



DISTRICT COUNCIL OF GRANT

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

ON MONDAY 21 JANUARY 2019 AT 5.30 PM

ATTENDANCE

Elected Members

Mayor Richard Sage
Cr BJ Bain
Cr KA Boston
Cr GM Clayfield
Cr MJ Dukalskis
Cr JL Elliott
Cr BR Kuhl
Cr SE Little
Cr SB Mann
Cr JA Reis

Council Officers

DJ Singe, Chief Executive Officer
JF Fetherstonhaugh, Deputy Chief Executive Officer
LJ McEvoy, Director, Environmental Services
AA Schutz, Works Manager
KM Gilmore, Governance Officer
JA O'Hehir, Executive Assistant

Other Attendees

Sandra Morello – The Border Watch

5.31pm Cr SB Mann joined the meeting.

19001 - CONFIRMATION OF MINUTES

1. Moved Cr Kuhl that the minutes of the Ordinary Meeting of Council held Monday 17 December 2018 be taken as read and confirmed as a true and correct record of the proceedings of that meeting.

Seconded Cr Clayfield

CARRIED

19002 – PRESENTATIONS / DEPUTATIONS

1. South East Natural Resources Management Board – [10.85.1/56] Item 7.1
Ms Fiona Rasheed, Presiding Member, Mr Tim Collins, Regional Director and Ms Wendy Telfer, Manager Planning and Evaluation from the South East Natural Resources Management Board discussed the South East Natural Resources Management Board's Business Plan for 2019-2022.

6.00pm Cr BJ Bain joined the meeting.

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Moved Cr Elliott that Council thank Ms Fiona Rasheed, Presiding Member, Mr Tim Collins, Regional Director and Ms Wendy Telfer, Manager Planning and Evaluation from the South East Natural Resources Management Board, for providing information regarding the South East Natural Resources Management Board's Business Plan for 2019-2022.

Seconded Cr Clayfield

CARRIED

6.01pm Ms Fiona Rasheed, Mr Tim Collins & Ms Wendy Telfer vacated the meeting.

2. St John – [9.24.1/2] Item 7.2

Ms Sharon Tuffnell, St John Mount Gambier Cadet Division; and Mr Joe O'Connor, St John Acting Officer in Charge of the Limestone Coast Division provided Council with an outline of St John training in Mount Gambier.

Moved Cr Reis that Council thank Ms Sharon Tuffnell, St John Mount Gambier Cadet Division; and Mr Joe O'Connor, St John Acting Officer in Charge of the Limestone Coast Division, for providing Council information regarding St John.

Seconded Cr Dukalskis

CARRIED

6.33pm Ms Sharon Tuffnell and Mr Joe O'Connor vacated the meeting.

19003 – REPORTS FROM REPRESENTATIVES ON OTHER ORGANISATIONS AND COMMITTEES

Cr Kuhl	<ul style="list-style-type: none">• Staff End of Year Celebration• Informal Gathering – City of Mount Gambier Recreation Hub
Cr Dukalskis	<ul style="list-style-type: none">• Informal Gathering – City of Mount Gambier Recreation Hub
Cr Little	<ul style="list-style-type: none">• Youth on Wheels Luncheon• Staff End of Year Celebration• Informal Gathering – City of Mount Gambier Recreation Hub
Cr Reis	<ul style="list-style-type: none">• Group Training Employment Meeting and Christmas function• Informal Gathering – City of Mount Gambier Recreation Hub
Cr Boston	<ul style="list-style-type: none">• Informal Gathering – City of Mount Gambier Recreation Hub
Cr Bain	<ul style="list-style-type: none">• Staff End of Year Celebration• Informal Gathering – City of Mount Gambier Recreation Hub
Cr Mann	<ul style="list-style-type: none">• Informal Gathering – City of Mount Gambier Recreation Hub

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Cr Clayfield	<ul style="list-style-type: none">• Bay Escape Meeting x 2• Staff End of Year Celebration• Informal Gathering – City of Mount Gambier Recreation Hub
Mayor Sage	<ul style="list-style-type: none">• Limestone Coast Local Government Association• Meeting with Minister Wingard• SA Regional Organisation of Councils• Meeting with Alicia Sutherland and Tania & Geoff Tilley regarding building issues• Meeting with Mark Versace of Niche Homes regarding building issues• Staff End of Year Celebration• Informal Gathering – City of Mount Gambier Recreation Hub• Limestone Coast Local Government Association meetings regarding Interim CEO• Mount Gambier Harness Racing event

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

Seconded Cr Boston

CARRIED

REPORTS FROM OFFICERS AND COMMITTEES

19004 – CHIEF EXECUTIVE OFFICER

1. Request for Capital Funding – City of Mount Gambier Regional Sporting Hub - [10.85.1/71] Item 13.1.1

Council considered a request from the City of Mount Gambier for a \$1M contribution to the Regional Community and Recreational Hub.

