



**DISTRICT COUNCIL OF GRANT**

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

**ON MONDAY 15 APRIL 2019 AT 5.30PM**

**ATTENDANCE**

**Elected Members**

Mayor Richard Sage  
Cr BJ Bain  
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  
MP Ryan, Economic Development Advisor  
KM Gilmore, Governance Officer  
JA O'Hehir, Executive Assistant

**Other Attendees**

Mr Frank Mittiga & Mr Andrew Aldersey - South East Classic & Unique Car Club Inc  
Sandra Morello- The Border Watch

**APOLOGIES FOR ABSENCE**

Cr KA Boston

**19051 - CONFIRMATION OF MINUTES**

1. Moved Cr Clayfield that the minutes of the Ordinary Meeting of Council held Monday 1 April 2019 be taken as read and confirmed as a true and correct record of the proceedings of that meeting.  
Seconded Cr Mann CARRIED

**PRESENTATIONS/DEPUTATIONS**

1. South East Classic and Unique Car Club Inc – [17.64.3/4]  
Mr Frank Mittiga, President, and Mr Andrew Aldersey, Event Coordinator, of the South East Classic and Unique Car Club Inc present a donation to Council's Youth on Wheels program.  
  
Moved Cr Elliott that Council thank Mr Frank Mittiga, President, and Mr Andrew Aldersey, Member, of the South East Classic and Unique Car Club Inc for their donation to Council's Youth on Wheels program.  
Seconded Cr Reis CARRIED

5.34pm Mr Frank Mittiga and Mr Andrew Aldersey vacated the meeting.

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**19052 – REPORTS FROM REPRESENTATIVES ON OTHER ORGANISATIONS AND COMMITTEES**

Cr Kuhl	<ul style="list-style-type: none"><li>• District Council of Grant Audit Committee</li><li>• Meeting with Chief Executive Officer</li><li>• Information Session – Overview of LGA Mutual Funds and WHS Legislation</li><li>• Mandatory Records Training for Elected Members</li><li>• Cultural Review meeting</li><li>• Designated Informal Gathering - Budget Workshop #2</li><li>• Designated Informal Gathering – Cultural Review</li></ul>
Cr Elliott	<ul style="list-style-type: none"><li>• Information Session – Overview of LGA Mutual Funds and WHS Legislation</li><li>• Mandatory Records Training for Elected Members</li><li>• Cultural Review meeting</li><li>• Tour of Allendale East Area School and meeting with Principal</li><li>• Designated Informal Gathering – Cultural Review</li></ul>
Cr Dukalskis	<ul style="list-style-type: none"><li>• City of Mount Gambier – Junior Sports Assistance Fund meeting</li><li>• District Council of Grant Audit Committee</li><li>• Information Session – Overview of LGA Mutual Funds and WHS Legislation</li><li>• Mandatory Records Training for Elected Members</li><li>• Designated Informal Gathering - Budget Workshop #2</li></ul>
Cr Little	<ul style="list-style-type: none"><li>• Information Session – Overview of LGA Mutual Funds and WHS Legislation</li><li>• Mandatory Records Training for Elected Members</li><li>• Designated Informal Gathering - Budget Workshop #2</li><li>• Designated Informal Gathering – Cultural Review</li><li>• Skate Park painting for Youth Week</li></ul>
Cr Reis	<ul style="list-style-type: none"><li>• Group Training Employment meeting</li></ul>

