



**DISTRICT COUNCIL OF GRANT**

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

**ON MONDAY 20 MAY 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**

JF Fetherstonhaugh, Acting Chief Executive Officer  
LJ McEvoy, Director of Environmental Services  
AA Schutz, Works Manager  
MP Ryan, Economic Development Adviser  
AM Price, Team Leader, Environmental Health & Compliance  
JK Miller, Community Development Coordinator  
GP Button, Team Leader – Finance & Customer Service  
JA O’Hehir, Executive Assistant

**Other Attendees**

Sandra Morello      The Border Watch  
Biddie Shearing      Interim Executive Officer, Limestone Coast Local Government  
Association

**19064 - CONFIRMATION OF MINUTES**

1. Moved Cr Little that the minutes of the Ordinary Meeting of Council held Monday 6 May 2019 be taken as read and confirmed as a true and correct record of the proceedings of that meeting.  
Seconded Cr Boston CARRIED

**19065 – PRESENTATIONS / DEPUTATIONS**

1. Limestone Coast Local Government Association - [10.14.2/12]  
Ms Biddie Shearing, Interim Executive Officer of the Limestone Coast Local Government Association (LCLGA) presented to Council regarding the LCLGA 2019-2020 Business Plan, Draft Budget, Regional Joint Planning Board and LCLGA/Programs  
  1. Moved Cr Reis that Council thank Ms Biddie Shearing, Interim Executive Officer of the Limestone Coast Local Government Association (LCLGA) for presenting to Council regarding the LCLGA 2019-2020 Business Plan, Draft Budget and LCLGA/Programs.  
Seconded Cr Elliott CARRIED

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2. Moved Cr Kuhl that Council thank Ms Biddie Shearing, Interim Executive Officer of the Limestone Coast Local Government Association for presenting to Council regarding the Regional Joint Planning Board.  
Seconded Cr Reis CARRIED

5.56pm Ms Biddie Shearing (LCLGA) vacated the meeting.

5.56pm Cr Bain joined the meeting.

### 19066 – REPORTS FROM REPRESENTATIVES ON OTHER ORGANISATIONS AND COMMITTEES

Cr Kuhl	<ul style="list-style-type: none"><li>• Mount Gambier Regional Airport Upgrade Working Group</li><li>• CEO discussion</li><li>• Designated Informal Gathering of Council – Budget #3</li><li>• Audit Committee training</li><li>• Meeting with the Department of Environment &amp; Water Staff and Glenelg River Shack Owners regarding Shacks and the way forward for long term leases</li><li>• Mount Gambier &amp; District Saleyards Strategy Committee discussion</li></ul>
Cr Elliott	<ul style="list-style-type: none"><li>• Meeting with CEO</li><li>• Briefing with staff regarding CEO</li><li>• Designated Informal Gathering of Council – Budget #3</li><li>• Australian Citizenship Ceremony City of Mount Gambier</li><li>• Meeting with the Department of Environment &amp; Water Staff and Glenelg River Shack Owners regarding Shacks and the way forward for long term leases</li></ul>
Cr Dukalskis	<ul style="list-style-type: none"><li>• Designated Informal Gathering of Council – Budget #3</li><li>• Audit Committee training</li><li>• Generations in Jazz</li><li>• Health Research Event - UniSA</li></ul>
Cr Little	<ul style="list-style-type: none"><li>• ANZAC Accolade Event – Salvation Army</li><li>• ANZAC Day service at Mount Gambier</li><li>• Designated Informal Gathering of Council – Budget #3</li></ul>
Cr Reis	<ul style="list-style-type: none"><li>• Meeting with the Department of Environment &amp; Water Staff regarding Glenelg River Shacks along with DC Grant staff</li><li>• Youth Opportunities meeting</li></ul>
Cr Boston	<ul style="list-style-type: none"><li>• Designated Informal Gathering of Council – Budget #3</li><li>• Generations in Jazz</li><li>• Mount Gambier &amp; District Saleyards Strategy Committee discussion</li></ul>

