



DISTRICT COUNCIL OF GRANT

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

ON MONDAY 6 AUGUST 2018 AT 5.37 PM

ATTENDANCE

Elected Members

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

Council Officers

DJ Singe, Chief Executive Officer
JF Fetherstonhaugh, Deputy Chief Executive Officer
LJ McEvoy, Director, Environmental Services
AA Schutz, Works Manager
IJ Fritsch, Airport Manager
DM Hutchesson, Executive Support Governance
JA O’Hehir, Executive Support Officer

Other Attendees

Sandra Morello – The Border Watch

LEAVE OF ABSENCE

- Cr GM Clayfield - Leave of absence granted for period from 4 June 2018 to 15 August 2018 inclusive.
- Cr GR Slarks – Leave of absence granted for period from 2 July 2018 until 6 August 2018 inclusive.

18112 - ATTENDANCE

1. Request for Leave of Absence – Cr Gregory Saunders - [9.33.3/15] Item 2.1
Council considered Cr Gregory Saunders’ request for a leave of absence from Council from 3 September 2018 until 18 September 2018 inclusive.

Moved Cr Bain that Council grant a leave of absence to Cr Gregory Saunders from 3 September 2018 until 18 September 2018 inclusive.

Seconded Cr Collins

CARRIED

2. Request for Leave of Absence – Cr Brian Collins - [9.33.3/9] Item 2.2
Council considered Cr Brian Collins’ request for a leave of absence from Council from 20 August 2018 until 5 September 2018 inclusive. Cr Collins requested that he extend the leave of absence up to and including 25 September 2018.

Moved Cr Hill that Council grant a leave of absence to Cr Brian Collins from 20 August 2018 until 25 September 2018 inclusive.

Seconded Cr Saunders

CARRIED

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18113 - CONFIRMATION OF MINUTES

1. Moved Cr Collins that the minutes of the Ordinary Meeting of Council held Monday 16 July 2018 be taken as read and confirmed as a true and correct record of the proceedings of that meeting.
Seconded Cr Hill CARRIED

DISCLOSURE OF INTERESTS

Cr AH Hill declared a perceived conflict of interest in relation to Item 12.2.1 – Expression of Interest to Purchase Land. Cr Hill advised that his daughter, Kate Hill, works for Mr Troy Bell. Cr Hill advised that he would remain the Chamber and take no part in discussion but intended to vote.

REPORTS FROM OFFICERS AND COMMITTEES

18114 – CHIEF EXECUTIVE OFFICER

1. Local Government Boundary Reform Draft Guidelines - [9.10.1/3] Item 12.1.1
Council were provided with the release of draft guidelines by the Local Government Grants Commission (LGCC). The LGCC is seeking comment on the draft guidelines that detail the processes by which it will receive, assess and progress council boundary reform proposals under the new boundary reform laws commencing 1 January 2019.

Moved Cr Collins that Council receive and note the report.
Seconded Cr Little CARRIED
2. Flying the Rainbow Flag – Celebrating Diversity Feast Festival – [2.85.1/6] Item 12.1.2
Council considered flying the Rainbow Flag for the duration of Feast Festival, 10-25 November 2018.

Moved Cr Hill that Council participate in flying the Rainbow Flag during Adelaide's Feast Festival of 10 – 25 November 2018. The Rainbow Flag will be flown instead of the District Council of Grant flag.
Seconded Cr Reis CARRIED
3. Late Item – Chief Executive Officer – Annual Leave – [110.62.275]
Council considered the request from David Singe, Chief Executive Officer, for annual leave.

Moved Cr Collins that Council approve four days annual leave for David Singe, Chief Executive Officer, from Wednesday 8 August 2018 to Monday 13 August 2018 (inclusive).
Seconded Cr Reis CARRIED

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4. Late Item – Rate Capping – [7.69.2/3]

Council considered a response to the Local Government Association of South Australia regarding the State Governments proposal to introduce rate capping in South Australia.

