



## **DISTRICT COUNCIL OF GRANT**

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

**ON MONDAY 3 SEPTEMBER 2018 AT 5.33PM**

#### **ATTENDANCE**

##### **Elected Members**

Mayor Richard Sage  
Cr GM Clayfield  
Cr AH Hill  
Cr BR Kuhl  
Cr SE Little  
Cr JA Reis  
Cr GR Slarks

##### **Council Officers**

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  
JA O’Hehir, Executive Support Officer

##### **Other Attendees**

Sandra Morello (The Border Watch)

#### **APOLOGIES FOR ABSENCE**

Cr BJ Bain

#### **LEAVE OF ABSENCE**

- Cr BJ Collins - Leave of absence granted for period from 20 August 2018 until 25 September 2018 inclusive.
- Cr GW Saunders – Leave of absence granted for period from 3 September 2018 until 18 September 2018 inclusive

#### **18130 - CONFIRMATION OF MINUTES**

1. Moved Cr Hill that the minutes of the Ordinary Meeting of Council held Monday 20 August 2018 be taken as read and confirmed as a true and correct record of the proceedings of that meeting with the following changes:
  1. Minute reference 18128.1 – Mount Gambier Junior Motor Cycling Club, resolution should read:

*That Council noted the correspondence and that Mayor Sage to assist the Mount Gambier Junior Motor Cycling Club to find a new location by continuing discussing the issue with the Minister for Environment and Water, the Hon David Speirs; and the Minister for Transport, Infrastructure and Local Government, the Hon Stephan Knoll.*

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- Minute reference 18128.2 – TAFESA, resolution should read:  
*That Council note the correspondence and that Mayor Sage continue to pursue the TAFE SA issue.*

Seconded Cr Kuhl

CARRIED

### **18131 – PRESENTATIONS / DEPUTATIONS**

- Cray Fishing Cooperative in Southern Zone - [4.3.2/4] Item 7.1  
Mr Rodger Long and Mr Chris Sealey provided Council with information regarding a cray fishing cooperative in the Southern Zone.

Moved Cr Hill that:

- Council thank Mr Rodger Long and Mr Chris Sealey for providing information regarding a cray fishing cooperative in the Southern Zone.
- The Chief Executive Officer and the Economic Development Advisor to develop a proposal for Council to consider.

Seconded Cr Clayfield

CARRIED

6.03pm – Mr Rodger Long and Mr Chris Sealey vacated the meeting.

### **DISCLOSURE OF INTERESTS**

The following Disclosure of Interests forms were received:

- Mayor Richard Sage declared a perceived conflict of interest in relation to Item 12.2.1 – Financial Assistance – Bayside Festival 2019.
- Cr GM Clayfield declared a perceived conflict of interest in relation to Item 12.2.1 – Financial Assistance – Bayside Festival 2019.
- Cr AH Hill declared a perceived conflict of interest in relation to Item 12.2.1 – Financial Assistance – Bayside Festival 2019.

### **REPORTS FROM OFFICERS AND COMMITTEES**

#### **18132 – CHIEF EXECUTIVE OFFICER**

- Mount Gambier Airport Advisory Committee - [16.14.1/1] Item 12.1.1  
Council considered the future membership of the Mount Gambier Airport Advisory Committee.

Moved Cr Hill that Council adopts the skills and knowledge framework for the Mount Gambier Airport Strategy Committee, as a starting point for the new Council to refine.

Seconded Cr Clayfield

CARRIED

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2. Glenelg River Shack Owners Association – [2.14.1/7] Item 12.1.2  
Council were provided with an update regarding the establishment of a long-term strategic working relationship with the Glenelg River Shack Owners Association.

Moved Cr Slarks that:

1. Council support the Chief Executive Officer in undertaking the development of a strategic partnership with the Glenelg River Shack Owners Association.
2. The Chief Executive Officer provides reports on progress.

Seconded Cr Hill

CARRIED

3. Delegations Update – [12.9.1/1] Item 12.1.3  
Council considered amendments to delegations under various Acts.

Moved Cr Kuhl that:

1. Hereby revokes its previous delegations to the Chief Executive Officer of those powers and functions under the Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014.
2. In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014 are hereby delegated this third day of September 2018 to the person occupying the office of Chief Executive Officer and anyone who may from time to time be appointed to act in that position subject to any conditions and or limitations specified in the proposed Instrument of Delegation.
3. Such powers and functions may be further delegated by the Chief Executive officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation

Seconded Cr Slarks

CARRIED

4. Drought Assistance – [7.41.5/3] Item 12.1.4  
Council considered donations to the Country Women's Association to assist with the drought affected communities in New South Wales, Queensland and South Australia.

1. Moved Cr Slarks that Council donate:

- \$10,000 to the CWA of New South Wales.
- \$10,000 to the CWA of Queensland; and
- \$10,000 to the CWA of South Australia

to assist drought affected communities in those States and that Council request that the CWA provide a report back to Council advising where funds have been distributed. CWA also to be requested that funds be supplied to local businesses, as a preference, to ensure the maximum impact to the local community.

Seconded Cr Reis

CARRIED

2. Moved Cr Reis that Council administration prepare a report to be brought back to Council regarding hay baling options on Councils road reserves.

