Little CARRIED

6. Maximum Increase

Moved Cr Hill that pursuant to Section 153(3) of the Local Government Act 1999, the Council determines that there will be no maximum increase fixed in the general rate to be charged on any rateable land within its area that constitutes the principal place of residence of a principal ratepayer.

Seconded Cr Collins CARRIED

7. Payment of Rates

Moved Cr Collins that pursuant to Section 181(2) of the Local Government Act 1999, the Council declares that all rates in respect of the financial year ending 30 June 2019 are payable in four equal or approximately equal instalments with the first instalment payable on or before 7 September 2018, the second instalment payable on or before 7 December 2018, the third instalment payable on or before 8 March 2019, and the fourth instalment payable on or before 7 June 2019.

Pursuant to Section 181(11)(a) of the Local Government Act 1999, Council will grant an additional two waste disposal vouchers to the principal ratepayer in respect of land as an incentive to encourage ratepayers to pay their rates in a single instalment in advance. To accept the Council's offer to pay rates in a single instalment in advance, the total amount of rates payable for the financial year ending 30 June 2019 must be paid on or before 7 September 2018. Payment of this amount will indicate to Council acceptance of this offer.

Seconded Cr Hill CARRIED

8. Declaration of Separate Rate – Cape Douglas Community Wastewater Management Scheme

Moved Cr Collins that Council declare, pursuant to Section 154 of the Local Government Act 1999, in respect of financial year ending 30 June 2019, a separate rate of \$1,613 on assessments: A1493, A1494, A1543, A1544, A1545, and A1547 for the purpose of reimbursing Council for cost of construction for the Cape Douglas Community Wastewater Management Scheme.

Seconded Cr Hill CARRIED

9. Declaration of Separate Rate – Natural Resource Management Levy

Moved Cr Little that pursuant to Section 95 of the Natural Resources Management Act 2004 and Section 154 of the Local Government Act 1999 for the financial year ending 30 June 2019, in order to reimburse the Council the amount contributed to the South East Natural Resources Management Board, a separate rate based upon a fixed charge (and differentiated according to land use) of \$74.00 for land classified as Residential, Vacant

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and Other, \$111.00 on land classified as Commercial (including Shop, Office and Other), \$176.00 on land classified as Industry (including Light and Other) and \$336.00 for all land classified as Primary Production is declared on all rateable land within the region of the Board and within the area of the Council.

Seconded Cr Collins

CARRIED

10. Community Wastewater Management System (CWMS) Service Charges

Moved Cr Little that pursuant to section 155 of the Local Government Act 1999, for the financial year ending 30 June 2019, the Council imposes an annual service charge based on the nature of the service and varying according to whether the land is vacant or occupied on all land to which it provides or makes available the Community Wastewater Management Systems being prescribed services for the collection, treatment and disposal of waste as follows:

\$509.00 per annum on all vacant land; and

\$596.00 per annum on all occupied land

in that part of the townships of Tarpeena, Port MacDonnell, Pelican Point, Allendale East, Cape Douglas and Donovans serviced by the Community Wastewater Management System

Seconded Cr Hill

CARRIED

11. Discretionary Rebate for CWMS Pumping

Moved Cr Little that pursuant to Section 166(1)(a) and 166(1)(m)(ii) of the Local Government Act 1999, the Council, being of the opinion that it is desirable to do so for the purpose of securing the proper development of the townships of Port MacDonnell and Allendale East and that it is appropriate to provide relief in order to avoid the imposition of a liability that would otherwise be unfair or unreasonable, grants a discretionary rebate of \$35.00 per occupied allotment in respect of the financial year ending 30 June 2019, to the owners of land in these townships who are required to supply their own pumping equipment to facilitate the proper functioning of the Community Wastewater Management System.

Seconded Cr Hill

CARRIED

12. Mobile Garbage Bin Service Charge

Moved Cr Collins that pursuant to Section 155 of the Local Government Act 1999, the Council imposes an annual service charge based on the nature of the service of \$248.00 for the financial year ending 30 June 2019 for the prescribed service of collection, treatment and disposal (including recycling) of waste, on all land to which it provides or makes available on the basis that the sliding scale provided for in Regulation 13(2) of the Local Government Act (General) Regulations 2013 may apply to reduce the amount payable.

Seconded Cr Hill

CARRIED

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3. Deputy Chief Executive Officer Monthly Update – [9.24.1/9] Item 13.2.3
Council were provided with a monthly update on projects, issues, information and events within the Deputy Chief Executive Officer's area of responsibility.

Moved Cr Hill that Deputy Chief Executive Officer's Monthly Update report be noted.

Seconded Cr Saunders

CARRIED

18092 – WORKS

1. Works Managers Monthly Update - [9.24.1/9] Item 13.3.1
Council were provided with a monthly update on projects, issues, information and events within the Works Manager's area of responsibility.

Moved Cr Collins that the Works Manager's monthly update be noted.