Moved Cr Bain that Council send an immediate response to the Local Government Association of South Australia advising of District Council of Grant's opposition to rate capping.

Seconded Cr Kuhl

CARRIED

Cr Hill called for a division:

Members voting in the affirmative: Cr Little, Cr Reis, Cr Kuhl, Cr Bain and Cr Saunders.

Members voting in the negative: Cr Collins, Cr Hill.

Mayor Sage declared the motion CARRIED.

18115 – DEPUTY CHIEF EXECUTIVE OFFICER

1. Expression of Interest to Purchase Land - [14.71.2/15] Item 12.2.1

Council considered to revoke the Community Land classification of eight parcels of land on Pelican Point Road and sell one of the parcels to the adjoining landowner.

Moved Cr Collins that:

1. The 105m² parcel of land known as Lot 90 Pelican Point Road be offered for sale to the adjoining land owner Troy Bell for an amount of \$1,007.94 (being \$335.98 per 50m² or part thereof). As a requirement of the sale, the land would be amalgamated with the purchasers adjoining land parcel known as 208 Pelican Point Road, Pelican Point (CT 6071/434). All costs associated with the sale of the land and it's amalgamation to the adjoining land parcel to be borne by the purchaser.
2. Council undertake a consultation process in accordance with Section 194 (2) of the Local Government Act 1999 and Council's Public Consultation Policy (GOVPOL 15). If no submissions are received then Council seek Ministerial approval for the revocation of Community Land classification in accordance with Section 194 (3) of the Local Government Act 1999 of the following parcels of land:
 - Lot 51 Pelican Point Road, Pelican Point (A7098)
 - Lot 55 Pelican Point Road, Pelican Point (A7099)
 - Lot 63 Pelican Point Road, Pelican Point (A7100)
 - Lot 66 Pelican Point Road, Pelican Point (A7101)
 - Lot 67 Pelican Point Road, Pelican Point (A7101)
 - Lot 70 Pelican Point Road, Pelican Point (A7102)
 - Lot 76 Pelican Point Road, Pelican Point (A7103)
 - Lot 90 Pelican Point Road, Pelican Point (A7104)
 - Lot 92 Pelican Point Road, Pelican Point (A7105)
3. Policy for Disposal of Land and Other Assets (FINPOL 03) be updated to reflect the following approach for future sales of the parcels listed:

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A rate per 50m² (or part thereof) applied to the portion of land to be purchased, with a minimum cost applied. These amounts are based upon a starting rate of \$250 and a minimum cost of \$1,000 in 2009 with a CPI increase per year as follows:

Financial Year of Purchase	Amount per 50m ²	Minimum Cost	CPI*
2009	\$250.00	\$1,000.00	+2.3%
2010	\$255.75	\$1,023.00	+2.6%
2011	\$262.40	\$1,049.60	+3.7%
2012	\$272.11	\$1,088.43	+1.8%
2013	\$277.01	\$1,108.02	+2.2%
2014	\$283.10	\$1,132.40	+2.9%
2015	\$291.31	\$1,165.24	+1.1%
2016	\$294.51	\$1,178.06	+0.7%
2017	\$296.58	\$1,186.31	+2.0%
2018	\$302.51	\$1,210.03	+2.3%
2019	\$309.47	\$1,237.86	+2.3%
2020 and onwards	Plus CPI	Plus CPI	

* Based on March Quarter for Adelaide

4. The Mayor and Chief Executive Officer be authorised to sign and seal any documentation required to complete the sale and revoke the Community Land classification.
5. Upon completion of the revocation, the current landowners of allotments detailed in 2. above be advised of the revocation and revised policy.

Seconded Cr Saunders

CARRIED

2. Land Division Policies and Procedures - [9.63.1/1] Item 12.2.2

Council considered the adoption of new policies and procedures relating to land divisions and revoke the existing Residential and Rural/Country Living Roads Design Policy.

