

DISTRICT COUNCIL OF CEDUNA

MINUTES OF THE ORDINARY MEETING OF COUNCIL held at the Council Chamber, 44 O'Loughlin Terrace, Ceduna, on Wednesday 18 October 2017 at 3:04pm.

1. PRESENT

His Worship the Mayor AJ Suter, Councillors LA Brown, IP Bergmann, PG Brown, KR Maynard, GA Ryan and PA Will.

GM Moffatt (Chief Executive Officer), GK Drummond (General Manager Operations), SP Redden (Manager Planning and Building), BW Taylor (Manager Administration and Finance) and KE Blums (Executive Assistant).

2. APOLOGIES

Councillor PC Codrington

3. MAYOR'S REPORT

3.1 Mayors Verbal Report

22/09/2017 Meeting with Statoil with CEO

Senior Citizen meeting to address projects

27/09/2017 CBTA award judging – Business of the Year

29/09/2017 Breakfast meeting with Minister Mahar and Jenny Macklin

Meeting with community leaders, Minister Mahar and Jenny Macklin

30/09/2017 Opening of Oysterfest and fish filleting judging

11/10/2017 Lunch with John Quirke and others

1c/102017 Moved – LA Brown
That the report be received and noted.

Seconded – GA Ryan

CARRIED

4. CONFIRMATION OF MINUTES

4.1 Council Meeting – 20/09/2017

2c/102017 Moved – KR Maynard
That the minutes be confirmed as a correct record.

Seconded – GA Ryan

CARRIED

5. DEPUTATIONS AND PETITIONS

6. PUBLIC QUESTIONS WITHOUT NOTICE

7. REPORTS FROM COUNCIL COMMITTEES

8.3.4 Ceduna Landfill

9c/102017 Moved – GA Ryan
That the Report be received and noted.

Seconded – LA Brown

CARRIED

8.4 Manager Administration and Finance Report

8.4.1 Monthly Financial Report

10c/102017 Moved – IP Bergmann
That this Report be received and noted.

Seconded – PA Will

CARRIED

8.4.2 2017-2018 Budget Review #1

11c/102017 Moved – PA Will
That Council, having reconsidered the adopted 2017/2018 budget pursuant to and in accordance with Section 123 (13) of the Local Government Act 1999 and Section 9 of the Local Government (Financial Management) Regulations 2011, adopt revised 2017/2018 Budgeted Financial Statements as presented with an additional allocation of \$69,000 for Thevenard footpath works.

Seconded – KR Maynard

CARRIED

9. CORRESPONDENCE

9.1 Information Correspondence

9.1.1 Eyre Peninsula Local Government Association

File Reference: 54353 (10.85.1.3)
Officer: Chief Executive Officer

Minutes from EPLGA meeting held on 01/09/2017.

9.1.2 Ombudsman SA

File Reference: 54535 (10.46.2.2)
Officer: Chief Executive Officer

'Right of Review' report regarding Section 270 requirements for internal review of Council decisions.

9.1.3 Eyre Peninsula Local Government Association

File Reference: 54559 (10.85.1.3)
Officer: Chief Executive Officer

Joint Planning Board Pilot Steering Committee Terms of Reference and Annual Business Plan 2017/2018.

9.1.4 Local Government Workers Compensation Scheme

File Reference: 54570 (12.85.1.1)
Officer: Chief Executive Officer

5 year extension to the local government self-insurance license.

9.1.5 Government of South Australia

File Reference: 54574 (7.85.1.3)
Officer: Chief Executive Officer

Commonwealth Financial Assistance Grants distribution have been submitted to the Australia Government for approval.

9.1.6 Primary Industries and Regions SA

File Reference: 54607 (5.3.2.1)
Officer: Chief Executive Officer

The Management Plan for Recreational Fishing in South Australia was approved by the Minister for Agriculture, Food and Fisheries on 13 August 2017.

9.1.7 Eyre Peninsula Local Government Association

File Reference: 54647 (10.85.1.3)
Officer: Chief Executive Officer

Copy of correspondence to LGA from LEGATUS (Central Local Government Region)

9.1.8 Ceduna Area School

File Reference: 54669 (17.67.2.1)
Officer: Chief Executive Officer

Thank you for financial assistance towards the Reconciliation Kokoda Trek Team.

9.1.9 Local Government Association of South Australia

File Reference: 54844 (9.3.2.2)
Officer: Chief Executive Officer

Circular 39.11 - After feedback the LGA received from the sector, the annual Council Members Forum, scheduled for Friday 27 and Saturday 28 October 2017 is being offered for reduced attendance fee and will be held at LG House. Registration details and the program can be found in this circular.