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	<ul style="list-style-type: none"> <li>• Information Session – Overview of LGA Mutual Funds and WHS Legislation</li> <li>• Group Training Employment interviews for General Manager</li> <li>• Mandatory Records Training for Elected Members</li> <li>• Designated Informal Gathering - Budget Workshop #2</li> <li>• Group Training Employment Board meeting</li> <li>• Group Training Employment morning tea – appointment of new General Manager</li> </ul>
Cr Mann	<ul style="list-style-type: none"> <li>• Information Session – Overview of LGA Mutual Funds and WHS Legislation</li> <li>• Mandatory Records Training for Elected Members</li> <li>• Designated Informal Gathering - Budget Workshop #2</li> </ul>
Cr Clayfield	<ul style="list-style-type: none"> <li>• Bay Escape meeting</li> <li>• Cultural Review meeting</li> <li>• Designated Informal Gathering - Budget Workshop #2</li> <li>• Designated Informal Gathering – Cultural Review</li> </ul>
Mayor Sage	<ul style="list-style-type: none"> <li>• Suttontown Primary School 150<sup>th</sup> Celebrations</li> <li>• Meeting with Alicia Sutherland, Tania Tilley, Berny Radley &amp; Leith McEvoy, Director for Environmental Services</li> <li>• Mount Gambier Basketball League A Grade Women’s &amp; Men’s Grand Finals</li> <li>• District Council of Grant Audit Committee Meeting</li> <li>• Soroptimist International Mount Gambier Annual Change Over Dinner at Mac’s Hotel</li> <li>• Meeting with Gavan Cooper &amp; David Singe – Mediation</li> <li>• Foodbank Announcement of Federal funding with Tony Pasin, Federal MP &amp; other Sponsors</li> <li>• Information Session – Overview of LGA Mutual Funds and WHS Legislation</li> <li>• Kingsley CFS Group Meeting at Port MacDonnell</li> <li>• Mount Gambier District Small Schools’ Annual Sports Day March with Member for Mount</li> </ul>

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	<p>Gambier, Mr Troy Bell, MP, through the Main Street &amp; Opening of the Event at Blue Lake Sports Park</p> <ul style="list-style-type: none"><li>• Meeting with Mayor Erica Vickery on SAROC Issues</li><li>• Mandatory Records Training for Elected Members</li><li>• Meeting with Council's Works Manager at Donovans to inspect new jetty sites</li><li>• Bowls Association of SA 50<sup>th</sup> Anniversary Dinner at RSL Bowls Club</li><li>• Designated Informal Gathering - Budget Workshop #2</li><li>• Scott Group of Companies Mount Gambier Gold Cup Launch at the Gambier Hotel</li><li>• Roundtable discussion regarding the proposed Regional Timber Strategy for Stakeholders and Industry Representatives at Wattle Range Council Office</li><li>• Meeting with the Hon Tim Whetstone, Minister Primary Industries/Forestry and Regional Development at his request regarding advice on some of the issues affecting Council area</li><li>• Designated Informal Gathering – Cultural Review</li><li>• Council Best Practice Showcase &amp; LGA Ordinary General Meeting in Adelaide</li><li>• Allendale East Hall Committee Music Afternoon Fundraiser</li></ul>
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5.38pm Cr Bain joined the meeting.

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

Seconded Cr Clayfield

CARRIED

**DISCLOSURE OF INTERESTS**

Mayor Richard Sage declared an actual conflict of interest in relation to Item 16.3.1.

**REPORTS FROM OFFICERS AND COMMITTEES**

**19053 – CHIEF EXECUTIVE OFFICER**

1. Local Government Reform - [10.3.2/7] Item 13.1.1  
Council considered information regarding local government reform.  
  
Moved Cr Clayfield that Council supports the detailed reform proposals presented by the Local Government Association of South Australia, however, Elected Members are to provide specific comments to the Chief Executive Officer by close of business Tuesday 16 April 2019. The Chief Executive Officer is to provide collated comments to the Elected Members prior to the submission being finalised and provided to the Local Government Association deadline of 26 April 2019.  
Seconded Cr Mann CARRIED
  
2. Economic Development Update Report - [9.24.1/9] Item 13.1.2  
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 April 2019 be received and noted.  
Seconded Cr Dukalskis CARRIED
  
3. Chief Executive Officer's General Update Report - [9.24.1/9] Item 13.1.3  
Council was provided with a general update of Council business and activities.  
  
Moved Cr Bain that:
  1. The Chief Executive Officer's General Business Update be noted.
  2. Council approve four days annual leave for David Singe, Chief Executive Officer, from Tuesday 4 June 2019 to Friday 7 June 2019 (inclusive).Seconded Cr Mann CARRIED

**19054 – DEPUTY CHIEF EXECUTIVE OFFICER**

1. Monthly Financial Report - [7.11.1/2] Item 13.2.1  
Council was provided with an overview of Council's monthly financial position.  
  
