



DISTRICT COUNCIL OF GRANT

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

ON MONDAY 18 FEBRUARY 2019 AT 5.32 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

Council Officers

DJ Singe, Chief Executive Officer
LJ McEvoy, Director, Environmental Services
AA Schutz, Works Manager
KM Gilmore, Governance Officer

Other Attendees

Sandra Morello – The Border Watch

APOLOGIES FOR ABSENCE

Cr JA Reis

19016 - CONFIRMATION OF MINUTES

1. Moved Cr Little that the minutes of:
 - The Ordinary Meeting of Council held Monday 4 February 2019; and
 - The Special Meeting of Council held Monday 11 February 2019be taken as read and confirmed as a true and correct record of the proceedings of that meeting.
Seconded Cr Dukalskis CARRIED

19017 – QUESTIONS ON NOTICE

1. Request for Mount Gambier and District Saleyards Report – [9.73.1/2] Item 6.1
On 13 February 2019 Mayor Sage formally requested that the Chief Executive Officer prepare for the forthcoming Council Meeting a full written report on the thefts from the Mount Gambier and District Saleyards, the actions that were taken by the CEO and the staff; and what actions the CEO has taken in relation to the staff and this matter since.

CEO Comment: Work for this is underway and a full report will be brought back to the next Ordinary meeting of Council regarding the matter and addressing Mayor Sage's request.

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19018 – REPORTS FROM REPRESENTATIVES ON OTHER ORGANISATIONS AND COMMITTEES

Cr Kuhl	<ul style="list-style-type: none">• Meet and greet drinks with Australia Day Ambassador, Samela Harris• Australia Day Celebrations at Mil-Lel with the District Council of Grant community• Carpenter Rocks BBQ tea and township meeting• Meeting with David Creek, Peter Mitchell (Business Manager, Saleyards), Mayor Sage and David Singe (CEO) re security at the Saleyards• Meeting with the combined agents group regarding security at the Saleyards• Designated Informal Gathering – Environmental Services and Port MacDonnell Foreshore Tourist Park• Designated Informal Gathering - Sandyridge landfill
Cr Elliott	<ul style="list-style-type: none">• Mount Gambier District Tertiary Health Education 2019 Grant Launch• Meet and greet drinks with Australia Day Ambassador, Samela Harris• Australia Day Celebrations at Mil-Lel with the District Council of Grant community• Elected Members Mandatory training modules 1 & 2 – LGA• Designated Informal Gathering – Environmental Services and Port MacDonnell Foreshore Tourist Park• Designated Informal Gathering - Elected Members Tour of the District
Cr Dukalskis	<ul style="list-style-type: none">• Meet and greet drinks with Australia Day Ambassador, Samela Harris• Australia Day Celebrations at Mil-Lel with the DC of Grant community• Carpenter Rocks BBQ tea & township meeting• Elected Members Mandatory training modules 1 & 2 – LGA• Designated Informal Gathering – Environmental Services and Port MacDonnell Foreshore Tourist Park• Designated Informal Gathering re Sandyridge landfill• Designated Informal Gathering - Elected Members Tour of the District

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Cr Little	<ul style="list-style-type: none"> • Australia Day Celebrations at Mil-Lel with the District Council of Grant community • Carpenter Rocks BBQ tea and township meeting • Designated Informal Gathering – Environmental Services and Port MacDonnell Foreshore Tourist Park • Designated Informal Gathering - Sandyridge landfill • Designated Informal Gathering - Elected Members Tour of the District
Cr Boston	<ul style="list-style-type: none"> • Meet and greet drinks with Australia Day Ambassador, Samela Harris • Australia Day Celebrations at Mil-Lel with the District Council of Grant community • Natural Resources Management subregional e-session • Rural Business Services Business Readiness program • Elected Members Mandatory training modules 1 & 2 – LGA • Designated Informal Gathering – Environmental Services and Port MacDonnell Foreshore Tourist Park • Designated Informal Gathering - Sandyridge landfill • Designated Informal Gathering - Elected Members Tour of the District
Cr Mann	<ul style="list-style-type: none"> • Elected Members Leadership Training • Elected Members Mandatory training modules 1 & 2 – LGA • Designated Informal Gathering – Environmental Services and Port MacDonnell Foreshore Tourist Park • Designated Informal Gathering - Elected Members Tour of the District
Cr Clayfield	<ul style="list-style-type: none"> • Mount Gambier Regional Airport Security Committee Meeting • Meet and greet drinks with Australia Day Ambassador, Samela Harris • Australia Day Celebrations at Mil-Lel with the District Council of Grant community • Phone hook-up regarding Port MacDonnell Foreshore Tourist Park • Designated Informal Gathering – Environmental Services and Port MacDonnell Foreshore Tourist Park • Bay Escape Committee meeting

