

CORPORATE AND COMMUNITY SERVICES COMMITTEE

Minutes of the meeting held in the Committee Room, Level 4, Civic Centre, 10 Watson Terrace,
Mount Gambier on Monday 10th April, 2017

PRESENTATION:

5.30 pm Presentation from the South East NRM Board on "Proposed Changes to the Regional NRM Plan.

Meeting commenced at 5:46 pm

PRESENT: Cr J Lynagh (Presiding Member)
Mayor A Lee, Cr M Lovett, Cr S Meziniec and Cr H Persello

APOLOGY: Nil

COUNCIL OFFICERS: Chief Executive Officer, Mark McShane
General Manager Council Business Services, Pamela Lee
General Manager Community Wellbeing, Barbara Cernovskis
Finance Manager, Gary Button
Manager Governance and Property, Michael McCarthy
Senior Rates Officer - Joanne Scheidl
Media and Communications Coordinator - Sharny McLean
Administration Officer – Executive Support, Ashlee Lavia

COUNCIL OFFICERS

APOLOGIES: General Manager City Growth, Judy Nagy

COUNCIL MEMBERS

AS OBSERVERS: Cr I Von Stanke, Cr F Morello

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.

MINUTES: Cr Meziniec moved that the minutes of the previous meeting held 14th March, 2017 be taken as read and confirmed.

Cr Lovett seconded

Carried

QUESTIONS:

(a) With Notice - Nil received

(b) Without Notice - Nil submitted

1. FINANCIAL STATEMENT – as at 31st March, 2017

Cr Lynagh moved it be recommended the financial statement as at 31st March, 2017 be received.

Cr Meziniec seconded

Carried

2. CORPORATE AND COMMUNITY SERVICES REPORT NO. 24/2017 - Deductible Gift Recipient Status - Ref. AF16/182

Cr Lynagh moved it be recommended:

- (a) Corporate and Community Services Report No. 24/2017 be received and contents noted;
- (b) a draft Trust Deed be prepared for the purpose of meeting Australian Charities & Not-for-Profit Commission and Australian Taxation Office requirements for application to be made for Deductible Gift Recipient status for the Riddoch Art Gallery;
- (c) a further report be presented for Council to consider a draft Trust Deed prepared in accordance with resolution (b) and the subsequent founding of such Trust.

Cr Persello seconded

Carried

3. CORPORATE AND COMMUNITY SERVICES REPORT NO. 25/2017 - Governance – Review of Confidentiality Orders - Ref. AF13/64

Cr Lynagh moved it be recommended:

- (a) Corporate and Community Services Report No. 25/2017 be received;
- (b) The following Confidential Orders, having been reviewed by Council, continue in operation on the grounds provided within Attachment 1 to Report 25/2017:
 - i. Council 15/3/2016 – Operational Services Committee 8/3/2016 – Item 6 - DEVELOPMENT CONTROL - Regulating – District Centre Zone Development Plan Amendment - City of Mount Gambier Development Plan - Ref. AF16/69
 - ii. Council 16/2/2016 – Corporate & Community Services Committee 8/2/2016 – Item 11 - CORPORATE AND COMMUNITY SERVICES REPORT NO. 14/2016 – Frew Park Ambulance Station Development - Ref. AF16/11
 - iii. Council 18/8/2015 – Railway Lands Development and Management Committee 7/8/2015 - Item 7 PROPERTY MANAGEMENT - Railway Lands - Expression of Interest - Management of Community Markets
 - iv. Council 18/8/2015 – Railway Lands Development and Management Committee 7/8/2015 - Item 8 - PROPERTY MANAGEMENT - Railway Lands - Expression of Interest - Occupation and Use of Old Railway Station Building
 - v. Council 15/4/2014 - City of Mount Gambier Junior Sports Fund Assistance Committee 2/4/2013 – Item 11 - ROTARY CLUB OF MOUNT GAMBIER LAKES - DONATIONS TO FINANCIALLY DISADVANTAGED JUNIOR SPORTS PERSONS

