



DISTRICT COUNCIL OF GRANT

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

ON MONDAY 19 AUGUST 2019 AT 5.37PM

ATTENDANCE

Elected Members

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

Other Attendees

Anthony Freebairn, Department for Environment and Water
Sandra Morello, The Border Watch

APOLOGIES

Cr BJ Bain

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

19102 - CONFIRMATION OF MINUTES

1. Moved Cr Little that the minutes of the Ordinary Meeting of Council held Monday 5 August 2019 be taken as read and confirmed as a true and correct record of the proceedings of that meeting.
Seconded Cr Mann CARRIED

19103 - PRESENTATIONS / DEPUTATIONS

1. Kangaroo Management - [1.3.2/5 & 5.3.2/41] Item 6.1
Mr Anthony Freebairn, Manager Sustainable Landscapes, from the Department for Environment and Water, provided a presentation to Council regarding kangaroo management and harvesting.

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Moved Cr Little that Council thank Mr Anthony Freebairn, Manager Sustainable Landscapes from the Department for Environment and Water, for providing a presentation to Council regarding kangaroo management and harvesting.

Seconded Cr Elliott

CARRIED

6.15pm Anthony Freebairn vacated the meeting.

19104 – MAYORAL REPORT

1. Mayoral Report - Item 7

Council was provided with the Mayoral Report for 16 July 2019 to 19 August 2019.

- Weekly catch up Meeting with Acting Chief Executive Officer, Director of Environmental Services & Works Manager
- Mount Gambier Regional Airport Security Committee Meeting
- Meeting with Peta Crewe from PIRSA
- SA Regional Organisations of Council (SAROC) General Meeting at Whyalla Major Issue - Coastal Councils looking at new funding model to look at support for regional councils for coastal protection works
- Met with TAFE SA Board of Directors – Mount Gambier Campus
- Meeting with Kent Comley (The Barn) regarding mobile phone coverage with Acting Chief Executive Officer & Economic Development Advisor
- Weekly catch up Meeting with Acting Chief Executive Officer, Director of Environmental Services & Works Manager
- Interview Panel Meeting for new CEO
- Health Advisory Committee Meeting
- Meeting with Limestone Coast Mayors and CEO of LCLGA
- Council Meeting
- Dinner meeting with Ross Hampton, CEO of the Australian Forest Products Association and Leon Rademeyer
- Dinner Meeting Health Advisory Council with Kathryn Edwards
- CEO Interview
- Meeting & Tour of Timberlink (sites for continuous kilns and other site proposals) with Ian Tyson, Chief Executive Officer, Timberlink
- LCLGA General Meeting at Robe
- LCLGA Local Government Reform Meeting at Robe
- WIB Influential Women in Business Awards Gala Dinner - Trudy Glynn, Planning Officer, was a nominee for the customer service award
- OneFortyOne Jubilee Highway Mill Investment Announcement
- Office for Recreation, Sport & Racing Statewide Community Consultation Session
- CEO Interview
- LGA Roads and Works Conference at Renmark
- 100th Birthday Celebration for Dixie Cram at Tarpeena Football Clubrooms
- Vietnam Veterans Day at Vansittart Park – Laying of Wreath
- Mount Gambier & District Saleyards Strategy Committee Meeting

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Moved Cr Mann that the Mayoral Report for 16 July 2019 to 19 August 2019 be noted.

Seconded Cr Boston

CARRIED

19105 – REPORTS FROM REPRESENTATIVES ON OTHER ORGANISATIONS AND COMMITTEES

Cr Kuhl	<ul style="list-style-type: none">• CEO Discussions• Mount Gambier Regional Airport Upgrade Working Group• CEO Interviews• PDI Workshop in Millicent• Mount Gambier & District Saleyards Strategy Committee
Cr Elliott	<ul style="list-style-type: none">• CEO Interviews• South Gambier Football Club High Tea Fundraiser for Breast Cancer
Cr Dukalskis	<ul style="list-style-type: none">• South Gambier Football Club High Tea Fundraiser for Breast Cancer• District Council of Grant Academic Award Presentation at Grant High School• Mount Gambier & District Saleyards Strategy Committee (observer)
Cr Little	<ul style="list-style-type: none">• Annual General Meeting for the Migrant Resource Centre• 100th Birthday celebrations for Mrs Dixie Cram
Cr Boston	<ul style="list-style-type: none">• CEO Discussions• Mount Gambier Road Safety Group• Yahl Hall meeting• CEO Interviews• Mount Gambier & District Saleyards Strategy Committee
Cr Mann	<ul style="list-style-type: none">• Lions Club Debating Adjudication

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

Seconded Cr Elliott

CARRIED

REPORTS FROM OFFICERS AND COMMITTEES

19106 – ACTING CHIEF EXECUTIVE OFFICER

1. Annual Review of Confidential Orders - [9.24.1/6] Item 13.1.1

Council was provided with items from Council and Committee meetings which remain under confidential orders.

