



DISTRICT COUNCIL OF GRANT

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

ON MONDAY 2 SEPTEMBER 2019 AT 5.29 PM

ATTENDANCE

Elected Members

Mayor Richard Sage
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
AA Schutz, Works Manager
KM Gilmore, Governance Officer
JA O’Hehir, Executive Assistant

Other Attendees

Sandra Morello – The Border Watch

APOLOGIES

Cr BJ Bain

19113 - CONFIRMATION OF MINUTES

1. Moved Cr Little that the minutes of:
 - 1) The Ordinary Meeting of Council held Monday 19 August 2019;
 - 2) The Special Meeting of Council held Wednesday 21 August 2019; and
 - 3) The Special Meeting of Council held Tuesday 27 August 2019
be taken as read and confirmed as a true and correct record of the proceedings of that meeting.Seconded Cr Elliott CARRIED

QUESTIONS

19114 – WITHOUT NOTICE

1. Prisoner Release Process at Mount Gambier Prison - [10.85.1/47]

Council discussed the recent media regarding the prisoner release process at the Mount Gambier Prison. Mayor Sage advised that the City of Mount Gambier will be holding a meeting with The Hon Corey Wingard MP, Minister for Correctional Services on 10 September 2019.

Mayor Richard Sage declared a perceived conflict of interest as he is an employee of G4S Custodial Services Pty Ltd who manage and operate the Mount Gambier Prison. Mayor Sage remained in the Chamber.

Moved Cr Clayfield that Council:

1. Contact the City of Mount Gambier and request that the District Council of Grant Acting Chief Executive Officer and the Deputy Mayor attend the meeting with The Hon Corey Wingard MP, Minister for Correctional Services on 10 September 2019.
2. Following that meeting a report be brought back to Council enabling the Council to develop a policy or opinion regarding the prisoner release program at the Mount Gambier Prison.

Seconded Cr Elliott

CARRIED

19115 - CONFIRMATION OF MINUTES OF COMMITTEES (AND RECOMMENDATIONS)

1. Mount Gambier and District Saleyards Strategy Committee Minutes – 19 August 2019 - [16.14.1/3] Item 8.1

Council was provided with the minutes of the Mount Gambier and District Saleyards Strategy Committee from the meeting held on Monday 19 August 2019.

Moved Cr Kuhl that Council:

1. Receive and note the Mount Gambier and District Saleyards Strategy Committee Minutes for the meeting held Monday 19 August 2019; and
2. Engage Spanlift to design two options of roof (sawtooth and curved) for the Mount Gambier and District Saleyards at a cost of \$2,900 ex GST.

Seconded Cr Boston

CARRIED

REPORTS FROM OFFICERS AND COMMITTEES

19116 – ACTING CHIEF EXECUTIVE OFFICER

1. Yahl Cricket Club Lease Agreement - [16.51.1/22] Item 10.1.1

Council considered a request from the Yahl Cricket Club in relation to the clubs leasing arrangements.

Moved Cr Little that in recognition of the Yahl Cricket Club's enduring occupancy on the land at Yahl Hall Road, Yahl (identified as Lot 20 on DP69471):

1. Council undertakes public consultation as per the minimum requirements under Council's Public Consultation Policy, to grant a Lease over the land at Yahl Hall Road, Yahl (identified as Lot 20 on DP69471) in excess of five (5) years;

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2. Subject to public consultation being undertaken and consideration of any subsequent submissions received, the Chief Executive Officer is authorised to enter into a Lease Agreement with the Yahl Cricket Club over the land at Yahl Hall Road, Yahl (identified as Lot 20 on DP69471) for a term of 10 years, with a further 10 year right of renewal;
3. In order to maintain consistency and fairness across all Council sporting club leases, the lease fees payable are to be as per Council's Leasing and Licensing Policy (\$200 + GST per annum, with annual rent reviews in line with CPI); and
4. The Chief Executive Officer is authorised to negotiate any other terms and conditions of the Lease Agreement with Yahl Cricket Club as per Council Policy, as necessary to finalise the matter.

