

CORPORATE AND COMMUNITY SERVICES COMMITTEE

Minutes of meeting held in the Reception Area, Level 4, Civic Centre, 10 Watson Terrace,
Mount Gambier on Monday 11th April, 2016 at 5.30 p.m.

PRESENT: Cr S Meziniec (Presiding Member)
Cr M Lovett, Cr Lynagh, Cr S Perryman and Cr H Persello

APOLOGY: Nil

COUNCIL OFFICERS: Acting Chief Executive Officer, Grant Humphries
Finance Manager, Gary Button
Manager Community Services and Development, Barbara Cernovskis
Manager Governance and Property, Michael McCarthy
Administration Officer – Executive Support, Fiona McGregor

COUNCIL MEMBERS
AS OBSERVERS: Nil

COUNCIL MEMBERS
AS OBSERVERS
APOLOGY: Nil

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 Lovett moved that the minutes of the previous meeting held 7th March, 2016 be taken as read and confirmed.

Cr Lynagh seconded

Carried

QUESTIONS:

(a) With Notice - Nil received

(b) Without Notice - Nil

1. FINANCIAL STATEMENT – as at 31st March, 2016

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance

Cr Meziniec moved it be recommended the financial statement as at 31st March, 2016 be received.

Cr Lovett seconded

Carried

2. GOVERNANCE – Committees – Lifelong Learning Sub-Committee – Minutes of Meeting held 18th March, 2016 – Ref. AF15/501

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance

Cr Meziniec moved it be recommended:

- (a) the Minutes of the Lifelong Learning Sub-Committee Meeting held on 18th March, 2016 be received;
- (b) the following recommendations of the Lifelong Learning Sub-Committee be adopted by Council;

1. **KEY FOCUS AREA** – Wellbeing and Resilience - AF15/422

- (a) The progress report on the Regional Wellbeing & Resilience Collaboration provided by the Manager Community Services & Development be received.

2. **KEY FOCUS AREA** – Wellbeing and Resilience - Ref. AF15/422

- (a) The progress report on a Wellbeing Workforce/Positive Organisation project provided by the Manager Community Services & Development report be received;

3. **KEY FOCUS AREA** – Wellbeing and Resilience - Ref. AF15/422

- (a) The Manager, Community Services and Development prepare a formal report on the integration of the Wellbeing and Resilience Program with the STEM, South East Strategy and Action Plan 2015 - 2018 for the next meeting.

Cr Lovett seconded

Carried

3. **GOVERNANCE** – Committees – Community Engagement and Social Inclusion Sub-Committee – Minutes of Meeting held 22nd March, 2016 – Ref. AF15/500

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance

Cr Persello moved it be recommended:

- (a) the minutes of the Community Engagement and Social Inclusion Sub-Committee Meeting held on 22nd March, 2016 be received;
- (b) the following recommendations of the Community Engagement and Social Inclusion Sub-Committee be adopted by Council:

1. **GUEST SPEAKERS** – Mr David Copley, Pangula Mannamurna Inc., and Alan March, Regional Director, Families SA

- (a) Mr David Copley and Mr Alan March be thanked for their presentation.

2. **RECONCILIATION ACTION PLAN** – Reconciliation Action Plan Progress Table

- (a) The Reconciliation Action Plan progress table be received;

3. KEY FOCUS AREAS – Key Focus Area Progress Table

- (a) The Community Engagement & Social Inclusion Key Focus Area progress table be received and noted for information.

Cr Lovett seconded

Carried

4. GOVERNANCE – Committees – Audit Committee – Minutes of Meeting held 22nd March, 2016 – Ref. AF11/863

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance

Cr Meziniec moved it be recommended:

- (a) the minutes of the City of Mount Gambier Audit Committee meeting held on 22nd March, 2016 be received;
- (b) the following recommendations of the Audit Committee meeting held on Tuesday, 22nd March, 2016 be adopted by Council.

1. REPORTS FOR INFORMATION

The reports be received.

2. EXTERNAL AUDITOR - Ref. AF12/227

- (a) the report be received;
- (b) the outstanding 2015 Audit findings continue to be monitored by the Audit Committee.

3. AUDIT WORK PROGRAM 2014 - 2018 - Ref. AF11/863

The report be received.

4. FINANCIAL SUSTAINABILITY - Key Financial Indicators - Ref. AF14/81

The report be received.

5. TREASURY MANAGEMENT - Annual Review for 2014/2015 - Ref. AF11/810

- (a) the report be received;
- (b) Corporate and Community Services Report No. 2/2016 be adopted by Council.

6. ASSET REVALUATION STRATEGY - Ref. AF11/713

- (a) the report be received;
- (b) Corporate and Community Services Report No. 3/2016 be adopted by Council.