Moved Cr Kuhl that Council provide a financial contribution of \$350,000 with \$175,000 in the 2019-2020 budget and \$175,000 in the 2021-2022 budget subject to:

1. This being a one off payment from the District Council of Grant;
2. The understanding that no further financial requests will be made of the District Council of Grant for this project; and
3. That the project be substantially commenced, and progress reports received, before any payments are made.

Seconded Cr Bain

CARRIED

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2. The Waterfront Stage 1 – Project Conclusion Report - [7.41.1/50 & 3.85.1/8] Item 13.1.2

Council was provided with the outcome of Stage 1 of The Waterfront project at Port MacDonnell.

Moved Cr Bain that:

1. An interpretive sign be installed to explain what the fisherman statue represents; and
2. The Waterfront Stage 1 project report be noted.

Seconded Cr Clayfield

CARRIED

3. Tour of the Great South Coast 2019 - [4.85.1/2] Item 13.1.3

Council considered a proposal from Caribou Publications Pty Ltd for the Tour of the Great South Coast Cycling Classic for the District Council of Grant to continue sponsorship and hosting one day of this event.

Moved Cr Bain that Council support the proposal from Caribou Publications Pty Ltd and include \$10,000 sponsorship of the Tour of the Great South Coast Road Cycling Classic in the 2019-2020 budget.

Seconded Cr Clayfield

CARRIED

4. Rebranding the Mount Gambier Airport - [16.14.1/1] Item 13.1.4

Council considered a proposal to rebrand the Mount Gambier Airport as “Mount Gambier Regional Airport”.

Moved Cr Clayfield that Council alter the title of the Mount Gambier Airport to “Mount Gambier Regional Airport”.

Seconded Cr Reis

CARRIED

5. Mount Gambier Regional Airport Strategy Committee - [16.14.1/1] Item 13.1.5

Council considered the updated Terms of Reference for the Mount Gambier Regional Airport Strategy Committee.

7.04pm Cr BJ Bain vacated the meeting.

7.06pm Cr BJ Bain re-joined the meeting.

Moved Cr Bain that:

1. Council adopt the proposed Terms of Reference for the Mount Gambier Regional Airport Strategy Committee.
2. The Chief Executive Officer and the Airport Manager present a list of potential members to Council at the earliest opportunity.
3. Pursuant to Section 41 of the Local Government Act 1999, Council appoints the following Council Members to the Mount Gambier Regional Airport Strategy Committee:
 - Cr Clayfield
 - Cr Little
 - Mayor Sage (ex-officio)

Seconded Cr Elliott

CARRIED

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6. Mount Gambier and District Saleyards Strategy Committee - [16.14.1/3] Item 13.1.6

Council considered the updated Terms of Reference for the Mount Gambier and District Saleyards Strategy Committee.

Moved Cr Little that:

1. Council adopt the proposed Terms of Reference for the Mount Gambier and District Saleyards Strategy Committee.
2. The Chief Executive Officer and the Business Manager, Saleyards present a list of potential members to Council at the earliest opportunity.
3. Pursuant to Section 41 of the Local Government Act 1999, Council appoints the following Council Members to the Mount Gambier and District Saleyards Strategy Committee:
 - Cr Kuhl
 - Cr Boston
 - Mayor Sage (ex-officio)

Seconded Cr Bain

CARRIED

7. Economic Development Update Report - [9.87.1/2] Item 13.1.7

Council was provided with an update on recent economic development activities within the Economic Development Advisor's area of responsibility.

Moved Cr Reis that the Economic Development update report for January 2019 be received and noted.

Seconded Cr Elliott

CARRIED

8. Confidential Orders Update - [9.24.1/6] Item 13.1.8

Council was provided with an update of items from Council and Committee meetings which have been released or remain under confidential orders.