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	<ul style="list-style-type: none">• Designated Informal Gathering - Sandyridge landfill• Designated Informal Gathering - Elected Members Tour of the District• Meeting regarding Port MacDonnell Harbour• Meeting regarding Port MacDonnell Boatyard
Mayor Sage	<ul style="list-style-type: none">• Mount Gambier Regional Airport Security Committee Meeting• Mount Gambier and District Tertiary Health Education Grants Launch for 2019• Meeting with Member for Barker, Mr Tony Pasin, MP• Meet and greet drink with the Australia Day Ambassador, Samela Harris• Dinner with the Australia Day Ambassador, Samela Harris• Australia Day Celebrations at Mil-Lel with the District Council of Grant community• Tour of the District Council of Grant district with Australia Day Ambassador, Samela Harris• Farewell function for Superintendent Grant Moyle, SAPOL• SAROC Planning Workshop in Adelaide• Carpenter Rocks BBQ Tea and Township meeting• Phone hook-up regarding Port MacDonnell Foreshore Tourist Park• Meeting with SE Local Health Network Board Chair Grant King and Country Health SA staff• Triple MMM Radio Interview with Ewan Grant• Mount Gambier Health Advisory Monthly Committee Meeting• Visited the Mount Gambier Saleyards and had discussions with Stock Agents• Special Saleyards Meeting with Rep of the Stock Agents, Cr Kuhl & Staff• ABC Radio Interview• Migratory Shorebirds Workshop in Beachport• District Council of Grant Assessment Panel Meeting• Flinders University Rural Health 2019 Medicine, Nursing & Allied Health Rural Placement Function• Meeting with SE Local Health Network Board Chair Grant King & CEO Ngaire Buchanan• Dying to Live Screening and Q & A Session

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	<ul style="list-style-type: none">• Limestone Coast Local Government Association AGM at Kingston• Elected Members Mandatory Training Session, Modules 1 & 2• Meeting with local dairy farmer, Mr Richard Paltridge, Eight Mile Creek• Designated Informal Gathering – Environmental Services and Port MacDonnell Foreshore Tourist Park• Designated Informal Gathering – Sandyridge Landfill• Launch of 2019 Women in Business Dinner• Mount Gambier City Rock & Rollers Group Valentines Dance• Designated Informal Gathering - Elected Members Tour of the District• Panel Member for Interviews for the Limestone Coast LG Executive Officer position
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Moved Cr Clayfield that the reports from the Representatives on other organisations and committees be noted.

Seconded Cr Mann

CARRIED

REPORTS FROM OFFICERS AND COMMITTEES

19019 – CHIEF EXECUTIVE OFFICER

1. Mount Gambier and Districts Health Advisory Council Inc - [9.33.5/1] Item 13.1.1 Council provided with recent correspondence relating to Resolution from 17 December 2018 regarding the Mount Gambier and Districts Health Advisory Council Inc.

Moved Cr Elliott that Council:

1. Note the correspondence from the Mount Gambier and Districts Health Advisory Council Inc.
2. Write to Mount Gambier and Districts Health Advisory Council Inc. informing them that the letter of 11 December 2018 formed part of the Council agenda of 17 December 2018 and therefore cannot be removed from the agenda as it is now in the public arena.

Seconded Cr Kuhl

CARRIED

2. Mount Gambier and District Saleyards - [16.36.1/4] Item 13.1.2 Council was provided with an update regarding the Mount Gambier and District Saleyards security system; and also considered the variation of the 2018-2019 budget to obtain the security system prior to 30 June 2019.

Moved Cr Dukalskis that Council:

1. Receive the Mount Gambier and District Saleyards security upgrade report.
2. Authorise staff to select the preferred supplier for the upgrade of the security system.

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3. Approve the variation of the 2018-2019 budget required of \$14,000 in capital expenditure for the security camera upgrade. This will be incorporated into the third quarter budget review as at 31 March 2019.

4. Investigate the possibility of mobile phone access being included within the new security system.

Seconded Cr Kuhl

CARRIED

3. Economic Development Update Report - [9.87.1/2] Item 13.1.3

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

Moved Cr Elliott that the Economic Development Update Report for February 2019 be received and noted.

