

CITY OF MOUNT GAMBIER

Meeting to be held at the Council Chamber, Civic Centre, 10 Watson Terrace, Mount Gambier
on Tuesday 17th December, 2013 at 6.00 p.m.

AGENDA

CONSIDERATION FOR EXCLUSION OF PUBLIC

moved that the following Items be received, discussed and considered in confidence by excluding the public pursuant to Section 90 (2) of the Local Government Act 1999, and an order be made that the public (with the exception of other Council Members and Council Officers now present) be excluded from the meeting in order for the items to be considered in confidence as the Council is satisfied that the item is a matter that can be considered in confidence pursuant to the grounds referenced in Section 90 (3) of the said Act as follows:

CCS15 & 16 (a) S.90(3)(a) - information to be considered in relation to this item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of junior sports assistance fund nominees, recipients and their families.

The Council being satisfied that the principle that the meeting be conducted in a place open to the public is outweighed in the circumstances because the information contains details of the personal affairs and attributes of minors and their families.

CCS 16 (b) S.90(3)(b) - information to be considered in relation to this item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is:

- conducting business; or
- proposing to conduct business; or

- would prejudice the commercial position of the Council.

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 release of the information could prejudice any future sale negotiations for the subject land.

CCS 16 (c-e)

S.90(3)(m) - information to be considered in relation to this Agenda Item is information relating to an amendment under the Development Act 1993 before a Development Plan Amendment report relating to the amendment is released for public consultation under that Act.

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 as the Development Plan amendment has not yet been finalised which could result in the public becoming inadvertently misinformed of the proposed changes.

<u>Item No.</u>	<u>Subject Matter</u>	<u>S90 (3) Grounds</u>
Operational Services Committee Minutes		
15.	DEVELOPMENT APPLICATION NO. 381/0349/2013 - Temporary Parking of Loaded Truck Trailers - 30 White Avenue, Mount Gambier - Ref. AF12/113	(g) & (h)
16.	PROPERTY MANAGEMENT - Drainage Improvement Works - Wandaree Court - Purchase of Vacant Land - Ref. AF11/1344	(b)
Corporate and Community Services Committee		
15.	COMMITTEES - City of Mount Gambier Junior Sports Assistance Fund (Section 41) Committee - Minutes of Meeting held 20th November, 2013	
	12. ROTARY CLUB OF MOUNT GAMBIER LAKES - Donations to financially disadvantaged Junior Sportspersons	(a)
	13. COMMERCIAL CLUB INC. - Donation to Exceptional Junior Sportspersons	(a)
16.	GOVERNANCE - Review of In-Confidence Items	
	<i>Meeting Date</i>	<i>Subject</i>
(a)	18/06/2013	SOCIAL, CULTURAL AND COMMUNITY SERVICES - Committees - City of Mount Gambier Junior Sports Assistance Fund (Section 41) Committee - Minutes of Meeting held 22nd May, 2013 – Ref. AF11/725
(b)	18/06/2013	CORPORATE AND COMMUNITY SERVICES REPORT NO. 23/2013 - Sale of Council Properties
(c)	15/02/2011	OPERATIONAL SERVICES REPORT NO. 2/2011 - Heritage - Local Heritage and Lakes Zone Development Plan Amendment - Ref. 225/1/10
(d)	20/07/2010	OPERATIONAL SERVICES REPORT NO. 41/2010 - Heritage - Local Heritage Development Plan Amendment - Ref. 225/1/10
(e)	18/05/2010	OPERATIONAL SERVICES REPORT NO. 31/2010 - Heritage - Local Heritage Development Plan Amendment - Ref. 225/1/10

seconded

16. **PROPERTY MANAGEMENT - Drainage Improvement Works - Wandaree Court - Purchase of Vacant Land - Ref. AF11/1344**

Goal: Environment

Strategic Objective: (i) Support the preservation and enhancement of the City's unique natural and built heritage for future generations

The Presiding Member reported:

- (a) Council has received a letter of complaint from a resident at 7 Wandaree Court regarding concerns over the current flood protection provided to properties in Wandaree Court;
- (b) by way of background, Wandaree Court has a history of poor drainage and although Council spent \$25,000 a number of years ago installing a new bore and silt pit to increase the stormwater disposal capacity within this catchment, the area is still subject to minor flooding in certain storm events;
- (c) there are a number of drainage bores within this catchment (and also within adjacent catchments) that have extremely poor drainage rates and the likelihood of installing another bore with sufficient capacity to provide satisfactory flood protection is unlikely;
- (d) in order to provide a reasonable level of flood protection it is necessary to construct a retention basin with sufficient capacity to store additional stormwater overflow from the bore system. However, this retention basin needs to be located within the lower end of the catchment area to be effective;
- (e) a vacant block of land at 5 Wandaree Court has recently been placed on the market for sale at a price of \$79,000 and is ideally located for the construction of a retention basin;
- (f) the lot size is 612m² and would allow the construction of a basin of approximately 350m³;
- (g) in order for Council to purchase and construct a retention basin at 5 Wandaree Court it would cost in the order of \$110,000. Compared to another option of an overflow pipe through the walkway at the end of Wandaree Court and connecting to a new underground soakage system in Heaver Drive reserve at an approximate cost of \$160,000;