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

- Port MacDonnell Old Boatyard Land (discussed at Council meeting of 06/07/2015 – minute reference 15091.2)
- Building Regulatory Matters (discussed at Council meeting of 06/06/2016 – minute reference 16071.1)
- Building Regulatory Matters (discussed at Council meeting of 05/10/2016 – minute reference 16132.1)
- Question Without Notice – Building Regulatory Matters (discussed at Council meeting of 07/11/2016 – minute reference 16144.1)
- Sandyridge Holdings Asbestos Burial (discussed at Council meeting of 06/08/2018 – minute reference 18118.3)
- Sandyridge Holdings Asbestos Burial (discussed at Council meeting of 20/08/2018 – minute reference 18129.1)
- Sandyridge Holdings (discussed at Council meeting of 17/12/2018 – minute reference 18179.1)
- Building Regulatory Matters (discussed at Council meeting of 21/01/2019 – minute reference 19008.3)
- Legal Advice Concerning Sandyridge Holdings Pty Ltd (discussed at Council meeting of 04/02/2019 – minute reference 19014.1)
- Port MacDonnell Foreshore Tourist Park (discussed at Council meeting of 04/02/2019 – minute reference 19014.4)
- Port MacDonnell Foreshore Tourist Park (discussed at Special Council meeting of 11/02/2019 – minute reference 19015.1)
- Sale of Land for Non-Payment of Rates (discussed at Council meeting of 18/02/2019 – minute reference 19024.1)
- Donovans and Dry Creek Boat Ramp Upgrade Project (discussed at Council meeting of 04/03/2019 – minute reference 19032.1)
- Building Regulatory Matter (discussed at Council meeting of 04/03/2019 – minute reference 19032.2)
- Rural Living and Township Zones – Boundaries Review and Master Plan (discussed at Planning and Development Committee meeting of 12/03/2019 – minute reference 19003.1)
- Confidential Minutes of the Planning and Development Committee – Meeting Held Tuesday 12 March 2019 (discussed at Council meeting of 18/03/2019 – minute reference 19042.1)
- Legal Advice Concerning Sandyridge Holdings Pty Ltd (discussed at Council meeting of 18/03/2019 – minute reference 19042.2)
- Internal Affairs (discussed at Council meeting of 15/04/2019 – minute reference 19057.3)

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- Cultural Review (discussed at Special Council meeting of 16/04/2019 – minute reference 19058.1)
- Litter Abatement Notice – Megaw Road, Compton – Notice of Appeal (discussed at Council meeting of 06/05/2019 – minute reference 19063.1)
- Cultural Review Actions (discussed at Council meeting of 06/05/2019 – minute reference 19063.3)
- Cultural Review (discussed at Council meeting of 20/05/2019 – minute reference 19070.1)
- Chief Executive Officer Recruitment (discussed at Council meeting of 20/05/2019 – minute reference 19070.2)
- Rural Living and Township Zone Boundaries Review and Master Plan (discussed at Planning & Development Committee of 19/06/2019 – minute reference 19006.1)
- Sandyridge Holdings Pty Ltd (discussed at Planning & Development Committee of 19/06/2019 – minute reference 19006.2)
- Confidential Minutes of the Planning and Development Committee Meeting Held Wednesday 19 June 2019 (discussed at Council meeting of 01/07/2019 – minute reference 19087.1)
- Lease of Hangar (discussed at Council meeting of 05/08/2019 – minute reference 19101.2)

Seconded Cr Boston

CARRIED

2. Internal Review of Council Decisions - [9.63.1/1] Item 13.1.2

Council was provided information on applications received for an internal review of a Council decision.

Moved Cr Elliott that:

1. The report be noted.
2. The details in this report be included in Council's 2018-2019 Annual Report

Seconded Cr Dukalskis

CARRIED

3. Economic Development Update Report - [9.24.1/9] 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 Little that Economic Development Update Report for August 2019 be received and noted.

Seconded Cr Kuhl

CARRIED

4. Monthly Financial Report - [7.11.1/2] Item 13.1.4

Council was provided with an overview of Council's monthly financial position.

Moved Cr Little that the Financial Report for July 2019 be received.

Seconded Cr Elliott

CARRIED

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5. Acting Chief Executive Officer Monthly Update - [9.24.1/9] Item 13.1.5
Council was provided with the monthly update on projects, issues, information and events within the Acting Chief Executive Officer's area of responsibility.

Moved Cr Little that:

1. The Acting Chief Executive Officer's Monthly Update report be noted.
2. Council nominates Jane Fetherstonhaugh as the Local Government representative to the South Eastern Water Conservation and Drainage Board.