- vi. Council 17/12/2013 - City of Mount Gambier Junior Sports Fund Assistance Committee 20/11/2013 – Item 12 - ROTARY CLUB OF MOUNT GAMBIER LAKES - Donations to Financially Disadvantaged Junior Sportspersons
- vii. Council 17/12/2013 - City of Mount Gambier Junior Sports Fund Assistance Committee 20/11/2013 – Item 13 - COMMERCIAL CLUB INC. - Donation to exceptional junior sportsperson
- viii. Council 16/6/2013 - City of Mount Gambier Junior Sports Fund Assistance Committee 22/5/2013 – Item 13 - SOCIAL, CULTURAL AND COMMUNITY SERVICES - Committees - City of Mount Gambier Junior Sports Assistance Fund (Section 41) Committee - Minutes of Meeting held 22nd May, 2013 – Ref. AF11/725

Mayor Lee seconded

Carried

4. CORPORATE AND COMMUNITY SERVICES REPORT NO. 26/2017 - Civic Centre/Theatre 'Creative Canopy Project' - Ref. AF11/1510

Cr Persello moved it be recommended:

- (a) the Corporate and Community Services Report No. 26/2017 be received and contents noted;
- (b) a further report be presented for consideration to be given to the final artistic selection for the purpose of granting landowner consent.

Cr Meziniec seconded

Carried

5. CORPORATE AND COMMUNITY SERVICES REPORT NO. 27/2017 - Delegation of Powers of Council - Ref. AF15/495

Cr Lynagh moved it be recommended:

- (a) Corporate and Community Services Report No. 27/2017 be received;
- (b) that having conducted its annual review of Council's Delegations Register in accordance with Section 44(6) of the Local Government Act, 1999, the Council;

1. Revocations

1.1. Hereby revokes all previous delegations to the Chief Executive Officer of those powers and functions under the following:

1.1.1. Development Act 1993 and Development Act Regulations 2008

1.1.2. Freedom of Information Act 1991

1.2. Hereby revokes its previous delegations to its Development Assessment Panel under the Development Act 1993 and Development Regulations 2008.

2. Delegations made under Local Government Act 1999

- 2.1. In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the Freedom of Information Act 1991 and specified in the proposed Instrument of Delegation contained in Appendix 8 (attached) are hereby delegated this Tuesday, 18th April, 2017 to the person occupying the office of Chief Executive Officer subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation.
 - 2.2. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.
 - 2.3. For the purposes of these delegations all delegations to the Chief Executive Officer extend to any person appointed to act in the position of Chief Executive Officer.
 - 2.4. For the purposes of these delegations all further delegations made by the Chief Executive Officer extend to any person who is appointed to act in the position of the delegate.
3. Delegations made under Development Act 1993
 - 3.1. In exercise of the power contained in Section 20 and 34 (23) of the Development Act 1993, the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the Instrument of Delegation contained in Appendix 21 (attached) are hereby delegated this 18th April, 2017 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.
 - 3.2. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.
 - 3.3. In exercise of the power contained in Section 20 and 34(23) of the Development Act 1993 the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the Instrument of Delegation (Appendix 21) and which are specified in Schedule I) are hereby delegated this 18th April, 2017 to the Council's Development Assessment Panel, subject to the conditions or limitations indicated in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993:
 - 3.4. For the purposes of these delegations, all delegations to the Chief Executive Officer extend to any person appointed to act in the position of Chief Executive Officer.

- 3.5. For the purposes of these delegations all further delegations made by the Chief Executive Officer extend to any person who is appointed to act in the position of the delegate.

Cr Persello seconded

Carried

6. CORPORATE AND COMMUNITY SERVICES REPORT NO. 28/2017 - Local Government Association of SA – Proposed Change to Voting Method in Local Government Elections - Ref. AF11/950

Cr Persello moved it be recommended:

- (a) Corporate and Community Services Report No. 28/2017 be received;
- (b) the Adelaide Hills Council proposal to change the voting method for Local Government elections to accept as formal ballots containing an insufficient indication of 2nd and subsequent preferences be supported, and the Mayor be supported to vote in favour of any Local Government Association Board Motion to progress such a proposal.

Cr Meziniec seconded

Carried

MOTIONS WITH NOTICE - Nil

MOTIONS WITHOUT NOTICE

7. CORPORATE AND COMMUNITY SERVICES REPORT NO. 29/2017 - Digital Strategy and the New Venture Institute - Ref. AF17/119

Chief Executive Officer reported:

Council's Digital Strategy provides direction and a comprehensive number of actions over five key areas including the establishment of a digital innovation hub in Mount Gambier (action 4.2). Models of innovation hubs vary but with a generally common focus of business innovation, start up mentoring, commercialisation of concepts/ideas, ideas and information exchange, training and leadership, business development and innovative use of technology as an enabler not necessarily as an end in itself.