Moved Cr Bain that:

1. The following policies be adopted by Council:
 - ENVPOL20 – Bonding of Infrastructure Development Policy
 - WKSPOL15 - Design, Construction and Development of Infrastructure Assets
 - ENVPR01 - Land Division Procedure for Developers
2. WKSPOL08 - Residential & Rural/Country Living Roads Design Policy be revoked by Council.

Seconded Cr Collins

CARRIED

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3. Operation Flinders – [7.31.3/1] Item 12.2.3
Council were provided with the outcome of the 2018 Mount Gambier Chapter for Operations Flinders.
1. Moved Cr Reis that Council:
 1. Quarantine the \$3,300 for the 2018-2019 Financial Year to put towards potential sponsorship of another youth program that is related to the theme of youth leadership.
 2. Reassess the 2019-2020 sponsorship commitment to Operation Flinders as part of the 2019-2020 budget review process.
 3. Request a presentation from Youth Opportunities for funding to assist youth from the district to access this program with a decision to be made by Council following the presentation.Seconded Cr Collins CARRIED
 2. Moved Cr Hill that Council write to Grant High School expressing disappointment that the Operation Flinders program did not go ahead as planned.
Seconded Cr Kuhl CARRIED
4. Blue Lake Fun Run 2018 – [7.31.3/1] Item 12.2.4
Council considered an increase in funding from \$500 to \$1,000 for the Blue Lake Fun Run 2018 (to be held Sunday 2 December 2018).
Moved Cr Bain that Council increase the sponsorship from \$500 to \$1000 for the Blue Lake Fun Run as a once-off amount from the 2018-2019 financial year with Council to review the number of participants following the December 2018 event.
Seconded Cr Little CARRIED

18116 – WORKS

1. Boundary Roads Budget for 2018-2019 - [14.55.1/2] Item 12.3.1
Council were provided with Boundary Roads expenditure for the financial year 2018-2019.
Moved Cr Collins that:
 1. The report be received.
 2. Council adopt the 5 Year Forward Works Program for the Boundary Roads network.
 3. The Boundary Roads 5 Year Forward Works Program is to be reviewed annually and updated.Seconded Cr Little CARRIED
2. Temporary Road Closure – Sea Parade – Tour of the Great South Coast - [14.71.2/19] Item 12.3.2
Council were provided with further information since the Council meeting of 16 July 2018 requiring alterations to the road closure times for the Tour of the Great South Coast. Council considered a road closure order to temporarily close a portion of Sea Parade, from Jeffries Street to Standish Street, Port MacDonnell, for and on behalf of Council, for the purpose of a start and finish line and presentations for the '2018 Tour of the Great South Coast' cycling race.

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Moved Cr Hill that:

1. Pursuant to Section 33(1) of the Road Traffic Act 1961, declares the event being the start and finish line and presentations of '2018 Tour of the Great South Coast' cycling race, to be held on 16 August 2018, between the hours of 9.00am-11.30am and 1.30pm-4.00pm.
2. Council endorse the Works Manager to proceed with a road closure order to temporarily close a portion of Sea Parade, from Jeffries Street to Standish Street, Port MacDonnell, for and on behalf of Council, for the duration of the race and presentations.

Roads: Sea Parade, Port MacDonnell, from Jeffries Street to Standish Street, between the hours of 9.00am-11.30am and Sea Parade, Port MacDonnell, from Jeffries Street to Standish Street, between the hours of 1.30pm and 4.00pm.

Event: For the duration of the race and presentations of '2018 Tour of the Great South Coast' Cycling race.

Date: Thursday, 16 August 2018 between the hours of 9.00am – 11.30am and 1.30pm - 4.00pm.

Seconded Cr Bain

CARRIED

18117 – QUESTIONS WITHOUT NOTICE

1. Rex Partnership Proposal – [4.65.2/3]

Moved Cr Hill that the matter relating to the Rex Partnership proposal (Agenda Item 15.2.1) be dealt with in public.

