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I hereby give notice that an Economic and Environment Committee Meeting will be held on:

Date: Monday, 7 September 2020
Time: 5.30 p.m.
Location: Council Chamber
Civic Centre
10 Watson Terrace
Mount Gambier

AGENDA

Economic and Environment Committee Meeting 7 September 2020

A handwritten signature in black ink, appearing to read 'A Meddle', with a long horizontal flourish extending to the right.

Andrew Meddle
Chief Executive Officer

3 September 2020

Order Of Business

1	Acknowledgement of Country	3
2	Apology(ies)	3
3	Confirmation of Minutes	3
4	Questions without Notice	3
5	Reports	4
5.1	Strategic Property Management - Sport, Recreation and Open Space Plan and precinct Master Planning - Report No. AR19/36020	4
5.2	McDonald Park toilet facilities current conditions and proposed new toilet block costing. – Report No. AR20/55119	9
5.3	CentreStage and Reidy Park Centre Constitutions – Report No. AR20/56190	17
5.4	Memorial Policy and request for bench seat and information board to be located on the top of the Sugar Loaf Hill – Report No. AR19/70251	67
5.5	Consultation Draft Disability Access and Inclusion Plan 2020-2024 – Report No. AR20/51606.....	77
5.6	Local Roads and Community Infrastructure Fund – Report No. AR20/55887	106
5.7	Request for Sponsorship for the Country Music Academy – Report No. AR20/58191	109
6	Motions with Notice	113
6.1	Notice of Motion - Use of Recyclables in Road Maintenance and Construction	113
7	Urgent Motions without Notice	114
8	Confidential Items	115
9	Meeting Close	119
Attachments Item 3	Economic and Environment Committee Meeting - 6 July 2020	120



1 ACKNOWLEDGEMENT OF COUNTRY

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR INDIGENOUS PEOPLES HAVE WITH THIS LAND.

2 APOLOGY(IES)

Nil

3 CONFIRMATION OF MINUTES

[Economic and Environment Committee Meeting - 6 July 2020](#)

RECOMMENDATION

That the minutes of the Economic and Environment Committee meeting held on 6 July 2020 be confirmed as an accurate record of the proceedings of the meeting.

4 QUESTIONS WITHOUT NOTICE



5 REPORTS

5.1 STRATEGIC PROPERTY MANAGEMENT - SPORT, RECREATION AND OPEN SPACE PLAN AND PRECINCT MASTER PLANNING - REPORT NO. AR19/36020

Committee:	Economic and Environment Committee
Meeting Date:	7 September 2020
Report No.:	AR19/36020
CM9 Reference:	AF19/412
Author:	Michael McCarthy, Manager Executive Administration
Authoriser:	Andrew Meddle, Chief Executive Officer
Summary:	This report presents a proposed way forward for planning the future management of Council property assets including master planning of sites, precincts and property categories.
Community Plan Reference:	Goal 1: Our People Goal 2: Our Location Goal 3: Our Diverse Economy Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage

REPORT RECOMMENDATION

1. That Economic and Environment Committee Report No. AR19/36020 titled 'Strategic Property Management - Sport, Recreation and Open Space Plan and precinct Master Planning' as presented on 07 September 2020 be noted.
2. That Council commit to a strategic approach to property management issues, guided by a Sport, Recreation and Open Space Plan and associated site/precinct/property category master plans including Tourism Assets Master Plan and Blue Lake Sports Park Master Plan.



BACKGROUND

At an Elected Member briefing held on 8 July 2019 Council received information on strategic property matters that included:

- tenancy issues associated with the Community and Recreation Hub; and
- a strategic approach to future property management, including:
 - coordinated and prioritised approach tenant, user and community engagement;
 - review of Community Land Management Plans for individual sites, precincts and categories of land;
 - citywide (and location specific) strategy, vision, plan to guide leasing, licensing, other development, maintenance and use of Council land (e.g. Recreation / Open Space Plan); and
 - Master Planning for specific locations and property categories.

The strategic approach to future property management anticipated a further report to consider the above listed (and other) items in a holistic manner, with a view to developing a strategic position and direction, rather than a piecemeal approach to matters as and when they arise.

DISCUSSION

The preparation of a strategic property management report has been somewhat 'overtaken' by Council's more recent support for a Tourism Assets Master Plan, Blue Lake Sports Park Master Plan, Crater Lakes Master Plan and a Sport, Recreation and Open Space Strategy, all proposed to be undertaken and endorsed in the 2020/2021 financial year.

The Council's property holdings can be simply categorised, as follows:

- Council occupied 'operational' properties, such as Civic Centre, Library, Depot, etc.;
- Leased / Licensed properties, including:
 - Sporting tenancies (for exclusive or shared use of grounds and/or buildings);
 - Community tenancies (for exclusive or shared use of buildings);
 - Tourism tenancies – semi-commercial; and
 - Commercial tenancies
- Active and other high profile Reserves, such as Cave Garden, Crater Lakes Precinct etc.;
- Passive and other Neighbourhood Reserves;
- Stormwater/Utility Reserves; and
- Roads and Road Reserves.

Master Plans for specific property categories or precincts are considered to be a sub-set of an overall property strategy, with other relevant formal and administrative documents that address legislative and other policy and procedural matters also relevant in guiding the management of Council land holdings generally or for specific sites/precincts, such as for example:

- Community Land Management Plans;
- By-Laws (Permits & Penalties & Local Government Land);
- Community Lease Rental and Maintenance Re-imbusement Policy;
- Lease/Licence terms and conditions; and
- Event/Casual Hire Permits.



Such documents should both guide, and be guided by the Council's strategic vision for the management of its property holdings and should be developed and reviewed accordingly.

The Council's current approach to property management is relatively passive and reactionary, maintaining a *status quo* with third party tenants managing sporting and community facilities for their own purpose and benefit, whilst responding in an *ad hoc* or piecemeal manner to opportunities that arise, but with limited consideration of such matters in a broad strategic context.

Whilst this can result in good outcomes when viewed in isolation, such an unplanned approach is ineffective in identifying, prioritising and achieving broader strategic property outcomes across the Council's extensive property holdings, and may fail to adequately address higher priority needs.

Moving forward, a more robust approach would see priorities pursued based on condition ratings and objective based opportunities, supported by enablers such as budget allocations, stakeholder motivation and targeted grant programs.

The attached diagrams are provided to assist Members in conceptualising the components of a property strategy, using the recently discussed Sport, Recreation and Open Space Plan, Blue Lake Sports Park Master Plan and Tourism Assets Master Plan, as well as the aforementioned documents and property categories as examples.

The 'umbrella' diagram represents the Council's property portfolio, separated into categories, with varying management components and identified priorities and objectives within each.

With the current approach isolated aspects within each category may be addressed in isolation without full consideration to external and influencing factors, thus providing an *ad hoc* approach to property management.

The development and implementation of a property strategy is intended to provide a more planned approach to property management moving forward, with the steps toward this including the development of a Sport, Recreation and Open Space Plan as an overarching ('Umbrella') strategy, supported by site, precinct and category Master Plans, and further supported by various operational (including legislative) documentation as relevant.

Whilst in an ideal world the above steps might be progressed in order with perfect knowledge of each step, in reality Council continues to manage its property portfolio whilst dealing with opportunities and issues as they arise, whilst now giving consideration to our long term objectives.

Accordingly, Blue Lake Sports Park and Tourism Assets Master Plans may be commenced as planned, but execution will be parallel with a Sport, Recreation and Open Space Plan to ensure consistency of approach and outcomes.

CONCLUSION

This report recommends that in lieu of an *ad hoc* and unplanned approach to property management, a strategic property management approach be adopted including support for a Sport, Recreation and Open Space Plan and property precinct/category master planning and associated strategic decision making processes.

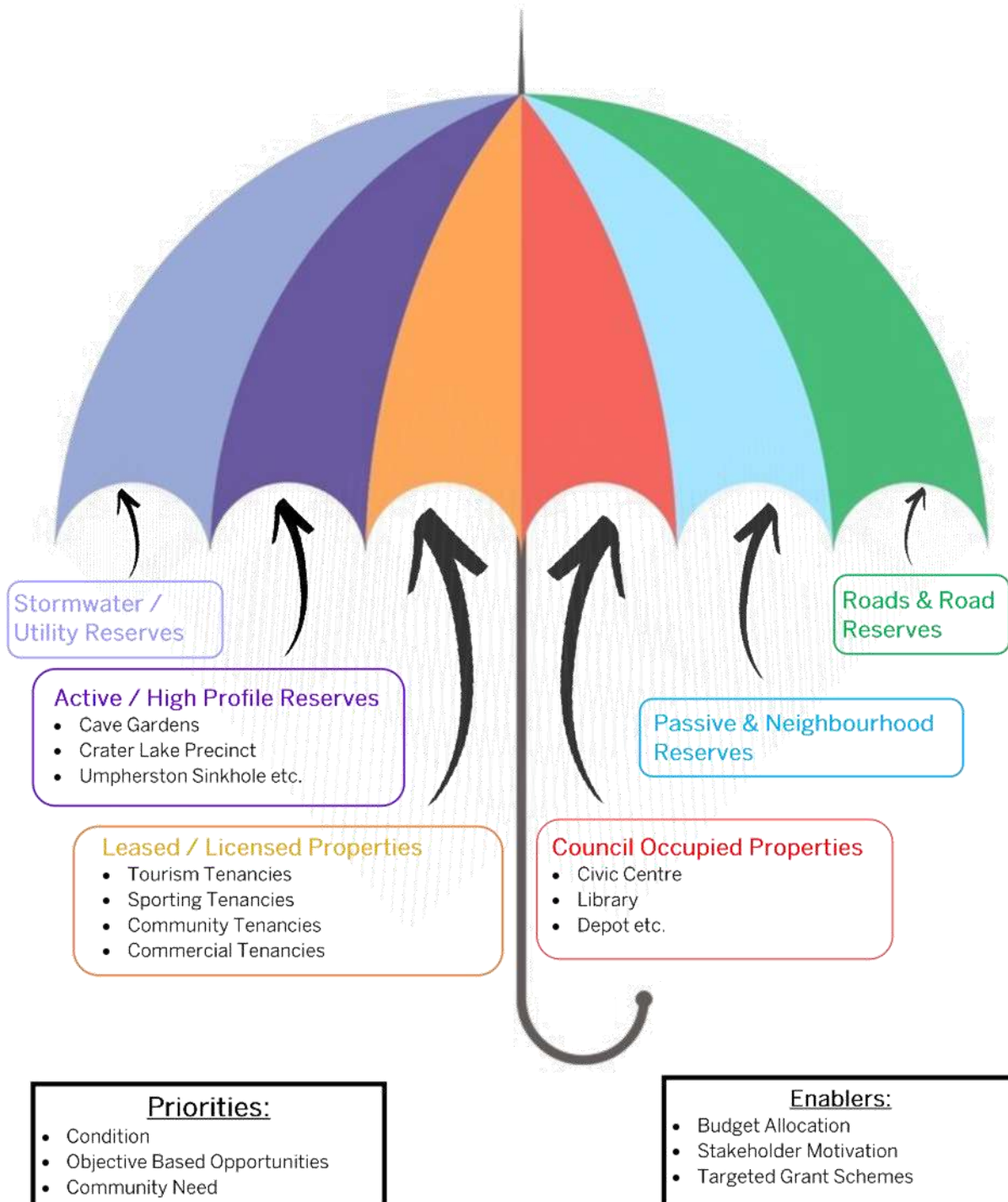
ATTACHMENTS

1. Strategic Property Management Approach - Property Categories and Implementation Steps [↓](#)





Council Property Categories





Strategic Property Management Approach Implementation Strategy

STEP 1



STEP 2

Master Planning

- ⇒ Tourism Assets
- ⇒ Blue Lake Sports Park
- ⇒ Crater Lakes Precinct
- ⇒
- ⇒

STEP 3

Operational Documentation

- ⇒ Community Land Management Plans
- ⇒ Policy
- ⇒ Leasing Provisions
- ⇒ By-laws
- ⇒
- ⇒



5.2 MCDONALD PARK TOILET FACILITIES CURRENT CONDITIONS AND PROPOSED NEW TOILET BLOCK COSTING. – REPORT NO. AR20/55119

Committee:	Economic and Environment Committee
Meeting Date:	7 September 2020
Report No.:	AR20/55119
CM9 Reference:	AF19/412
Author:	Abdullah Mahmud, Manager of Operations & Engineering
Authoriser:	Nick Serle, General Manager City Infrastructure
Summary:	This report provides an update on the condition of the public toilet facilities at McDonald Park and the estimated cost to construct a new public toilet facility and remove two old public toilet blocks at McDonald Park
Community Plan Reference:	Goal 1: Our People Goal 2: Our Location Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage

REPORT RECOMMENDATION

1. That Economic and Environment Committee Report No. AR20/55119 titled 'McDonald Park toilet facilities current conditions and proposed new toilet block costing.' as presented on 07 September 2020 be noted.
2. Council resolves to propose a provisional budget allocation of \$150,000 for the construction of a new toilet block and removal of two old toilet blocks at McDonald Park in 2021/2022.



BACKGROUND

There are three standalone toilet blocks of concrete besser block construction typical of the public toilet design of that era at McDonald Park. One toilet block is situated immediately south of the netball courts, one is located uphill to the north of the club rooms and the third toilet block is near the old tennis courts which has been locked and out of service for many years. Council has received several requests to upgrade the toilet block adjacent the netball courts at McDonald Park. As per the lease agreement East Gambier Sportsmen's Club are responsible for maintaining the buildings onsite including the toilets.

DISCUSSION

Due to the requests to upgrade the toilet block adjacent the netball courts Council Officers have consulted with the East Gambier Sportsmen's Club representatives to find the best way forward to improve the toilet conditions. Investigations of the condition of the existing sewerage systems and building has identified the most appropriate solution would be to build a new toilet block incorporating male/female and accessible toilet facilities complying with the requirements of current building code of Australia and demolish the two existing toilet blocks near the netball courts and old tennis courts.

A draft layout for the toilet building block has been prepared by council considering the orientation and the location to suit both the male and female patrons. An estimate of the cost to construct the proposed toilet layout and demolish the existing two toilets is \$150,000.00.

Discussion with East Gambier Sportsmen's Club representatives has identified that significant plumbing work is required to eliminate odour issues in the toilets within the club room building. The cost of this work has not been estimated or included in this report.

ECONOMIC IMPLICATIONS

If Council chooses to progress the construction of the new toilet block and remove two of the existing toilet blocks a budget commitment of \$150,000.00 will be required. This is not recommended in the current financial year given the existing budget deficit and significant capital expenditure already committed to projects from the Council's Asset Management Plans.

SOCIAL IMPLICATIONS

The community has been requesting upgraded facilities for years and construction of a new, modern and compliant toilet facility will have a positive social benefit. The new facility will provide a more positive experience for those who visit McDonald Park and will leave a positive impression of the City for those who use the facilities.

CULTURAL IMPLICATIONS

The proposed new toilet block will have a unisex accessible toilet with compliant ramp access to the toilet. This will result in inclusiveness and improved accessibility for patrons coming to the oval

CONCLUSION

Council may choose to make a provisional budget allocation of \$150,000.00 for the installation of a new toilet block and removal of two old toilet blocks at McDonald Park oval, noting Council's lease with the East Gambier Sportsmen's Club requires the Club to maintain all buildings on the site.

ATTACHMENTS

1. Draft layout for the proposed toilet block at McDonald Park [↓](#)
2. Photographs of Toilet Block and Proposed Toilet Block - McDonald Park [↓](#)





ISO VIEW

Amenities Block	61.74	Walls	2.7
Spectators Verandah	15.13	Roof Pitch	10
Entry Area	21.19	Soffit	n/a
Total:	98.24		
External Walls	stud/Ci/Bond		
Internal Walls	Stud/tiles		



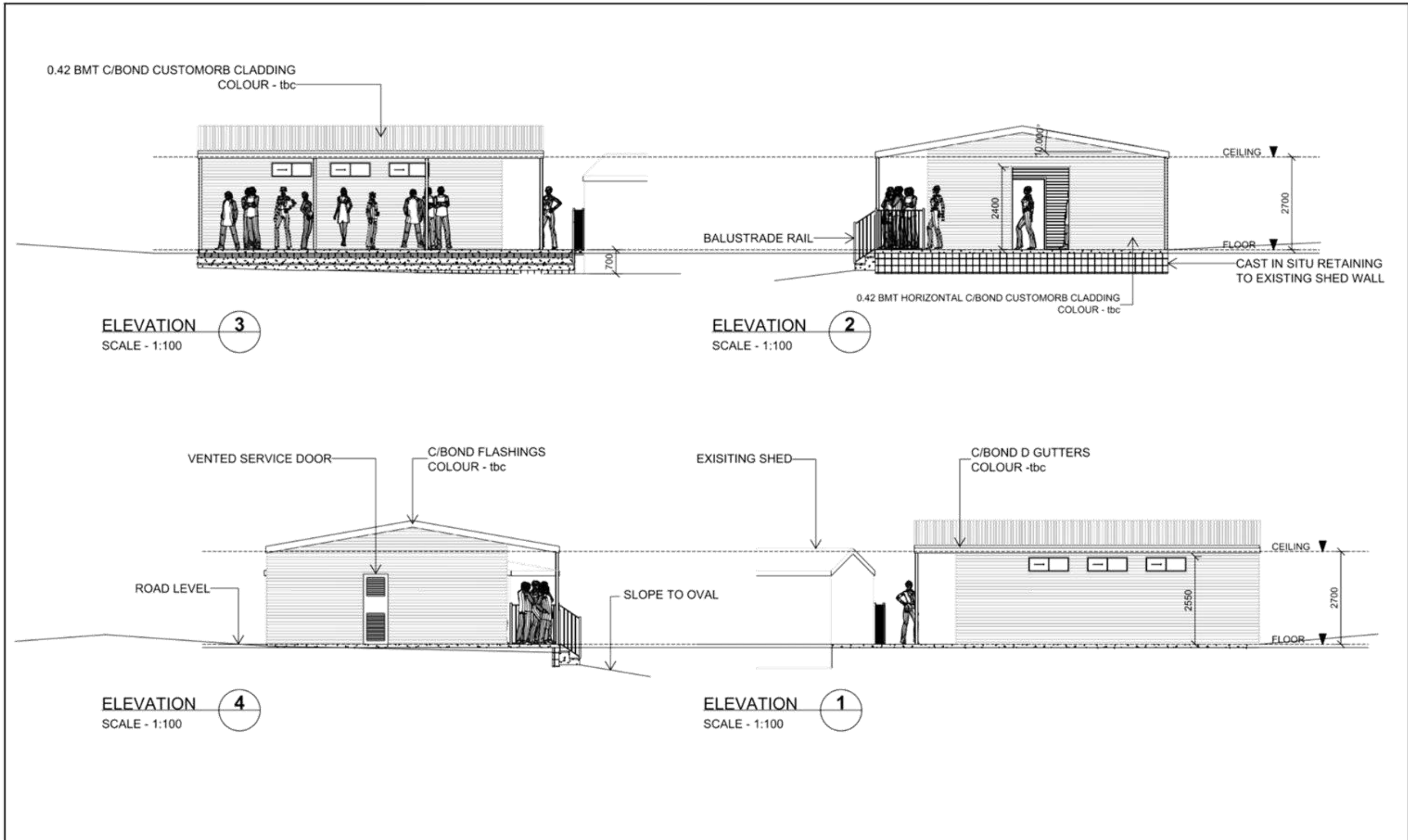
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 1/105a Commercial St East
 Mt Gambier, S.A. 5290
 Ph | 0887235184
 www.designsbysolly.com.au

REV NO	DESCRIPTION	DATE
A	ISSUED FOR COMMENT	19/6/20
B	MIRROR INTERNAL LAYOUT	19/8/20

DRAWING NO:	763-20	DATE:	19/6/2020	SCALE:	1:100
PROPOSED AMENITIES BUILDING FOR:					
East Gambier FC					
Malseed Park					
Mt Gambier, S.A. 5290					

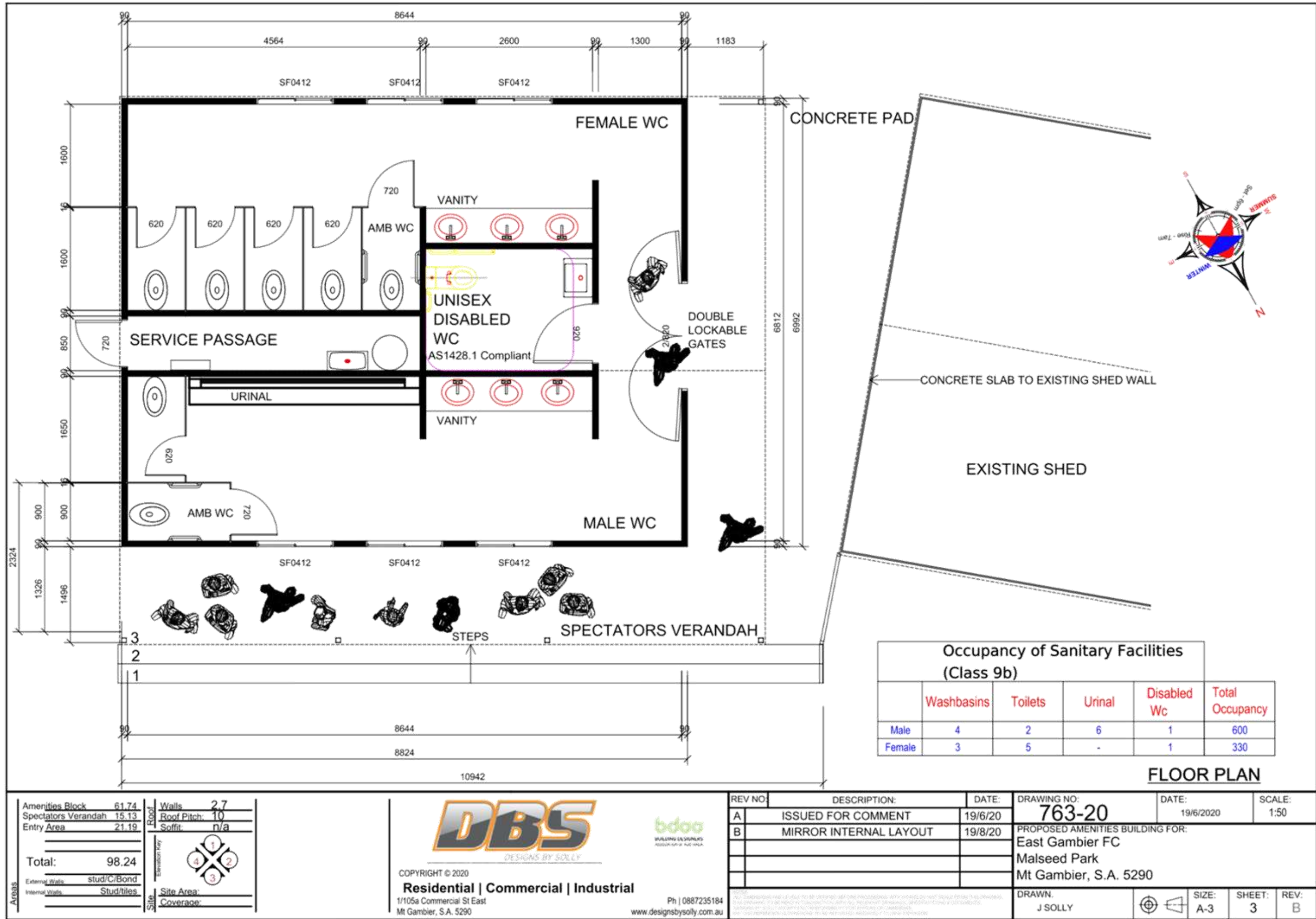
DRAWN:	J SOLLY	SIZE:	A-3	SHEET:	1	REV:	B
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Areas Amenities Block 61.74 Spectators Verandah 15.13 Entry Area 21.19 Total: 98.24 External Walls stud/C/Bond Internal Walls Stud/tiles		Roof Walls 2.7 Roof Pitch 10 Soffit n/a				 COPYRIGHT © 2020 Residential Commercial Industrial 1/105a Commercial St East Mt Gambier, S.A. 5290 Ph 0887235184 www.designsbysolly.com.au		REV NO DESCRIPTION DATE A ISSUED FOR COMMENT 19/6/20 B MIRROR INTERNAL LAYOUT 19/8/20		DRAWING NO: 763-20 PROPOSED AMENITIES BUILDING FOR: East Gambier FC Malseed Park Mt Gambier, S.A. 5290		DATE: 19/6/2020		SCALE: 1:100	
DRAWN: J SOLLY								SIZE: A-3		SHEET: 2		REV: B			





Existing toilet blocks:

Fig: 1&2. Toilet block near netball court



Fig:3&4. Toilet block near Tennis court



Fig: 5. Toilet block at North side of the club building



Proposed toilet Location is marked as a blue square in the following image.