Councillors have previously been advised (via memo 16th March, 2017) of discussions between The New Venture Institute (NVI) (aligned to the Flinders University). The NVI has presented to business in Mount Gambier and the CEO and General Manager City Growth have visited the NVI at Tonsley Park in Adelaide to discuss opportunities for an innovation hub centred in Mount Gambier.

Since the last Councillor update in mid March, further discussions have occurred focussing on the business case to attract funding for an innovation hub in Mount Gambier. NVI has also sought support from Limestone Coast RDA, District Council of Grant and Wattle Range Council. Funding is partly from stakeholders, NVI and grant funding from the National Science and Innovation Incubator Support initiative of either \$500,000 to \$1,000,000. External funding is dependent on matched local and NVI funding with commitment from stakeholders still pending.

A Limestone Coast incubator/innovation hub will:

- have a physical incubator space in Mount Gambier serving the region

- provide programs for business capacity building
- connect to Tonsley Park Innovation Centre and other national centres
- drive and support start up businesses
- prove the regional incubator model
- access to research and development and commercialisation capacity
- boost economic development particularly in the “new economy”
- be a tangible facility providing direct practical support for local business

The support, technical capacity, grant funding reach and access to similar innovation hubs via NVI provides a huge opportunity that is beyond Council's current capacity to deliver independently. By partnering we are able to provide a major project in line with our Digital and Economic Development Strategies.

As is often the case, the project is grant funded dependent with the grant application being managed by Kathryn Anderson, Deputy Director Enterprise, New Venture Institute. Further, support from other Councils and the RDA is needed to secure the Federal Grant Funding.

Potential location of the physical facility is Mount Gambier due to the opportunity of accessing the high speed optic fibre link owned by Australian Academic Research Network (AARNET). Further, Mount Gambier will have NBN by mid 2017 should AARNET connection not be feasible or cost prohibitive. Council also has an MOU with the State Government and UniSA that, in part, seeks to maximize the potential of the optic fibre link.

The potential incubator/innovation hub in partnership with local stakeholders and NVI delivers on Council's Digital and Economic Development outcomes that individually we would have difficulty delivering. While further work is necessary by NVI to gain grant funding and commitment from stakeholders it is important that the City of Mount Gambier provides solid support and financial backing for the project to maximise the potential for grant funding. If there is no local commitment then there will be no grant funding.

This report proposes that Council provides in principle support for the establishment of an incubator/innovation hub in Mount Gambier in partnership with the NVI and local stakeholders and dependent on Federal grant funding. To assist in securing the external funding and providing strong economic development and leadership opportunities for the City, Council supports the project with an allocation of \$50,000 in 2016/2017 and the same amount in 2017/2018. Adequate funds remain in the 2016/2017 Economic Development Budget and also in the Draft 2017/2018 Budget. All Council allocations are dependent on Federal funding, NVI funding and local stakeholder funding (Councils and RDA).

Summary

The opportunity to partner with New Venture Institute and tapping into their incubator and innovation experience and connections to establish a regional hub in Mount Gambier is a project that would be difficult for the Council to do alone. Significant work still needs to be completed and part of this is to gain funding commitment from stakeholders to attract external funds. Council's commitment to this project supports our endorsed strategies and provides leadership and tangible outcomes for economic development and the new economy

Cr Lynagh moved it be recommended:

- (a) the Corporate and Community Services Report No. 29/2017 with the New Venture Institute (NVI) to establish an incubator/innovation hub in Mount Gambier be received;**

- (b) Council provides an allocation of \$50,000 from funds remaining in the 2016/2017 Economic Development Budget and a further \$50,000 already allocated in the Draft Budget for Economic Development;**
- (c) provision of Council funds is dependent on NVI securing Federal Grant Funding and local stakeholder funds that collectively ensure the viability and success of the incubator/innovation hub and a physical presence in Mount Gambier;**
- (d) a further report is provided to Council on the achievement of point (c) above prior to final Council commitment and provision of the Council funds.**

Cr Meziniec seconded

Carried

8. CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Cr Persello moved that the following Agenda Item be received, discussed and considered in confidence by excluding the public pursuant to Section 90(2) of the Local Government Act 1999, and an order be made that the public (with the exception of Mayor Andrew Lee, Cr Josh Lynagh, Cr Mark Lovett, Cr Sonya Meziniec, Cr Hanna Persello, Cr Frank Morello, Cr Ian Von Stanke, Mark McShane, Barbara Cernovskis, Pamela Lee, Michael McCarthy, Gary Button, Joanne Scheidl, Sharny McLean and Ashlee Lavia) be excluded from the meeting in order for the Agenda Item Sale of Land for non Payment of Rates to be considered in confidence.