Seconded Cr Dukalskis

CARRIED

4. Mount Gambier Regional Airport Strategy Committee - [16.14.1/1] Item 13.1.4

Council considered members for the Mount Gambier Regional Airport Strategy Committee.

Moved Cr Mann that Council suspend this item of business until a future Council meeting.

Seconded Cr Clayfield

CARRIED

5. Information Session – Overview of LGA Mutual Funds & Work Health Safety Legislation – [9.85.1/1] Item 13.1.5

Council considered holding an information session for Elected Members which will provide overview of LGA Mutual Funds and Work Health Safety Legislation.

Moved Cr Clayfield that Council approve the presentation of an information session to Elected Members which will provide:

1. Oversight of the Local Government Association Mutual Funds:

- LGA Mutual Liability Scheme (LGAMLS)
- LGA Asset Mutual Fund (LGAMF)
- LGA Workers Compensation Scheme (LGAWCS)

2. Exploration of the Work Health and Safety Act and Regulations and its application to Elected Members.

Seconded Cr Dukalskis

CARRIED

6. Chief Executive Officer's General Business Update Report – [9.24.1/9] Item 13.1.6

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

Moved Cr Clayfield that:

1. The Chief Executive Officer's General Business Update be noted.

2. Council note the importance of the Code of Conduct.

Seconded Cr Little

CARRIED

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19020 – DEPUTY CHIEF EXECUTIVE OFFICER

1. Bronze Fisherman – Wording and Location of Plaque - [7.41.1/50 & 3.85.1/8] Item 13.2.1
Council considered wording for a plaque to accompany the bronze statue at The Waterfront Port MacDonnell.
Moved Cr Clayfield that Council:
 1. Endorse the following wording for the plaque to accompany the bronze statue at the Waterfront Port MacDonnell:

“This bespoke bronze statue depicts a 1950’s fisherman, following a Southern Rock Lobster catch with typical fishing gear of that era. Steeped in history through generations of local families, the Port MacDonnell lobster industry is an international producer of premium fine dining seafood.”
 2. Select the front face of the wooden pillar as the preference for the installation of the plaque.
Seconded Cr Boston CARRIED
2. Australia Day Event 2019 - [2.38.1/1] Item 13.2.2
Council was provided with an update regarding the 2019 Australia Day event.
Moved Cr Clayfield that the report regarding the Australia Day 2019 event be noted and Council acknowledge the work of the staff, especially Linda Hay.
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 Dukalskis that the Financial Report for January 2019 be received.
Seconded Cr Bain CARRIED

19021 – WORKS

1. Nomination of Council Representatives – Joint Boundary Road Advisory Group - [10.85.1/71] Item 13.3.1
Council considered representation on Council’s Joint Boundary Road Advisory Group.
Moved Cr Elliott that Council nominate Cr Elliott onto the Joint Boundary Road Advisory Group.
Seconded Cr Kuhl CARRIED
2. Supply and Disposal of two (2) 5m Tip Trucks – [7.81.4/62] Item 13.3.2
Council considered tender information for the changeover of two Tip Trucks in order to determine the most suitable tender.
Moved Cr Bain that Council:
 1. Accept the tender submitted by Barry Maney Group for the supply of one Hino FE 1426 Auto and one JG Schultz body and associated trade in (Reg: SB72CG) at a total changeover cost of \$73,165.09 (GST Exclusive).

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2. Accept the tender submitted by ISUZU Mount Gambier for the supply of one ISUZU FSR 140-260 and JG Schulz body and associated trade in (Reg: SB71CG) at a total changeover cost of \$75,345.46 (GST Exclusive).
3. Adjust the Plant Replacement Program at the next budget review.
Seconded Cr Dukalskis CARRIED
3. 2019 Strategic Bicycle Plan Review – [16.16.2/2] Item 13.3.3
Council was provided with the “2019 Strategic Bicycle Plan Review”.
Moved Cr Little that Council approach Department of Planning, Transport and Infrastructure to discuss potential construction of bicycle/shared path along the rail corridor, extending from the City of Mount Gambier boundary to Cafpirco Road to the west, and the Racecourse to the east.
Seconded Cr Bain CARRIED
4. Proposed Road Closing – Sabine Street, Carpenter Rocks – [14.3.2/7] Item 13.3.4
Council considered authorising the Works Manager to commence formal road closing process on Sabine Street, Carpenter Rocks for MC & JA Von Stanke.
Moved Cr Kuhl that Council:
 1. Seek formal agreement with MC & JA Von Stanke for the transfer of the portion of land resulting from the road closing of Sabine Street at Carpenter Rocks at a sale price of \$25,000, including that the landowners be responsible for all costs associated with the road closing and subsequent transfer of land.
 2. Commence the Roads Opening and Closing process for portion of Sabine Street at Carpenter Rocks, with the Mayor and Chief Executive Officer being authorised to execute all documentation required for the closing and transfer.
 3. Direct that the proceeds from sale of the land be held in a reserve fund to be used for future upgrade of infrastructure within the District Council of Grant.Seconded Cr Bain CARRIED
5. Works Managers Monthly Update – [9.24.1/9] Item 13.3.5
Council was provided with a monthly update on projects, issues, information and events within the Works Manager’s area of responsibility.
Moved Cr Clayfield that the Works Manager’s monthly update be noted.
Seconded Cr Boston CARRIED