9.1.10 Local Government Association of South Australia

File Reference: 54852 (10.3.2.2)
Officer: Chief Executive Officer

Circular 39.3 – The 2017 LGA Conference and AGM will be held on Wednesday 15 & Thursday 16 November.

9.1.11 Local Government Association of South Australia

File Reference: 54854 (10.3.2.2)
Officer: Chief Executive Officer

Circular 39.1 – The LGA Board will meet on 28 September 2017 at LG House.

9.1.12 Eyre Peninsula Local Government Association

File Reference: 54857 (10.85.1.3)
Officer: Chief Executive Officer

EPLGA 2016/17 Annual Report.

9.1.13 Rowan Ramsey MP

File Reference: 54869 (10.3.2.1)
Officer: Chief Executive Officer

Media Release – Golden Wattle comes to Rural SA.

9.1.14 Rowan Ramsey MP

File Reference: 54879 (10.3.2.1)
Officer: Chief Executive Officer

Media Release – Safer Communities Fund now open for applications.

9.1.15 Peter Codrington

File Reference: 54901 (9.33.3.1)
Officer: Chief Executive Officer

Apology for October 2017 Council Meeting

9.1.16 Hon Zoe Bettison MP

File Reference: 54908 (17.3.2.1)
Officer: Manager Administration and Finance

2018 Community Voices Program is now open for applications.

9.1.17 Regional Development Australia Whyalla and Eyre Peninsula Inc

File Reference: 54990 (4.85.1.4)
Officer: Chief Executive Officer

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RDWEP Performance and Progress Reports for July – August 2017.

9.1.18 Department for Communities and Social Inclusion

File Reference: 54991 (17.65.1.7)
Officer: Chief Executive Officer

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Ceduna Street Beat September 2017 report.

12c/102017 Moved – LA Brown
That Council receive and note all correspondence.

CARRIED

3:58pm Councillor PG Brown entered the meeting.

3. MAYOR'S REPORT

3.2 CEO Contract

14c/102017 Moved – GA Ryan

Seconded – IP Bergmann

That;

1. Pursuant to Sections 90(2) and 90(3)(a) of the Local Government Act 1999, Council orders that the public be excluded from attendance at the meeting, with the exception of Mr G Moffatt (Chief Executive Officer) and Mrs K Blums (Executive Assistant), in order to consider in confidence Item 3.2 – Chief Executive Officer Contract.
2. Council is satisfied that the principle that meetings of Council should be conducted in a place open to the public is outweighed in relation to this matter because it involves the consideration and discussion of information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

CARRIED

4:35pm Councillor IP Bergmann left the meeting

4:38pm Councillor IP Bergmann entered the meeting

15c/102017 Moved – GA Ryan

Seconded – LA Brown

That Council authorise the Mayor to execute a new Contract of Employment between the District Council of Ceduna and Mr Geoffrey Moffatt for a five (5) year term commencing on 12 November 2017 and concluding on 12 November 2022 as presented, with the amendment to clause 17.2.1.12 – The CEO is to be afforded procedural fairness in respect to any alleged breach of clause 17.2, and including a commencing Annual Base Salary of \$ 168,926.00 at Schedule 2 of the Contract.

CARRIED

His Worship the Mayor suspended the operation of Division 2 of Part 2 of the Local Government (Procedures at Meetings) Regulations 2000, with the approval of the members present, commencing at 4:57pm, to enable discussions in relation to CEO Contract & Performance Review.

His Worship the Mayor determined to resume the operation of Division 2 of Part 2 of the Local Government (Procedures at Meetings) Regulations 2000 at 5:03pm.

16c/102017 Moved – GA Ryan

Seconded – LA Brown

That Council authorise a \$5000 bonus payment to Geoffrey Moffatt for recognition of performance over the last 5 years of employment.

CARRIED

17c/102017 Moved – GA Ryan

Seconded – LA Brown

That Pursuant to Sections 91(7) and 91(9) of the Local Government Act 1999, Council orders that all reports and associated documents received, considered and discussed by Council relating to Item 3.2 – Chief Executive Officer Contract, having been dealt with on a confidential basis under Sections 90(2) and 90(3)(a) of the Local Government Act 1999, be kept confidential and not available for public inspection on the grounds that they relate to information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), until a new employment contract has been executed between Council and the Chief Executive Officer.

CARRIED

14. MEETING CLOSED – 5:06PM

DATE: _____ CONFIRMED: _____
Mayor