Fig: 6. Aerial map for the proposed toilet block location (blue square)



5.3 CENTRESTAGE AND REIDY PARK CENTRE CONSTITUTIONS – REPORT NO. AR20/56190

Committee:	Economic and Environment Committee
Meeting Date:	7 September 2020
Report No.:	AR20/56190
CM9 Reference:	AF19/412
Author:	Michael McCarthy, Manager Executive Administration
Authoriser:	Andrew Meddle, Chief Executive Officer
Summary:	This report presents and recommends to defer a review of the Constitutions and operating models for Centrestage and the Reidy Park Centre.
Community Plan Reference:	Goal 1: Our People Goal 2: Our Location Goal 3: Our Diverse Economy Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage

REPORT RECOMMENDATION

1. That Economic and Environment Committee Report No. AR20/56190 titled 'CentreStage and Reidy Park Centre Constitutions' as presented on 07 September 2020 be noted.
2. That, in light of the proposed conduct of a Sports, Recreation and Open Space Plan and progression of the Community and Recreation Hub, the Wehl Street Theatre and Reidy Park Centre leases be allowed to continue on a monthly tenancy basis until further notice.
3. That Council will reconsider the leasing arrangements and operating models for the Wehl Street Theatre/Centrestage and Reidy Park Centre in a broader strategic context when a Sports, Recreation and Open Space Plan and Community and Recreation Hub projects have been completed.
4. That in the interim, the Centrestage Committee of Management be advised that Council does not object to their hiring policy allowing certain appropriate related forms of commercial activity at the Wehl Street Theatre (i.e. performing arts type uses) provided such uses contribute benefit to the community by supporting the primary permitted use of the premises under the lease:

“...to develop, promote and foster community arts with a focus on performing arts within the community of Mount Gambier and District.”



BACKGROUND

At the Council meeting held on 19 May 2020 Council considered Report No. AR20/28691 in relation to the expiry and renewal of the Centrestage Community Theatre lease for the Wehl Street Theatre and resolved as follows:

- “2. *Centre Stage Inc be advised Council has resolved they continue on a month by month lease until further notice.*
3. *The future use and management arrangements for the Wehl Street Theatre be referred to an Elected Member Workshop with the current tenant being invited.”*

An Elected Member Workshop on the lease of the Wehl Street Theatre lease was held on 13 July 2020 and attended by representatives of Centrestage, as the tenant and operator of the theatre.

Workshop discussion included suggestion of amendment to the Constitution and Rules of the Centrestage Community Theatre Incorporated to better place it for the future management of the Wehl Street Theatre. It was noted that Council contributed significantly to the establishment of the Centrestage Community Theatre and its Constitution and Rules.

Since the Elected Member Workshop on 13 July 2020 Council’s Manager Executive Administration has met with the management committee of the Reidy Park Centre who are in a similar position to Centrestage, operating a Council facility under a Constitution and Rules developed by Council.

This report presents these similar issues together for consideration.

DISCUSSION

The Centrestage Community Theatre Inc. and Reidy Park Centre Inc. Constitution and Rules were adopted in 1999 and 2000 respectively following their development in conjunction with Council for the management of the associated facilities (Wehl Street Theatre and Reidy Park Centre).

With the exception of site and user specific matters that differ between each organisation and site the Constitution and Rules of both Centrestage and the Reidy Park Centre are more or less identical.

Copies of the Centrestage and Reidy Park Centre Constitution and Rules can be found as **Attachments 1 & 2** respectively.

Similar to the Wehl Street Theatre, the Reidy Park Centre lease was granted for a period of 10 years with a further renewal period of 10 years that has now expired. Both leases are now continuing under ‘holding over’ provisions which provide a monthly tenancy whereby Council or the Lessee may terminate on the giving of one month’s notice.

The management groups of both Centrestage and the Reidy Park Centre are aware of Council’s comments in relation to the Centrestage Constitution, and it would be fair to say that both groups might anticipate some changes in this regard, which Council may wish to direct.

In light of the subject matter contained in Economic and Environment Report No. AR20/36020 titled ‘*Strategic Property Management - Sport, Recreation and Open Space Plan and precinct Master Planning*’ which would include the Wehl Street Theatre and Reidy Park Centre sites, and the recent announcement on the Community and Recreation Hub project this report recommends that Council defer any changes to the Constitutions and/or lease/operating arrangements for Centrestage and the Reidy Park Centre until outcomes associated with these two strategic matters are developed.

In the meantime, the existing leases may continue on a monthly tenancy basis, or Council may consider offering a 2 year lease to enable Wehl Street Theatre and Reidy Park Centre operations to continue whilst these other strategic projects are undertaken.



Further, notwithstanding that the lease with Council does not expressly prohibited commercial type use of the Wehl Street Theatre, in order to support the continued sustainability of the theatre and management model it is also recommended that Centrestage be advised that Council does not object to their hiring policy allowing certain appropriate related forms of commercial activity at the Wehl Street Theatre provided such uses contribute benefit to the community including by supporting the primary permitted use of the premises under the lease, being:

“...to develop, promote and foster community arts with a focus on performing arts within the community of Mount Gambier and District.”

CONCLUSION

Having considered the Centrestage and Reidy Park Centre Constitution and Rules and noting the proposed conduct of a Sports, Recreation and Open Space Plan and the progression of the Community and Recreation Hub, this report recommends that the Wehl Street Theatre and Reidy Park Centre leases be allowed to continue on a monthly tenancy basis until Council has opportunity to reconsider these sites and operating models in a broader strategic context.

ATTACHMENTS

1. Centrestage Community Theatre Inc. - Constitution & Rules [↓](#)
2. Reidy Park Centre Inc. - Constitution and Rules [↓](#)



THIS IS THE ANNEXURE MARKED 'A' REFERRED TO IN THE STATUTORY DECLARATION OF CENTRESTAGE COMMUNITY THEATRE INC. MADE ON THE 26TH DAY OF JULY 1999 BEFORE ME JUSTICE OF THE PEACE

CENTRESTAGE COMMUNITY THEATRE INCORPORATED

CONSTITUTION AND RULES

JP (SA)
10759

NAME:

1. The name of the Association is **CENTRESTAGE COMMUNITY THEATRE INCORPORATED** (herein referred to as the "Association").

OBJECTIVES:

2. The objectives of the Association are to develop, manage, foster and promote community performing arts based at the former TAFE Theatre at Wehl Street South, Mount Gambier being the property of the City of Mount Gambier and to achieve a sustainable focus for community performing arts through a united commitment and shared vision to enhance the building referred to above as the local centre for community performing arts and the opportunities the building offers and in particular:

(1) **ACCOUNTABILITY**

To ensure the affairs of the Association are operated in a proper and business like manner and its dealings are conducted on accepted business and/or commercial terms. To stabilise and develop the Association's funding base.

(2) **REPRESENTATION**

To ensure that the membership of the Committee of Management adequately represents the profile, make up and structure of the districts community based performing arts operating from the above building and as reflected in the stated objectives.

(3) **NETWORKING**

- To assist the development and maintenance of all networks that serve the objectives of the Association
- To develop a significant relationship with the existing key community based performing arts groups of the district so as to work with and expand upon existing roles and functions that are present within the district.

(4) **DEVELOPMENT**

To direct and support the development of the Association and its products, services and expertise and promote the buildings as a community resource.

(5) **BUILDING**

To ensure that the former TAFE Theatre and associated land and buildings (the property of the City of Mount Gambier) are managed, maintained, tended and cared for so as to ensure the presentation and functionality thereof are always of the highest order.

- 2 -

(6) MARKETING

To market the Association as a visionary organisation committed to community performing arts excellence and the advancement of community performing arts in accordance with the stated objectives.

(7) EDUCATION

To facilitate and enhance the development of knowledge and benefits of the Association to the community within the district and to stimulate community performing arts and public interest and participation therein.

(8) PROMOTION

To support the promotion and development of the districts community based performing arts as creative, robust, vibrant and dynamic.

AIMS:

3. The aims and performance measures of the Association include but are not limited to:
 - (1) Improving efficiency, co-ordination and direction of the local performing arts community to complement their respective activities.
 - (2) Developing the former TAFE Theatre buildings into a first class venue for local community performing arts.
 - (3) Managing the former TAFE Theatre buildings and activities therein and to safeguard the premises and its infrastructure in a professional manner on behalf of the users and the City of Mount Gambier.
 - (4) Developing sponsorship and other funding raising sources for activities centred on the former TAFE Theatre buildings.
 - (5) Fostering and enhancing the role of local community performing arts centred on the former TAFE Theatre buildings.
 - (6) Promoting the work of local community performing arts centred on the former TAFE Theatre buildings.
 - (7) Providing access to the former TAFE Theatre buildings by users (or potential users) from the local community performing arts.
 - (8) Presenting performances and programs which enhance the use and enjoyment of the local community performing arts.
 - (9) Promoting the former TAFE Theatre buildings as a community resource.



3

INTERPRETATION:

3a (1) In these rules, unless the contrary intention appears:-

"Committee" means the Committee of Management of the Association.

"The district means the defined Local Government areas that comprise the City of Mount Gambier and District Council of Grant.

"Financial Year" means the year ending on 30th June.

"Member" means a financial member of the Association.

"The Act" means the Associations Incorporation Act.

"The Regulations" means the regulations under the Act.

(2) In these Rules:

(a) A reference to a function includes a reference to a power, authority and duty;

(b) A reference to the exercise of a function includes, where the function is a duty, a reference to the performance of the duty.

(3) Words of expressions contained in these rules shall be interpreted in accordance with the provisions of the said Act and the Acts Interpretation Act.

FUNDS:

4. (1) The general funds of the Association shall be derived from sponsorships, advertising rights, concessions granted, subscriptions, donations, grants, fees for service and such other sources as the Committee of Management determines.

(2) The general income and property of the Association whensoever derived, shall be applied solely towards the objectives of the Association and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to Members of the Association PROVIDED THAT nothing herein contained shall prevent the payment in good faith of remuneration to any officers or servants of the Association or to any Member of the Association for any return of any services actually rendered to the Association or for goods supplied in the ordinary or usual course of business, or prevent the payment of interest at a normal commercial rate on money borrowed from any Members of the Association or reasonable or proper rent for premises demised or let by any Member of the Association.

MEMBERSHIP:

5. The Members of the Association shall be:-

(1) Ordinary Members:

Membership of the Association is open to:



- 4 -

- (a) any natural person who applies in writing to become an ordinary Member and accepts the objectives of the Association and pays the subscription fee(s), so prescribed by the Association.
- (b) a body corporate who applies in writing to become an ordinary Member and accepts the objectives of the Association and pays the subscription fee(s) so prescribed by the Association and nominates a natural person (and may also nominate a proxy or proxies for that natural person) as its representative to the Association.

(Subject to the provisions herein contained a natural person or a body corporate is accepted as an ordinary Member of the Association on the majority vote of the Committee of Management).

(2) Life Members:

Any person (not a body corporate) who has given long meritorious service to the Association may be made a life Member by the Association on the recommendation of the Committee of Management to the Annual General Meeting.

(3) Associate Members:

Any person or body corporate who in the opinion of the Committee of Management should be accepted having proven special reason and qualification for membership may be made an Associate Member.

An Associate Member shall be entitled to such privileges and pay such fees as the Committee of Management shall determine from time to time.

An Associate Member shall not be entitled to vote at any meeting of the Association or hold office in the Association.

REGISTER OF MEMBERS:

- 6. The Secretary shall keep and maintain a register of all classes of Members in which shall be entered the full name, address and date of membership of each Member or nominee of a body corporate and the register shall be available for inspection by Members at the address of the Association.

RIGHTS OF MEMBERS:

- 7. The rights and privileges of a Member shall not be transferable and shall cease upon the person ceasing to be a Member whether by death, dissolution, retirement expulsion or otherwise.



= 5 =

SUBSCRIPTION:

8. (1) The subscription fees shall be such sum or sums as the Members shall determine from time to time at the Annual General Meeting;
- (2) The subscription fees shall be payable annually on 1st July or at such other date as the Committee of Management shall determine from time to time;
- (3) Any Member whose subscription is outstanding for more than three months after the due date for payment shall cease to be a Member of the Association provided always that the Committee of Management may reinstate such persons membership on such terms as the Committee of Management thinks fit.

RESIGNATION:

9. A Member may resign from membership of the Association by giving a written notice thereof to the Secretary of the Association. Any Member so resigning shall be liable for any outstanding subscriptions which may be recovered as a debt due to the Association.

EXPULSION OF A MEMBER:

10. (1) Subject to giving a Member an opportunity to be heard or to make a written submission, the Committee of Management may resolve to expel a Member upon a claim of misconduct detrimental to the interests of the Association.
- (2) Particulars of the claim shall be communicated to the Member at least one calendar month before the meeting of the Committee of Management at which the matter will be determined;
- (3) The determination of the Committee of Management shall be communicated to the Member and in the event of an adverse determination the Member shall subject to Rule 10 (4) hereof cease to be a Member 14 days after the Committee of Management has communicated its determination to the person;
- (4) It shall be open to a Member to appeal to the Association at a Special General Meeting of Members against the expulsion.
The intention to appeal shall be communicated to the Secretary of the Association within 14 days after the determination of the Committee of Management has been communicated to the Member.
- (5) In the event of an appeal under Rule 10 (4) hereof the appellant's membership of the Association shall be terminated unless the determination of the Committee of Management to expel the Member is upheld by a majority vote of the Members of the Association present at a Special General Meeting of



- 6 -

Members after the appellant has been heard, and in such an event membership will be terminated at the date of the Special General Meeting at which the determination of the Committee of Management is upheld.

APPLICATION FOR MEMBERSHIP:

11. (1) Application for membership of the Association shall be completed in writing by any applicant.
- (2) Application for membership should be lodged at the address of the Association with the Secretary together with such fee as may from time to time be required.
- (3) Application for membership shall be considered by the Committee of Management at its next meeting following receipt of the application for membership.
- (4) The determination of the Committee of Management shall be communicated to the applicant.
- (5) In the event of an adverse determination, it shall be open to the applicant to appeal to the Association at a Special General Meeting of Members against the adverse determination. The intention to appeal shall be communicated to the Secretary of the Association within 14 days after the determination of the Committee of Management has been communicated to the applicant.
- (6) In the event of an appeal the appellant's application for membership of the Association shall not be rejected unless the determination of the Committee of Management to reject the applicant is upheld by a majority vote of the Members of the Association present at a Special General Meeting of Members after the appellant has been heard.

ANNUAL GENERAL MEETING:

12. (1) The Association shall in each calendar year convene an Annual General Meeting of its Members.
- (2) The Annual General Meeting shall be held on such day and time as the Committee of Management determines provided that such meeting shall be held on or before the 30th day of September in each and every year.
- (3) The Annual General Meeting shall be specified as such in the notice convening it.
- (4) The notice of such meeting shall be advertised in the local press and be forwarded to each and every class of Member of the Association not less than 14 days prior to the date set for the Annual General Meeting.



- 7 -

- (5) The ordinary business of the Annual General Meeting shall be:-
- (a) to confirm the minutes of the last preceding Annual General Meeting;
 - (b) to receive office holders reports upon the transactions of the Association during the last preceding financial year;
 - (c) (1) to appoint or elect from the ordinary Members persons to serve on the Committee of Management of the Association;
 - (2) the number of persons to be appointed or elected from the ordinary Members to the Committee of Management shall not exceed five (5);
 - (d) to receive and consider the Audited Financial Statements, Operating Cash Flow Statements, Statement of Financial Position and Balance Sheet submitted by the Association;
 - (e) to elect the officers of the Association as referenced at Rule 21 (1);
 - (f) to appoint the Auditor of the Association;
 - (g) to appoint a person as Public Officer of the Association;
 - (h) to appoint two (2) persons (who must be on the Committee of Management) to act as seal holders of the Association; and
 - (i) to receive and consider such proposal to amend these Rules as have from time to time been lodged with and referred by the Committee of Management in accordance with the provisions of Rule 31 hereof.
- (6) The Annual General Meeting may also transact special business of which notice has been given generally in accordance with the procedures set down for Rule 31 hereof.
- (7) The Annual General Meeting shall be in addition to any other Special General Meetings that may be held in the same year.
- 12a The procedures to be followed regarding the nomination and appointment of Members to the officer positions and/or to the Committee of Management positions shall be as follows:



- 8 -

- (a) a Member may nominate for more than one officer position i.e. Chairperson or Secretary or Treasurer or Public Officer or the remaining Committee of Management positions.
- (b) Noting the procedure for the appointment of officers at Rule 22(2)(d) then:
 - (1) a Member who has been nominated for one of the four (4) officer positions but was unsuccessful in being elected to that position, then the unsuccessful candidate(s) has/have the option at the actual Annual General Meeting only to advise the meeting if they wish to be a candidate for election to any of the next available officer positions or one of the remaining Committee of Management positions;
 - (2) if the Member takes the option to be a candidate for election to one of the next available officer positions or the remaining Committee of Management positions then that Member shall be considered as being deemed to be nominated for such position and will be considered for election along with all other nominations that may have been received.
- (c) (1) a Member may nominate for more than one of the officer positions as referenced at Rule 12a(1) and may also nominate for one of the remaining Committee of Management positions that are concurrently available.
 - (2) should a Member be successful in being appointed to one of the officer positions and who also has nominated for one of the remaining Committee of Management positions then the nomination of the Member for one of the remaining Committee of Management positions shall automatically be withdrawn.
- (d) (1) a Member having agreed to be nominated for one (1) of the positions on the Committee of Management shall not withdraw their nomination except on the grounds of serious illness.
 - (2) the withdrawal of a nomination under Rule 12a (d) (1) hereof cannot be recognised unless the notice is in writing and the withdrawal is supported by the certificate of a legally qualified medical practitioner certifying that the candidate is too ill to be able to carry out satisfactorily the duties on the Committee of Management.



9

- (e) Nominations from the ordinary Members for the general positions on the Committee of Management must be lodged with the Secretary from fourteen (14) days prior to the date of the Annual General Meeting until the date and actual commencement time of the actual Annual General Meeting.
- (f) Where more candidates are nominated than there are positions available, then the election of Members to the positions shall be conducted by a secret ballot and determined by a simple majority of Members present at the Annual General Meeting.

SPECIAL GENERAL MEETING:

13. (1) All general meetings of the Association other than the Annual General Meeting and meetings of the Committee of Management shall be called Special General Meetings of Members.
- (2) The Committee of Management may, whenever it thinks fit, convene a Special General Meeting of the Association and notice of such meeting shall be forwarded to each and every Member of the Association not less than 14 days prior to the date set for the Special General Meeting.
 - (3) The Committee of Management shall, on the requisition in writing of five (5) ordinary Members convene a Special General Meeting of Members of the Association.
 - (4) The requisition for a special General Meeting shall state the objects of the Meeting and shall be signed by the ordinary Members making the requisition and be sent to the address of the Secretary.
 - (5) If the Committee of Management does not cause a Special General Meeting to be held within 14 days after the date on which the requisition is sent to the address of the Secretary, the five (5) ordinary Members making the requisition, may convene a Special General Meeting of members to be held not later than 30 days after that date.
 - (6) A Special General Meeting convened by ordinary Members in pursuance of these Rules shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the Committee of Management and all reasonable and justifiable expenses incurred in convening the meeting shall be refunded by the Association to the person(s) incurring those expenses.



- 10 -

NOTICE OF MEETING:

14. (1) The Secretary of the Association shall, at least 14 days before the date fixed for holding any Annual General Meeting and/or Special General Meeting of the Association, cause to be advertised in the local newspaper and forwarded to each and every class of Member of the Association a notice detailing such meeting stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting. Annual General Meetings are to be also advertised publicly in the local press at least 14 days before the date fixed for holding any Annual General Meetings.
- (2) No business other than that set out in the notice convening the meeting shall be transacted at the Annual General Meeting and/or Special General Meeting.
- (3) An ordinary Member desiring to bring any business before an Annual General Meeting and/or Special General Meeting may give notice of that business in writing to the Secretary, who shall include that business in the notice calling such meeting after the receipt of the notice provided such notice is received by the Secretary not less than 16 days before the date set for the meeting.

PROCEEDINGS AT ALL MEETINGS:

15. (1) No item of business shall be transacted at an Annual General Meeting and/or Special General Meeting unless a quorum of Members entitled under these Rules to vote is present during the time when the meetings is considering that item.
- (2) Five (5) ordinary Members present (being Members entitled under these Rules to vote at such meetings) constitute a quorum for the transaction of business of the Annual General Meeting and/or Special General Meeting.
- (3) If within half an hour after the appointed time for the commencement of such meetings a quorum is not present, the meeting (if convened upon the requisition of ordinary Members shall immediately be dissolved) shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairperson at the time of the adjournment or by written notice to Members given before the day to which the meeting is adjourned) at the same place and if at the adjourned meeting the quorum is not present within half and hour after the time appointed for the commencement of the meeting, the Members present shall constitute a quorum.