The Corporate and Community Services Committee is satisfied that, pursuant to section 90(3)(a) of the Act the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of:

- Information concerning the personal affairs of any person (living or dead), being a ratepayer for whom Council is currently undertaking a process for the sale of land according to Section 184 of the LGA for non payment of rates.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances by the need to keep the personal financial information and discussion confidential because the matter relates to information pertaining to the non-payment of rates.

ITEM NO.	SUBJECT MATTER	S90 (3) GROUNDS
9.	<u>SALE OF LAND FOR NON PAYMENT OF RATES</u> – Notice of Intention to sell land for non-payment of rates – Subject AF17/69	(a)

Cr Lovett seconded

Carried

10. CONSIDERATION FOR KEEPING MATTERS CONFIDENTIAL

Cr Lynagh moved that an order be made pursuant to Section 91(7) and recorded in the publicly released version of the minutes in accordance with S91(9) of the Local Government Act, 1999 that the document in relation to item 9 which has been considered by the Council on a confidential basis pursuant to Section 90(3) be kept confidential as follows:

<u>Item No.</u>	<u>Subject Matter</u>	<u>S.90(3) Grounds</u>	<u>Element To Be Kept Confidential</u>	<u>Duration</u>
9.	<u>SALE OF LAND FOR NON PAYMENT OF RATES</u> - Notice of Intention to sell land for non-payment of rates - Subject AF17/69	(a)	All details	Until the earlier of - public notice or public announcement of the "Sale of Land for non payment of Rates" has been given in accordance with the Section 184 of the LGA and associated processes; or the matter has been settled or abandoned by Council.

Cr Lovett seconded

Carried

11. CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Cr Persello moved that the following Agenda Item be received, discussed and considered in confidence by excluding the public pursuant to Section 90(2) of the Local Government Act 1999, and an order be made that the public (with the exception of Mayor Andrew Lee, Cr Josh Lynagh, Cr Mark Lovett, Cr Sonya Meziniec, Cr Hanna Persello, Cr Frank Morello, Cr Ian Von Stanke, Mark McShane, Barbara Cernovskis, Pamela Lee, Michael McCarthy, Gary Button, Joanne Scheidl, Sharny McLean and Ashlee Lavia) be excluded from the meeting in order for the Agenda Item Sale of Land for non Payment of Rates to be considered in confidence.

The Corporate and Community Services Committee is satisfied that, pursuant to section 90(3)(a) of the Act the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of:

- Information concerning the personal affairs of any person (living or dead), being a ratepayer for whom Council is currently undertaking a process for the sale of land according to Section 184 of the LGA for non payment of rates.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances by the need to keep the personal financial information and discussion confidential because the matter relates to information pertaining to the non-payment of rates.

ITEM NO.	SUBJECT MATTER	S90 (3) GROUNDS
12.	<u>SALE OF LAND FOR NON PAYMENT OF RATES</u> – Notice of Intention to sell land for non-payment of rates – Subject AF17/71	(a)

Cr Lovett seconded

Carried

13. **CONSIDERATION FOR KEEPING MATTERS CONFIDENTIAL**

Cr Lovett moved that an order be made pursuant to Section 91(7) and recorded in the publicly released version of the minutes in accordance with S91(9) of the Local Government Act, 1999 that the document in relation to item 12 which has been considered by the Council on a confidential basis pursuant to Section 90(3) be kept confidential as follows:

<u>Item No.</u>	<u>Subject Matter</u>	<u>S.90(3) Grounds</u>	<u>Element To Be Kept Confidential</u>	<u>Duration</u>
12.	<u>SALE OF LAND FOR NON PAYMENT OF RATES</u> - Notice of Intention to sell land for non-payment of rates - Subject AF17/71	(b)	All details	Until the earlier of - public notice or public announcement of the "Sale of Land for non payment of Rates" has been given in accordance with the Section 184 of the LGA and associated processes; or the matter has been settled or abandoned by Council.

Cr Persello seconded

Carried

Meeting closed at 6:02 pm

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CONFIRMED THIS DAY OF 2017.

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PRESIDING MEMBER