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Cr Bain	<ul style="list-style-type: none"> <li>• Audit Committee training</li> <li>• Meeting with the Department of Environment &amp; Water Staff regarding Glenelg River Shacks along with DC Grant staff</li> </ul>
Cr Mann	<ul style="list-style-type: none"> <li>• Mount Gambier Regional Airport Upgrade Working Group</li> <li>• Designated Informal Gathering of Council – Budget #3</li> </ul>
Cr Clayfield	<ul style="list-style-type: none"> <li>• Meeting with CEO</li> <li>• Briefing with staff regarding CEO</li> <li>• ANZAC Day Dawn Service – Port MacDonnell</li> <li>• Designated Informal Gathering of Council – Budget #3</li> <li>• District Council of Grant Academic Scholarship presentation – Mount Gambier High School – Recipient for the Scholarship was Jordan Hutchins</li> </ul>
Mayor Sage	<ul style="list-style-type: none"> <li>• Special Council Meeting re Cultural Review</li> <li>• ANZAC Accolade Event – Salvation Army</li> <li>• Anzac Day Parade at the Shepherdson Road Drill Hall for the Army &amp; Navy Cadets</li> <li>• ANZAC Day Dawn Service and Breakfast at Port MacDonnell (Council provided a donation of \$500 towards breakfast)</li> <li>• Represented District Council of Grant at Anzac Day March &amp; Service and Wreath laying in Mount Gambier</li> <li>• Sod Turning Ceremony for the Mount Gambier Recreation and Sports Hub at Olympic Park</li> <li>• Designated Informal Gathering of Council – Budget #3</li> <li>• Local Government Association - Waste Essentials Workshop in Adelaide</li> <li>• Local Government Association - Boundary Reform Forum in Adelaide</li> <li>• Rotary Club of Mount Gambier West, 50 Year Celebratory Dinner</li> <li>• Meeting with Terry Visser, Senior Project Advisor, Equinor Australia</li> <li>• Attended a Meeting with the Department of Environment &amp; Water Staff regarding Glenelg River Shacks along with DC Grant staff</li> <li>• Attended a Meeting with the Department of Environment &amp; Water Staff and Glenelg River Shack Owners regarding Shacks and the way forward for long term leases</li> <li>• Generations in Jazz VIP &amp; Sponsors Luncheon</li> <li>• Generations in Jazz VIP &amp; Sponsors Gala Dinner</li> </ul>

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- Attended the Generations in Jazz Gala Concert
- Limestone Coast Football Assoc Steel-line Cup Grand Finals
- Meeting with Adam Box, Limestone Coast Education Director & Adrian Ferguson, Chairperson Moorak School Council regarding proposed Moorak pre-school building
- Youth Opportunities Community Development Board Meeting
- Dinner Meeting with Andrea Bartetzko, Manager Community Engagement NRM MtG and Andrew Freebairn, Manager Sustainable Landscapes DEW, re Commercial Kangaroo Management Plan
- Met with Member for Barker, Mr Tony Pasin MP & Hon Stephan Knoll, Minister for Transport & Infrastructure & Local Government for Airport Funding announcement & photo shoot
- 100 Mile Classic & State Kermesse Championship – promotional photo session
- District Council of Grant Academic Scholarship presentation – St Martins Lutheran College – Recipient for the Scholarship was Cayla Willsmore
- Scott's Group of Companies Mount Gambier Gold Cup Racing Carnival & official opening of the new Turf racetrack.
- Mount Gambier & District Saleyards Strategy Committee discussion
- Attended the Gala Dinner for Channel Seven News Young Achiever Awards in Adelaide for Alecia Sheedy for her work with the St John Cadets. (Nominated for the Regional Service Award and was in the top 3 finalists)
- 100 Mile Classic Winners Presentation ceremony
- Casterton Cup – invitation from the Glenelg Shire Council
- Mount Gambier Health Advisory Committee Change of Constitution Meeting

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

Seconded Cr Reis

CARRIED

**DISCLOSURE OF INTERESTS**

- Mayor Richard Sage declared a perceived conflict of interest in relation to Item 16.1.1.
- Acting Chief Executive Officer, Jane Fetherstonhaugh, declared an actual conflict of interest in relation to Item 16.3.1 and that she would vacate the Chamber for this item.

**REPORTS FROM OFFICERS AND COMMITTEES**

**19067 – ACTING CHIEF EXECUTIVE OFFICER**

1. Limestone Coast Local Government Association – 2019-2020 Business Plan and Draft Budget - [10.14.2/12] Item 13.1.1  
Council considered the Limestone Coast Local Government Association Annual Business Plan and Budget for 2019-2020.