11

16. (1) The Chairperson if present shall preside at all meetings of the Association.
(2) If the Chairperson is absent from any meeting, the Members present shall elect one of their number to preside as Acting Chairperson for that meeting.
17. (1) The Chairperson of any Special General Meeting of Members at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
(2) Where any meeting of the Association is adjourned a notice of the adjourned meeting shall be given by the Secretary detailing the date, time and place of the adjourned meeting.
18. A question arising at any meeting of the Association shall be determined on a show of hands, a declaration by the Chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, shall be made, and an entry to that effect included in the minute book of the Association is evidence of the fact without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.
19. (1) Upon any question arising at an Annual General Meeting and/or Special General Meeting of the Association, a Member has one deliberative vote only.
(2) All votes shall be given personally.
(3) The Chairperson of a meeting (or the Acting Chairperson presiding) is entitled to a deliberative vote and in the event of an equality of votes then the Chairperson shall also be entitled to a casting vote.

COMMITTEE OF MANAGEMENT:

20. (1) The affairs of the Association shall be managed by the Committee of Management.
(2) The Committee of Management:
 - (a) shall control and manage the business and affairs of the Association;
 - (b) may, subject to these Rules, the Regulations and the Act, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these Rules to be exercised by the Annual General Meeting or Special General Meeting of the Members of the Association, and



- 12 -

(c) subject to these Rules, the Regulations and the Act, has power to perform all such acts and things as appear to the Committee of Management to be essential for the proper management of the business and affairs of the Association including the contract employment of a person(s), companies, associations, or groups to assist the Association to conduct its affairs.

21. (1) the officers of the Association shall be:-

- (a) Chairperson;
- (b) Treasurer;
- (c) Secretary;
- (d) Public Officer

An officer may hold more than one officer position on the Committee of Management.

(2) Each officer and Committee of Management Member shall be elected at the Annual General Meeting and shall hold office until the Annual General Meeting next after the date of that election but is eligible for re-election provided that the Chairperson shall be ineligible to stand for that officer position for more than three consecutive years without at least a one year break;

(3) The provision of Rule 21 (2) hereof does not apply in respect of nominees appointed to the Committee of Management by the groups or bodies referred to in Rule 22 (3) hereof.

(4) In the event of a casual vacancy in any office referred to in Rule 21 (1) hereof, the Committee of Management may appoint an ordinary Member of the Association to the vacant office for a term of up to and including the conclusion of the Annual General Meeting next following the date of his or her appointment.

(5) In the event of a casual vacancy in the number of ordinary Members appointed to the Committee of Management, then the Committee of Management may appoint an ordinary Member of the Association to the vacant position who will hold the position for a term of up to an including the conclusion of the Annual General Meeting next occurring.

22. (1) The Committee of Management shall consist of the officers of the Association as per Rule 21 (1) and other ordinary Members provided the aggregate total of ordinary members appointed does not exceed five (5).

seven (7)



- 13 -

- (2) The election of the Chairperson, Secretary, Treasurer, Public Officer and other Committee Members (excluding the nominees of the bodies referenced at Rule 22 (3) hereof) shall take place at the Annual General Meeting in the following manner:
- (a) Each applicant for a position shall be nominated and seconded by ordinary Members of the Association;
 - (b) The nomination, which shall be in writing and signed by the applicant and the proposer and seconder, shall be lodged with the Secretary at least fourteen (14) days before the Annual General Meeting at which the election is to take place;
 - (c) If at the commencement of the Annual General Meeting there are insufficient number of candidates nominated for officer positions or Committee of Management positions, nominations may be taken from the floor of the meeting for any of the vacant positions;
 - (d) The appointment of the officers and the remaining ordinary Members to comprise the Committee of Management shall be conducted in the following order:
 - Chairperson
 - Secretary
 - Treasurer
 - Public Officer
 - balance of the Committee of Management
 - (e) The determination of the successful candidate for each position shall be by a secret ballot conducted at the Annual General Meeting.
All voting shall be given personally with no proxy voting permitted.
- (3) (a) The following additional appointments may be made (in addition to all other appointments as herein referred) to the Committee of Management by the bodies herein referenced to represent their respective interests:
- Mount Gambier Theatre Group Inc.
 - ~~Central Dance College~~
 - Mount Gambier Choral Society
 - Backstage Incorporated
 - ~~City of Mount Gambier~~



- 14 -

- (b) Each of the bodies referred to in Rule 22 (3) (a) hereof shall nominate a person to represent the interests of that particular body on the Committee of Management (and may also nominate a proxy or proxies for the person so nominated).
 - (c) the person (or proxy/proxies) so appointed holds office at the pleasure of the nominating body.
 - (d) the person (or proxy/proxies) so appointed has full voting rights and the same powers as an ordinary Member but the nominee of the City of Mount Gambier is not permitted to hold any officer positions of the Association on the Committee of Management as defined at Rule 21(1).
- (4) (a) Any remunerated servants, employees or other contracted persons of the Association are ineligible to stand for election or appointment to any officer positions, the Committee of Management or be a formal Member of the Association.
- (b) The duties and responsibilities of any remunerated servants, employees or other contracted persons of the Association may require their attendance at meetings of the Association and/or Committee of Management and to carry out certain functions of the Association and/or the Committee of Management.
 - (c) Such functions that might ordinarily be the responsibility of the Committee of Management officer(s) may be undertaken by the paid employees but are responsible to the Committee of Management.

DISQUALIFICATION OF COMMITTEE MEMBERS:

23. The office or any officer or ordinary committee Member on the Committee of Management position shall become vacant if he or she is:
- (a) Disqualified by the Act;
 - (b) Expelled under these Rules;
 - (c) Permanently incapacitated by ill health;
 - (d) Absent without leave for more than three consecutive Committee of Management meetings.
 - (e) Ceases to be a financial member of the Association.
 - (f) resigns their office or position by notice in writing given to the Secretary.
 - (g) is removed from office by Members of the Association pursuant to these Rules;
 - (h) dies
 - (i) becomes of unsound mind or a person whose personal estate is liable to be dealt with in any way under the law relating to mental health



- 15 -

- (j) becomes bankrupt or takes advantage of any law relating to bankrupt or insolvent debtors or compounds with their creditors or makes an assignment of their estate for their benefit.

ELECTION OF THE COMMITTEE OF MANAGEMENT

seven (7)

- 24 (1) There shall be a maximum of up to five (5) natural persons elected at each Annual General Meeting following nominations from the ordinary Members who will be the Members appointed to the Committee of Management plus the nominations referred to at Rule 22(3) hereof.
- (2) The Association recognises that significant liaison will occur or be necessary with the Council of the City of Mount Gambier and as such the following person may attend any meetings of the Association as an ex-officio appointee:
- Mayor of the City of Mount Gambier
- but have no voting rights nor can the person be elected to the Committee of Management.

PROCEEDINGS OF COMMITTEE OF MANAGEMENT:

- 25 (1) The Committee of Management shall meet as and when required and at such times as the Chairperson may determine.
- (2) Special meetings of the Committee of Management may be convened by the Chairperson or by any four (4) of the Members of the Committee of Management.
- (3) Notice shall be given to Members of the Committee of Management of any special meeting specifying the general nature of the business to be transacted thereat the date, time and venue for the special meeting and no other business shall be transacted at such a meeting.
- (4) A quorum for meetings of the Committee of Management shall be determined by dividing the total number of Members then serving or appointed to the Committee of Management (including nominees of the Groups or Bodies referred to at Rule 22(3) hereof) by two ignoring any fraction from the division and adding one.

(4) Quorum for meetings of the C of M shall be five (5)

- 16 -

- (5) No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for the meeting of quorum is not present the meeting shall stand adjourned to the same place and at the same hour of the same day in the following week unless the meeting was a special meeting in which case it lapses.
- (6) At meetings of the Committee of Management:-
 - (a) the Chairperson shall preside; or
 - (b) if the Chairperson is absent, one of the remaining Members of the Committee of Management as may be chosen by the Members present shall preside as Acting Chairperson for that meeting.
- (7) Questions arising at a meeting of the Committee of Management or of any sub-committee appointed by the Committee of Management shall be determined on a show of hands and subject to Rules 35(1) and 35(2) hereof all Members present shall vote.
- (8) Each Member present at a meeting of the Committee of Management or of any sub-committee appointed by the Committee of Management is entitled to a deliberative vote with the Chairman being entitled to a casting vote as well as a deliberative vote in the event of an equality of votes.
- (9) Written notice of each and every Committee of Management meeting shall be deemed to have been given if forwarded to each and every Committee Member at the address shown in the Register of Members thereof not less than 7 days before the date of the meeting.
- (10) Subject to Rule 25 (4) hereof the Committee of Management may act notwithstanding any vacancy on the Committee of Management.
- (11) It shall not be necessary for the Committee of Management to hold formal meetings for the purposes of resolving any matter of urgency (such urgency matter to be determined by the Chairperson, Secretary and the Treasurer prior to the informal meeting) provided however that any decision taken otherwise than at a formal meeting shall be confirmed and ratified at the next formal meeting of the Committee of Management.

THE CHAIRPERSON:

26. (1) The Chairperson of the Association shall conduct meetings and follow the procedures of the Association as herein referred.
- (2) Subject to these Rules and the Act, the procedure to be observed in relation to the conduct of any meetings of the Association will be:-



- 17 -

- (a) as prescribed by these Rules;
- (b) insofar as the procedure is not prescribed by the Rules - as determined by the Association;
- (c) insofar as the procedure is not prescribed by the Rules or by the Association - as determined by the Committee of Management;
- (d) insofar as the procedure is not prescribed by the Rules, the Association or the Committee of Management - as determined by the Chairperson presiding at the meeting.

THE SECRETARY:

27. The Secretary of the Association:

- (1) shall ensure that minutes are kept of the resolutions and proceedings of each general meeting of Members and each Committee of Management meeting in systems provided for that purpose together with a record of the names of persons present (or formally apologised) at all meetings;
- (2) shall ensure the prompt attention to the correspondence of the Association;
- (3) shall ensure that copies are sent of all such minutes within 7 days of any meeting to:
 - (a) in the case of General Meetings of Members to each Member of the Association
 - (b) in the case of Committee of Management meetings, to each Member of the Committee of Management.
- (4) shall ensure the Register of Members including an annual reconciliation and update of those persons appointed as representatives of Members who are incorporated bodies are maintained to ensure the accuracy and currency of such appointments.
- (5) may also hold the office of Public Officer

THE TREASURER:

28. The Treasurer of the Association:

- (a) shall ensure the proper procedures to collect and receive all moneys due to the Association and make all payments authorised by the Association are undertaken; and
- (b) shall ensure that the correct accounts and books showing the financial affairs of the Association will full details of all receipts and expenditure connected with the activities of the Association are kept.
- (c) shall make the accounts available for inspection by Members.



- 18 -

(d) shall have the books and other relevant records of the Association completed and balanced and the end of Financial year statements prepared and ready for external audit not later than 30 days after the conclusion of the Financial Year.

PUBLIC OFFICER:

- 28a. (a) the Association shall appoint a Public Officer from the ordinary Members on the Committee of Management at its Annual General Meeting.
- (b) the Public Officer may also hold the position of Secretary
- (c) the duties and responsibilities of the Public Officer shall be as stipulated in the Act.

CHEQUES:

29. (1) All cheques and other negotiable instruments shall be signed by two members of the Committee of Management.
- (2) The Committee of Management shall keep an account at a bank of its determination and cheques shall be drawn signed and endorsed by two persons of the Committee of Management.

SEAL:

30. (1) The Common Seal of the Association shall be kept in the custody of the Chairperson.
- (2) The Common Seal shall not be affixed to any instrument except by the authority of the Committee of Management and affixing of the Common Seal be attested by the signatures of the two (2) appointed Seal Holders.
- (3) The nominated sealholders shall receive no remuneration from the Association.

ALTERATION OF RULES AND STATEMENT OF OBJECTIVES:

31. These Rules and the Statement of Objectives of the Association shall not be altered except in accordance with the following procedures:-
- (1) Any ordinary Member of the Association may give notice proposing an amendment to these Rules and the Statement of Objectives and a copy of the proposed amendment(s) shall be delivered to the Secretary of the Association.
- (2) any proposed amendment(s) must be first submitted in writing to the Committee of Management for its consideration.
- (3) the Committee of Management must first approve the proposed amendment(s) and on its own motion submit the proposal to the next Annual General Meeting of Members for consideration.



- 19 -

- (4) if the Committee of Management does not support the proposed amendment(s) by an absolute majority then 3 Members (not including Members of the Committee of Management) may submit the proposal in writing to the next Annual General Meeting of Members to enable the Members to consider the amendment(s). Notice proposing an amendment(s) must be submitted to the Secretary not less than 28 days prior to the date set for the Annual General Meeting.
- (5) any proposed amendment(s) to the Rules and the Statement of Objectives of the Association shall only be considered at the Annual General Meeting of Members, and must be approved by at least 75 percentum of the Association Members present at the Annual General Meeting.

NOTICES:

32. (1) A notice including notices of meetings may be served by or on behalf of the Association upon any Member either personally or by sending it by post or by facsimile transmission to the Member at their address shown in the Register of Members.
- (2) Where a document is properly addressed pre-paid and posted to a person as a letter or transmitted as a facsimile the document shall, unless the contrary is proved, be deemed to have been given to the person at the time at which the letter would have been delivered in the ordinary course of post.

ACCOUNTS:

- 32a (1) The Committee of Management shall cause true accounts to be kept in such manner as it thinks fit of all its receipts, credits, payments, assets and liabilities and all other matters necessary to correctly record and explain the transactions of the Association and the financial position of the Association and such accounts and transactions shall be audited at least once a year by a certified public or chartered accountant appointed by the Members as the external Auditor.
- (2) The financial year of the Association shall be deemed to end on the 30th day of June and the Treasurer shall have a statement of receipts and expenditure and balance sheet prepared covering the transactions of the Association during period of twelve months ending on such 30th day of June and the various Statements and balance sheet is to contain full and complete details of the financial transactions and assets and liabilities of the Association and the



- 20 -

Committee of Management shall have true copies of such statements and balance sheet endorsed with the external auditor's certificate.

THE AUDITOR:

33. The Association shall appoint an external auditor (not being a Member of the Association) and the external Auditor shall audit the financial records and affairs of the Association on an annual basis and attest to the financial position of the Association in the Auditors Report to the Annual General Meeting of the Association.

SUB COMMITTEE'S:

34. (1) The Committee of Management may appoint or form sub committee's consisting of or including, persons who are not Members of the Committee of Management or of the Association itself.
- (2) Sub committee's are formed or appointed for the purposes of inquiring into and reporting to the Committee of Management on any matters within the ambit of the Committee of Management's responsibilities.
- (3) A member of a sub committee holds office at the pleasure of the Committee of Management.
- (4) In forming any sub committee the following structure and procedures shall apply:
- (a) at least one member of the Committee of Management shall be appointed to any sub committee and shall chair any meetings of the sub committee.
- (b) the sub committee cannot commit the Committee of Management or the Association under any circumstances and has no authority or power to make any binding decision that could commit the Committee of Management.

PROTOCOLS OF AND FOR MEMBERS:

35. The following protocols are provided to ensure the Association and its Members conduct the affairs of the Association in a proper manner so as not to bring the Association into disrepute:-
- (1) If a Committee Member has a pecuniary interest whether directly or indirectly in any Contract or proposed Contract in which the Association is concerned the Committee Member must declare that interest to the meeting as soon as the Committee Member becomes aware of the interest.
- (2) The Committee Member shall not be present at any meeting and shall not be involved in discussions with respect to any contract or proposed contract of which the Committee Member has disclosed an interest.



- 21 -

The Committee Member must leave the room immediately prior to any discussions with respect to the contract or proposed contract of which the Committee Member has disclosed an interest and shall not vote on any resolution concerning that contract or proposed contract:.

- (3) The minutes of every meeting shall be submitted for confirmation at the next meeting but if that is omitted, at a subsequent meeting.
- (4) No discussion on the minutes shall be allowed before their confirmation except as to the accuracy of the minutes as a record of proceedings.
- (5) On the confirmation of the minutes the Chairperson or in the Chairperson's absence the Acting Chairperson shall initial every page and sign and date at the foot of the last page of the minutes.
- (6) The Committee of Management may act notwithstanding any vacancy in their body.
- (7) Any act, action, resolution or decision performed or undertaken by the Members shall not be invalid or unenforceable as a result of the lack of quorum at any meeting or through an invalid appointment of any Member or the Chairperson.
- (8) The Association may pay the premiums for any Officers and Directors insurance that the Association or the Committee of Management considers appropriate.
- (9) The Committee of Management shall be indemnified by the Association for any liability incurred in defending any proceedings whether civic or criminal in which judgement is given in the favour of the Committee of Management or in which the Committee of Management is acquitted.
- (10) The Association shall have the following **POWERS** which may be exercised for and on its behalf by the Committee of Management:-
 - (a) to sell, lease, hire, make gifts of, exchange, invest or otherwise dispose of or deal with the whole or any part of the real or personal property of the Association or any interest in it as fully and effectually as if they were the absolute owners.
 - (b) To borrow or raise money for the purposes of the Association as set out in these Rules and for all incidental purposes with or without giving security from any person, company, bank or corporation and if necessary on the security of any real or personal assets of the Association and otherwise on such terms or conditions as are reasonable in the opinion of the Committee of Management.



- 22 -

- (c) To invest money in any investment of which the Committee of Management approves or in the purchase or improvement of any real or personal property and to vary and transpose any such investments.
- (d) To pay all expenses and outgoings as may be incurred in relation to the Association, and to enter into contracts, agreements, arrangements and understandings as are considered necessary.
- (e) To hire or let any property for such terms at such hire charges and subject to such provisions and conditions as are reasonable to the Committee of Management. It is to be noted that the Committee of Management has not been encouraged by the City of Mount Gambier to hire or let the premises (known as the former TAFE Theatre) to persons who might use the premises principally or generally for personal profit.
The Committee of Management is to prepare and adopt a policy that governs such hire restrictions to hires for community benefit, (a draft proposed policy is appended hereto).
- (f) To accept a surrender of lease upon such terms at such rent and subject to such provisions as are reasonable to the Committee of Management.
- (g) To hire, appoint, remove or suspend such contractors, employees, servants or persons either temporary or special services as the Committee of Management decide are necessary and to determine their duties and powers and fix and pay their salaries, wages, gratuities, commissions, remuneration or contract sums and if necessary to require security of such amount as may be deemed fit for the proper and efficient discharge of such duties.
- (h) To improve, repair and maintain and insure against loss of damage of the Associations property and to pay out of income or capital all outgoings properly payable in respect of the Associations.
- (i) To support and subscribe to any community, charitable or public body or organisation where the moneys may be applied in furthering the objects of the Association.
- (j) To execute any document which may be necessary to give effect to the objects of the Association.
- (k) To organise or arrange for the construction, improvement, maintenance, alteration, development, redevelopment of any land or any facility or building upon any land in order to achieve the objects of the Association.



- 23 -

- (l) To do all things necessary or considered desirable for the purposes of achieving or carrying into effect the attainment of the objectives of the Association.
- (m) To take out all necessary insurances on behalf of the Association to adequately protect its interests, members and officer bearers.

RESOLUTION OF CONFLICTS:

36. In the event that the Association or the Committee of Management are unable to resolve any differences and on the request of any 3 Members of the Association or a majority of the Members of the Committee of Management, the conflict, dispute or unresolved issue may be referred to the City of Mount Gambier for arbitration. The decision of the City of Mount Gambier on any matter referred to it for arbitration shall be final and binding on the Association, its Members and the Committee of Management.

WINDING UP OR CANCELLATION:

- 37. (1) The Association may be wound up in the manner provided for in the Act.
- (2) If upon the winding up or dissolution of the Association there remains after satisfaction of all its debts and liabilities any assets and property whatsoever, the same shall not be paid to or distributed among the Members of the Association or former Members of the Association but shall be distributed by the Association to any like not for profit community organisation then operating within the district.
- (3) Any resolution to distribute the remaining assets and property shall be made by the Members at a Special General Meeting.

This Constitution was adopted at a Meeting of Members held on the:

..... 26th day of JULY 1999.

Tony Chalinger
CHAIRPERSON

Misc. 8.3.99



TAFE THEATRE - HIRE

1. Aims and Objectives

To ensure Council's TAFE Theatre is used for the benefit and advantage of ratepayers, electors and occupiers within the Council area and district generally:

- (a) Bookings for the TAFE Theatre only be permitted for the purposes of community, social, charitable trade fairs and entertainment functions to be held for the benefit of the local community or a section thereof;
- (b) Council prohibit the hire of the TAFE Theatre for all commercial, wholesale and/or retail sales or activities etc. (where the primary purpose is these uses) and for personal profit generally of the hirer;
- (c) Bookings for other purposes to be decided by the Committee of Management, provided it is not inconsistent with the stated desires for the use of the TAFE Theatre;
- (d) The Committee of Management be empowered to arbitrate on the question of "benefit to the local community".

2. Effect

- (a) The policy prohibits the hiring of the TAFE Theatre to any company or person, etc. (local or non local) where the primary use/activity is for personal profit generally;
- (b) The policy limits the TAFE Theatre to a hiring where the purposes is for community, social, sporting, charitable use, etc. and where a benefit to the local community or a section thereof is likely or any expectation from the hiring.

3. Hire

The Committee of Management be empowered to grant a reduction of hire rates for the use of the TAFE Theatre and its facilities to charitable or community organisations as the Committee of Management sees fit.



FINAL
THE REIDY PARK CENTRE INCORPORATED
CONSTITUTION AND RULES

NAME:

1. The name of the Association is THE REIDY PARK CENTRE INCORPORATED (herein referred to as the "Association").

OBJECTIVES:

2. The objectives of the Association are to develop and manage specific community activities based at The Reidy Park Centre off O'Halloran Terrace, Mount Gambier being the property of the City of Mount Gambier and to achieve a sustainable focus for those specific community activities through a united commitment and shared vision to use and enhance the building referred to above and the opportunities the building offers and in particular:

- (1) ACCOUNTABILITY

To ensure the affairs of the Association are operated in a proper and business like manner and its dealings are conducted on accepted business and/or commercial terms. To stabilise and develop the Association's funding base.

- (2) REPRESENTATION

To ensure that the membership of the Committee of Management adequately represents the profile, make up and structure of the specific community based organisations operating from the above building and as reflected in the stated objectives.

