



DISTRICT COUNCIL OF GRANT

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

ON MONDAY 5 AUGUST 2019 AT 5.32 PM

ATTENDANCE

Elected Members

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

Council Officers

JF Fetherstonhaugh, Acting Chief Executive Officer
LJ McEvoy, Director, Environmental Services
AA Schutz, Works Manager
KM Gilmore, Governance Officer
JA O'Hehir, Executive Assistant
IJ Fritsch, Airport Manager
ME Tucker, Manager Organisational Development
MP Ryan, Economic Development Advisor
PB Mitchell, Business Manager Saleyards
AM Price, Team Leader, Environmental Health & Compliance
D Miller, Community Ranger

Other Attendees

Peter Lock and Kevin Raedel – South East Automobile Club
Sandra Morello – The Border Watch

APOLOGIES

Cr JL Elliott

LEAVE OF ABSENCE

- On 18 March 2019 Cr Clayfield was approved a leave of absence from 23 June 2019 until 1 September 2019, inclusive.
- On 1 April 2019 Cr Reis was approved a leave of absence from 28 July 2019 until 1 September 2019, inclusive

19096 - CONFIRMATION OF MINUTES

1. Moved Cr Kuhl that the minutes of the Ordinary Meeting of Council held Monday 15 July 2019 be taken as read and confirmed as a true and correct record of the proceedings of that meeting.

Seconded Cr Little

CARRIED

19097 - PRESENTATIONS / DEPUTATIONS

1. South East Automobile Club - [15.3.2/6] Item 6.1
Executive Committee Members, Mr Peter Lock and Mr Kevin Raedel, of the South East Automobile Club, discussed their concerns of the business activities of the club's neighbour on Megaw Road, Compton.
 1. Moved Cr Mann that Council officers be authorised to take immediate action to facilitate the removal of the trailers on Megaw Road.
Seconded Cr Little CARRIED
 2. Moved Cr Little that Council thank Executive Committee Members, Mr Peter Lock and Mr Kevin Raedel, of the South East Automobile Club.
Seconded Cr Bain CARRIED
- 5.55pm Peter Lock and Kevin Raedel – South East Automobile Club left the meeting.

REPORTS FROM OFFICERS AND COMMITTEES

19098 – ACTING CHIEF EXECUTIVE OFFICER

1. Saleyards Infrastructure Upgrade Proposal for Funding - [7.41.5/23] Item 10.1.1
Council was provided with an update on the proposal to submit a funding application under the South Australian Government's Region Growth Fund 2019-2020 for an infrastructure upgrade at the Mount Gambier and District Saleyards.
Moved Cr Bain that Council receive and note this report and confirm its support of a funding submission to the Regional Growth Fund for the Mount Gambier and District Saleyards in line with project details provided in the report.
Seconded Cr Kuhl CARRIED
2. Proposal for Lease of Council Controlled Land at Port MacDonnell – [9.24.1/2] Item 10.1.2
Council considered correspondence from Zeb and Stacey Johnston requesting to lease a section of Council controlled land at the Port MacDonnell Council Depot for the construction of a shed for maintenance of large fishing vessels. The Council Depot adjoins the Port MacDonnell Boatyard, which is on land under the control of the Department of Planning, Transport and Infrastructure.
Moved Cr Kuhl that Council adjourn the item and Council to approach the Department of Planning, Transport and Infrastructure requesting the department to investigate the possibility of expanding the current boatyard.
Seconded Cr Bain CARRIED
3. Authorisation for Use of Common Seal – [732/195/18] Item 10.1.3
Council considered the authorisation of the Mayor and Chief Executive Officer to sign and seal the Application for Deposit of a Plan of Division and associated documents for Pamela Kay Pitson.
Moved Cr Bain that Council authorise the Mayor and Chief Executive Officer to execute the Application for Deposit of a Plan of Division (D121737) and Certificate of Consent for Deposit of a Plan of Division, for the Applicant, Pamela Kay Pitson to give effect to the creation of a Right of Way in relation to Land

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Division 732/195/18 (732/D018/18) regarding the Land comprised in Certificate of Title Volume 6177 Folios 568, 569 and 576 by affixing the Common Seal.
Seconded Cr Boston CARRIED

19099 – WORKS

1. Road Rent Agreement – Wireless Road West - [14.51.2/4] Item 10.2.1
Council considered a request to open a portion of Wireless Road West currently used for grazing under a Road Rent Agreement.