Seconded Cr Saunders

CARRIED

18093 – DIRECTOR OF ENVIRONMENTAL SERVICES

1. Port MacDonnell and Environs (Part 2) Cape Northumberland Lighthouse Development Plan Amendment – Native Vegetation Assessment - [4.3.2/6] Item 13.4.1

Council considered the draft Port MacDonnell and Environs (Part 2) Cape Northumberland Lighthouse Development Plan Amendment (DPA), particularly in relation to undertaking further investigations relating to native vegetation issues on the subject land.

Moved Cr Collins that:

1. Council receive and note the Report.
2. Council receive and note the email response from Frank Brennan Consulting Services on behalf of the land owner in relation to undertaking a Native Vegetation Assessment, dated 28 May 2018.
3. Council proceed no further with the Port MacDonnell and Environs (Part 2) Cape Northumberland Lighthouse Development Plan Amendment.
4. Council advise the Minister for Planning of recommendation 3 above, and of the circumstances for this decision.
5. Council advise Frank Brennan Consulting Services and the land owner of recommendations 3 and 4.
6. Council advise all persons, organisations and Government Agencies who made a submission on the Port MacDonnell and Environs (Part 2) Cape Northumberland Lighthouse Development Plan Amendment of recommendations 3 and 4.
7. Council advise Master Plan SA Pty Ltd (MasterPlan) of recommendations 2, 3, 4, 5 and 6, and thank MasterPlan for assisting Council in undertaking this project.

Seconded Cr Hill

CARRIED

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2. Groundwater Monitoring Report – Port MacDonnell Boat Yard – [16.64.1/7] Item 13.4.2

Council considered the Groundwater Monitoring Report for the Port MacDonnell Boat Yard, dated May 2018, prepared for Council by I&D Contracting.

Moved Cr Reis that:

1. Council receive and note the Report.
2. Council receive and note the Groundwater Monitoring Report for the Port MacDonnell Boat Yard, dated May 2018, prepared by I&D Contracting.
3. Council acknowledge and thank I&D Contracting for the Groundwater Monitoring Report for the Port MacDonnell Boat Yard, dated May 2018.
4. Council refer the Groundwater Monitoring Report for the Port MacDonnell Boat Yard, dated May 2018, prepared by I&D Contracting, to the Environment Protection Authority (EPA) for the EPA's information and attention, and seeking comments regarding any ongoing monitoring requirements, and advice concerning future development options for the site.
5. Council ask the EPA to clarify whether or not elevated arsenic levels in groundwater could be a regional issue, and if the EPA has further information regarding any regionally elevated levels.

Seconded Cr Saunders

CARRIED

3. Director of Environmental Services Monthly Update Report – [9.24.1/9] Item 13.4.3

Council were provided with a monthly update on projects, issues, information and events within the Director of Environmental Services area of responsibility. The areas of responsibility include development (planning & building), environmental health, general inspectorate/community ranging, compliance/enforcement, and administration within the Council's Environmental Services Department.

1. Moved Cr Hill that Council proceed to engage a contractor to clean up the roadside of Megaw Road, Compton.

Seconded Cr Saunders

CARRIED

2. Moved Cr Collins that the Director of Environmental Services Monthly Update Report for June 2018 be received and noted.

Seconded Cr Saunders

CARRIED

7.41pm – Sandra Morello (The Border Watch) vacated the meeting.

7.41pm – Cr JA Reis vacated the meeting.

7.43pm – Cr JA Reis re-joined the meeting.

18094 – CONFIDENTIAL ITEMS

1. Rural Living and Township Zones and Boundaries Review and Master Plan – Request for Quotes – [3.71.7/35] Item 16.1.1

1. Moved Cr Collins that:

1. Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except GK Maxwell (Acting Chief Executive Officer), JF Fetherstonhaugh (Deputy Chief Executive Officer),

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LJ McEvoy (Director of Environmental Services), and JA O’Hehir (Executive Support Officer), be excluded from attendance at the meeting for Agenda Item – Rural Living and Township Zones and Boundaries Review and Master Plan.

2. The Council is satisfied that, pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to compromise the consideration of a Request for Quote process for submissions which have been received from three (3) consultants in relation to undertaking the Rural Living and Township Zones and Boundaries Review and Master Plan. The submissions relate to the provision of services, and contain fee proposals and other commercial information about the three consultants.
3. In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the Request for Quote process and the submissions which have been received from three (3) consultants are still being considered and disclosure of the consultancy submissions may compromise the competitive quoting process and Council’s negotiating position.

Seconded Cr Little

CARRIED

2.

3. Moved Cr Little that:

1. Having considered Agenda Item Rural Living and Township Zones and Boundaries Review and Master Plan in confidence under section 90(2) and (3)(d) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that the documents and minutes relevant to Agenda Item be retained in confidence until the consultant has been engaged to undertake the Project and that this order be reviewed every

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12 months [if the confidentiality period is longer than 12 months in duration].

- 2. Council delegates to the Chief Executive Officer, pursuant to Section 91(9)(c) of the Local Government Act 1999, the power, at his discretion, to revoke the order made by Council under Section 91(7) and (9) of the Act at part (1) of this resolution at any time prior to the expiration of the period of the order specified therein.

Seconded Cr Hill

CARRIED

Meeting closed at 8.05pm

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MAYOR

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