- (3) NETWORKING

- To assist the development and maintenance of all networks that serve the objectives of the Association
- To develop a significant relationship with the existing specific community based organisations that are situated in the building so as to work with and expand upon existing roles and functions that are present within the building.

- (4) DEVELOPMENT

To direct and support the development of the Association and its products, services and expertise and promote the building as a community resource.

- (5) BUILDING

To ensure that The Reidy Park Centre and associated land (the property of the City of Mount Gambier) are managed, maintained, tended and cared for so as to ensure the presentation and functionality thereof are always of the highest order.



- 2 -

AIMS:

3. The aims and performance measures of the Association include but are not limited to:
- (1) Improving efficiency, co-ordination and direction of the specific local community organisations based at the building and to complement their respective activities.
 - (2) Developing The Reidy Park Centre building into a first class venue for the specific local community organisations based therein.
 - (3) Managing The Reidy Park Centre building and activities therein and to safeguard the premises and its infrastructure in a professional manner on behalf of the specific users and the City of Mount Gambier.
 - (4) Developing sponsorship and other fund raising sources for activities centred on The Reidy Park Centre building and land.
 - (5) Fostering and enhancing the role of local community service organisations centred on The Reidy Park Centre building.
 - (6) Promoting the work of the local specific community organisations centred on The Reidy Park Centre building.
 - (7) Providing access to The Reidy Park Centre building by users (or potential users) from local community service organisations.
 - (8) Presenting programs which enhance the use and enjoyment of the building to the wider community.
 - (9) Promoting The Reidy Park Centre building as a community resource.

INTERPRETATION:

- 3a (1) In these rules, unless the contrary intention appears:-
- "Specific community organisation(s)" means those organisations who have been approved by the City of Mount Gambier to formally occupy the building.
- "Committee" means the Committee of Management of the Association.
- "The district" means the defined Local Government areas that comprise the City of Mount Gambier and District Council of Grant.
- "Financial Year" means the year ending on 30th June.
- "Member" means a specific community organisation a Life Member or Associate Member of the Association.
- "The building" means The Reidy Park Centre and its land, the property of the City of Mount Gambier.
- "The Act" means the Associations Incorporation Act.
- "The Regulations" means the regulations under the Act.



- 3 -

(2) In these Rules:

- (a) A reference to a function includes a reference to a power, authority and duty;
- (b) A reference to the exercise of a function includes, where the function is a duty, a reference to the performance of the duty.

(3) Words of expressions contained in these rules shall be interpreted in accordance with the provisions of the said Act and the Acts Interpretation Act.

FUNDS:

- 4. (1) The general funds of the Association shall be derived from sponsorships, advertising rights, concessions granted, subscriptions, donations, grants, fees for service and such other sources as the Committee of Management determines.
- (2) The general income and property of the Association whensoever derived, shall be applied solely towards the objectives of the Association and no portion thereof shall be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to Members of the Association PROVIDED THAT nothing herein contained shall prevent the payment in good faith of remuneration to any officers or servants of the Association or to any Member of the Association for any return of any services actually rendered to the Association or for goods supplied in the ordinary or usual course of business, or prevent the payment of interest at a normal commercial rate on money borrowed from any Members of the Association or reasonable or proper rent for premises demised or let by any Member of the Association.

MEMBERSHIP:

5. The Members of the Association shall be:-

(1) Specific Community Organisations:

- (a) Those specific community organisations that have been granted formal approval by the City of Mount Gambier to occupy The Reidy Park Centre, and
- (b) It is compulsory that such occupying specific community organisations become and remain Members of the Association whilst they occupy the said building and nominate a person to serve on the Associations Committee of Management.



- 4 -

(2) Life Members:

Any natural person (not a body corporate) who has given long meritorious service to the Association may be made a Life Member by the Association on the recommendation of the Committee of Management to the Annual General Meeting.

(3) Associate Members:

Any natural person or body corporate who in the opinion of the Committee of Management should be accepted having proven special reason and qualification for membership may be made an Associate Member.

An Associate Member shall be entitled to such privileges and pay such fees as the Committee of Management shall determine from time to time.

An Associate Member shall not be entitled to vote at any meeting of the Association or hold office in the Association.

MEMBERS OF THE ASSOCIATION

5a For the purposes of these Rules, the Members of the Association include the following specific community organisations:

- (1) Bay Road Social Club
- (2) Mount Gambier Martial Arts Academy Inc.
- (3) The South East Radio Group Inc,
- (4) The Mount Gambier Heritage and History Society Inc.
- (5) Backstage Incorporated
- (6) Mount Gambier Orchid Society Inc.
- (7) South East Children's Cancer Association Inc.
- (8) Mount Gambier Machine Knitters Club
- (9) Mount Gambier Philatelic Society Inc.

together with any other specific community organisation that is approved by the City of Mount Gambier to become a formal occupier of the building with the concurrence of any such application by the Association.

REGISTER OF MEMBERS:

6. The Secretary shall keep and maintain a register of all classes of Members in which shall be entered the name, address and date of membership of each Member, the name and address of the Members nominee representative to the Committee of Management (and the same for the nominees proxy) or nominee of a body corporate and the register shall be available for inspection by Members at the address of the Association.



- 5 -

RIGHTS OF MEMBERS:

7. The rights and privileges of a Member shall not be transferable and shall cease upon the specific community organisation or person or body corporate ceasing to be a Member whether by death, dissolution, retirement expulsion, cessation as a formal occupier of the building or otherwise.

SUBSCRIPTION:

8. (1) The subscription and/or contribution fees shall be such sum or sums as the Members shall determine from time to time at the Annual General Meeting;
- (2) The subscription and/or contribution fees shall be payable annually on 1st July or at such other date as the Committee of Management shall determine from time to time;
- (3) Any Member whose subscription is outstanding for more than three months after the due date for payment shall cease to be a Member of the Association (and by virtue of this cessation shall cease their rights to occupy the building as a formal occupier) provided always that the Committee of Management may reinstate such membership on such terms as the Committee of Management thinks fit.

RESIGNATION:

9. A Member (including any specific community organisation) may resign from membership of the Association by giving a written notice thereof to the Secretary of the Association. Any Member so resigning shall be liable for any outstanding subscriptions which may be recovered as a debt due to the Association, and in respect of any specific community organisation such other conditions or terms that are considered reasonable by the Association to impose on the resigning specific community organisation.

EXPULSION OF A MEMBER:

10. (1) Subject to giving a Member an opportunity to be heard or to make a written submission, the Committee of Management may resolve to expel a Member upon a claim of misconduct detrimental to the interests of the Association and the building.
- (2) Particulars of the claim shall be communicated to the Member at least one calendar month before the meeting of the Committee of Management at which the matter will be determined;



- 6 -

- (3) The determination of the Committee of Management shall be communicated to the Member and in the event of an adverse determination the Member shall subject to Rule 10 (4) hereof cease to be a Member 14 days after the Committee of Management has communicated its determination to the Member or person, and shall cease to be a permitted occupier of the building and must vacate its specified area of the building within 14 days of the determination as herein referred.
- (4) It shall be open to a Member to appeal to the Association at a Special General Meeting of Members against the expulsion.
The intention to appeal shall be communicated to the Secretary of the Association within 14 days after the determination of the Committee of Management has been communicated to the Member.
- (5) In the event of an appeal under Rule 10 (4) hereof the appellant's membership of the Association shall be terminated and occupation rights cease unless the determination of the Committee of Management to expel the Member is upheld by a majority vote of the Members of the Association present at a Special General Meeting of Members after the appellant has been heard, and in such an event membership will be terminated at the date of the Special General Meeting at which the determination of the Committee of Management is upheld.

APPLICATION FOR MEMBERSHIP:

11. (1) Application for membership of the Association shall be completed in writing by any applicant.
- (2) Application for membership should be lodged at the address of the Association with the Secretary together with such fee as may from time to time be required.
- (3) Application for membership shall be considered by the Committee of Management at its next meeting following receipt of the application for membership.
- (4) The determination of the Committee of Management shall be communicated to the applicant.
- (5) In the event of an adverse determination, it shall be open to the applicant to appeal to the Association at a Special General Meeting of Members against the adverse determination. The intention to appeal shall be communicated to the Secretary of the Association within 14 days after the determination of the Committee of Management has been communicated to the applicant.



- 7 -

- (6) In the event of an appeal the appellant's application for membership of the Association shall not be rejected unless the determination of the Committee of Management to reject the applicant is upheld by a majority vote of the Members of the Association present at a Special General Meeting of Members after the appellant has been heard.

ANNUAL GENERAL MEETING:

12. (1) The Association shall in each calendar year convene an Annual General Meeting of its Members.
- (2) The Annual General Meeting shall be held on such day and time as the Committee of Management determines provided that such meeting shall be held on or before the 30th day of September in each and every year.
- (3) The Annual General Meeting shall be specified as such in the notice convening it.
- (4) The notice of such meeting shall be forwarded to each and every class of Member of the Association not less than 14 days prior to the date set for the Annual General Meeting.
- (5) The ordinary business of the Annual General Meeting shall be:-
 - (a) to confirm the minutes of the last preceding Annual General Meeting;
 - (b) to receive office holders reports upon the transactions of the Association during the last preceding financial year;
 - (c) (1) to appoint or elect or confirm from each of the specific community organisations the person to serve on the Committee of Management of the Association;
 - (2) the number of persons to be appointed or elected from the specific community organisations to the Committee of Management shall not exceed one person from each of the approved specific community organisations;
 - (d) to receive and consider the Audited Financial Statements, Operating Cash Flow Statements, Statement of Financial Position and Balance Sheet submitted by the Association;
 - (e) to elect the officers of the Association as referenced at Rule 21 (1);
 - (f) to appoint the Auditor of the Association;
 - (g) to appoint a person as Public Officer of the Association;
 - (h) to appoint two (2) persons (who must be on the Committee of Management) to act as seal holders of the Association; and



- 8 -

- (i) to receive and consider such proposal to amend these Rules as have from time to time been lodged with and referred to the Annual General Meeting by the Committee of Management in accordance with the provisions of Rule 31 hereof.
 - (6) The Annual General Meeting may also transact special business of which notice has been given generally in accordance with the procedures set down for Rule 31 hereof.
 - (7) The Annual General Meeting shall be in addition to any other Special General Meetings that may be held in the same year.
- 12a The procedures to be followed regarding the nomination and appointment of Members to the officer positions of the Committee of Management shall be as follows:
- (a) a Member may nominate for more than one officer position i.e. Chairperson or Secretary or Treasurer or Public Officer or the remaining Committee of Management positions.
 - (b) Noting the procedure for the appointment of officers at Rule 22(2)(d) then:
 - (1) a Member who has been nominated for one of the four (4) officer positions but was unsuccessful in being elected to that position, then the unsuccessful candidate(s) has/have the option at the actual Annual General Meeting only to advise the meeting if they wish to be a candidate for election to any of the next available officer positions;
 - (2) if the Member takes the option to be a candidate for election to one of the next available officer positions then that Member shall be considered as being deemed to be nominated for such position and will be considered for election along with all other nominations that may have been received.
 - (c) Nominations from the specific community organisations ~~and the Members~~ for the general positions on the Committee of Management must be lodged with the Secretary from fourteen (14) days prior to the date of the Annual General Meeting until the date and actual commencement time of the actual Annual General Meeting.
 - (d) Where more candidates are nominated than there are positions available, then the election of Members to the positions shall be conducted by a secret ballot and determined by a simple majority of Members present at the Annual General Meeting.



- 9 -

SPECIAL GENERAL MEETING:

13. (1) All general meetings of the Association other than the Annual General Meeting and meetings of the Committee of Management shall be called Special General Meetings of Members.
- (2) The Committee of Management may, whenever it thinks fit, convene a Special General Meeting of the Association and notice of such meeting shall be forwarded to each and every Member of the Association not less than 14 days prior to the date set for the Special General Meeting.
- (3) The Committee of Management shall, on the requisition in writing of four (4) Members convene a Special General Meeting of Members of the Association.
- (4) The requisition for a special General Meeting shall state the objects of the meeting and shall be signed by the Members making the requisition and be sent to the address of the Secretary.
- (5) If the Committee of Management does not cause a Special General Meeting to be held within 14 days after the date on which the requisition is sent to the address of the Secretary, the four (4) Members making the requisition, may convene a Special General Meeting of members to be held not later than 30 days after that date.
- (6) A Special General Meeting convened by Members in pursuance of these Rules shall be convened in the same manner as nearly as possible as that in which those meetings are convened by the Committee of Management and all reasonable and justifiable expenses incurred in convening the meeting shall be refunded by the Association to the person(s) incurring those expenses.

NOTICE OF MEETING:

14. (1) The Secretary of the Association shall, at least 14 days before the date fixed for holding any Annual General Meeting and/or Special General Meeting of the Association, cause to be forwarded to each and every class of Member of the Association a notice detailing such meeting stating the place, date and time of the meeting and the nature of the business to be transacted at the meeting.
- (2) No business other than that set out in the notice convening the meeting shall be transacted at the Annual General Meeting and/or Special General Meeting.
- (3) A specific community organisation or a Member desiring to bring any business before an Annual General Meeting and/or Special General Meeting must give notice of that business in writing to the Secretary, who shall include that business in the notice calling such meeting after the receipt of the notice provided such notice is received by the Secretary not less than 16 days before the date set for the meeting.



- 10 -

PROCEEDINGS AT ANNUAL OR SPECIAL GENERAL MEETINGS:

15. (1) No item of business shall be transacted at an Annual General Meeting and/or Special General Meeting unless a quorum of Members entitled under these Rules to vote is present during the time when the meetings is considering that item.
 - (2) Four (4) members present (being members entitled under these Rules to vote at such meetings) constitute a quorum for the transaction of business of the Annual General Meeting and/or Special General Meeting.
 - (3) If within half an hour after the appointed time for the commencement of such meetings a quorum is not present, the meeting (if convened upon the requisition of members shall immediately be dissolved) shall stand adjourned to the same day in the next week at the same time and (unless another place is specified by the Chairperson at the time of the adjournment or by written notice to Members given before the day to which the meeting is adjourned) at the same place and if at the adjourned meeting the quorum is not present within half and hour after the time appointed for the commencement of the meeting, the Members present shall constitute a quorum.
16. (1) The Chairperson if present shall preside at all meetings of the Association.
 - (2) If the Chairperson is absent from any meeting, the Members present shall elect one of their number present to preside as Acting Chairperson for that meeting.
17. (1) The Chairperson of any Special General Meeting of Members at which a quorum is present may, with the consent of the meeting, adjourn the meeting from time to time and place to place, but no business shall be transacted at an adjourned meeting other than the business left unfinished at the meeting at which the adjournment took place.
 - (2) Where any meeting of the Association is adjourned a notice of the adjourned meeting shall be given by the Secretary to all Members detailing the date, time and place of the adjourned meeting.
18. A question arising at any meeting of the Association shall be determined on a show of hands, a declaration by the Chairperson that a resolution has, on a show of hands, been carried or carried unanimously or carried by a particular majority or lost, shall be made, and an entry to that effect included in the minute book of the Association is evidence of the fact without proof of the number or proportion of the votes recorded in favour of, or against, that resolution.
19. (1) Upon any question arising at an Annual General Meeting and/or Special General Meeting of the Association, a Member has one deliberative vote only.
 - (2) All votes shall be given personally.



- 11 -

- (3) The Chairperson of a meeting (or the Acting Chairperson presiding) is entitled to a deliberative vote and in the event of an equality of votes then the Chairperson shall also be entitled to a casting vote.

COMMITTEE OF MANAGEMENT:

20. (1) The affairs of the Association shall be managed by the Committee of Management.

(2) The Committee of Management:

- (a) shall control and manage the business and affairs of the Association;
- (b) may, subject to these Rules, the Regulations and the Act, exercise all such powers and functions as may be exercised by the Association other than those powers and functions that are required by these Rules to be exercised by the Annual General Meeting or Special General Meeting of the Members of the Association, and
- (c) subject to these Rules, the Regulations and the Act, has power to perform all such acts and things as appear to the Committee of Management to be essential for the proper management of the business and affairs of the Association including the contract employment of a person(s), companies, associations, or groups to assist the Association to conduct its affairs.

21. (1) the officers of the Association shall be:-

- (a) Chairperson;
- (b) Secretary;
- (c) Treasurer;
- (d) Public Officer

An officer may hold more than one officer position on the Committee of Management.

- (2) Each officer and Committee of Management Member shall be appointed at the Annual General Meeting and shall hold office until the Annual General Meeting next after the date of that election but is eligible for re-election provided that the Chairperson shall be ineligible to stand for that office for more than three consecutive years without at least a one financial year break;
- (3) The Committee of Management shall comprise those persons being one nominee of each of the specific community organisations that are entitled by these Rules to nominate a person to the Committee of Management;
- (4) In the event of a casual vacancy in any officer position referred to in Rule 21 (1) hereof, the Committee of Management may appoint a Member of the Committee of Management to the vacant office for a term of up to and including the conclusion of the Annual General Meeting next following the date of his or her appointment.



- 12 -

- (5) In the event of a casual vacancy in the number of Members appointed to the Committee of Management, then the Member organisation (whose nominee has created the vacancy) shall appoint a replacement nominee to the Committee of Management who will hold the position for a term of up to an including the conclusion of the Annual General Meeting next occurring.
22. (1) The Committee of Management shall consist of the officers of the Association as per Rule 21 (1) and other Members provided the aggregate total of members appointed does not exceed one person from each of the approved specific community organisations.
- (2) The election of the Chairperson, Secretary, Treasurer, Public Officer shall take place at the Annual General Meeting in the following manner:
- (a) Each applicant for a officer position shall be nominated and seconded by a Member of the Association;
- (b) The nomination, which shall be in writing and signed by the applicant and the proposer and seconder, shall be lodged with the Secretary at least fourteen (14) days before the Annual General Meeting at which the election is to take place;
- (c) If at the commencement of the Annual General Meeting there are insufficient number of candidates nominated for officer positions, nominations may be taken from the floor of the meeting for any of the vacant positions;
- (d) The appointment of the officers shall be conducted in the following order:
- Chairperson
 - Secretary
 - Treasurer
 - Public Officer
- (e) The determination of the successful candidate for each position shall be by a secret ballot conducted at the Annual General Meeting.
All voting shall be given personally with no proxy voting permitted.
- (f) Each of the bodies referred to in Rule 5a hereof shall nominate a person to represent the interests of that particular body on the Committee of Management (and may also nominate a proxy or proxies for the person so nominated).
- (g) the person (or proxy/proxies) so appointed holds office at the pleasure of the nominating body.
- (h) the person (or proxy/proxies) so appointed has full voting rights.



- 13 -

- (3) (a) Any remunerated servants, employees or other contracted persons of the Association are ineligible to stand for election or appointment to any officer positions, the Committee of Management or be a formal Member of the Association.
- (b) The duties and responsibilities of any remunerated servants, employees or other contracted persons of the Association may require their attendance at meetings of the Association and/or Committee of Management and to carry out certain functions of the Association and/or the Committee of Management.
- (c) Such functions that might ordinarily be the responsibility of the Committee of Management officer(s) may be undertaken by the paid employees but are responsible to the Committee of Management.

DISQUALIFICATION OF COMMITTEE MEMBERS:

23. The office of any officer or committee Member on the Committee of Management position shall become vacant if he or she is:

- (a) Disqualified by the Act;
- (b) Expelled under these Rules;
- (c) Permanently incapacitated by ill health;
- (d) Absent without leave for more than three consecutive Committee of Management meetings.
- (e) Ceases to be a financial member of the Association.
- (f) the nominees specific community organisation ceases to be a formal/permitted occupier of the building.
- (g) resigns their office or position by notice in writing given to the Secretary.
- (h) is removed from office by Members of the Association pursuant to these Rules;
- (i) dies
- (j) becomes of unsound mind or a person whose personal estate is liable to be dealt with in any way under the law relating to mental health
- (k) becomes bankrupt or takes advantage of any law relating to bankrupt or insolvent debtors or compounds with their creditors or makes an assignment of their estate for their benefit.

ELECTION OF THE COMMITTEE OF MANAGEMENT

24 The Association recognises that significant liaison will occur or be necessary with the Council of the City of Mount Gambier and as such the said Council may nominate a person to attend any meetings of the Association as an observer only. The person has no voting rights nor can the person be elected to the Committee of Management.



- 14 -

PROCEEDINGS OF COMMITTEE OF MANAGEMENT:

- 25 (1) The Committee of Management shall meet as and when required and at such times as the Chairperson may determine.
- (2) Special meetings of the Committee of Management may be convened by the Chairperson or by any four (4) of the Members of the Committee of Management.
- (3) Notice shall be given to Members of the Committee of Management of any special meeting specifying the general nature of the business to be transacted thereat the date, time and venue for the special meeting and no other business shall be transacted at such a meeting.
- (4) A quorum for meetings of the Committee of Management shall be determined by dividing the total number of Members then serving or appointed to the Committee of Management by two ignoring any fraction from the division and adding one.
- (5) No business shall be transacted unless a quorum is present and if within half an hour of the time appointed for the meeting of quorum is not present the meeting shall stand adjourned to the same place and at the same hour of the same day in the following week unless the meeting was a special meeting in which case it lapses.
- (6) At meetings of the Committee of Management:-
- (a) the Chairperson shall preside; or
 - (b) if the Chairperson is absent, one of the remaining Members of the Committee of Management as may be chosen by the Members present shall preside as Acting Chairperson for that meeting.
- (7) Questions arising at a meeting of the Committee of Management or of any sub-committee appointed by the Committee of Management shall be determined on a show of hands and subject to Rules 35(1) and 35(2) hereof all Members present shall vote.
- (8) Each Member present at a meeting of the Committee of Management or of any sub-committee appointed by the Committee of Management is entitled to a deliberative vote with the Chairman being entitled to a casting vote as well as a deliberative vote in the event of an equality of votes.
- (9) Written notice of each and every Committee of Management meeting shall be deemed to have been given if forwarded to each and every Committee Member at the address shown in the Register of Members thereof not less than 7 days before the date of the meeting.



- 15 -

(10) Subject to Rule 25 (4) hereof the Committee of Management may act notwithstanding any vacancy on the Committee of Management.

(11) It shall not be necessary for the Committee of Management to hold formal meetings for the purposes of resolving any matter of urgency (such urgency matter to be determined by the Chairperson, Secretary and the Treasurer prior to the informal meeting) provided however that any decision taken otherwise than at a formal meeting shall be confirmed and ratified at the next formal meeting of the Committee of Management.

THE CHAIRPERSON:

26. (1) The Chairperson of the Association shall conduct meetings and follow the procedures of the Association as herein referred.