Moved Cr Reis that the Financial Report for March 2019 be received.  
Seconded Cr Dukalskis CARRIED
  
2. Deputy Chief Executive Officer's Monthly Update - [9.24.1/9] Item 13.2.2  
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 Kuhl that the Deputy Chief Executive Officer's Monthly Update report be noted.  
Seconded Cr Clayfield CARRIED

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### 19055 – WORKS

1. Coastal Protection Grant – Funding Application - [7.41.5/19] Item 13.3.1  
Council considered a proposed funding application to the Department for Environment and Water Coastal Protection Grant Program for Carpenter Rocks (Bucks Bay Foreshore Area).

Moved Cr Bain that Council support an application to the Department for Environment and Water Coastal Protection Grant Program to the value of \$60,000 for an extension of a seawall at Carpenter Rocks (western side of the carpark area).

Seconded Cr Dukalskis

CARRIED

2. Temporary Road Closure – Bayside Drift Matsuri – [14.71.2/19] Item 13.3.2  
Council considered the third “Bayside Drift Matsuri” event in 2019 South East Motorsport Alliance Incorporated proposal to host a two day event on the 5 and 6 October 2019.

Moved Cr Reis that:

1. Council approves South East Motorsport Alliance to host the two day “Bayside Drift Matsuri”.
2. Pursuant to Section 33(1) of the Road Traffic Act 1961, declares the event being the Bayside Drift Matsuri, to be held on 5 and 6 October 2019, between the hours of 7.00am and 7.00pm.
3. Council advise South East Motorsport Alliance are to engage a certified traffic control company to arrange closure of a portion of Surfers Way and Finger Point Road, Port MacDonnell, for and on behalf of Council, for the purpose of staging the Bayside Drift Matsuri.

Roads: Surfers Way and Finger Point Road, Port MacDonnell.

Event: Bayside Drift Matsuri – Port MacDonnell

Date: Saturday 5 and Sunday 6 October 2019 between the hours of 7.00am and 7.00pm.

Seconded Cr Bain

CARRIED

3. Proposed Road Closing and Sale of Community Land – Whittington Square, Tarpeena – [14.3.2/7] Item 13.3.3

Council was provided feedback received following a public consultation process undertaken in relation to an expression of interest which was received to purchase road reserve and community land on Whittington Square in Tarpeena.

Moved Cr Little that Council advise:

1. Mr Jamie Battye (as the property owner of 1 Whittington Square, Tarpeena) that his proposal to purchase the community land at Lot 36 Whittington Square, Tarpeena and for the closure and sale of the adjacent road reserve, is not supported.
2. The Tarpeena Progress Association that they are welcome to submit any suggestions to enhance the community land parcel for future consideration by Council and that they be further advised of Gwenyth and Ashley Hartwig’s offer to donate two sets of seats and tables.

Seconded Cr Elliott

CARRIED

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4. Works Manager Monthly Update – [9.24.1/9] Item 13.3.4  
Council was provided with a monthly update on projects, issues, information and events within the Works Manager's area of responsibility.
- Moved Cr Little that the Works Manager's monthly update be noted.  
Seconded Cr Reis CARRIED