(h) however, this second option has not been designed in detail and may not be possible due to the existing utilities (SA Water, gas, electricity, sewer) that run through the current walkway, without relaying some of these utilities at considerable cost. In addition, this second option will not provide the same level of stormwater disposal as the retention basin option;

(i) possible funding options:

- Councils current works program has the following allocations for drainage improvement works:

- BLSP wetlands	\$13,000
- Pinehall Avenue soakage trenches	\$15,000
- Tolmie Street/Law Street additional bore/pit	\$25,000

Total	<u>\$53,000</u>
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These projects have not been started and could therefore be deferred until future budgets;

(j) the balance of funds for the land purchase (i.e. approximately \$26,000) could then be funded out of the next budget review and with the construction costs for the retention basin referred to future drainage improvement works budget considerations.

Cr Mutton moved it be recommended:

(a) **The report be received;**

(b) **Council authorise the Mayor / Chief Executive Officer to negotiate purchase of the land parcel of 5 Wandaree Court up to a maximum amount of \$79,000 with funds of \$53,000 for the purchase to come from the stormwater drainage improvement works for 2013/14 financial year, and the balance of funds to be from reallocation of funds from the next budget review.**

Cr Von Stanke seconded

Carried

CONSIDERATION FOR KEEPING MATTERS CONFIDENTIAL

moved that an order be made pursuant to Section 91 (7) of the Local Government Act 1999 that the documents in relation to the following items, which have been considered by Council on a confidential basis pursuant to Section 90 (3) be kept confidential as follows:

<u>Item No.</u>	<u>Subject Matter</u>	<u>Grounds</u>	<u>Element To Be Kept Confidential</u>	<u>Duration</u>
	Operational Services Committee Minutes			
16.	PROPERTY MANAGEMENT - Drainage Improvement Works - Wandaree Court - Purchase of Vacant Land - Ref. AF11/1344	(b)	All details	6 months

seconded

MINUTES OF THE MEETING OF THE CITY OF MOUNT GAMBIER HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT GAMBIER ON TUESDAY, 17TH DECEMBER, 2013 AT 6.00 P.M.

CONSIDERATION FOR EXCLUSION OF PUBLIC

Cr Smith moved that the following Items be received, discussed and considered in confidence by excluding the public pursuant to Section 90 (2) of the Local Government Act 1999, and an order be made that the public (with the exception of other Council Members and Council Officers now present) be excluded from the meeting in order for the items to be considered in confidence as the Council is satisfied that the item is a matter that can be considered in confidence pursuant to the grounds referenced in Section 90 (3) of the said Act as follows:

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(e)	18/05/2010	OPERATIONAL SERVICES REPORT NO. 31/2010 - Heritage - Local Heritage Development Plan Amendment - Ref. 225/1/10

Cr White seconded

Carried

16.

PROPERTY MANAGEMENT - Drainage Improvement Works - Wandaree Court - Purchase of Vacant Land - Ref. AF11/1344

Goal: Environment

Strategic Objective: (i) Support the preservation and enhancement of the City's unique natural and built heritage for future generations

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Total	<u>\$53,000</u>

These projects have not been started and could therefore be deferred until future budgets;

- (j) the balance of funds for the land purchase (i.e. approximately \$26,000) could then be funded out of the next budget review and with the construction costs for the retention basin referred to future drainage improvement works budget considerations.

Cr Mutton moved it be recommended:

- (a) The report be received;
- (b) Council authorise the Mayor / Chief Executive Officer to negotiate purchase of the land parcel of 5 Wandaree Court up to a maximum amount of \$79,000 with funds of \$53,000 for the purchase to come from the stormwater drainage improvement works for 2013/14 financial year, and the balance of funds to be from reallocation of funds from the next budget review.

Cr Von Stanke seconded

Carried

Cr White moved the recommendation of the Operational Services Committee as contained in item 16 be adopted.

Cr Von Stanke seconded

Carried

CONSIDERATION FOR KEEPING MATTERS CONFIDENTIAL

Cr Smith moved that an order be made pursuant to Section 91 (7) of the Local Government Act 1999 that the documents in relation to the following items, which have been considered by Council on a confidential basis pursuant to Section 90 (3) be kept confidential as follows:

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Cr Von Stanke seconded

Carried