Seconded Cr Clayfield

CARRIED

2. Public Interest Disclosure Policy - [9.3.2/1 and 9.3.2/2] Item 10.1.2

Council considered a new Council Policy and amend various existing Council policies in light of the recently commenced *Public Interest Disclosure Act 2018* (the PID Act).

Moved Cr Kuhl that Council:

1. Adopt the draft Public Interest Disclosure Policy and Procedure;
2. Adopt the amended Fraud and Corruption Prevention Policy (GOVPOL 01); and
3. Revoke the Whistleblowers Protection Policy (GOVPOL 05).

Seconded Cr Mann

CARRIED

19117 – WORKS

1. Temporary Road Closure – Fifth Twin Peaks Hill Climb - [14.71.2/19] Item 10.2.1
Council considered to temporarily close Surfers Way and a section of Finger Point Road for the South East Automobile Club of SA to host the "Twin Peaks Hill Climb" event in 2020.

Moved Cr Little that Council:

1. Approves South East Automobile Club of SA to host the two day "Twin Peaks – Hill Climb".
2. Pursuant to Section 33(1) of the Road Traffic Act 1961, declares the event being the Twin Peaks Hill Climb, to be held on 8 and 9 February 2020, between the hours of 7.00am and 7.00pm.
3. Advise South East Automobile Club of SA Inc 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 Twin Peaks Hill Climb.

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

Event: 5th Twin Peaks Hill Climb – Port MacDonnell

Date: Saturday 8 and Sunday 9 February between the hours of 7.00am and 7.00pm.

4. Clarify if the event can be held on fire ban days.

Seconded Cr Reis

CARRIED

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19118 – CORRESPONDENCE

1. Solid Waste Levy - [5.3.2/30] Item 11.1

Council was provided with correspondence from the Minister for Environment and Water, the Hon David Speirs MP, regarding the solid waste levy.

Moved Cr Little that Council receive and note the correspondence from the Minister for Environment and Water, the Hon David Speirs MP, regarding the solid waste levy.

Seconded Cr Mann

CARRIED

2. Oil and Gas Exploration in South Australia – [3.89.1/1] Item 11.2

Council was provided with correspondence from Mr Cameron Grebe, Head of Division, Environment, from the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA) regarding oil and gas exploration in South Australia.

Moved Cr Elliott that Council receive and note the correspondence from Mr Cameron Grebe, Head of Division, Environment, from the National Offshore Petroleum Safety and Environmental Management Authority (NOPSEMA), regarding oil and gas exploration in South Australia.

Seconded Cr Reis

CARRIED

5.56pm AA Schutz (Works Manager), KM Gilmore (Governance Officer) and JA O’Hehir (Executive Assistant) vacated the meeting.

19119 – CONFIDENTIAL ITEMS

1. Staff Matters - [12.62.3/2] Item 12.1.1

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 JF Fetherstonhaugh (Acting Chief Executive Officer) be excluded from attendance at the meeting for Agenda Item 12.1.1 – Staff Matters.

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 12.1.1 – Staff Matters is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

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 to be discussed relates to the personal affairs of a staff member of Council.

Seconded Cr Elliott

CARRIED

2.

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3. Moved Cr Boston that:
 1. Having considered Agenda Item 12.1.1 – Staff Matters 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 documents and/or minutes relevant to Agenda Item 12.1.1 – Staff Matters be retained in confidence for a period of 24 months or until the matter has been resolved 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 Kuhl

CARRIED

2. Personal Affairs - [12.37.1/3]

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 JF Fetherstonhaugh (Acting Chief Executive Officer) be excluded from attendance at the meeting for Agenda Item – Personal Affairs.
 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).
 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 discussion is regarding personal affairs.

Seconded Cr Elliott

CARRIED

2.

3. Moved Cr Kuhl that:
 1. Having considered Agenda Item - Personal Affairs 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 minutes relevant to Agenda Item – Personal Affairs be retained in confidence for a period of six 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 Elliott

CARRIED

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Meeting closed at 7.10pm

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MAYOR

/ /2019