7. CONFLICT OF INTEREST - REVISED LEGISLATION - Ref. AF11/903

The report be received for information.

8. CORPORATE AND COMMUNITY SERVICES REPORT NO. 19/2016 - Policy Review - Risk Management Framework Update and Policy Review - Ref. AF11/1950; AF11/1955

- (a) Corporate and Community Services Report No. 19/2016 be received;
- (b) Council hereby re-adopts the following (unchanged) Policies as provided with this report:
 - F225 – Fraud and Corruption Prevention
 - W150 – Whistleblowers Protection
- (c) Council hereby adopts replacement Council Policy R305 – Risk Management Framework Policy, as provided with this report;
- (d) Council hereby revokes Policy I105 Internal Controls;
- (e) Council makes the necessary amendments to Council's Policy Manual Index.

9. FINANCIAL INTERNAL CONTROLS - Ref. AF11/863

- (a) Audit Committee Report No. 1/2016 be received.

Cr Lynagh seconded

Carried

5. GOVERNANCE - Committees - Junior Sports Assistance Fund - Minutes of Meeting held 30th March, 2016 - Ref. AF11/725

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance

Cr Persello moved it be recommended:

- (a) the minutes of the City of Mount Gambier Junior Sports Assistance Fund General Meeting held on 30th March, 2016 be received;
- (b) the following recommendations of the City of Mount Gambier Junior Sports Assistance Fund held on 30th March, 2016 be adopted by Council:

1. FINANCIAL STATEMENT AS AT 29TH FEBRUARY, 2016

The financial statement as at 29th February, 2016 be received noting a cash balance of \$74,648.

2. APPLICATIONS FOR FINANCIAL ASSISTANCE FOR JUNIORS FROM 16TH DECEMBER, 2015 TO 20TH MARCH, 2016

The actions in making the above payments from the Fund be confirmed and ratified.

3. **APPRECIATIONS** - letters received/forwarded

The report be received.

4. **GENERAL INFORMATION** - Since 1st July 2015

The reports be received.

5. **OTHER APPLICATIONS**

The report be received.

6. **MEMBER CONTRIBUTIONS** - Unpaid Membership 2015/2016

(a) the report be received;

(b) a final reminder be sent to Member Organisations who have not paid their 2015/2016 Member contribution to the Junior Sports Assistance Fund advising if payment is not made on or before 30th April, 2016 that they will be suspended from the Fund until their 2015/2016 contribution has been paid.

7. **COMMERCIAL CLUB INC.** - Annual Donation - Exceptional Junior Program 2015

(a) the report be received;

(b) for the 2015 year the following junior receive the Commercial Club Inc. donation to assist that junior to advance in their chosen sport and to achieve their potential:

Awardee: applicant (c) (nominee 3)

(c) Applicant (a) (nominee 1) to receive correspondence from the Fund and encouraged to submit an application next year if funding for this program is received;

(d) the presentation of the Commercial Club Inc. donation take place at a time to be advised;

(e) details of the donation program and the awardee for 2015 be released to the media after the applicants have been advised.

Cr Lynagh seconded

Carried

6. **PROPERTY MANAGEMENT** - Railway Lands Activation Team update – Ref AF15/398

Goal: Building Communities

Strategic Objective: Encourage the empowerment of the community to lead and self manage their respective desires and aspirations.

Encourage the development of community facilities and infrastructure, community events, and active and safe community spaces through direct support, seeking funding, facilitation etc.

The Manager – Community Services and Development reported:

Corporate and Community Services Committee Minutes, Monday 11th April, 2016 cont'd...

During March 2016 the Railway Lands Activation Team continued to work with a number of community groups to deliver and facilitate community led events and activities at the site. The notable event for March was the Louise Adams concert *South East X South West* held on the 13th March 2016. This inaugural cross border event featured successful, up & coming musicians from around Australia that have hailed from the South East of South Australia or the South West pocket of Victoria. This event was designed to be free for the community, fundraise for a nominated charity with a longer term vision for the event to become a signature platform to showcase and celebrate the calibre of talented artists that our region produces.

Once more this was an event that achieved very healthy participant numbers and exceeded 7,000; the largest event since the opening day in November 2015. Licensees and food vendors again surpassed expectations.

The Barry Maney Group during this period has demonstrated an example of successful Commercial/Community Integration at the site. They have hosted an SUV come and drive event at the site that achieved impressive numbers and acknowledgement for the quality of their event and they have also hosted a product launch for the new Ford Mustang; both events attracted clients and positive feedback on the space from a catchment area including the lower South East and Western Victoria. This innovative launch was a twilight event that incorporated image projection on the walls of the site and made for a spectacular evening.