19022 – 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 Clayfield that the Director of Environmental Services Monthly Update Report for February 2019 be received and noted.
Seconded Cr Bain CARRIED

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19023 – QUESTIONS WITHOUT NOTICE

1. Council Tour of the District on Sunday 17 February 2019 – [2.42.2/1]
Moved Cr Elliott that Council thank the staff involved in organising and hosting the Council tour of the District on Sunday 17 February 2019.
Seconded Cr Dukalskis CARRIED

2. Code of Conduct Training – [9.85.1/1]
Moved Cr Elliott that Cr Elliott work with Council’s Manager of Organisational Development to scope the nature of the Code of Conduct training for all elected members and that Council’s senior management team be invited to participate.
Seconded Cr Clayfield CARRIED

3. Christmas Decorations in District Council of Grant Townships – [18.87.1/1]
Moved Cr Clayfield that Council staff bring a report back to a future Council meeting regarding options for taking over the responsibility of the installation and removal of the Christmas decorations in District Council of Grant townships.
Seconded Cr Mann CARRIED

4. Budget Variance – Proposal from IFISH Productions Pty Ltd – [4.85.1/2]
Moved Cr Clayfield that Council consider at the next budget workshop the proposal received from IFISH Productions Pty Ltd to produce their program in Port MacDonnell with financial support from Council.
Seconded Cr Little CARRIED

7.04pm – Sandra Morello, the Border Watch, vacated the meeting.

19024 – CONFIDENTIAL ITEMS

1. Sale of Land for Non-Payment of Council Rates and Charges – [7.69.8/1 & A4885] Item 16.2.1
 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), LJ McEvoy (Director of Environmental Services), ME Tucker (Manager Organisational Development), IJ Fritsch (Airport Manager), GP Button (Team Leader – Finance & Customer Service), SJ McIntosh (Asset Management Coordinator), JK Miller (Community Development Officer) and KM Gilmore (Governance Officer) be excluded from attendance at the meeting for Agenda Item 16.2.1 - Sale of Land for non-payment of Council Rates and Charges.
 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 is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), because financial information of that person will be discussed.

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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 the information is regarding the financial and personal affairs of a ratepayer.

Seconded Cr Bain

CARRIED

2.

3. Moved Cr Little that:

1. Having considered Agenda Item 16.2.1 – Sale of land for non-payment of Council rates and charges 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 all documents and/or minutes relevant to Agenda Item – Sale of Land for non-payment of Council

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Rates and charges be retained in confidence until such time as the property is sold 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

2. Mount Gambier Regional Airport Redevelopment – [7.81.4/64] 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), ME Tucker (Manager Organisational Development), IJ Fritsch (Airport Manager), GP Button (Team Leader – Finance & Customer Service), S McIntosh (Asset Management Coordinator), J Miller (Community Development Officer) and KM Gilmore (Governance Officer) be excluded from attendance at the meeting for Agenda Item 16.1.1 – Mount Gambier Airport Redevelopment – Runway Extension and Apron Construction Tender.
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.
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 such disclosure to the public may compromise tender negotiation processes and outcomes.

Seconded Cr Clayfield

CARRIED

2.

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- 3. Moved Cr Elliott that:
 - 1. Having considered Agenda Item 16.1.1 – Mount Gambier Regional Airport Redevelopment – Runway Extension and Apron Construction Tender 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 16.1.1 be retained in confidence until a tender is awarded and formally notified.
 - 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 Boston

CARRIED

Meeting closed at 7.32pm

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MAYOR

/ /2019