(2) Subject to these Rules and the Act, the procedure to be observed in relation to the conduct of any meetings of the Association will be:-

- (a) as prescribed by these Rules;
- (b) insofar as the procedure is not prescribed by the Rules - as determined by the Association;
- (c) insofar as the procedure is not prescribed by the Rules or by the Association - as determined by the Committee of Management;
- (d) insofar as the procedure is not prescribed by the Rules, the Association or the Committee of Management - as determined by the Chairperson presiding at the meeting.

THE SECRETARY:

27. The Secretary of the Association:

(1) shall ensure that minutes are kept of the resolutions and proceedings of each general meeting of Members and each Committee of Management meeting in systems provided for that purpose together with a record of the names of persons present (or formally apologised) at all meetings;

(2) shall ensure the prompt attention to the correspondence of the Association;

(3) shall ensure that copies are sent of all such minutes within 7 days of any meeting to:

- (a) in the case of General Meetings of Members to each Member of the Association
- (b) in the case of Committee of Management meetings, to each Member of the Committee of Management.



- 16 -

(4) shall ensure the Register of Members including an annual reconciliation and update of those persons appointed as representatives of Members who are incorporated bodies are maintained to ensure the accuracy and currency of such appointments.

(5) may also hold the office of Public Officer

THE TREASURER:

28. The Treasurer of the Association:

- (a) shall ensure the proper procedures to collect and receive all moneys due to the Association and make all payments authorised by the Association are undertaken; and
- (b) shall ensure that the correct accounts and books showing the financial affairs of the Association with full details of all receipts and expenditure connected with the activities of the Association are kept.
- (c) shall make the accounts available for inspection by Members.
- (d) shall have the books and other relevant records of the Association completed and balanced and the end of Financial year statements prepared and ready for external audit not later than 30 days after the conclusion of the Financial Year.

PUBLIC OFFICER:

- 28a. (a) the Association shall appoint a Public Officer from the Members on the Committee of Management at its Annual General Meeting.
- (b) the Public Officer may also hold the position of Secretary
 - (c) the duties and responsibilities of the Public Officer shall be as stipulated in the Act.

CHEQUES:

29. (1) All cheques and other negotiable instruments shall be signed by two members of the Committee of Management.
- (2) The Committee of Management shall keep an account at a bank of its determination and cheques shall be drawn signed and endorsed by two persons of the Committee of Management.

SEAL:

30. (1) The Common Seal of the Association shall be kept in the custody of the Chairperson.
- (2) The Common Seal shall not be affixed to any instrument except by the authority of the Committee of Management and affixing of the Common Seal be attested by the signatures of the two (2) appointed Seal Holders.
 - (3) The nominated sealholders shall receive no remuneration from the Association.



- 17 -

ALTERATION OF RULES AND STATEMENT OF OBJECTIVES:

31. These Rules and the Statement of Objectives of the Association shall not be altered except in accordance with the following procedures:-
- (1) Any Member of the Association may give notice proposing an amendment to these Rules and the Statement of Objectives and a copy of the proposed amendment(s) shall be delivered to the Secretary of the Association.
 - (2) any proposed amendment(s) must be first submitted in writing to the Committee of Management for its consideration.
 - (3) the Committee of Management must first approve the proposed amendment(s) and on its own motion submit the proposal to the next Annual General Meeting of Members for consideration.
 - (4) if the Committee of Management does not support the proposed amendment(s) by an absolute majority then 3 Members (not including Members of the Committee of Management) may submit the proposal in writing to the next Annual General Meeting of Members to enable the Members to consider the amendment(s). Notice proposing an amendment(s) must be submitted to the Secretary not less than 28 days prior to the date set for the Annual General Meeting.
 - (5) any proposed amendment(s) to the Rules and the Statement of Objectives of the Association shall only be considered at the Annual General Meeting of Members, and must be approved by at least 75 percentum of the Association Members present at the Annual General Meeting.

NOTICES:

32. (1) A notice including notices of meetings may be served by or on behalf of the Association upon any Member either personally or be sending it by post or by facsimile transmission to the Member at their address shown in the Register of Members.
- (2) Where a document is properly addressed pre-paid and posted to a person as a letter or transmitted as a facsimile the document shall, unless the contrary is proved, be deemed to have been given to the person at the time at which the letter would have been delivered in the ordinary course of post.



- 18 -

ACCOUNTS:

- 32a (1) The Committee of Management shall cause true accounts to be kept in such manner as it thinks fit of all its receipts, credits, payments, assets and liabilities and all other matters necessary to correctly record and explain the transactions of the Association and the financial position of the Association and such accounts and transactions shall be audited at least once a year by a certified public or chartered accountant appointed by the Members as the external Auditor.
- (2) The financial year of the Association shall be deemed to end on the 30th day of June and the Treasurer shall have a statement of receipts and expenditure and balance sheet prepared covering the transactions of the Association during period of twelve months ending on such 30th day of June and the various Statements and balance sheet is to contain full and complete details of the financial transactions and assets and liabilities of the Association and the Committee of Management shall have true copies of such statements and balance sheet endorsed with the external auditor's certificate.

THE AUDITOR:

33. The Association shall appoint an external auditor (not being a Member of the Association) and the external Auditor shall audit the financial records and affairs of the Association on an annual basis and attest to the financial position of the Association in the Auditors Report to the Annual General Meeting of the Association.

SUB COMMITTEE'S:

34. (1) The Committee of Management may appoint or form sub committee's consisting of or including, persons who are not Members of the Committee of Management or of the Association itself.
- (2) Sub committee's are formed or appointed for the purposes of inquiring into and reporting to the Committee of Management on any matters within the ambit of the Committee of Management's responsibilities.
- (3) A member of a sub committee holds office at the pleasure of the Committee of Management.
- (4) In forming any sub committee the following structure and procedures shall apply:
- (a) at least one member of the Committee of Management shall be appointed to any sub committee and shall chair any meetings of the sub committee.
- (b) the sub committee cannot commit the Committee of Management or the Association under any circumstances and has no authority or power to make any binding decision that could commit the Committee of Management.



- 19 -

PROTOCOLS OF AND FOR MEMBERS:

35. The following protocols are provided to ensure the Association and its Members conduct the affairs of the Association in a proper manner so as not to bring the Association into disrepute:-

- (1) If a Committee Member has a pecuniary interest whether directly or indirectly in any Contract or proposed Contract in which the Association is concerned the Committee Member must declare that interest to the meeting as soon as the Committee Member becomes aware of the interest.
- (2) The Committee Member shall not be present at any meeting and shall not be involved in discussions with respect to any contract or proposed contract of which the Committee Member has disclosed an interest.
The Committee Member must leave the room immediately prior to any discussions with respect to the contract or proposed contract of which the Committee Member has disclosed an interest and shall not vote on any resolution concerning that contract or proposed contract:.
- (3) The minutes of every meeting shall be submitted for confirmation at the next meeting but if that is omitted, at a subsequent meeting.
- (4) No discussion on the minutes shall be allowed before their confirmation except as to the accuracy of the minutes as a record of proceedings.
- (5) On the confirmation of the minutes the Chairperson or in the Chairperson's absence the Acting Chairperson shall initial every page and sign and date at the foot of the last page of the minutes.
- (6) The Committee of Management may act notwithstanding any vacancy in their body.
- (7) Any act, action, resolution or decision performed or undertaken by the Members shall not be invalid or unenforceable as a result of the lack of quorum at any meeting or through an invalid appointment of any Member or the Chairperson.
- (8) The Association may pay the premiums for any Officers and Directors insurance that the Association or the Committee of Management considers appropriate.
- (9) The Committee of Management shall be indemnified by the Association for any liability incurred in defending any proceedings whether civic or criminal in which judgement is given in the favour of the Committee of Management or in which the Committee of Management is acquitted.
- (10) The Association shall have the following POWERS which may be exercised for and on its behalf by the Committee of Management:-



- 20 -

- (a) to sell, lease, hire, make gifts of, exchange, invest or otherwise dispose of or deal with the whole or any part of the real or personal property of the Association (but not the Councils real or personal property) or any interest in it as fully and effectually as if they were the absolute owners.
- (b) To borrow or raise money for the purposes of the Association as set out in these Rules and for all incidental purposes with or without giving security from any person, company, bank or corporation and if necessary on the security of any real or personal assets of the Association and otherwise on such terms or conditions as are reasonable in the opinion of the Committee of Management.
- (c) To invest money in any investment of which the Committee of Management approves or in the purchase or improvement of any real or personal property and to vary and transpose any such investments.
- (d) To pay all expenses and outgoings as may be incurred in relation to the Association, and to enter into contracts, agreements, arrangements and understandings as are considered necessary.
- (e) To hire or let any property for such terms at such hire charges and subject to such provisions and conditions as are reasonable to the Committee of Management. It is to be noted that the Committee of Management has not been encouraged by the City of Mount Gambier to hire or let the premises (known as The Reidy Park Centre) to persons who might use the premises principally or generally for personal profit.
The Committee of Management is to prepare and adopt a policy that governs such hire restrictions to hires for community benefit, (a draft proposed policy is appended hereto).
- (f) To accept a surrender of lease upon such terms at such rent and subject to such provisions as are reasonable to the Committee of Management.
- (g) To hire, appoint, remove or suspend such contractors, employees, servants or persons either temporary or special services as the Committee of Management decide are necessary and to determine their duties and powers and fix and pay their salaries, wages, gratuities, commissions, remuneration or contract sums and if necessary to require security of such amount as may be deemed fit for the proper and efficient discharge of such duties.
- (h) To improve, repair and maintain and insure against loss of damage of the Associations property and to pay out of income or capital all outgoings properly payable in respect of the Associations.



- 21 -

- (i) To support and subscribe to any community, charitable or public body or organisation where the moneys may be applied in furthering the objects of the Association.
- (j) To execute any document which may be necessary to give effect to the objects of the Association.
- (k) To organise or arrange for the construction, improvement, maintenance, alteration, development, redevelopment of any land or any facility or building upon any land in order to achieve the objects of the Association.
- (l) To do all things necessary or considered desirable for the purposes of achieving or carrying into effect the attainment of the objectives of the Association.
- (m) To take out all necessary insurances on behalf of the Association to adequately protect its interests, members and officer bearers.

RESOLUTION OF CONFLICTS:

36. In the event that the Association or the Committee of Management are unable to resolve any differences and on the request of any 3 Members of the Association or a majority of the Members of the Committee of Management, the conflict, dispute or unresolved issue may be referred to the City of Mount Gambier for arbitration. The decision of the City of Mount Gambier on any matter referred to it for arbitration shall be final and binding on the Association, its Members and the Committee of Management.

WINDING UP OR CANCELLATION:

37. (1) The Association may be wound up in the manner provided for in the Act.
- (2) If upon the winding up or dissolution of the Association there remains after satisfaction of all its debts and liabilities any assets and property whatsoever, the same shall not be paid to or distributed among the Members of the Association or former Members of the Association but shall be distributed by the Association to any like not for profit community organisation then operating within the district.
- (3) Any resolution to distribute the remaining assets and property shall be made by the Members at a Special General Meeting.



- 22 -

This Constitution was adopted at a Meeting of Members held on the:

..... day of 2000.

.....
CHAIRPERSON

4.1.2000



THE REIDY PARK CENTRE - HIRE

1. Aims and Objectives

To ensure Council's building/land is used for the benefit and advantage of ratepayers, electors and occupiers within the Council area and district generally:

- (a) Bookings for the building/land only be permitted for the purposes of community, social, charitable trade fairs and entertainment functions to be held for the benefit of the local community or a section thereof;
- (b) Council prohibit the hire of the building/land for all commercial, wholesale and/or retail sales or activities etc. (where the primary purpose is these uses) and for personal profit generally of the hirer;
- (c) Bookings for other purposes to be decided by the Committee of Management, provided it is not inconsistent with the stated desires for the use of the building/land;
- (d) The Committee of Management be empowered to arbitrate on the question of "benefit to the local community".

2. Effect

- (a) The policy prohibits the hiring of the building/land to any company or person, etc. (local or non local) where the primary use/activity is for personal profit generally;
- (b) The policy limits the building/land to a hiring where the purposes is for community, social, sporting, charitable use, etc. and where a benefit to the local community or a section thereof is likely or any expectation from the hiring.

3. Hire

The Committee of Management be empowered to grant a reduction of hire rates for the use of the building/land and its facilities to charitable or community organisations as the Committee of Management sees fit.



5.4 MEMORIAL POLICY AND REQUEST FOR BENCH SEAT AND INFORMATION BOARD TO BE LOCATED ON THE TOP OF THE SUGAR LOAF HILL – REPORT NO. AR19/70251

Committee:	Economic and Environment Committee
Meeting Date:	7 September 2020
Report No.:	AR19/70251
CM9 Reference:	AF19/412
Author:	Nick Serle, General Manager City Infrastructure
Authoriser:	Andrew Meddle, Chief Executive Officer
Summary:	A report seeking endorsement of a Memorial Policy and / or a decision in respect of a request to install a memorial seat and information board to be located on the top of the Sugar Loaf Hill to the west of Potter’s Point.
Community Plan Reference:	Goal 1: Our People Goal 2: Our Location Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage

REPORT RECOMMENDATION

1. That Economic and Environment Committee Report No. AR19/70251 titled ‘Memorial Policy and request for bench seat and information board to be located on the top of the Sugar Loaf Hill’ as presented on 07 September 2020 be noted.
2. That Council endorse the Memorials Policy
OR
That Council approve the installation of a donated bench seat and information board to be located on the top of the Sugar Loaf Hill to the west of Potter’s Point.



BACKGROUND

From time to time, the Council receives requests from individuals or organisations for the installation of a memorial plaque on seating or associated with a tree in memory of a deceased current or former resident of the City of Mount Gambier.

In the absence of a policy requests are required to come to Council for consideration as no delegation exists to committees or to officers. As an issue for councils in recent times, the following have been raised:

- Impact of numerous memorials on the landscape;
- Appropriateness of the proposed memorials to specific sites;
- Design, construction and use of materials to minimise maintenance costs;
- Longevity of the memorials; and
- Public safety associated with their design and location.

The purpose of this proposed policy is to provide appropriate opportunities and response to public requests to install memorials on Council land (that is, land owned by or under Council's care, control or management) and to ensure that applications for memorial plaques on seating and trees are managed on a consistent basis and in alignment with Council's strategic direction and corporate policies. Each application will be considered on its own merit.

This Policy applies to the placement of memorial plaques on seating in Council parks, reserves, public open space and streetscapes or associated with memorial trees. It is not intended to apply to Carinya Gardens.

DISCUSSION

A Memorials Policy has been developed to provide appropriate opportunities and response to public requests to install memorials on Council land (please see **Attachment 1**). Council Administration recommends that the Memorials Policy be endorsed by Council.

Financial, Risk and Asset Management Implications

There are no direct financial implications associated with the recommendation in this Report.

Memorial furniture and plaques will be installed in accordance with Council specifications and requirements. The specifications and approval condition take into account impacts of visual amenity, the existing infrastructure and furniture of the locality, along with public safety as a requirement.

Council may reasonably decommission memorial furniture on the following basis:

- High levels of community concern; or
- Changes to the open space environment that may impact negatively on the memorial furniture.

All memorials and plaques placed on Council owned and managed land are Council assets and therefore are owned and under the care, control and management of Council.

The memorial seating with plaque has a finite life, and whilst every reasonable effort will be made to extend the life of the seating/plaque, Council cannot guarantee that the seating/plaque will remain at the designated site indefinitely. Council envisages that the seating/plaque will be located at the site for a period of not less than 10 years from the date of installation with the following exceptions:

- The area in which the seating is sited is to be redeveloped; or
- Use of the site changes significantly in character and the item is not deemed suitable for the site.

Should Council not support the endorsement of this policy, then the following request will require resolution. If Council seek to endorse the policy, then the request will be dealt with positively under that policy.



Council has received a request from Mr Philip Arthur to place a garden seat, plaque and information board in memory of his father Mr Eric Arthur at the top of the Sugar Loaf Hill to the west of Potter's Point. Information relating to this can be found as **Attachments 2, 3 and 4**.

Eric Arthur and his father GW Arthur made significant historical contributions to the Mount Gambier region through their photography and community service. Eric and others put a lot of effort into beautifying the lakes area over many decades and the panorama has changed markedly as a result. One of his favourite spots to enjoy the resulting vista was the "Sugar Loaf".

Richard Woods the Limestone Coast Heritage Advisor has been asked for comment on the request and provided the following as part of his response; "*The proposed interpretation and place marking tells great story about the landscape values of the Crater Lakes. It provides a valuable perspective on changes over time, insights into changing community values and brings these to life with personal stories. Subject to detail design, the proposal is consistent with the State heritage values of the place.*"

The bench seat, plaque and interpretive sign if supported by Council will require development approval at which time the design of the interpretive sign will be modified to comply with Council's approved "family" of signs and branding.

CONCLUSION

That Council approve the installation of a donated bench seat and information board to be located on the top of the Sugar Loaf Hill to the west of Potter's Point subject to final designs meeting development approval for the Crater Lakes State Heritage Area and compliance with Council's approved "family" of signs for the area.

ATTACHMENTS

1. Draft Memorials Policy [↓](#)
2. Email from Mr Philip Arthur [↓](#)
3. Suggested Information Board - Mr Eric Arthur [↓](#)
4. Email from Mr Richard Woods, Habitable Places [↓](#)



	COUNCIL POLICY XXXX MEMORIALS POLICY	Version No:	1
		Issued:	15 September 2020
		Next Review:	September 2024

1. POLICY STATEMENT

The City of Mount Gambier Memorials Policy has been developed to provide guidance in relation to the use of public open space in the placement of Memorials and excludes Carinya Gardens.

2. SCOPE

The City of Mount Gambier recognises that members of the community may wish to use public open space to commemorate a person or group of people through a Memorial, which adds to the value of the wellbeing of the community.

This Policy applies to the placement of Memorials with plaques on seating in Council parks, reserves, public open space and streetscapes or associated with a Memorial tree.

All Memorials and plaques placed on Council owned and managed land are Council assets and therefore are owned and under the care, control and management of Council.

3. PRINCIPLES

Applications

Each application will be assessed on its individual merit, firstly meeting the basic criteria and subject to the conditions within this Management Guideline. All applications for a Memorial must be received using the 'Memorials Application Form'.

All applications will be determined by the Council under delegation. Decisions will be confirmed to the applicant/s.

Memorials Criteria

All applications must meet the following criteria:

- Commitment to fund the memorial;
- The deceased was a local community member; and
- Placement of the memorial would benefit the community in acknowledging the deceased.

Design and Cost

The Council will specify the size and design of the plaque in accordance with the type of seating or tree on which it will be placed. The Council will coordinate the design and installation of the plaque.

Furniture or tree planting and plaque associated with the Memorial may be selected, including payment of the relevant fee by the applicant, from options contained in Council's Schedule of Fees and Charges as amended from time to time.

Options may be limited at certain locations e.g. in a Heritage area or other precinct with a particular streetscape or landscape design.

It should be noted that the fee represents not only the initial purchase price and installation of the Memorial, but also ongoing costs for the life of the furniture or tree and plaque.

Locality

The placement of a Memorial and Plaque on seating in Council parks, reserves, public open space and streetscapes or on memorial trees is to be determined in consultation with Council.

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	COUNCIL POLICY XXXX MEMORIALS POLICY	Version No:	1
		Issued:	15 September 2020
		Next Review:	September 2024

Life of the Plaque

Furniture, trees and plaques have a finite life. The Council envisages that a Memorial will be located at the agreed site for a period of not less than 10 years from the date of installation.

In the case of a Memorial comprising a tree, the Memorial will be for the life of the tree.

Should a Memorial or Plaque be vandalised, weathered or worn beyond repair, or in the case of a tree is severely damaged, or disfigured or dies, it will be deemed to be at the end of its useful life.

Council reserves the right to remove a memorial at the end of its useful life or after the expiry of 10 years and will use reasonable endeavours to contact the applicant/next of kin to inform them of this.

There will be no automatic right of renewal and an applicant/next of kin may lodge a new application and fee for any new/replacement Memorial.

4. IMPLEMENTATION

Once adopted, the Chief Executive Officer or any staff member sub-delegated will be responsible for implementing this policy. This includes advice to staff, awareness training, monitoring of adherence to the policy, media releases advising the community of documentation and drafting of complementary administrative principles.

A review of Policies and Management Guidelines shall be undertaken in accordance with timelines set out in the policy at the development stage. The review process will be initiated by the Office of the Chief Executive Officer.

5. DEFINITIONS

Local Government Land means land owned by the Council or under the Council's care, control and management.

Memorial means park furniture (i.e. park bench, seat or picnic setting) or tree designed to preserve the memory of a person or group.

Plaque means a flat metal or brass plate that includes text that commemorates an individual.

Applicant means the person/s or organisation submitting a proposal for a Memorial Plaque.

Public Open Space is defined, for the purposes of this Policy, as land that is available to the public for recreation or sport or has a conservation or aesthetic purpose. Open space includes reserves, parks, trails, sportsgrounds, civic area and play spaces. This excludes Carinya Gardens for the purpose of this Policy.

Commemorative Tree means trees planted in honour or memory of person(s).

6. AVAILABILITY OF POLICY

This Policy will be available for inspection at Council's principal office during ordinary business hours and on the Council's website www.mountgambier.sa.gov.au.

Copies of this Policy may also be obtained by interested members of the community upon payment of a fee in accordance with Council's Schedule of Fees and Charges.

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	COUNCIL POLICY XXXX MEMORIALS POLICY	Version No:	1
		Issued:	15 September 2020
		Next Review:	September 2024

7. REVIEW & EVALUATION

The Council is required to review this code within 12 months after the conclusion of each periodic election. However, it may be reviewed at any other time as required by any legislative changes which may occur.

8. GRIEVANCE

Council has established procedures for the review of decisions under Section 270 of the Act for:

- Council, and its Committees;
- employees of Council and
- other persons acting on behalf of Council.

Should a person be aggrieved about a document or decision then they can lodge an application for review of that decision under the Internal Review of Council Decisions Procedure established by Council.

The procedures adopted by Council are available from the Chief Executive Officer, telephone 8721 2555 or from Council web-site www.mountgambier.sa.gov.au.