Moved Cr Kuhl that:

1. The Road Rental Agreement held by Mr & Mrs J Cope over an unformed portion of Wireless Road West, between Sassanowsky Road and Princes Highway, continues as is until June 2020.
2. Prior to the cessation of the Road Rental Agreement, Council to undertake consultation with adjoining landowners regarding the opening of the section of Wireless Road West between Sassanowsky Road and Princes Highway.

Seconded Cr Bain

CARRIED

2. Memorial Rock – Clarkes Park – Debra Hunter - [16.36.1/1] Item 10.2.2
Council considered a request from Rebecca Little for Council to place an engraved memorial rock at the Clarkes Park Picnic area, in memory of her late mother, Debra Hunter.

Moved Cr Little that:

1. Endorse the proposal from Rebecca Little to place an engraved memorial rock in memory of her mother, Debra Hunter, in the Clarkes Park Picnic area, with all costs being incurred by Rebecca Little.
2. Officers prepare a Plaques and Memorials Policy to deal with future requests.

Seconded Cr Dukalskis

CARRIED

19100 – DIRECTOR OF ENVIRONMENTAL SERVICES

1. Building Fire Safety Committee - [16.16.2/3 & 3.14.1/6] Item 10.3.1
Council considered to amend the current appointments to the Council's Building Fire Safety Committee.

Moved Cr Bain that:

1. Council appoint the following members to the District Council of Grant Building Fire Safety Committee:-
 - a. Cr Julie Reis (Chairperson), with Cr Barry Kuhl as proxy;
 - b. Mr John Best – Team Leader – Development Services, District Council of Grant;
 - c. Mr David Vandborg – Consulting Building Surveyor (as proxy for Mr John Best), and/or as and when required to assist the Committee, particularly with respect to Level 1 Building Surveying matters; and,
 - d. Mr Julian Aggiss, with Mr Colin Paton as first proxy, and Mr Joel Tarrgart, Mr Kevin Churchward and Mr Phil McDonough as subsequent proxies – CFS representative.

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2. The appointment of the above Committee members replaces all other previous appointments made to the District Council of Grant Building Fire Safety Committee.

Seconded Cr Dukalskis

CARRIED

19101 – CONFIDENTIAL ITEMS

- 6.22pm Sandra Morello (The Border Watch) left the meeting.
6.22pm Cr Mann vacated the meeting.
6.24pm Cr Mann re-joined the meeting.

1. Performance Bonus - [110.62.199] Item 12.1.1

1. Moved Cr Boston 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), AA Schutz (Works Manager), KM Gilmore (Governance Officer), JA O'Hehir (Executive Assistant), ME Tucker (Manager Organisational Development) and PB Mitchell (Business Manager Saleyards) be excluded from attendance at the meeting for Agenda Item 12.1.1 - Performance Bonus.
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), being Mrs Jane Fetherstonhaugh, Acting Chief Executive Officer, because the matter involves conditions of employment.
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 matter involves conditions of employment

Seconded Cr Dukalskis

CARRIED

2. Moved Cr Little that approval be provided for \$1,000 performance bonus to be made to Mrs Jane Fetherstonhaugh for the 2018-2019 financial year, as per her employment contract as Deputy Chief Executive Officer.

Seconded Cr Boston

CARRIED

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2. Lease of Hangar - [16.51.2/3] Item 12.2.1

1. Moved Cr Mann that:

1. Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, JF Fetherstonhaugh (Acting Chief Executive Officer), AA Schutz (Works Manager), LJ McEvoy (Director of Environmental Services), KM Gilmore (Governance Officer), JA O’Hehir (Executive Assistant), PB Mitchell (Business Manager Saleyards) and IJ Fritsch (Airport Manager) be excluded from attendance at the meeting for Agenda Item 12.2.1 - Lease of Hangar.
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 because it is concerning a lease, the terms of which have not yet been finalised.
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 Leasing arrangements with the leasee have not as yet been finalised.

Seconded Cr Bain

CARRIED

2.

3. Moved Cr Bain that:

1. Having considered Agenda Item 12.2.2 - Lease of Hangar 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 12.2.1- Lease of Hangar be retained in confidence until an announcement has been made.

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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 Kuhl

CARRIED

Meeting closed at 6.34pm

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MAYOR

/ /2019