Moved Cr Bain that Council endorse the Limestone Coast Local Government Association 2019-2020 Annual Business Plan and Budget as presented subject to confirmation of the project partnership funding contributions from other parties.  
Seconded Cr Reis CARRIED

2. Limestone Coast Local Government Association – Regional Joint Planning Board Business Case and Budget - [10.14.2/12] Item 13.1.2  
Council considered the proposed Limestone Coast Local Government Association Regional Joint Planning Board Business Case and Budget.

Moved Cr Bain that:

1. Council receive and note the Report, and the attached Regional Joint Planning Board Business Case and Budget.
2. Council acknowledge and thank the Limestone Coast Local Government Association for its presentation/deputation at the Council Meeting.
3. The Limestone Coast Local Government Association be thanked for consulting Council and giving it the opportunity to consider the Regional Joint Planning Board Business Case and Budget, and allowing Council to provide the following comments:
  - a. Overall the proposal for a Regional Planning Board and a Regional Assessment Panel is generally seen as being a positive and exciting opportunity for the Region.
  - b. There are however some general issues which need to be further consider in relation to the Business Case and Budget and the proposed three (3) 'planning' functions, which have been raised by Council – being those 'dot' points contained in the Report to Council.
  - c. Clarification on some of these further issues should be provided to Council prior to any final decisions being made on the proposal.
4. Elected Members provide any further comments to the Director of Environmental Services, which can then be forwarded to the Limestone Coast Local Government Association by 31 May 2019, if required.

Seconded Cr Reis

CARRIED

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3. Appointments to Limestone Coast Local Government Association Working Parties & Outside Organisations - [10.14.2/12] Item 13.1.3

Council considered nominations to the Limestone Coast Local Government Association working parties and outside organisations.

Moved Cr Clayfield that Council confirm in writing to the Limestone Coast Local Government Association by Monday 3 June 2019 the following nominations:

- Jayne Miller, Community Development Coordinator, to be nominated to the Limestone Coast Leadership Program Committee.
- Cr Reis to be nominated to Group Training Employment.

Seconded Cr Elliott

CARRIED

4. BeefLedger - [4.3.2/9] Item 13.1.4

Council was provided with a proposal for Council to become a joint signatory in a Memorandum of Understanding with BeefLedger.

Moved Cr Little that Council:

1. Receive and note this report.
2. Agree to be a joint signatory in the Memorandum of Understanding, as defined in the attached document, for the purposes of being involved in the BeefLedger project in the District Council of Grant area

Seconded Cr Boston

CARRIED

5. South East Animal Welfare League - [1.85.1/4] Item 13.1.5

Council further considered the current Tri-Partied Funding Arrangement for the South East Animal Welfare League (SEAWL) which expires on 30 June 2019, and possible future funding options for the SEAWL.

Moved Cr Clayfield that:

1. Council receive and note the Report and that the matter is lifted off the table.
2. Council endorse the following future funding option for the South East Animal Welfare League (SEAWL):
  - A further three (3) year Tri-Partied Arrangement for the SEAWL, or enter into a separate agreement between the SEAWL and each Council;
  - The District Council of Grant provide a donation of \$15,000 per annum;
  - An annual CPI Indexation adjustment shall apply each financial year; and
  - Any other matters as may be required, and agreed to by the parties.
3. The South East Animal Welfare League and the City of Mount Gambier be advised of Resolution 2 above.
4. The Chief Executive Officer and/or the Director of Environmental Services be delegated the authority to take any other actions considered necessary in relation to this matter.

Seconded Cr Elliott

CARRIED

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6. 2019-20 Budget and Annual Business Plan - [7.11.1/1] Item 13.1.6  
Council reviewed the Draft Annual Business Plan 2019-2020 that will be used for community consultation.
- Moved Cr Clayfield that the:
1. Draft 2019-20 Annual Business Plan be endorsed for Community Consultation.
  2. Rating Policy (FINPOL 19) be amended as presented.
- Seconded Cr Kuhl CARRIED
7. Landscapes SA Bill 2019 - [10.85.1/33] Item 13.1.7  
Council was provided with changes to the Natural Resource Management legislation.
- Moved Cr Clayfield that:
1. Council receive and note the report on the Landscape SA Bill 2019; and
  2. Officers comments contained in the attached report be forwarded to the Local Government Association of SA.
- Seconded Cr Bain CARRIED
8. Change of Date for Ordinary Meeting of Council - [9.24.1/4] Item 13.1.8  
Council considered changing the date of the Ordinary Meeting of Council from Monday 17 June 2019 to Monday 24 June 2019.
- Moved Cr Little that Council reschedule the Ordinary Meeting of Council from Monday 17 June 2019 to Monday 24 June 2019 commencing at 5.30pm.
- Seconded Cr Dukalskis CARRIED
9. Economic Development Update Report - [9.24.1/9] Item 13.1.9  
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 May 2019 be received and noted.
- Seconded Cr Dukalskis CARRIED
10. Monthly Financial Report - [7.11.1/2] Item 13.1.10  
Council was provided with an overview of Council's monthly financial position.
- Moved Cr Bain that the Financial Report for April 2019 be received.
- Seconded Cr Little CARRIED
11. Acting Chief Executive Monthly Update - [9.24.1/9] Item 13.1.11  
Council was provided with an update on recent economic development activities within the Acting Chief Executive Officer's area of responsibility.
- Moved Cr Little that the Acting Chief Executive Officer's monthly update be noted.
- Seconded Cr Boston CARRIED