Moved Cr Bain that the Confidential Orders listed below, reviewed by Council, remain in confidence due to reasons provided within the attached Register of Outstanding Confidential Items:

- Council 06/07/2015 Item 15091.2 – Port MacDonnell Old Boatyard Land
- Council 06/06/2016 Item 16071.1 – Building Regulatory Matters
- Council 05/10/2016 Item 16132.1 – Building Regulatory Matters
- Council 07/11/2016 Item 16144.1 – Question Without Notice – Building Regulatory Matters
- Council 06/11/2017 Item 17141.3 – Internal Operations
- Council 06/08/2018 Item 18118.3 – Sandyridge Holdings Asbestos Burial
- Council 20/08/2018 Item 18129.1 – Sandyridge Holdings Asbestos Burial
- Council 05/12/2018 Item 18167.1 – Chief Executive Officer Employment Contract
- Council 17/12/2018 Item 18179.1 – Sandyridge Holdings.

Seconded Cr Clayfield

CARRIED

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9. Review of Policies - [9.63.1/1] Item 13.1.9
Council considered adopting various existing (recently reviewed) Council policies.
Moved Cr Elliott that Council:
1. Adopt the amended Elected Members Training and Development Policy (GOVPOL 06).
 2. Adopt the reviewed Protocols for Council Meetings and Major Events Policy (GOVPOL 14).
 3. Adopt the reviewed Non-Compliant Tagging Policy (SALPOL 02).
- Seconded Cr Clayfield CARRIED
10. Chief Executive Officer's General Business Update - [9.24.1/9] Item 13.1.10
Council was provided with a general update of Council business and activities.
Moved Cr Clayfield that the Chief Executive Officer's General Business Update be noted.
Seconded Cr Little CARRIED

19005 – DEPUTY CHIEF EXECUTIVE OFFICER

1. 2019 100 Mile Classic Sponsorship Request - [7.31.3/1] Item 13.2.1
Council considered a request for sponsorship from the Mount Gambier Cycling Club for the 2019 100 Mile Classic to be held on Saturday 18 and Sunday 19 May 2019. The club has requested \$1,000 in sponsorship.
Moved Cr Kuhl that Council provide \$1,000 in sponsorship to the Mount Gambier Cycling Club for the 2019 100 Mile Classic.
Seconded Cr Dukalskis CARRIED
2. Closed Circuit Television (CCTV) Policy - [16.76.2/2] Item 13.2.2
Council considered the adoption of a Policy relating to the use of Closed Circuit Television (CCTV).
Moved Cr Elliott that the Closed Circuit Television (CCTV) Policy be adopted.
Seconded Cr Boston CARRIED
3. Monthly Financial Report - [7.11.1/2] Item 13.2.3
Council was provided with an overview of Council's monthly financial position.
Moved Cr Bain that the Financial Report for December 2018 be received.
Seconded Cr Elliott CARRIED
4. Deputy Chief Executive Officer's Monthly Update - [9.24.1/9] Item 13.2.4
Council was provided with a monthly update on projects, issues, information and events within the Deputy Chief Executive Officer's area of responsibility.
Moved Cr Clayfield that the:
1. Report on the 2019-2020 Budget Preparation procedure and timetable be received.
 2. Deputy Chief Executive Officer's Monthly Update report be noted.
- Seconded Cr Reis CARRIED

19006 – DIRECTOR OF ENVIRONMENTAL SERVICES

1. Director of Environmental Services Monthly Update Report - [9.24.1/9] Item 13.4.1

Council was provided with a monthly update on projects, issues, information and events within the Director of Environmental Services area of responsibility.

Moved Cr Little that:

1. The Director of Environmental Services Monthly Update Report for January 2019 be received and noted.
2. The Limestone Coast Fishermen's Co-operative be advised that on this occasion given the nature of this new business initiative that Council will waive the bin replacement fees, and waive the Kerbside Collection Charge until 30 June 2020.
3. Council support the Glenelg River Shack Owner's Association and request that the Department for Environment and Water undertake the assessment of the Glenelg River Shacks as the third area in South Australia, following the assessment of other shacks at the Coorong and Milang; and that Mr Troy Bell MP, Member for Mount Gambier be advised accordingly.

Seconded Cr Clayfield

CARRIED

- 7.48pm AA Schutz (Works Manager) and Sandra Morello (The Border Watch) vacated the meeting.

19007 – QUESTIONS WITHOUT NOTICE

1. Chief Executive Officer Appointment - [110.62.275]

Moved Cr Clayfield that Mayor Sage send an email to all staff advising that Mr David Singe has been permanently appointed as Chief Executive Officer of the District Council of Grant.

Seconded Cr Elliott

CARRIED

2. Old Boatyard – Port MacDonnell - [16.64.1/6]

Moved Cr Clayfield that a working party be established to reassess and progress the Old Boatyard site at Port MacDonnell.