Seconded Cr Boston

CARRIED

19107 – 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 Dukalskis that Works Manager's monthly update be noted.

Seconded Cr Mann

CARRIED

19108 – DIRECTOR OF ENVIRONMENTAL SERVICES

1. Director of Environmental Services Monthly Update Report - [9.24.1/9] Item 13.3.1
Council was provided with a monthly update on projects, issues, information and events within the Director of Environmental Services area of responsibility.

Moved Cr Kuhl that:

1. The Director of Environmental Services Monthly Update Report for August 2019 be received and noted.
2. Council acknowledge the resignation of Mr Stephen Herbert as an independent member on the Council's Assessment Panel, and thank Mr Herbert for his work and contributions to the Panel over many years.
3. Council proceed to advertise the vacant position of an independent member on the Council's Assessment Panel, with preferred applicants being those persons who are able to be Accredited Professionals under the provisions of the Planning, Development and Infrastructure Act 2016.
4. At this time Council agree to pay the application fee for current independent members on Council's Assessment Panel to become Accredited Professionals under the provisions of the Planning, Development and Infrastructure Act 2016, with such payment being a pro-rata amount for those members who sit on more than one Assessment Panel.
5. In regards to Local Government Association Circular 30.1 - Off-road Vehicles and the Natural Resources Committee of Parliament, that Council staff prepare a written submission based on retaining the status quo with respect to off-road vehicles.

Seconded Cr Elliott

CARRIED

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19109 – CORRESPONDENCE

1. SA Coastal Councils Alliance - [5.3.2/8] Item 14.1
Council was advised that Mayor Sage has been appointed to the SA Coastal Councils Alliance Executive Committee.

Moved Cr Elliott that the appointment of Mayor Sage to the SA Coastal Councils Alliance Executive Committee is noted.
Seconded Cr Boston CARRIED

2. Kentbruck Wind Farm - Visual Impact on Mount Gambier and Surrounding Districts - [5.3.2/40] Item 14.2
Correspondence has been received from Mary Styles of Nelson regarding the possible visual impact from the Kentbruck Wind Farm.

Moved Cr Dukalskis that the correspondence from Mary Styles regarding Kentbruck Wind Farm is noted.
Seconded Cr Elliott CARRIED

3. Climate Emergency Declarations - [5.3.2/7] Item 14.3
Correspondence has been received from Sophie Henke regarding climate emergency declarations.

Moved Cr Little that the correspondence from Sophie Henke regarding climate emergency declarations is noted.
Seconded Cr Mann CARRIED

6.58pm Sandra Morello (The Border Watch) vacated the meeting

19110 – CONFIDENTIAL ITEMS

1. Mount Gambier Regional Airport Upgrade - [14.65.1/6 & 7.81.2/10] Item 15.1.1
 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 except, JF Fetherstonhaugh (Acting Chief Executive Officer), LJ McEvoy (Director of Environmental Services), AA Schutz (Works Manager), KM Gilmore (Governance Officer) and JA O'Hehir (Executive Assistant), be excluded from attendance at the meeting for Agenda Item 15.1.1 – Mount Gambier Regional Airport Upgrade Tender Process.
 2. The Council is satisfied that, pursuant to section 90(3)(k) of the Act, the information to be received, discussed or considered in relation to this Agenda Item are tenders for the construction of the Mount Gambier Regional Airport terminal.
 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 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
 - Seconded Cr Mann CARRIED

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2.

3. Moved Cr Kuhl that:

1. Having considered Agenda Item 15.1.1 – Mount Gambier Regional Airport Upgrade in confidence under section 90(2) and (3)(k) 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 15.1.1 - Mount Gambier Regional Airport Upgrade be retained in confidence until the tender details have been released 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

7.07pm AA Schutz (Works Manager) vacated the meeting.

2. Chief Executive Officer Recruitment - [12.70.1/3] Item 15.2

1. Moved Cr Elliott that:

1. Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all staff and members of the public be excluded from attendance at the meeting for Agenda Item 15.2 – 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 Little

CARRIED

7.09pm JF Fetherstonhaugh (Acting CEO), LJ McEvoy (Director Environmental Services), KM Gilmore (Governance Officer) and JA O’Hehir (Executive Assistant) vacated the meeting.

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2.

3. Moved Cr Boston that:

- 1. Having considered Agenda Item 15.2 - 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 report and minutes relevant to Agenda Item - Chief Executive Officer Recruitment be retained in confidence until a Chief Executive Officer has been appointed.
- 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 Mann CARRIED

7.45pm JF Fetherstonhaugh (Acting CEO), re-joined the meeting.

7.49pm LJ McEvoy (Director Environmental Services) and JA O’Hehir (Executive Assistant) re-joined the meeting.

Meeting closed at 7.50pm

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MAYOR

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