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### **19068 – WORKS**

1. Works Manager Monthly Update - [9.24.1/9] Item 13.2.1  
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 Managers update is noted.

Seconded Cr Bain

CARRIED

### **19069 – OTHER BUSINESS**

Mayor Richard Sage declared a perceived conflict of interest in relation to Item 16.1.1. Mayor Sage advised that he will remain in the Chamber

1. Ombudsman Matters – [9.33.3/23 & 9.33.3/11] Item 16.1.1  
Council was provided with notice of matters with Ombudsman SA.

Moved Cr Clayfield that Council notes the report.

Seconded Cr Reis

CARRIED

### **19070 – CONFIDENTIAL ITEMS**

6.59pm Sandra Morello (The Border Watch) vacated the meeting.

1. Cultural Review – [12.37.1/3] 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 be excluded, except JF Fetherstonhaugh (Acting Chief Executive Officer), LJ McEvoy (Director of Environmental Services), AM Price (Team Leader - Environmental Health and Compliance) and JA O'Hehir (Executive Assistant), from attendance at the meeting for the discussion regarding Agenda Item 16.2.1 – Cultural Review.
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 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 the Cultural Review contains confidential discussions held with the consultant.

Seconded Cr Bain

CARRIED

- 2.



3. Moved Cr Clayfield that having considered Agenda Item 16.2.1 - Cultural Review in confidence under section 90(2) and (3)(e) of the Local Government Act 1999, the Council, pursuant to section 91(7) of that Act orders that the reports and minutes be retained in confidence for a period of six months.

Seconded Cr Kuhl

CARRIED

7.27pm JF Fetherstonhaugh (Acting Chief Executive Officer), LJ McEvoy (Director of Environmental Services and AM Price (Team Leader, Environmental Health & Compliance) vacated the meeting.

2. Chief Executive Officer Recruitment – [12.70.1/3] Item 16.3.1

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 JA O’Hehir (Executive Assistant), be excluded from attendance at the meeting for Agenda Item 16.3.1 – Chief Executive Officer Recruitment.
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 this 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).
3. In addition, the disclosure of this information, 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 the Chief Executive Officer Recruitment process and outcome.

Seconded Cr Clayfield

CARRIED

2.

3. Moved Cr Kuhl that:

1. Having considered Agenda Item 16.3.1 - Chief Executive Officer Recruitment 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 the verbal update relevant to Agenda Item 16.3.1 be retained in confidence until a Chief Executive Officer has been appointed.
2. Council delegates to the Acting 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

7.39pm JF Fetherstonhaugh (Acting Chief Executive Officer), LJ McEvoy (Director of Environmental Services and AM Price (Team Leader, Environmental Health & Compliance) re-joined the meeting.

3. Waste Mangement Tenders – [7.81.3/1 & 7.81.3/2] Late Item

1. Moved Cr Clayfield that:

1. Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except JF Fetherstonhaugh (Acting Chief Executive Officer), LJ McEvoy (Director of Environmental Services), AM Price (Team Leader - Environmental Health and Compliance) and JA O’Hehir (Executive Assistant), be excluded from attendance at the meeting for Late Agenda Item - Waste Management Tenders.
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

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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 Bain

CARRIED

2.

3. Moved Cr Dukalskis that:

1. Having considered Late Agenda Item – Waste Management Tenders 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 Late Agenda Item - Waste Management Tender 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 Kuhl

CARRIED

Meeting closed at 7.49pm

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MAYOR

/ /2019