Seconded Cr Elliott

CARRIED

3. Port MacDonnell Harbour - [3.85.1/8]

Moved Cr Clayfield that a working party to be established to look at options for the harbour at Port MacDonnell.

Seconded Cr Reis

CARRIED

4. Cliffs at Port MacDonnell - [3.85.1/8]

Moved Cr Clayfield that Council staff prepare a report for a future Council meeting regarding the safety aspects and the potential hazards of the cliffs at Port MacDonnell.

Seconded Cr Little

CARRIED

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5. Port MacDonnell Caravan Park - [16.55.3/12]
Moved Cr Clayfield that Council's Works Manager and Building Officer consider removing trees in front of the public toilets at the Port MacDonnell Caravan Park as well as install signage on the toilet block indicating that the toilets are for public use.
Seconded Cr Reis CARRIED

19008 – CONFIDENTIAL ITEMS

1. Chief Executive Officer's Key Performance Indicators Update Report - [110.62.275] Item 16.1.1
1. Moved Cr Kuhl 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), LJ McEvoy (Director of Environmental Services), KM Gilmore (Governance Officer) and JA O'Hehir (Executive Assistant) be excluded from attendance at the meeting for Agenda Item 16.1.1 – Chief Executive Officer's Key Performance Indicators Update Report.
 2. 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 16.1.1 is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being the Chief Executive Officer of the District Council of Grant.
 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 number of matters are likely to be discussed that relate to the Chief Executive Officer's performance.
- Seconded Cr Bain CARRIED
- 8.10pm JF Fetherstonhaugh (Deputy Chief Executive Officer) vacated the meeting.
8.13pm Cr GM Clayfield vacated the meeting.
2. Moved Cr Kuhl that Council receive and note the Chief Executive Officer Key Performance Indicators 2018-2019 Report for the first and second quarters.
Seconded Cr Bain CARRIED
3. Moved Cr Elliott that having considered Agenda Item 16.1.1 – Chief Executive Officer's Key Performance Indicators Update Report in confidence under section 90(2) and (3)(a) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that any minutes, the report and its attachments be no longer retained in confidence.
Seconded Cr Kuhl CARRIED
- 8.24pm – DJ Singe (Chief Executive Officer), LJ McEvoy (Director Environmental Services) and JA O'Hehir (Executive Assistant) vacated the meeting.

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2. Chief Executive Officer's Key Performance Indicators Update Report - [110.62.275]

8.27pm – Cr Reis and Cr Dukalskis vacated the meeting.

1. Moved Cr Bain that:

1. Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except KM Gilmore (Governance Officer) be excluded from attendance at the meeting for Chief Executive Officer's Performance Review.
2. 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 Chief Executive Officer's Performance Review is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being the Chief Executive Officer of the District Council of Grant.
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 number of matters are likely to be discussed that relate to the Chief Executive Officer's performance.

Seconded Cr Little

CARRIED

8.28pm – Cr Reis and Cr Dukalskis re-joined the meeting.

2. Moved Cr Kuhl that the minutes of the:

1. Special Meeting of Council held Monday 10 December 2018; and the
 2. Special Meeting of Council held Monday 17 December 2018
- be taken as read and confirmed as a true and correct record of the proceedings of those meetings.

Seconded Cr Little

CARRIED

3. Moved Cr Kuhl that this item and the minutes of the Special Meetings of Council held Monday 10 December 2018 and Monday 17 December 2018 not be retained in confidence but be released to the public immediately.

Seconded Cr Elliott

CARRIED

3. Building Regulatory Matters - [12.44.4/2]

1. Moved Cr Bain that:

1. Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public except, KM Gilmore (Governance Officer), be excluded from attendance at the meeting for Building Regulatory Matters.
2. The Council is satisfied that, pursuant to section 90(3)(i) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information relating to litigation that the Council or Council committee believes on reasonable grounds will take place involving the Council or an employee of the Council regarding building regulatory matters.

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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 it relates to possible future litigation against Council or an employee of the Council.
Seconded Cr Kuhl CARRIED

2.

3. Moved Cr Reis that:

1. Having considered Building Regulatory Matters in confidence under section 90(2) and (3)(i) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that this item be retained in confidence until the matter is resolved or is made public in a court of law (pursuant to any orders of the court) 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 Little CARRIED

8.44pm – DJ Singe (Chief Executive Officer) and JA O’Hehir (Executive Assistant) re-joined the meeting.

Meeting closed at 8.44pm

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MAYOR

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