Seconded Cr Clayfield

CARRIED

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5. Christmas / New year Office Closure – [12.52.1/1] Item 12.1.5  
Council considered Christmas / New Year period closure dates for Council's principal office.

Moved Cr Reis that as per section 45 of the Local Government Act, Council agrees to the closure of its Principal Office during normal business hours on the days of Thursday 27, Friday 28 and Monday 31 December 2018, and advises the general public of such closure.

Seconded Cr Kuhl

CARRIED

### **18133 – DEPUTY CHIEF EXECUTIVE OFFICER**

1. Financial Assistance – Bayside Festival 2019 - [7.31.3/1] Item 12.2.1  
Council considered an increase in funding to support the Bayside Festival and its new program and concept for the 2019 event.

1. Disclosure of Interests

- Mayor Richard Sage declared a perceived conflict of interest in relation to Item 12.2.1 – Financial Assistance – Bayside Festival 2019 as he is a financial signatory for the Bayside Festival Committee. Mayor Sage advised that he would remain in the Chamber and not vote on the matter.
- Cr GM Clayfield declared a perceived conflict of interest in relation to Item 12.2.1 – Financial Assistance – Bayside Festival 2019 as she is the Chairperson of the Port MacDonnell Community Group that is overseeing the Bayside Festival 2019. Cr Clayfield advised that when the Agenda item is called by the Mayor she will leave the Chamber and not participate in any debate discussion or decision.
- Cr AH Hill declared a perceived conflict of interest in relation to Item 12.2.1 – Financial Assistance – Bayside Festival 2019 as his daughter is undertaking PR responsibilities for the 2019 Bayside Festival on a professional basis. Cr Hill advised that when the Agenda item is called by the Mayor he will leave the Chamber and not participate in any debate discussion or decision.

The matter lapsed due to lack of quorum.

### **18134 – DIRECTOR OF ENVIRONMENTAL SERVICES**

1. Gazettal of District Council of Grant Townships - [3.3.1/8] Item 12.4.1  
Council considered township boundaries within the District Council of Grant for Gazettal in accordance with Section 4 of the *Local Government Act 1999*.

6.38pm Cr JA Reis vacated the meeting.

Moved Cr Hill that:

1. Council declare the townships of Allendale East, Blackfellows Caves, Cape Douglas, Carpenter Rocks, Donovans, Kongorong, Nene Valley, Pelican Point, Port MacDonnell, Racecourse Bay, Tarpeena and Yahl in accordance

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with Section 4 of the Local Government Act 1999, as defined in Rack Plans 1144 to 1155, and the following amendments:

1. Rack Plan 1145 for the Township of Blackfellows Caves be amended to include those excluded parts of the Settlement Zone as shown on Zone Map Gra/25;
  2. Rack Plan 1147 for the Township of Carpenter Rocks be amended so as to finish the Township of Carpenter Rocks at or near the intersection of Carpenter Rocks Road and Pelican Point Road, and for that Township area to the south-east of the intersection to be included in Rack Plan 1151 for the Township of Pelican Point;
  3. Rack Plan 1148 for the Township of Donovans be amended to include all of the Township Zone as shown on Zone Map Gra/33;
  4. Rack Plan 1149 for the Township of Kongorong be amended so that the Township area is as per the Township Zone as shown on Zone Map Gra/21;
  5. Rack Plan 1151 for the Township of Pelican Point be amended in accordance with Recommendation 2 above, and to include those excluded parts of the Settlement Zone as shown on Zone Map Gra/24 and associated Enlargement Zone Maps Gra/39 and Gra/40;
  6. Rack Plan 1152 for the Township of Port MacDonnell be amended as per the following:
    - a. In accordance with Zone Maps Gra/8 and Gra/29 to include the new Residential Zones along Smiths Road and Springs Road; and,
    - b. To include the Port MacDonnell Sports Complex area and nearby developments on the northern side of Elizabeth Street in the Township area;
  7. Rack Plan 1153 for the Township of Racecourse Bay be amended to include all of the Settlement Zone as shown on Zone Map Gra/32;
  8. Rack Plan 1154 for the Township of Tarpeena be amended to include the land in the Industry Zone at the north-west corner of the town (rear of Timberlink site) as shown on Zone Map Gra/22; and,
  9. Rack Plan 1155 for the Township of Yahl be amended to include all other land in the Township Zone as shown on Zone Map Gra/38.
2. The Chief Executive Officer and the Director of Environmental Services be delegated the authority to make any further minor amendments and changes to the Township Boundaries, if required to do so in order to finalise this matter.

Seconded Cr Clayfield

CARRIED

- 6.40pm Sandra Morello (The Border Watch) and AA Schutz (Works Manager) vacated the meeting
- 6.41pm Cr JA Reis returned to the Chamber.

**18135 – CONFIDENTIAL ITEMS**

1. Rex Airlines Partnership Proposal - [4.65.1/3] Item 15.1.1

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, 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 - Rex Partnership Proposal.
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 Kuhl

CARRIED

2. Moved Cr Kuhl that Council endorse the agreement between Regional Express Holdings Limited and the District Council of Grant.

Seconded Cr Little

CARRIED

Meeting closed at 7.08pm

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MAYOR

/ /2018