9. FURTHER INFORMATION

Further information about this Policy may be expressed in writing, addressed to:

Chief Executive Officer
City of Mount Gambier
PO Box 56
MOUNT GAMBIER
SA 5290

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Page 3 of 4



	COUNCIL POLICY XXXX MEMORIALS POLICY	Version No:	1
		Issued:	15 September 2020
		Next Review:	September 2024

File Reference:	AF18/47
Applicable Legislation:	Local Government Act 1999
Strategic Reference:	
Related Policies:	
Related Procedures:	
Related Documents:	

DOCUMENT DETAILS

Responsibility:	GENERAL MANAGER – CITY INFRASTRUCTURE
Version:	1.0
Last revised date:	
Effective date:	15 September 2020
Minute reference:	
Next review date:	September 2024
<u>Document History</u> First Adopted By Council: Reviewed/Amended:	

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From: philip.s.arthur
Sent: Friday, 6 December 2019 1:48 PM


To: Mayor Martin
Subject: Sugar Loaf Bench Seat and Information Board

Dear Mayor Martin

Following the recent death of our father, Eric Arthur, our family would like to donate a bench seat and information board to be located on the top of the "Sugar Loaf" hill to the west of Potter's Point. We'd like the information board to briefly record the historical contributions that our father and grandfather (G W Arthur) made to the Mount Gambier region through their photography and community service. Dad and others put a lot of effort into beautifying the lakes area over many decades and the panorama has changed markedly as a result. One of his favourite spots to enjoy the resulting vista was the "Sugar Loaf". On a recent walk I noticed there is no seat on the top of the hill that allows walkers to stop and take in the view of the lakes, only a simple bench that looks outwards over Tennyson College. We believe a park bench would be a great addition, especially with the increasing interest in the walk around the crater and were thinking of a bench seat similar to the one below, possibly with a plaque inscribed "In loving memory of Eric "Ric" Arthur".




Mount Gambier Crater Lakes




From 1908 Garnet Arthur and his son, Eric Arthur, photo documented the Mount Gambier region over many decades, covering landscapes, everyday life, civic events and celebrations, family gatherings and commercial photography. Over 6,500 of their images can be accessed online from the archives of the State Library of South Australia.

<https://www.slsa.sa.gov.au/home>


These two panorama photographs, both created by Garnet using a field camera and blending three glass plate negatives together, show the appearance of the Valley and Brownie's Lakes in the early part of the 20th century. As a member of the Lakes Beautification Committee Eric organized numerous plantings in the lakes area over the years, transforming the slopes and valleys.



Garnet Arthur



Eric Arthur



From: Richard Woods [<mailto:richard@habitableplaces.com.au>]
Sent: Friday, 20 December 2019 4:32 PM
To: Nick Serle <NSerle@mountgambier.sa.gov.au>
Subject: Re: Sugar Loaf Bench Seat and Information Board

Hi Nick

Thanks for seeking preliminary advice on this proposal for Development in the Crater Lake State Heritage Area.

Interpretive Sign

The proposed interpretation and place marking tells great story about the landscape values of the Crater Lakes.

It provides a valuable perspective on changes over time, insights into changing community values and brings these to life with personal stories. Subject to detail design, the proposal is consistent with the State heritage values of the place.

Where possible, interpretive signboards in the Crater Lakes should be consistent in design, and be of high design quality.

There is a legacy of un-coordinated signage of varying quality, age and condition across the area.

For a one-off project, the design, appearance and graphics should reflect or integrate with the best of the existing interpretive signage, rather than re-invent the wheel.

The usual design principles for public interpretive signage - relevance, clarity of message, narratives, visual communication, physical robustness, material durability and minimal maintenance - all need to be addressed.

Bench Set

Similarly, a new bench seat should integrate with the design of other park furniture, and should be relevant to the outdoor open space.

The detailed siting of the sign and bench will need to be reviewed on site. I would be pleased to meet on site with Philip and yourself in 2020.

Memorial Plaque

The installation of personal memorials in public reserves should be given careful policy consideration. To my mind, the proposed interpretive sign captures the essence of the Arthur's community and professional contributions. This would be of interest to a wide range of people, and is an appropriate and complete memorial in itself. In our culture, personal plaques, while expected and appropriate in a public cemetery or formal garden, are out of character in a public open space reserve.

Regards

Richard Woods
Limestone Coast Heritage Adviser

habitable places

architects

24 Divett Place Adelaide SA 5000
ph 8232 9925 mob 0417 827 118
richard@habitableplaces.com.au



**5.5 CONSULTATION DRAFT DISABILITY ACCESS AND INCLUSION PLAN 2020-2024 –
REPORT NO. AR20/51606**

Committee:	Economic and Environment Committee
Meeting Date:	7 September 2020
Report No.:	AR20/51606
CM9 Reference:	AF19/412
Author:	Ashlee Lavia, Administrative Support - Community Wellbeing
Authoriser:	Andrew Meddle, Chief Executive Officer
Summary:	A report providing the process for moving forward with public consultation on Council’s Disability Access and Inclusion Plan for the period 2020-2024.
Community Plan Reference:	Goal 1: Our People Goal 2: Our Location Goal 3: Our Diverse Economy Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage

REPORT RECOMMENDATION

1. That Economic and Environment Committee Report No. AR20/51606 titled ‘Consultation Draft Disability Access and Inclusion Plan 2020-2024’ as presented on 07 September 2020 be noted.
2. That Council endorse the draft Disability Access and Inclusion Plan (**Attachment 1**) for the purposes of public consultation, in accordance with the Public Consultation section of this report.
3. That the Chief Executive Officer be authorised to make minor textual changes to correct typos and errors of fact.



BACKGROUND

The Disability Inclusion Act 2018 (SA) requires the Council to develop a Disability Access and Inclusion Plan in line with the Inclusive SA: State Disability Inclusion Plan 2019 - 2023 before 31 October 2020.

The purpose for the draft City of Mount Gambier Disability Access and Inclusion Plan (DAIP) (**Attachment 1**) is to outline our commitment to the continuous review and development of information, services and facilities to ensure equitable access and inclusion for all within our community.

DISCUSSION

The draft DAIP has been developed in consultation with Council's stakeholders groups and is aligned with the State Disability Inclusion Plan 2019-2023 themes of:

1. Inclusive communities for all
2. Leadership and collaboration
3. Accessible communities
4. Learning and employment

Council invited participation from the following stakeholders or groups:

- **Accommodation:** Resthaven, Boandik Lodge
- **Support Services:** ComRec, Home Care Plus
- **Health:** 1st Stop Pediatric Services/Occupational Therapy
- **Education:** Gordon Education Centre
- **Employment:** WISE Employment
- **Reference Group/s:** NDIS Inclusion Reference Group

A letter requesting feedback was sent to the above stakeholder groups and of the 8 groups, Council received responses from Boandik Lodge (**Attachment 2**) and the NDIS Inclusion Reference Group (**Attachment 3**).

Public Consultation

The Council intends to undertake the public consultation phase in accordance with Council Policy P195 Community Consultation and Engagement.

In terms of the public consultation, the following activities are envisaged:

- Use of the Have Your Say Mount Gambier;
- Use of the Council's website and intranet;
- Council's social media presence;
- Public display and engagement;
- Staff briefings;
- Media releases; and
- Radio interviews.

It is intended that the process will commence on 18 September 2020, public consultation documents will be available from 18 September 2020 and will run for 21 days until 9 October 2020. This will enable the processing of representations and the making of proposed changes in time for Council consideration.



The items in the bullet pointed list previously will run for all or part of the public consultation period.

CONCLUSION

The Draft Disability Access and Inclusion Plan 2020 - 2024 is an important document that outlines how Council plans to provide equal access to services for all members of the community regardless of ability. The Plan has been developed through consultation with stakeholders that have involvement with disabled people living in the community. The proposed action items for Council to deliver over the four year period of the Plan have been distilled from the feedback received and have been assessed as achievable work Council should be involved with.

The proposed draft Plan outlines work Council can be proud of achieving by providing a framework that ensures all residents and visitors to the City of Mount Gambier have equal access to services regardless of abilities. The proposed plan will become a living document that will be reviewed and updated as community needs change.

ATTACHMENTS

1. Draft - Disability Access and Inclusion Plan (DAIP) 2020-2024 [↓](#)
2. Feedback - Draft Disability Access and Inclusion Plan - Boandik Lodge [↓](#)
3. Feedback - Draft Disability Access and Inclusion Plan - NDIS Inclusion Reference Group [↓](#)



City of Mount Gambier
Disability Access and Inclusion Plan
2020 - 2024



MAYOR/CEO'S MESSAGE

Statement from Chief Executive / Mayor

To be added in final document



STATEMENT OF COMMITMENT TO ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITIES

The City of Mount Gambier recognises the Boandik people as the traditional owners and custodians of this local government area. We respect their spiritual relationship with the land and recognise the deep feelings of attachment Aboriginal and Torres Strait Islander peoples have with this land. The City of Mount Gambier is committed to working together with Aboriginal and Torres Strait Islander communities in the process of reconciliation. We will cooperate to ensure the preservation of cultural practices, traditional sites and significant places. The City of Mount Gambier supports expressions of cultural identity, strongly champions social justice and will advocate for enriching the lives of Aboriginal and Torres Strait Islander peoples. Together, we seek to build a society where acceptance and understanding, respect and diversity are cornerstone values, where Aboriginal and Torres Strait Islander peoples are valued and respected. The City of Mount Gambier recognises the Boandik people as the traditional owners and custodians of this local government area.

We respect their spiritual relationship with the land and recognise the deep feelings of attachment Aboriginal and Torres Strait Islander peoples have with this land.

The City of Mount Gambier is committed to working together with Aboriginal and Torres Strait Islander communities in the process of reconciliation.

We will cooperate to ensure the preservation of cultural practices, traditional sites and significant places. The City of Mount Gambier supports expressions of cultural identity, strongly champions social justice and will advocate for enriching the lives of Aboriginal and Torres Strait Islander peoples.

Together, we seek to build a society where acceptance and understanding, respect and diversity are cornerstone values, where Aboriginal and Torres Strait Islander peoples are valued and respected.



Introduction

The Disability Inclusion Act 2018 (SA) requires the Council to develop a Disability Access and Inclusion Plan in line with the Inclusive SA: State Disability Inclusion Plan 2019 - 2023.

The first City of Mount Gambier Disability Access and Inclusion Plan has been developed through consultation with our community and staff, addressing priority areas within our community and providing awareness of disability and equitable access and inclusion.

Purpose

The purpose for the City of Mount Gambier Disability Access and Inclusion Plan (DAIP) is to outline our commitment to the continuous review and development of information, services and facilities to ensure equitable access and inclusion for all within our community.

Our DAIP has been structured in line with the Inclusive SA: State Disability Inclusion Plan 2019 - 2023 themes and priority areas:

1. Inclusive communities for all

- Priority 1: Involvement in the community
- Priority 2: Improving community understanding and awareness
- Priority 3: Promoting the rights of people living with disability

2. Leadership and collaboration

- Priority 4: Participation in decision-making
- Priority 5: Leadership and raising profile
- Priority 6: Engagement and consultation

3. Accessible communities

- Priority 7: Universal Design across South Australia
- Priority 8: Accessible and available information
- Priority 9: Access to services

4. Learning and employment

- Priority 10: Better supports within educational and training settings
- Priority 11: Skill development through volunteering and support in navigating the pathway between learning and earning
- Priority 12: Improved access to employment opportunities and better support within workplaces



Defining Disability

There are many different kinds of disabilities, which can result from accidents, illness or genetic disorders. The Disability Discrimination Act 1992 defines disability in relation to as person as:

- (a) total or partial loss of the person's bodily or mental functions; or
- (b) total or partial loss of a part of the body; or
- (c) the presence in the body of organisms causing disease or illness; or
- (d) the presence in the body of organisms capable of causing disease or illness; or
- (e) the malfunction, malformation or disfigurement of a part of the person's body; or
- (f) a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or
- (g) a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgment or that results in disturbed behaviour;
and includes a disability that:
 - (h) presently exists; or
 - (i) previously existed but no longer exists; or
 - (j) may exist in the future (including because of a genetic predisposition to that disability); or
 - (k) is imputed to a person.

To avoid doubt, a disability that is otherwise covered by this definition includes behaviour that is a symptom or manifestation of the disability.

Disability in the City of Mount Gambier

Mount Gambier is the largest regional city in South Australia located centrally between Adelaide and Melbourne. Mount Gambier is the major service centre for the Limestone Coast, a thriving progressive community with city facilities and services.

Mount Gambier is home to more than 27,000 people with the City of Mount Gambier employing of over 160 staff working across 9 sites. The exact number of staff identifying with a disability employed at the City of Mount Gambier is currently unknown. There is currently no reporting procedure in place, however through the delivery of the actions within the Disability Access and Inclusion Plan (DAIP) we hope to determine this.

The Australia Bureau of Statistics 2016 data states that of the approximately 26,000 people living in the City of Mount Gambier in 2016, 1,714 people or 6.5% of the population reported needing help in their day-to-day lives due to disability.

In the 2016, 6% of the South Australian population reported needing assistance in their everyday lives this equated to approximately 103,000 South Australians requiring assistance.

People living with disability within our Community may have difficulties:

- using our footpaths and ramps
- finding their way around our city
- accessing our public buildings, amenities and parks
- gaining employment
- accessing and reading information including on our website
- hearing at a public meeting or at a customer service counter
- feeling accepted and valued.

It is important that Council continues to ensure equity of access for all people living within the City of Mount Gambier and that minimum standards of Disability Discrimination Act 1992 (DDA) compliance are met.



Access and Inclusion Timeline:

Equal Opportunity Act 1984 (SA)

The Equal Opportunity Act makes disability discrimination against the law and promotes equal rights, opportunities and access for people living with disability.

Australian Human Rights Commission Act 1986

Provides power to the Commission to deal with complaints of discrimination.

Commonwealth Disability Discrimination Act 1992 (DDA)

The DDA makes it unlawful to treat someone less favourably because of a disability.

United Nations Convention on the Rights of Persons with Disabilities 2008

The United Nations Convention on the Rights of Persons with Disabilities is an international human rights treaty intended to protect the rights and dignity of people with disabilities.

Disability (Access to Premises - Buildings) Standards 2010

The Disability (Access to Premises - Buildings) Standards 2010 was adopted in South Australia on 1 October 2012. This was adopted via the Development (Building Rules Consent - Disability Access) Variation Regulations 2012 which came into effect when the Development (Building Rules Consent - Disability Access) Amendment Act 2011 commenced.

National Disability Strategy 2010-2020 (NDS)

The Department of Social Services NDS outlines a 10 year plan to improve the lives of people living with disability and promote participation for a more inclusive society.

South Australian Public Health Act 2011

Promotes and provides for the protection of the health of the public of South Australia and to reduce the incidence of preventable illness, injury and disability.

South Australian Disability Inclusion Act 2018

Under the Disability Inclusion Act 2018 (SA), Councils in South Australia are required to develop a Disability Access and Inclusion Plans (DAIPs) by October 2020.

City of Mount Gambier Disability Access Audit on Public Buildings 2018

Prepared by David Vandborg, Building Surveyor, the City of Mount Gambier carried out an access audit of all Council owned buildings in preparation for the development of our Disability Access and Inclusion Plan (DAIP).

Inclusive SA: State Disability Inclusion Plan 2019-2023

The State Inclusive SA Plan brings South Australian councils together to reduce the obstacles people living with disability deal with in their local communities.

The City of Mount Gambier Disability Access and Inclusion Plan (DAIP) 2020-2024

Sets out the action plan for the City of Mount Gambier to develop and review the equity of access and inclusion of all facilities and services within Mount Gambier.



Our Vision

The Vision according to the Government of South Australia Stare Disability Inclusion Plan states:

“Our vision is an accessible and inclusive South Australia based on fairness and respect.”

The City of Mount Gambier Strategic Plan 2020-2024 includes the following focus areas to assist with ensuring equity of access for all people living within our Community:

1.3 Sense of community

We foster a sense of community by encouraging and supporting participation in community life.

1.3.1 Supporting community events and programs that bring people together, encourage interaction and promote a sense of community

1.4 Care for the community

We will develop our service offering to the community to ensure all members have access to required levels of support.

1.4.1 Developing and delivering community safety initiatives that respond to local issues and concerns

1.4.5 Ensuring support services and recreational activities are accessible

2.1 Infrastructure development and managing our current assets

We will commence work on meeting the community's aspirations for future infrastructure development, whilst managing our existing infrastructure and assets in a manner that demonstrates the pride we take in our environment.

2.1.1 Working with the community to ensure our CBD, health and education precincts, our streets and our public spaces are safe, inviting and support a positive image of the City of Mount Gambier.

Council will continue to review and develop strategies to address the priority groups in our community living with disability including women, children, Aboriginal and Torres Strait Islander people and culturally and linguistically diverse people.



Action Plan:

The City of Mount Gambier Disability Access and Inclusion Plan is structured around the themes and priority areas of the Inclusive SA: State Disability Inclusion Plan 2019 - 2023.

1: Inclusive communities for all

Social inclusion is a priority for people living with disability as it affects all aspects of their lives. It is our aim that the contributions and rights of people living with disability are valued and understood by all South Australians and that their rights are promoted, upheld and protected. We also want to ensure that people living with disability are supported to advocate for their own rights.

Priority 1: Involvement in the community

Priority 2: Improving community understanding and awareness

Priority 3: Promoting the rights of people living with disability

Action	State Plan Priority #	Responsibility	Timeframe	Measurable Target
<p>1. Council to ensure community events, particularly those organised by City of Mount Gambier are inclusive for all people and include consideration of diverse access needs.</p> <p>a. 2 years for acquittal of Grant Funding.</p>	1	General Manager City Growth, General Manager Community Wellbeing and Events Team	4 years	<p>Information packs</p> <p>Improved processes</p> <p>Funding eligibility requirements</p>
<p>2. Council to collaborate with local organisations and people with lived experience of disability to deliver training about disability, access and inclusion. People with disability should be paid for their time and involvement</p> <p>a. Council to maintain representation with NDIS inclusion reference group.</p>	2	<p>Community Wellbeing</p> <p>All Departments</p>	4 years	All Council Staff training



Action	State Plan Priority #	Responsibility	Timeframe	Measurable Target
b. Embedding awareness with action groups				
3. Council to reference the Human Rights Model of Disability when reviewing disability related planning and policies. Council to also refer to the United Nations Charter on the rights of persons with disability.	3	Governance to produce a checklist with assistance from Manager Operations and Engineering All to action in planning and policy processes Leadership Team to Monitor	4 years	Checklist produced for development of policies and procedures SWOT Analysis undertaken



2: Leadership and collaboration

People living with disability want to have a greater role in leading and contributing to government and community decision-making. It is our aim that the perspectives of people living with disability are actively sought and that they are supported to participate meaningfully in government and community consultation and engagement activities.

Priority 4: Participation in decision-making

Priority 5: Leadership and raising profile

Priority 6: Engagement and consultation

Action	State Plan Priority #	Responsibility	Timeframe	Measurable Target
4. Council to develop a policy that ensures planned community consultations enable people of all abilities to respond. For example provision of large font size on website, able to listen to consultation request from website and providing hearing assistance for group consultations.	4	Community Development and Engagement	1 year	Community Engagement Policy further developed Consultation Checklist
5. Council to engage with focus group of people with lived disability experience.	5	Community Wellbeing	Ongoing	Council to actively engage with focus group in decision making on relevant issues.



3: Accessible communities

The accessibility of the built environment, quality services and information is key to ensuring people living with disability are included and have the opportunity to equally participate in all aspects of community life. It is our aim to increase accessibility to public and community infrastructure, transport, services, information, sport and recreation and the greater community.

Priority 7: Universal Design across South Australia

Priority 8: Accessible and available information

Priority 9: Access to services

Action	State Plan Priority #	Responsibility	Timeframe	Measurable Target
6. Council to adopt inclusive design principles that encourages best practice rather than meeting minimum legislative requirements.	7	Development Services	2 years	Trained personnel to assess NDIS requirements
7. Council to take a leadership role ensuring information provided by Council is available in multiple formats (e.g., Easy Read, Auslan, pictorial forms, large font, audible options, Braille, captions, VoiceOver and dyslexia-friendly fonts).	8	Leadership Team	4 years	Develop and implement a policy
8. Council to undertake an audit of assets and services, employing people with lived experience of disability to 'road test' and assess their accessibility. Use the findings to inform the development of a schedule of modifications.	9	Development Services	4 years	Plan a budget Audit completed



4: Learning and employment

Workforce participation is fundamental to social inclusion. It provides economic independence and choice, social connections and friendships, value, identity and belonging. It is our aim that people living with disability have access to inclusive places of study and that education and training provides pathways to meaningful and inclusive employment and volunteering opportunities.

Priority 10: Better supports within educational and training settings

Priority 11: Skill development through volunteering and support in navigating the pathway between learning and earning

Priority 12: Improved access to employment opportunities and better support within workplaces

Action	State Plan Priority #	Responsibility	Timeframe	Measurable Target
9. Council to advocate State and National bodies for increased disability and inclusion support in the Limestone Coast.	10	CEO	Ongoing	Increased disability and inclusion support in the Limestone Coast
10. Council to continue to partner with NDIS and relevant agencies in creating volunteering and employment opportunities for people living with disabilities.	11	Manager Organisational Development Procurement	Ongoing	Partnership opportunities identified and pursued where available Engagement of Orana and Bedford
11. Council to promote workforce diversity, committing to recruiting and retaining a greater proportion of staff with disability. Set measurable goals and regularly check in with progress.	12	Manager Organisational Development and Human Resources	1 year & Ongoing	Alter the language in employment principles and update recruitment policy to promote workforce diversity. Proportionate quotas



Disability Access and Inclusion Plan development

Consultation

To enable the development of the first Disability Access and Inclusion Plan (DAIP) for the City of Mount Gambier stakeholder groups from our community were invited to provide feedback on several questions linking back to the themes of our draft plan.

This stakeholder feedback was reviewed by the City of Mount Gambier Leadership Team and presented as an action plan for our draft Disability Access and Inclusion Plan (DAIP) for consultation purposes.

Further details to be added in final document.

Relationship to other policies, strategies, frameworks

The City of Mount Gambier Disability Access and Inclusion Plan (DAIP) will be implemented as a strategic document that will be integrated throughout Council policies, procedures and business plans.

Examples of previous achievements

1. Changing Places Facility - James Street

In October 2019, the City of Mount Gambier officially opened its first Changing Places facility, located in the James Street toilet block.

The Changing Places Facility includes a range of features not available in standard accessible toilets, including a height adjustable adult sized change table, a tracking hoist system, non-slip flooring and more space to accommodate a person using a wheelchair and up to two carers.

The facility is secured by a universal key system, access to the facility can be gained through the purchase of a Master Locksmiths Access Key (MLAK). A MLAK enables 24/7 universal access to many of the Changing Places amenities across Australia.

2. Community and Recreation Hub (CaRH) Design

For over 30 years, there have been community discussions about the need for an indoor aquatic centre. The Community and Recreation Hub (CaRH) project will provide substantial indoor facilities addressing many community needs both now and for future generations to come.

The design for the CaRH has incorporated the following key features to assist with ensuring equity of access and inclusion:

- Wide concourses around the pool
- Multiple DDA toilets and change rooms
- A dedicated Changing Places facility
- Ramp access to all pools
- Specifically designed wheelchair friendly viewing on the mezzanine level
- The program pool can be screened off to reduce sound and the lighting can be altered
- Nominated disability parking and undercover drop off
- Designated parent's toilet and separate baby change and feeding facility.