### **19056 – DIRECTOR OF ENVIRONMENTAL SERVICES**

1. Donovans CWMS – Recycled Water Irrigation Tender - [7.81.2/9] Item 13.4.1  
Council considered awarding a contract for the supply and installation of a recycled water irrigation systems for the Dovovans Community Wastewater Management System (CWMS).
- Moved Cr Kuhl that:
1. The report be received and noted;
  2. Council enter into a contract with Watercorp Irrigation Pty Ltd (trading as Watersolve Irrigation) for the supply and installation of a recycled water irrigation system for the Dovovans CWMS, including site preparation as required, for an amount of \$83,132.00 (excluding GST).
- Seconded Cr Clayfield CARRIED
2. Dog Registration Fees for 2019-2020 – [1.71.3/1] Item 13.4.2  
Council considered dog registration fees for the 2019-2020 financial year.
- Moved Cr Little that Council:
1. Council receive and note the Report regarding Council's Dog Registration Fees for 2018-2019.
  2. Council increase the Dog Registration Fee by \$2.50 in the 2019-2020 financial year, thereby increasing the Non-Standard Dog Fee to \$70.00, and the Standard Dog Fee to \$35.00, with the fees for all other categories being set up accordingly.
- Seconded Cr Dukalskis CARRIED
3. Director of Environmental Services Monthly Update Report – [9.24.1/9] Item 13.4.3  
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 April 2019 be received and noted.  
Seconded Cr Dukalskis CARRIED

6.48pm Sandra Morello (The Border Watch) vacated the meeting.

**19057 – CONFIDENTIAL ITEMS**

1. Mount Gambier and Districts Saleyards – Licence Application – [16.51.2/14] Item 16.1.1

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 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 - Mount Gambier and Districts Saleyards – Licence Application.
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.

Seconded Cr Kuhl

CARRIED

2.

3. Moved Cr Little that:

1. That having considered Agenda Item 16.1.1 - Mount Gambier and Districts Saleyards – Licence Application 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 report and minutes relevant to Agenda Item 16.1.1 - Mount Gambier and Districts Saleyards – Licence Application be retained in confidence until the matter is resolved.



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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 Dukalskis

CARRIED

### 2. Internal Operations – [7.11.1/2] Item 16.2.1

#### 1. Moved Cr Elliott that:

1. Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public be excluded, except DJ Singe (Chief Executive Officer), JF Fetherstonhaugh (Deputy Chief Executive Officer), LJ McEvoy (Director of Environmental Services), KM Gilmore (Governance Officer) and JA O'Hehir (Executive Assistant), from attendance at the meeting for the discussion regarding Agenda Item 16.2.1 - Internal Operations.
2. The Council is satisfied that, pursuant to section 90(3)(e) of the Act, the information to be received, discussed or considered in relation to internal operations is related to matters affecting the security of employees of 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 of the discussion of internal operations.

Seconded Cr Clayfield

CARRIED

#### 2. Moved Cr Elliott that Council receive and note the report.

Seconded Cr Kuhl

CARRIED

### 3. Correspondence from the Independent Commissioner Against Corruption – [9.33.3/23 & 9.33.3/11] Item 16.3.1

Mayor Richard Sage declared an actual conflict of interest in relation to Item 16.3.1 – Correspondence from the Independent Commissioner Against Corruption. Mayor Sage has advised that he will not take part in discussion.

7.02pm Mayor Sage vacated the meeting and Cr Clayfield took the Chair.

#### 1. Moved Cr Reis 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 of Environmental Services), KM Gilmore (Governance Officer) and JA O'Hehir (Executive Assistant), be excluded from attendance at the meeting for Agenda Item 16.3.1 – Correspondence from the Independent Commissioner Against Corruption.
2. The Council is satisfied that, pursuant to section 90(3)(j) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would divulge information provided on a confidential basis by or to the Independent Commissioner Against Corruption.

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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 material is subject to the confidentiality provisions of section 54(3) of the of the ICAC Act.

Seconded Cr Dukalskis

CARRIED

2.

3. Moved Cr Reis:

1. That having considered Agenda Item 16.3.1 – Correspondence from the Independent Commissioner Against Corruption in confidence under section 90(2) and (3)(j) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that the report with attachments and minutes relevant to Agenda Item 16.3.1 - Correspondence from the Independent Commissioner Against Corruption be retained in confidence until the matter has been resolved and permission has been granted from the Independent Commissioner Against Corruption to publicly disclose information relevant to Agenda Item 16.3.1 – Correspondence from the Independent Commissioner Against Corruption 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 Dukalskis

CARRIED

7.17pm Cr Clayfield vacated the Chair.

7.18pm Mayor Sage re-joined the meeting.

Meeting closed at 7.19pm

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MAYOR

/ /2019