Another notable observation from the activation of the Railway Lands with the range of activities and events that have been held to date is the incremental increase in capacity and empowerment of the community to lead and work collaboratively for a common purpose – to create a dynamic place activated by people.

The Railway Lands Activation Team are working on finalising the local artworks installations, a Winter@theRail program, preparing to conduct a full evaluation of the test and trial phase of the site activation and have continued to progress temporary, low cost activations and events including the following initiatives:

Commercial/Community integration	
Railway Building	<p>Short term commercial enquiry regarding use of the Railway building – interested party not yet returned to area</p> <p>Long term enquiry regarding use of the Railway building has been withdrawn</p>
Site	<p>Short term hospitality option has been discussed for site – awaiting submission</p> <p>Barry Maney Ford Group held the Ford Mustang launch at the site. This was a huge success, the use of projection was a unique feature of their marketing.</p> <p>Barry Maney Ford Group also hosted an SUV come and drive day that was one of the most successful days of the franchise to date.</p>
Arts/Cultural/Music Activities	
Public Art @ The Rail Public Murals	<p><i>First Stop Public Art @ the Rail</i></p> <p>The successful local artists have finalised their agreements and it is expected that the first artwork will be installed within the next six weeks and all artwork installed by the end of the financial year.</p>

Nature Play Sculptures	A quality range of submissions that meet the brief of interactive nature play have been received from local artists and are currently being prepared for selection.
Harmony Day	This was a successful event held on Saturday 19 th March 2016 in the Amphitheatre. It was an intimate gathering of a couple of hundred people and included a number of touching performances that were able to demonstrate the rich and diverse cultures that we have in our community. Planning is already underway for next year's event.
Events	
RFDS 20 th Anniversary	This event attracted over 2,000 people. The RFDS were very happy with the funds that they were able to raise on the day and the overall event was very well received by the community and was a successful family oriented event.
Louise Adams Community Concert – South East X South West (<i>Fundraiser for Leukaemia Foundation</i>)	Very successful event. Achieved in excess of 7,000 people and has established a solid platform to grow a local signature music event showcasing our regional talent.
HPV Pedal Prix Scrutineering	The platform/s were a constant stream of interested onlookers speaking with the participating teams and viewing the vehicles.

Confirmed future events for the Railway Lands.

<u>Apr</u>	<u>May</u>	<u>June</u>
<u>LimeFM Family Day</u>	<u>STEMfun day</u> <u>Winter @ the Rail</u>	<u>Winter @ the Rail</u>

Cr Meziniec moved it be recommended:

- (a) the progress report on the Railway Lands Activation Team be received.

Cr Lovett seconded

Carried

7. CORPORATE AND COMMUNITY SERVICES REPORT NO. 23/2016 - Investment Review - Half Yearly Report - 1st July 2015 to 31st December, 2015 - Ref. AF11/684

Goal: Governance

Strategic Objective: Fully integrate long term asset and financial plans with the annual business plan and annual budget

Cr Meziniec moved it be recommended:

- (a) Corporate and Community Services Report No. 23/2016 detailing the Half Yearly Investment Review report from 2015/2016 be received.

Cr Persello seconded

Carried

8. CORPORATE AND COMMUNITY SERVICES REPORT NO. 24/2016 - Government Relations - Local Government Act 1999 Legislation and Regulations - Ref. AF11/1309

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance

Cr Meziniec moved it be recommended:

- (a) Corporate and Community Services Report No. 24/2016 be received and contents noted.

Cr Lynagh seconded

Carried

9. CORPORATE AND COMMUNITY SERVICES REPORT NO. 25/2016 - Local Government Association of South Australia - Subscriptions Review - Ref. AF11/950

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance

Cr Meziniec moved it be recommended:

- (a) Corporate and Community Services Report No. 25/2016 be received.
- (b) Support be provided to Option 1, or such other option as the constituent Councils of the Limestone Coast Local Government Association might agree to support;
- (c) The Local Government Association also be requested to review their delivery and fees for access to services and activities by regional Councils.

Cr Persello seconded

Carried

10. CORPORATE AND COMMUNITY SERVICES REPORT NO. 26/2016 - Appointment of Representative - NDIS Implementation Reference Group - Ref. AF11/854

Goal: Diversity

Strategic Objective: Develop the capacity of Council to effectively communicate and engage with our communities, other agencies and service providers

Cr Perryman moved it be recommended:

- (a) Corporate and Community Services Report No. 26/2016 be received;
- (b) Council seek nominations from Elected Members in accordance with Council Policy provisions to represent Council on the National Disability Insurance Scheme Reference Group.
- (c) Nominations made by close of business Wednesday 13th April 2016, to be presented to the April 2016 Council meeting.