The inclusion of the above design elements aligns with the City of Mount Gambier Strategic Plan and will ensure that recreational activities are accessible for our Community.



3. LGILC Funding

The City of Mount Gambier in conjunction with Alexandrina Council and City of Adelaide, have secured funding from the (LGILC) for the Accessible Events Pilot Project.

The scope and purpose of LGILC projects is to enable South Australian councils to undertake activities that address thin marked coverage including mainstream delivery by increasing the understanding of the needs of people living with disability in rural, regional and remote South Australia. This includes the following:

- Projects that build community awareness so that community groups and non-council business have a better understanding of the needs of people living with a disability.
- Project that consider the needs of those living with a disability who identify as Aboriginal and Torres Strait Islander (ATSI) in regional, rural and remote areas of South Australia.
- Project that consider the needs of those living with a disability who identify as Culturally and Linguistically Diverse (CALD) in regional, rural and remote areas of South Australia.
- Project that consider the needs of those living with a disability who identify lesbian, gay, bisexual, transgender, intersex and queer (LGBTQI) in regional, rural and remote areas of South Australia.

The Accessible Events Pilot Project will consist of a partnership with a disability led organisation to provide access consulting and training for event organisers in the three councils, plus small amounts of grant funding assistance to implement access improvements and evaluate the impact of these. The project will also collaborate with State Government during the development of the Events Toolkit. The outcomes of the project will be shared with event staff across SA councils through appropriate channels. It is anticipated that this demonstration project will contribute to cultural change in the area of community and tourism events that Local Government is involved with. People living with disability will benefit from events that are more inclusive and accessible in their local area.

4. Fringe Mount Gambier

Since 2018 the team at Fringe Mount Gambier have worked alongside community members with disabilities to improve site accessibility and ensure all attendees can participate in the festival.

To assist with this each year an access map is developed to clearly label best points of entry and facilities to help us ensure that people of all abilities, including people with disabilities, can gain equitable, independent and functional access to everything. In 2020 it was also planned to provide captioned programs on the large LED screen in the Cave Garden during the curated events to assist with hearing impairments.

The Fringe festival is Companion Card friendly, this simply ensures that people who are unable to attend without a companion to provide attendant care support are not charged two admission fees.

As a festival the Fringe Mount Gambier strive to make our attendance as inclusive as possible, in line with festival best practices, and engaged local members of our community with mobility impairments to help us establish accessibility options for our site plan on our major curated events.



Implementation process

The City of Mount Gambier will continue to be responsible for the implementation of our DAIP and will integrate the actions of the DAIP into our general business, annual budgeting and business planning.

The DAIP will be made available for all employees and will be incorporated into individual business unit plans and processes and procedures. Copies of the plan will be available from the Council Office, Library, Riddoch and Main Corner Complex and Visitor Information Centre and will be published on the City of Mount Gambier website.

Following endorsement of the plan, the availability of the plan will be advertised through the City of Mount Gambier Facebook page and via local media outlets. The plan will also be promoted

A representative of the City of Mount Gambier will be appointed to the NDIS Inclusion Reference Group and regularly update the City of Mount Gambier Leadership Team on issues for review or feedback / comment for the next DAIP.

The Leadership Team will work with their staff to ensure the actions outlined within the DAIP are delivered with a regular item included within the fortnightly Agenda.

The DAIP will be reviewed yearly taking into consideration any feedback / comments received from the NDIS Inclusion Reference Group, stakeholders and our Community.

Prior to October each year Council will provide a progress report to the Ministers Office in line with the legislative requirements of a DAIP.

Acknowledgments

The City of Mount Gambier acknowledges the contribution of many individuals and groups within our community who have been instrumental in the development of our Disability Access and Inclusion Plan (DAIP).



Glossary and Definitions

ATSI	Aboriginal and Torres Strait Islander peoples
Australian Bureau of Statistics	Australia's national statistical agency, providing trusted official statistics on a wide range of economic, social, population and environmental matters of importance to Australia.
Built Environment	Man-made structures, features, and facilities viewed collectively as an environment in which people live and work.
CALD	Culturally and Linguistically Diverse
CaRH	Community and Recreation Hub
CBD	Central Business District
Commonwealth	The government of the Commonwealth of Australia - also referred to as the Australian Government or the Federal Government.
DAIP	Disability Access and Inclusion Plan
LBGTQI	Lesbian, Bisexual, Gay, Transgender, Queer and Intersex.
LED	Light Emitting Diode
LGILC	Local Government Linkages and Capacity Building Program
MLAK	Master Locksmiths Access Key - allows people with a disability access to dedicated public facilities, including the new Changing Places facilities throughout Australia.
NDIS	National Disability Insurance Scheme
SWOT Analysis	An analysis of an organisations internal strengths and weaknesses, as well as its external opportunities and threats.
United Nations Convention on the Rights of Persons with Disabilities	A human rights treaty that aims to change attitudes and approaches to people with disability. It reaffirms that all people with disability must enjoy human rights and fundamental freedoms.
Universal Design	Universal design involves creating facilities, built environments, products and services that can be used by people of all abilities, to the greatest extent possible, without adaptations.



Feedback from Boandik Lodge

Theme 1: Inclusive communities for all

Question 1:

How can Council provide or encourage better involvement in the community for people living with disability?

- Ensure accessibility for all people, consider the types of equipment that people use, large wheelchairs, mobility scooters etc.
- Consider colour schemes that create contrast, not mono-chrome colours blending into each other, particularly if there is a change in surface
- Encourage local businesses to provide access for people of all abilities
- Accessible play equipment

Question 2:

How can Council improve community understanding and awareness for people living with disability?

- There are great resources available through NDIA that could be made available to the community particularly as part of a package if approval is required for an event

Question 3:

How can Council promote or encourage the community to promote the rights of people living with disability?

-

Theme 2: Leadership and collaboration

Question 4:

How can Council improve and foster participation in decision-making for people living with disability?

- Ensure that planned consultations enable people of all abilities to respond. Eg. Able to enlarge font size on website, able to listen to consultation request from website, hearing assistance in place if group consultation
- Develop a consultation group of people living with a disability so they can review policy changes, plans etc. and provide input

Question 5:

How can Council support and encourage fair leadership representation and raise the profile of people living with disability?

-



Question 6:

How can Council improve and encourage community engagement and consultation for people living with disability?

- Develop a consultation group of people living with a disability or their representatives so they can review policy changes, plans etc. and provide input

Theme 3: Accessible communities

Question 7:

How can Council advocate for universal design across South Australia for people living with disability?

- Council can develop non-negotiable design principles for the City of Mount Gambier
- Promote the design principles through local government networks to influence other municipalities

Question 8:

How can Council advocate for accessible and available information for people living with disability?

-

Question 9:

How can Council provide access to its services for people living with disability?

- Carparks for people with a disability reviewed to ensure they are in a suitable location, allow ease of movement for someone with a disability as driver, passenger or rear access
- Consider technology that could be provided in any venue that would support people with vision or hearing impairment, there is now a lot of mobile technology that could be used by the individual

Theme 4: Learning and employment

Question 10:

How can Council advocate for better supports within educational and training settings for people living with disability?

-



Question 11:

How can Council provide skill development through volunteering and support in navigating the pathway between learning and earning for people living with disability?

- Become an inclusive workplace and provide opportunities for people with a disability
- NDIS providers are funded to do this, work with them to create volunteering and employment opportunities.

Question 12:

How can Council promote or advocate for better access to employment opportunities and better support within workplaces for people living with disability?

- This can be offered by Council as an employer but each business should be able to make a decision on whether this model suits them



Feedback from the NDIS Inclusion Reference Group

Theme 1: Inclusive communities for all

Question 1:

How can Council provide or encourage better involvement in the community for people living with disability?

- Ensure that people with disability can experience their community as fully as possible.
 - E.g., create and maintain an app or a section on the City of Mount Gambier's website that displays existing services and facilities that are accessible and inclusive (such as toilets, local eateries, sports and recreation facilities, parks and trails, arts and cultural institutions and transport services that are wheelchair and disability-friendly).
- Commit to making community events, especially those run by Council, more inclusive and considerate of diverse access needs.
 - E.g., create and maintain an 'Accessible Event' checklist that people can refer to when organising and promoting a community event.
- E.g., directly involve people with lived experience of disability in the event planning process.
- Partner with people with disability to undertake a 'road test' of access issues present in Council-owned and/or -run buildings, services and facilities. Consultative committees for discussions with council and future planning
- Providing better accessibility to know about events and services – people with disability may have limited access to technology, illiteracy, need to have information in Easy English or another format (braille, voice, photos with descriptions, larger fonts) to be able to know about events and services
- Families with children with disabilities often find themselves excluded or segregated from other families without community understanding. For example unable to attend certain events such as carols by candlelight due to a child with autism requiring a safe place to retreat when they are sensory overwhelmed and then have people stare at them and having meltdowns thus excluding entire families. Providing safe environments for families, people with dementia and other needs makes for inclusive friendly services.e.g Chill out Zones.
- People with disabilities are people with desires and wishes like anyone else and should be included in consultations, remunerated for their time, have access to their community via proper pathways, accessible toilets, well designed facilities and affordable accessible transport. For some people the lack of accessibility means that they are enduring third world facilities unable to go into their environment safely and with enough resources. They may need to make choices such as going out to a doctor's appointment or food shopping due to affordability of wheelchair taxis so that a choice to attend an event is sadly out of reach. The ability for bedridden people to 'zoom' into meetings or watch recorded events has increased participation for some during Covid 19 – don't let that return to normal when the pandemic is over. Look into these barriers, consult and be champions of change.
- Look for multiple comorbidities and complex needs that make people especially vulnerable and unable to be seen or heard. And those from CALD, or other minorities. Include carers.
- Look at existing accessible parking (disability parking). The level parking/footpath in Naracoorte main street is a great example of an easy transition for people getting out of the car and onto footpaths.



Question 2:

How can Council improve community understanding and awareness for people living with disability?

- Council to support the use of the arts to open conversations about disability and disabled experiences
 - E.g., grant funding program for local artists to create projects exploring these themes.
- Utilise opportunities such as International Day of Persons with Disability to celebrate people living with disability and build awareness and understanding in the community.
- Create and maintain toolkits for employers, organisations, cultural institutions, sporting clubs, etc. on best practice for access and inclusion.
- Collaborate with local organisations and people with lived experience of disability to deliver training about disability, access and inclusion. Any training should centre the voices of people with lived experience. People with disability should be paid for their time and involvement.
 - E.g., successful completion of training could include a sticker and certificate of accreditation for participants (such as businesses and organisations) to display on their premises and/or online spaces. Participants could also be included in a directory of accessible places.
 - E.g., Council could support local training providers to deliver such training, prioritising those with lived experience of disability, and maintain a list of officially endorsed providers.
- Employ people with disabilities. Support council candidates with disabilities. Make it 'normal' to encounter people with disabilities in everyday work roles and events.
- Have toolkits available for workplaces, organisations and event organisers that include best practice for accessibility. This may include how to write in inclusive language, Easy English, accessible websites etc
- Talk to and engage with people with disabilities, give them a voice in everyday life, look out for inequalities that provide barriers and seek solutions from people that are affected not 'experts' without lived experience. Encourage peer support groups and provide meeting spaces.
- Go into schools and show students with disabilities services they can access, what council does and why, and encourage home ownership.
- Proper accessibility in council facilities, with discussions around how to improve (making all council members aware of the DAIP and reading it upon completion)

Question 3:

How can Council promote or encourage the community to promote the rights of people living with disability?

- Use the Human Rights Model of Disability as a frame of reference when undertaking disability-related planning, policy-making and similar. Refer also to the UN Charter on the Rights of Persons with Disability.
- Ensure that any training supplied includes a rights and advocacy (including self-advocacy) component.
- Support local businesses and organisations that demonstrate a clear commitment to access and inclusion.
- Create and distribute material outlining and promoting the rights of people living with disability (e.g., right to education, right to communication, right to community). Empower people with disability, carers, family and friends to know their rights, how and where to lodge complaints, etc.
- Be a leader, and be accountable. Undertake a SWOT analysis of current Council policies, hiring practices, Council buildings, facilities and services to determine how disability-friendly they are. Identify areas in which to improve, consult with and listen to people with lived experience of disability, set measurable goals and commit to meeting them, regularly reviewing progress.
- Support special awareness days such as International day of disability, dementia friendly communities, epilepsy awareness days etc



- Hold advocacy sessions, workshops for self advocacy, and partnerships with organisations mentoring families that are newly diagnosed.
- Kits that educate people in experiencing barriers faced by people with disabilities and their families, lists of guest speakers etc
- Why are people with intellectual disability still routinely segregated or excluded from community services often because their behaviour doesn't match social norms because of their disability. Ie; headspace excludes intellectually disabled young people accessing their psychology services, council youth advisory group is inaccessible, special support avenues needed to access leadership groups.

Theme 2: Leadership and collaboration

Question 4:

How can Council improve and foster participation in decision-making for people living with disability?

- Ensure review processes, consultation times, advisory committees and similar have large timeframes, have multiple ways to participate (e.g., via phone, in-person, group or one-on-one settings, online, via video call, spoken or written submissions), and are advertised broadly.
- Refer to the advocacy principle of 'Nothing about us, without us.' Consciously reach out to people with disability, rather than waiting for them to come to Council. View and include them as a key stakeholder from the beginning of the decision-making process.
- Seek input from groups that are more likely to be excluded, such as people with intellectual disability, people who communicate in alternate ways and people who are housebound.
- Prioritise optimising the ability of people with disability to fulfil their civic roles, such as voting in Council elections.
 - E.g., refer to information on the Australian Electoral Commission and Electoral Commission of SA websites about voting as a person with disability. Explore strategies like training volunteers to provide support on election day and providing relevant information in a variety of formats (such as Easy Read, audible options, captioned video, large font size).
- Realise that some people will be overpassionate because they haven't had the luxury of being heard before.
- Some people don't function in group environments and may face medical barriers as well.

Question 5:

How can Council support and encourage fair leadership representation and raise the profile of people living with disability?

- Create opportunities for people with lived experience to be in leadership positions. –funding for leadership programs (including Limestone Coast Leadership Program but to include people with disability, not just criteria to include staff members)
- Create opportunities for people with lived experience to be in leadership positions, or for personal/professional growth
- Ensuring leadership programs are accessible and inclusive (support for people who can't drive, read, afford, assistance offered for those who will have difficulties engaging in the program)
- Encourage people with disability to run for positions on Council.
- Establish an advisory group of people with lived experience to consult with on issues and policy specific to disability (such as the DAIP).
- Explore the creation of a role at Council (preferably for a person with lived experience of disability) that is dedicated to improving access and inclusion across Council, its services, facilities and events, and coordinating the implementation of the DAIP.



- Ensure leadership programs and opportunities, such as the Youth Advisory Group, are accessible and inclusive.
 - E.g., provide support and assistance for people who can't drive, who may have limited access to technology, or who may have difficulty engaging with the program.
- Watch for negative words like idiot, retard, he/she wouldn't know, who cares about them, weird, loser, special treatment.
- Understand that many disabled people have faced discrimination and trauma from being themselves, be gentle and encouraging. Provide mentorship.
- Making sure that people are not objectified because of their disability. <https://www.youtube.com/watch?v=8K9Gg164Bsw>

Question 6:

How can Council improve and encourage community engagement and consultation for people living with disability?

- Use appropriate language when talking about disability.
- Ensure venues where consultation and community engagement will take place, whether physical or online, are accessible.
 - E.g., make sure websites such as 'Have Your Say' and the City of Mount Gambier website conform to the Web Accessibility Standards.
 - E.g., be mindful of venue layout, wheelchair accessible entrances, location of speakers and noisy areas, lighting, etc. Explore hiring an Auslan interpreter for community consultations and events.
- Develop and maintain a register of people living with disability who would like to be involved in consultation and community engagement.
- Set targets for the involvement of people with lived experience on boards, committees, and advisory groups. Be aware that one individual cannot speak for all people with disability.
- Disability register.
- Pathways to mentorships for carers and disabled people until they find their feet.
- Promotion of people with disabilities in media and materials. In particular, use local images and local people (not generic stock photos)
- Use the Limestone Coast Inclusion Reference Group (or similar groups) regularly and ensure that the council and its consortium are aware of its presence to get feedback for all aspects of Council planning

Theme 3: Accessible communities

Question 7:

How can Council advocate for universal design across South Australia for people living with disability?

- Establish and maintain a universal design policy that sets out a consistent approach for planning approvals across Council areas and across different zones (e.g., residential, industrial, commercial, etc.).
- Stay up to date with best practice in universal design for physical and online spaces, to ensure optimal access for people with disability in sport, recreational and cultural activities and facilities.
- Create and maintain guidelines for developers and business owners to follow when implementing universal design in new builds and renovations.



- All of the examples provided in theme 3 need to be included. Churches, sporting organisations and community groups can be extremely resistant to supporting families with disabled children and people with disabilities citing behaviour (often more a case of unsafe or inaccessible environments) as a reason to exclude. There are no local advocacy services. There are limited inclusive sports pathways locally as most are competitive sports excluding those that don't "measure up". If people can't read toilet signs symbols should be utilised. Dementia friendly community designed environments and public forums for our growing dementia numbers. Incontinence aids and facilities available for those in need. Support those who are on waiting lists to receive services without hope. Mentorship, buddying programs and peer support groups supported and encouraged.
- "Nothing for us, without us"

Question 8:

How can Council advocate for accessible and available information for people living with disability?

- Lead by example and ensure that information provided by Council is available in multiple formats (e.g., Easy Read, Auslan, pictorial forms, large font, audible options, Braille, captions, VoiceOver and dyslexia-friendly fonts).
- Ensure that there are multiple ways people can receive communications from Council.
- Provide grant funding to local businesses, clubs and organisations to assist with the provision of accessible and available information to people with disability (e.g., website upgrades and reformatting, creation of Easy Read versions, installation of captions on videos).

Question 9:

How can Council provide access to its services for people living with disability?

- Ensure that people with disability can get into the service, can communicate at the service, and ensure workers delivering a given service have been trained in disability awareness.
- Undertake an audit of Council assets, employing people with lived experience of disability to 'road test' them and assess their accessibility. Use the findings to inform the development of a schedule of modifications.
- Include the installation of signage denoting accessible spaces and multimedia devices for people who are deaf, hard of hearing, blind or visually impaired in infrastructure maintenance and upgrade schedules.
 - E.g., installing captions on the films 'Craitbul' and 'Volcano' at the Main Corner.

Theme 4: Learning and employment

Question 10:

How can Council advocate for better supports within educational and training settings for people living with disability?

- Creating opportunities for school aged work placements with Council
- Have a Council Working group to create a job description for the Diversity/Accessibility Council officer staff member role



- Traineeships offered/apprenticeships increased in a broader range of roles. Have more diversity in opportunities for people to be part of (more than gardening)
- Can Council educate local businesses about making changes within their business setting? In turn, increase revenue/tourism opportunities to the region
- Supporting children with diverse learning needs/abilities – Is there a program during school hours that Council can supply, to help identified students with diverse learning needs? E.G InclusionED (national program) Furthermore, develop partnerships with organisations to deliver this?
- Can Council assist with transporting students of identified cohort at risk to get children to school? Including Tafe/Uni. Ensuring students are supported on the journey (an additional role)
- Funding for training of staff. Ensure training and education is physically, financially, and cognitively accessible
- Fund or find more options for people with disabilities
- Support innovation for existing training organisations. Try getting a person with an intellectual disability into a regular course in this city – be prepared to be shocked at the lack of experience, discrimination and dismissal of people with disabilities. Walk a day in the shoes of someone facing exclusion due to stereotyping and not actual ability.
- Talk with state government about why services are still predominantly provided in the city and how can country people access them?
- When training does come to Mt Gambier it is often missed when no one hears of it as disability services are fragmented and the people who need to hear about it never receive the promotional material. Be that point of contact.

Question 11:

How can Council provide skill development through volunteering and support in navigating the pathway between learning and earning for people living with disability?

- Communication issues – How can we share information to people through the community? Accessible formats.
- Are there partnerships that Council can have with non-for-profits for volunteering opportunities? Current organisations are at capacity with volunteering e.g Foodbank. How can we have insurances to protect individual and support worker/carer in the community? Who pays for this?
- Skill development – training to organisations who know how to be more inclusive when employing staff i.e language, technology, pathways, behaviours. Amending policy to include accessibility in their purchasing of items. (Example: purchasing lawn mowers that can include a larger audience/cohort of people) Stand-up-desk in offices: inclusive practice for a wide range of people
- Council to work with organisations (disability specific/e.g Purple Orange) – Council supporting organisations visiting region/and living in region to get their supports. Forming positive relationships. In-kind donations of spaces/resources owned by Council
- Collaborations with Caroline Menzel (Limestone Coast Volunteer Network Service)
- Create or fund opportunities for the pathway between learning and earning
- Create incentives and education for organisations to get on board with learning to earning for people with disabilities

- Go to the schools, go to support groups, go to Disability Employment Services (DES) providers and listen to people with disabilities.
- Provide brochures that explain services available for those that face new diagnosis or traumatic disabling events.
- There are still a lack of pathways for students with disability in schools. There are state transition schools for students with disabilities – in Adelaide. Parents and teachers don't know where to turn. Employable people with disabilities are churned out of schools to sit on disability pensions or earn \$2 p/hr in ADEs or subminimum wages. Why?



Question 12:

How can Council promote or advocate for better access to employment opportunities and better support within workplaces for people living with disability?

- Council to have roles specific to people with disability
- Council to support (local individuals) the development /person with disability to create their own training based business where they deliver training on accessibility, inclusion, disability to organisation including Council. Fund trainings for workplaces
- Council to have working group to include community stakeholders, range of people with lived experience, disability to create a training package, to be used by local organisations. Financial reimbursement to participants of this group to acknowledge their contributions.
- Employing people in roles specific to disability/inclusion/accessibility. Giving people the means for individual to do their job. Council to hire a Rural Access Officer or similar role.
- Council to provide grants to local businesses who make their premises more accessible. (If businesses have proposal to make changes to their building, they may be able to get this partly subsidised to carry out/incentivise the changes.)
- Working with existing employed people with disabilities and seeking their experiences.
- Actively discovering the physical and attitudinal barriers employers and education providers have towards employing people with disabilities. Just because someone can't read or communicate in a traditional way doesn't mean they have nothing to say or input into their work situation.
- When employing people with disabilities look at why job roles descriptions exclude strengths that people with disabilities often have in favour of people that have had traditional education and experiences. People with disabilities have more options than trolley collecting and lower than minimum wage and should have opportunities in the workforce for recognition and promotion and access to employee services and supports.
- Flexible job design (more opportunities for people with disabilities)
- Create or fund upskilling opportunities in and out of workplaces
- Council to promote workforce diversity, committing to recruiting and retaining a greater proportion of staff with disability. Set measurable goals and regularly check in with progress.