The motion lapsed for want of a seconder.

2. Drought in Queensland and New South Wales – [7.41.5/3]

Cr Hill raised a question regarding the District Council of Grant's Disaster Fund and its application in regard to the drought situation in regional New South Wales and Queensland. The Chief Executive Officer to liaise with Local Government Associations in Queensland and New South Wales to ascertain programs that are valuable and viable to assist drought stricken farmers. Further information is to be provided to Council as soon as possible.

6.39pm – Sandra Morello (The Border Watch) vacated the meeting.

18118 – CONFIDENTIAL ITEMS

1. Rex Partnership Proposal – [4.65.1/3] Item 15.2.1

1. Moved Cr Little that:

1. Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except DJ Singe, Chief Executive Officer; JF Fetherstonhaugh, Deputy Chief Executive Officer; LJ McEvoy, Director Environmental Services, AA Schutz, Works Manager; DM Hutchesson, Executive Support Governance; and JA O'Hehir, Executive Support Officer, be excluded from attendance at the meeting for Agenda Item 15.2.1 - Rex Partnership Proposal.

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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 prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party.
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.

Seconded Cr Collins

CARRIED

2.

3. Moved Cr Kuhl that:

1. Having considered Agenda Item 15.2.1 - Rex Partnership Proposal 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 15.2.1 be retained in confidence until a contract has been signed and a public announcement has been made.
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 Saunders

CARRIED

2. Relocation of Mount Gambier Airport Office – [16.65.1/5] Item 15.3.1

1. Moved Cr Little that:

1. Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except DJ Singe, Chief Executive Officer; JF Fetherstonhaugh, Deputy Chief Executive Officer; LJ McEvoy, Director Environmental Services, AA Schutz, Works Manager; DM Hutchesson, Executive Support Governance; and JA O’Hehir, Executive Support Officer, be excluded from attendance at the meeting for Agenda Item 15.3.1 – Relocation of Mount Gambier Airport Office.

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2. The Council is satisfied that, pursuant to section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council would prejudice the commercial position of the Council
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 of discussion in relation to possible commercial options for relocation of Mount Gambier Airport Office.

Seconded Cr Hill

CARRIED

2.

3. Moved Cr Hill that:

1. Having considered Agenda Item 15.3.1 - Relocation of Mount Gambier Airport Office in confidence under section 90(2) and (3)(b) 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 15.3.1 be retained in confidence until a suitable location has been resolved and that this order be reviewed every 12 months.
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 Bain

CARRIED

7.13pm – IJ Fristch (Airport Manager) and AA Schutz (Works Manager) vacated the meeting.

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3. Sandyridge Holdings Asbestos Burial - [5.89.1/1] Item 15.1.1

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 David Singe, Chief Executive Officer, JF Fetherstonhaugh (Deputy Chief Executive Officer), LJ McEvoy (Director of Environmental Services), AA Schutz (Works Manager), DM Hutchesson (Executive Support Governance); and JA O’Hehir (Executive Support Officer), be excluded from attendance at the meeting for Agenda Item 15.1.1 - Sandyridge Landfill.
2. The Council is satisfied that, pursuant to section 90(3)(h) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is legal advice, in that it has been provided by KelledyJones Lawyers on instructions from the Council.
3. 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 a Council decision has not yet been made in relation to the advice and its subject matter.

Seconded Cr Hill

CARRIED

2.

2. Council seek a development application from Sandyridge Landfill for receipt and disposal of asbestos on the site.

3. Moved Cr Collins that:

1. Having considered Agenda Item 15.1.1 - Sandyridge Landfill in confidence under section 90(2) and (3)(h) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that legal advice from KelledyJones Lawyers and all minutes, except for Item 2.2 be retained in confidence until the matter resolves and that this order be reviewed every 12 months.
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 8.00pm

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MAYOR

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