5.6 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE FUND – REPORT NO. AR20/55887

Committee:	Economic and Environment Committee
Meeting Date:	7 September 2020
Report No.:	AR20/55887
CM9 Reference:	AF19/412
Author:	Andrew Meddle, Chief Executive Officer
Authoriser:	Andrew Meddle, Chief Executive Officer
Summary:	A report seeking a decision of Council as to the project on which the Local Roads and Community Infrastructure Fund grant should be spent.
Community Plan Reference:	Goal 3: Our Diverse Economy Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage

REPORT RECOMMENDATION

1. That Economic and Environment Committee Report No. AR20/55887 titled 'Local Roads and Community Infrastructure Fund' as presented on 07 September 2020 be noted.
2. That Council agree to use the Local Roads and Community Infrastructure Fund to replace all appropriate streetlights (that are the responsibility of the Council) with LED smart streetlights in the 2020/2021 municipal year at an approximate value of \$1m.
3. That the Chief Executive Officer be instructed to provide the necessary information to the Federal Government to enable the Local Roads and Community Infrastructure Fund to be used for this purpose.



BACKGROUND

Council received a report on this matter to the Council meeting on 16 June 2020, via the People and Place Committee on 1 June 2020. At this time the matter was resolved to move forward to a briefing, which took place on 23 June 2020. At the briefing Elected Members were asked to provide details of any projects to be considered under the Local Roads and Community Infrastructure (LRCI) Fund to the Chief Executive Officer by 13 July 2020. No submissions were received.

In the absence of any alternative suggestions, it is proposed to value add the LED smart lighting project, which will cost in the order of \$1m, with \$487k from the LRCI Fund. This investment is expected to save in the order of \$200k per annum in operating costs.

DISCUSSION

Council received a report on 18 April 2017 recommending Council enter into a long term contract with SA Power Networks (SAPN) for the replacement of 2,351 high intensity discharge (HID) street lights with LED luminaires. Council did not support the recommendation due to the requirement to enter into a long term contract with SAPN and concurrent work being undertaken by the LGA with the intention of allowing Council's to maintain street lights mounted on SAPN infrastructure in our own right at a significantly reduced cost as compared to SAPN.

The LGA drive to allow third party access to maintain equipment mounted on SAPN infrastructure has now been completed with the outcome being that third party access is not allowed. However, the provision of street lighting operation and maintenance (tariff charges) will be a service regulated by the Australian Energy Regulator (AER) from 1 July 2020.

The regulation by the AER from 1 July 2020 of the charges allowed by SAPN for the provision of street lighting operation and maintenance presents the opportunity for Council to consider the replacement of the 2,351 HID street lights with LED luminaires without the need to commit to a long term contract with SAPN.

Councillors Amoroso and Jenner, together with the General Manager – City Infrastructure, have represented the Council on this statewide initiative.

The cost to Council of providing 2,351 street lights on the roads classified as “P” lighting areas (this does not cover major roads the majority of which are managed by DPTI) is shown in the table below.

Year	Tariff Costs	Energy Costs	Total
	<i>SA Power Networks</i>	<i>Origin Energy (now Infigen Energy)</i>	
2019/2020	\$207,366.05	\$202,201.98	\$409,568.03
2018/2019	\$242,741.30	\$240,988.74	\$483,730.04
2017/2018	\$218,508.80	\$267,038.68	\$485,547.48

Council now has the opportunity to replace some or all 2,351 fluorescent street lights with smart LED luminaires at a total cost of \$1M and receive the benefit of reducing the annual cost to operate and maintain the street lights by \$200k per annum (made up of \$160k per annum reduced energy charges and \$40k per annum reduced tariff charges). This represents an approximate five year payback for the project at current rates / prices.

The replacement of the street lights with smart LED luminaires will result in the following benefits in addition to the annual cost savings detailed above:

- LEDs are more Energy efficient. An 80W Mercury Vapour luminaire is rated at 95.8W. The standard 14W Street-LED is rated at only 17W. Council's energy consumption and carbon footprint would therefore be considerably reduced;



- LEDs have a longer expected life than high intensity discharge (HID) lamps. This means that the incidence of reported Street Lights Out should reduce. This will reduce operating costs;
- LEDs have a lower lumen depreciation than HID lamps. This means that approaching the end of life a LED output is higher than that of a HID lamp;
- Disposal and/or recycling or refurbishment of LED luminaires will be more efficient than disposal of lamps containing higher levels of mercury;
- LED luminaires are smart ready. That is, they can facilitate control systems such as remote reporting (of parameters such as temperature, noise and air quality), control and dimming, should it be required;
- A variety of existing luminaire and lamp combinations can be replaced with one LED type, with white light, which is the preferred option for P category (minor road) installations; and
- Some HID light sources (e.g. Low-Pressure Sodium lamps and Mercury Vapour lamps) are no longer available. This requires the replacement of whole luminaires with an alternative replacement. LEDs meet this need.

If approved by Council, Council Officers would procure the required number of smart ready LED luminaires in accordance with Council's procurement policies and would contract SAPN to install the luminaires on their infrastructure.

CONCLUSION

That given the operating savings and the ability to use this once off grant opportunity, that Council invest in LED smart streetlighting across the city, at an approximate cost of \$1m, of which \$487k will be funded from the LRCI.

ATTACHMENTS

Nil



5.7 REQUEST FOR SPONSORSHIP FOR THE COUNTRY MUSIC ACADEMY – REPORT NO. AR20/58191

Committee: Economic and Environment Committee
Meeting Date: 7 September 2020
Report No.: AR20/58191
CM9 Reference: AF19/412
Author: Andrew Meddle, Chief Executive Officer
Authoriser: Andrew Meddle, Chief Executive Officer
Summary:
Strategic Plan Reference: Goal 1: Our People
Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage
Goal 5: Our Commitment

REPORT RECOMMENDATION

1. That Economic and Environment Committee Report No. AR20/58191 titled 'Request for Sponsorship for the Country Music Academy' as presented on 07 September 2020 be noted.
2. That Council fund a Local Government Scholarship for the Country Music Academy at a total value of \$3,500 for 2020/2021.



BACKGROUND

The Council has received a request for sponsorship from the Country Music Academy and Tamworth Regional Council, seeking a financial contribution to part fund or wholly fund a Local Government Scholarship. The letter can be found as **Attachment 1**.

DISCUSSION

The letter seeks sponsorship in light of recent successful participation from someone in our city, together with a philanthropic push for the Council to support something providing opportunities for potential top class musicians. Given the city's relationship with jazz and our own unique offering, it is considered that this once off request be considered by Council.

The letter requests that the city support either a \$1,000 part scholarship or \$3,500 full scholarship and the Council would then be recognised as a 'Major Donor'.

CONCLUSION

Council have the opportunity to support another regional city in the creation of musical opportunity for a limited outlay, together with recognition of its generosity.

ATTACHMENTS

1. Attachment 1 - Request - Contribution - Country Music Academy - Local Government Scholarship Program - Regional Council of Tamworth [↓](#)





ABN: 52 631 074 450

More than just a city. More than just one place.

Attention: General Manager/CEO
City of Mount Gambier
PO Box 56
MOUNT GAMBIER SA 5290

Dear General Manager/CEO

COUNTRY MUSIC ACADEMY – LOCAL GOVERNMENT SCHOLARSHIP PROGRAM

Ref: nh/PB/329478

Tamworth is well known as the Home of Country Music in Australia and has been the launching pad for many country music artists over the years either through the Star Maker Competition or through participation in the highly regarded Academy of Country Music.

The Academy of Country Music, founded in 1997, remains unique in the world of music and has trained and mentored over 800 young writers and performers from every corner of Australia. In fact, the Academy has hosted one or more participants from your very own Local Government Area at some point over the past 10 years.

Hence my letter to you today on behalf of The Academy of Country Music to seek your support to ensure the survival of this unique and valuable program that provides an opportunity for our junior and senior country music artists to develop their skills and pursue their dreams. The students gather in January (Senior Academy) and July (Junior Academy) to attend a one or two-week residential course immediately prior to the annual major Tamworth Country Music Festival and Hats Off Festival. The 29 selected students are tutored by award-winning, professional artists and through the workshops, lectures, mentoring and performance opportunities they gain the opportunity to embark on successful careers in the country music industry. Junior students attend with a parent/carer who participate in a special course of lectures in recognition of the role they play in supporting and guiding the career of young performers.

Many of the Junior graduates have gone on to attend the Senior program, and the alumni have achieved significant and sustained success in the genre's Golden Guitar Awards and recognition in the broader industry with multiple ARIA nominations and awards. They regularly feature as finalists and winners of major talent searches across the country, with 15 of the last 22 Star Maker winners being Academy graduates. They also participate in significant numbers in national television programs such as Australia's Got Talent, X-Factor and The Voice which 2017 graduate Judah Kelly won in 2018.

The ranks of our most successful country music performers include a large number of Junior and Senior graduates - Sara Storer, The McClymonts, Judah Kelly, Caitlyn Shadbolt, Jessica Mauboy, Lyn Bowtell, The Sunny Cowgirls, Ashleigh Dallas, Travis Collins, Imogen Clark, The Davidson Brothers, Melanie Dyer, Amber Lawrence and Drew McAlister among them.

All correspondence should be addressed to the General Manager:

Telephone: 6767 5555

PO Box 555 (DX 6125)
Tamworth NSW 2340

trc@tamworth.nsw.gov.au
www.tamworth.nsw.gov.au

~ Toyota Country Music Festival Tamworth 2021 - Friday 15 January to Sunday 24 January 2021 ~ www.tcmf.com.au

The Academy, like most activities in the music/performance industry, has been severely impacted by the events of 2020 with many individuals, families and businesses struggling with the financial hardship of fire, floods, drought and COVID-19. As a result, we are attempting to establish a **Local Government Scholarship Program** to assist those talented young and emerging artists that are suffering hardship to still attend the Academy in 2021.

A small contribution of between \$1,000 (part scholarship) and \$3,500 (full scholarship) from your Council and/or community would make a huge difference to the survival of the Academy and the support of the industry within your region and across Australia. Your contribution would recognise and acknowledge the fact that APRA (Australasian Performing Right Association) reports that of its 100,000 songwriter members, 14% identify as 'country' writers and, based on their national postcode analysis, a significant number of those are located in your region. Your Council would be formally recognised as a 'Major Donor' for its support of the Scholarship through promotional material and events associated with the Country Music Association of Australia (CMAA). The Academy also employs a designated publicity officer who would work with your local publicity officers to ensure a regular flow of 'good news' stories.

We realise that all communities are experiencing increased calls on their resources at this time, as are the young performers and their families who would in 'normal times' utilise their own resources to attend the Academy.

Thanks in advance for your consideration, and please feel free to contact either myself or Dobe Newton (President of the CMAA) if you need any further information or have any question.

Yours faithfully



Paul Bennett
General Manager

Contact: Paul Bennett – 0428 039 264
Contact: Dobe Newton – 0413 039 907

20 August 2020



6 MOTIONS WITH NOTICE

6.1 NOTICE OF MOTION - USE OF RECYCLABLES IN ROAD MAINTENANCE AND CONSTRUCTION

Meeting: Economic and Environment Committee
CM9 Reference: AF19/412
Member: Paul Jenner, Councillor

I, Councillor Paul Jenner, give notice that at the next Economic and Environment Committee to be held on 7 September 2020, I intend to move the following motion:

MOTION

1. That Economic and Environment Committee Report No. AR20/57641 titled 'Notice of Motion - Use of Recyclables in Road Maintenance and Construction ' as presented on 07 September 2020 be noted.
2. That Council commence discussions with contractors about the use of recyclables in road maintenance and construction.

I commend this Notice of Motion to Council.

ATTACHMENTS

Nil



7 URGENT MOTIONS WITHOUT NOTICE



8 CONFIDENTIAL ITEMS

8.1 MOUNT GAMBIER PRIVATE HOSPITAL FEASIBILITY STUDY – REPORT NO. AR20/56996

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Economic and Environment Committee orders that all members of the public, except Mayor L Martin, Councillors C Greco, K Amoroso, M Bruins, B Hood, P Jenner, S Mezinec, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle, M McCarthy and M Telford be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 8.1 AR20/56996 Mount Gambier Private Hospital Feasibility Study.

The Economic and Environment Committee is satisfied that, pursuant to section 90(3) (b), (d) and (g) of the Act, the information to be received, discussed or considered in relation to the Agenda 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
 - to prejudice the commercial position of the Council
- 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, or
 - to confer a commercial advantage on a third party
- information concerning matters that must be considered in confidence in order to ensure that the Council does not:
 - breach any law, order or direction of a court or tribunal constituted by law,
 - breach any duty of confidence, or
 - breach any other legal obligation or duty

The Economic and Environment Committee 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 considered includes third party commercial information provided to Council in confidence which, if released, could confer an advantage or prejudice the commercial position of a third party and breach a duty of confidence.

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 8.1 AR20/56996 Mount Gambier Private Hospital Feasibility Study and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b), (d) and (g) be kept confidential and not available for public inspection until a further order is made by Council, to be reviewed at least once every 12 months.
2. Further that Council delegates the power to review, revoke, but extend of the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

8.2 VIABILITY OF ESTABLISHING MATERIAL RECOVERY FACILITIES IN THE LIMESTONE COAST REGION – REPORT NO. AR20/57874

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Economic and Environment Committee orders that all members of the public, except Mayor L Martin, Councillors C Greco, K Amoroso, M Bruins, B Hood, P Jenner, S Meziniec, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle, M McCarthy and M Telford be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 8.2 AR20/57874 Viability of Establishing Material Recovery Facilities in the Limestone Coast Region.

The Economic and Environment Committee is satisfied that, pursuant to section 90(3) (a), (b), (d), (g) and (j) 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)
- 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
 - to prejudice the commercial position of the Council
- 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, or
 - to confer a commercial advantage on a third party
- information concerning matters that must be considered in confidence in order to ensure that the Council does not:
 - breach any duty of confidence
- information the disclosure of which would divulge information provided on a confidential basis by or to:
 - another Public Authority or official (not being an employee or a person engaged by the Council) that would on balance be contrary to the public interest

The Economic and Environment Committee 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 considered includes third party commercial information provided to Council in confidence, including by a public official, the release of which could reasonably be considered to confer an advantage on a third party and/or prejudice the commercial position of Council or the parties that provided the information and would constitute a breach of a duty of confidence.

The appropriate non-disclosure is considered to outweigh the public interest in full-disclosure on the basis that the matter relates to the provision of necessary waste management services and the release of information could reasonably be expected to confer an unreasonable advantage or detriment to private third parties, and could prejudice the commercial position of Council in relation to these matters on behalf of the community.

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 8.2 AR20/57874 Viability of Establishing Material Recovery Facilities in the Limestone Coast Region and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (a), (b), (d), (g) and (j) be kept confidential and not available for public inspection until two years have elapsed since the enactment of the proposal(s) contained within the report and attachments, or a further order has been made by Council to release, to be reviewed at least once in every year.
2. Further that Council delegates the power to review, revoke, but extend of the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

9 MEETING CLOSE



**MINUTES OF CITY OF MOUNT GAMBIER
ECONOMIC AND ENVIRONMENT COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE,
MOUNT GAMBIER ON MONDAY, 6 JULY 2020 AT 5.30 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Christian Greco, Cr Kate Amoroso, Cr Max Bruins, Cr Paul Jenner, Cr Sonya Meziniec, Cr Frank Morello, Cr Steven Perryman

OFFICERS IN ATTENDANCE:	General Manager Community Wellbeing	- Ms B Cernovskis
	General Manager City Infrastructure	- Mr N Serle
	General Manager City Growth	- Dr J Nagy
	Manager Executive Administration	- Mr M McCarthy
	Executive Administration Officer	- Mrs M Telford

1 ACKNOWLEDGEMENT OF COUNTRY

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR INDIGENOUS PEOPLES HAVE WITH THIS LAND.

2 APOLOGY(IES)

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Kate Amoroso

That the apology from Cr Ben Hood be received.

CARRIED

3 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Frank Morello

That the minutes of the Economic and Environment Committee meeting held on 2 March 2020 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 QUESTIONS WITHOUT NOTICE

Nil



5 REPORTS

5.1 REMOVAL OF PARKING SPACES AND INSTALLATION OF NO STOPPING AREAS ON COMPTON STREET

COMMITTEE RESOLUTION

Moved: Cr Steven Perryman

Seconded: Cr Paul Jenner

1. That Economic and Environment Committee Report No. AR20/33840 titled 'Removal of parking spaces and installation of No Stopping areas on Compton Street' as presented on 06 July 2020 be noted.
2. The Traffic Impact Statement attached to the Economic and Environment Committee Report be endorsed by Council.
3. That the following parking restrictions become effective upon the installation of appropriate signage;
 - (a) The City of Mount Gambier, pursuant to Ministerial delegation resolves the following:

Prohibited area	NO STOPPING
1.1.505	
 - (b) COMPTON STREET (Eastern Side) - From 118 metres to 126 metres south of the intersection with Commercial Street East-to apply at all times.

Prohibited area	NO STOPPING
-----------------	-------------
4. Upon completion of the Coles Supermarket project Council engage the services of a traffic engineer to assess and provide recommendations to Council on traffic management in the Compton Street precinct.

CARRIED



5.2 REGIONAL ASSESSMENT PANEL - PROPOSED MODEL

MOTION

Moved: Mayor Lynette Martin
Seconded: Cr Kate Amoroso

1. That Economic and Environment Committee Report No. AR20/38060 titled 'Regional Assessment Panel - Proposed Model' as presented on 06 July 2020 be noted.
2. That Council endorse the Regional Assessment Panel and Assessment Manager and cost sharing / resourcing models as presented with Report No. AR20/38060.
3. That the Chief Executive Officer (or delegate/s) be authorised to finalise any administrative arrangements necessary to reach agreement between the proposed member Councils on Regional Assessment Panel and Assessment Manager and cost sharing / resourcing models, provided that any further amended details are based on a proportionate sharing of costs and resourcing implications based on applications relevant to each respective Council.
4. That the Chief Executive Officer be authorised to approach the Minister to seek the establishment of a Regional Assessment Panel and to prepare a cost sharing / resourcing agreement between the member Councils the outcome of which to be the subject of a future report to Council.

AMENDMENT

Moved: Cr Paul Jenner
Seconded: Cr Max Bruins

1. That Economic and Environment Committee Report No. AR20/38060 titled 'Regional Assessment Panel - Proposed Model' as presented on 06 July 2020 be noted.

The Amendment was put and

CARRIED

The Amendment became the Motion

COMMITTEE RESOLUTION

Moved: Cr Paul Jenner
Seconded: Cr Max Bruins

1. That Economic and Environment Committee Report No. AR20/38060 titled 'Regional Assessment Panel - Proposed Model' as presented on 06 July 2020 be noted.

CARRIED

5.3 ADELAIDE CITY COUNCIL ENERGY PROJECT

COMMITTEE RESOLUTION

Moved: Cr Christian Greco
Seconded: Cr Frank Morello

1. That Economic and Environment Committee Report No. AR20/38224 titled 'Adelaide City Council Energy Project' as presented on 06 July 2020 be noted.

CARRIED



5.4 LOCAL GOVERNMENT REFORM UPDATE

COMMITTEE RESOLUTION

Moved: Cr Sonya Meziniec

Seconded: Cr Frank Morello

1. That Economic and Environment Committee Report No. AR20/38225 titled 'Local Government Reform Update' as presented on 06 July 2020 be noted.
2. That Council support the content of the LGA Local Government Review Bill 2020 – Summary of Major Changes paper.
3. That the Chief Executive Officer be instructed to advise the LGA, in writing, of the Council's decision.

CARRIED

5.5 STATE GOVERNMENT CONSULTATIONS - DRAFT SOUTH AUSTRALIA'S WASTE STRATEGY 2020-2025 AND SOUTH AUSTRALIA'S FOOD WASTE STRATEGY – VALUING OUR FOOD WASTE

COMMITTEE RESOLUTION

Moved: Cr Paul Jenner

Seconded: Cr Sonya Meziniec

1. That Economic and Environment Committee Report No. AR20/39770 titled 'State Government Consultations - Draft South Australia's Waste Strategy 2020-2025 and South Australia's Food Waste Strategy – Valuing our Food Waste' as presented on 06 July 2020 be noted.
2. Council authorises the Chief Executive Officer, or his delegate, to make a submission on Council's behalf to the State Government Consultations - Draft South Australia's Waste Strategy 2020-2025 and South Australia's Food Waste Strategy – Valuing our Food Waste. The submission should be consistent with the points raised in this report.

CARRIED

6 URGENT MOTIONS WITHOUT NOTICE

Nil

Cr Steven Perryman left the meeting at 6:25 pm and did not return.



7 CONFIDENTIAL ITEMS

7.1 COMMERCIAL LEASE - REQUEST FOR EXTENDED LEASE – REPORT NO. AR20/38059

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Kate Amoroso

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Economic and Environment Committee orders that all members of the public, except Mayor L Martin, Councillors C Greco, K Amoroso, M Bruins, P Jenner, S Meziniec, F Morello and Council Officers B Cernovskis, J Nagy, N Serle, M McCarthy and M Telford be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.1 AR20/38059 Commercial Lease - Request for Extended Lease.

The Economic and Environment Committee is satisfied that, pursuant to section 90(3) (a), (b) and (d) 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)
- 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
 - to prejudice the commercial position of the Council
- 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, or
 - to confer a commercial advantage on a third party

The Economic and Environment Committee 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 considered includes financial and commercial information of the operators and Council's own commercial position in relation to the leased facility, the premature disclosure of which would be an unreasonable release of personal information regarding the operators intentions and could reasonably be prejudice the commercial position of the Council and the party that provided the information and confer an advantage on 3rd parties.

The public interest in the consideration of this matter in open session is outweighed by the benefits associated with ensuring a sound commercial outcome is achieved by Council on behalf of the community for its commercially let property.

CARRIED



COMMITTEE RESOLUTION

Moved: Cr Christian Greco
Seconded: Cr Kate Amoroso

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 7.1 AR20/38059 Commercial Lease - Request for Extended Lease and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (a), (b) and (d) be kept confidential and not available for public inspection until 12 months have elapsed or a new arrangement has been entered into for the subject property, whichever is the later.
2. Further that Council delegates the power to review, revoke, but extend of the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CARRIED

8 MEETING CLOSE

The Meeting closed at 6.33 pm.

The minutes of this meeting were confirmed at the Economic and Environment Committee held on 7 September 2020.

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PRESIDING MEMBER