Cr Lovett seconded

Carried

11. CORPORATE AND COMMUNITY SERVICES REPORT NO. 27/2016 - Delegations of Powers of Council - Ref. AF11/1020

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance

Cr Mezinec moved it be recommended:

- (a) that having conducted its annual review of Councils Delegations Register in accordance with Section 44(6) of the Local Government Act, 1999, the Council;**

1.1 Revocations

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

1.1.1 Community Titles Act 1996

1.1.2 Development Act 1993, Development (Development Plans) Amendment Act 2006 and Development Act Regulations 2008

1.1.3 Dog & Cat Management Act 1995

1.1.4 Electricity Act 1996

1.1.5 Environment Protection Act 1993 and Environment Protection (Waste to Resources) Policy 2010

1.1.6 Expiation of Offences Act 1996

1.1.7 Fences Act 1975

1.1.8 Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005

1.1.9 Food Act 2001

1.1.10 Freedom of Information Act 1991

1.1.11 Graffiti Control Act 2001

1.1.12 Housing Improvement Act 1940

1.1.13 Land & Business (Sale and Conveyancing) Act 1994

1.1.14 Liquor Licensing Act 1997

1.1.15 Local Government Act 1934

1.1.16 Local Government Act 1999

1.1.17 Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005

1.1.18 Public Assemblies Act 1972

1.1.19 Roads (Opening & Closing) Act 1991

1.1.20 Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 1999 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 1999

1.1.21 South Australian Public Health Act 2011 along with the South Australian Public Health (Legionella) Regulations 2013 and South Australian Public Health (Wastewater) Regulations 2013.

1.1.22 Supported Residential Facilities Act 1992

1.1.23 Unclaimed Goods Act 1987

1.1.24 Work Health & Safety Act 2012

1.1.25 Safe Drinking Water Act 2011

1.1.26 Real Property Act 1886

1.1.27 Strata Titles Act 1988

1.1.28 Heavy Vehicle National Law (South Australia) Act 2013

1.1.29 Burial and Cremation Act 2013 and Burial and Cremation Regulations 2014

- 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 following Acts and specified in the proposed Instruments of Delegation contained in Appendices 1 - 32 (each of which is individually identified as indicated below) are hereby delegated this Wednesday, 20th April, 2016 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.**

2.1.1 Community Titles Act 1996 (Appendix 1)

2.1.2 Dog & Cat Management Act 1995 (Appendix 2)

2.1.3 Electricity Act 1996 (Appendix 3)

2.1.4 Environment Protection Act 1993 (Appendix 4)

2.1.5 Expiation of Offences Act 1996 (Appendix 5)

2.1.6 Fences Act 1975 (Appendix 6)

- 2.1.7 Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005 (Appendix 7A and 7B)**
- 2.1.8 Freedom of Information Act 1991 (Appendix 8)**
- 2.1.9 Graffiti Control Act 2001 (Appendix 9)**
- 2.1.10 Housing Improvement Act 1940 (Appendix 10)**
- 2.1.11 Land & Business (Sale & Conveyancing) Act 1994 (Appendix 11)**
- 2.1.12 Liquor Licensing Act 1997 (Appendix 12)**
- 2.1.13 Local Government Act 1999 (Appendix 14)**
- 2.1.14 Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005 (Appendix 16)**
- 2.1.15 Public Assemblies Act 1972 (Appendix 17)**
- 2.1.16 Roads (Opening and Closing) Act 1991 (Appendix 18)**
- 2.1.17 Road Traffic Act 1961, Road Traffic (Miscellaneous) Regulations 1999 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 1999 (Appendix 20)**
- 2.1.18 Unclaimed Goods Act 1987 (Appendix 25)**
- 2.1.19 South Australian Public Health Act 2011 along with the South Australian Public Health (Legionella) Regulations 2013 and South Australian Public Health (Wastewater) Regulations 2013 (Appendix 26)**
- 2.1.20 Safe Drinking Water Act 2011 (Appendix 27)**
- 2.1.21 Real Property Act 1886 (Appendix 28)**
- 2.1.22 Strata Titles Act 1988 (Appendix 29)**
- 2.1.23 Work Health & Safety Act 2012 (Appendix 30)**
- 2.1.24 Heavy Vehicle National Law (South Australia) Act 2013 (Appendix 31)**
- 2.1.25 Burial and Cremation Act 2013 and Burial and Cremation Regulations 2014 (Appendix 32)**
- 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 delegations made by the Chief Executive Officer extends to any person who is appointed to act in the position of the sub-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 proposed Instrument of Delegation (annexed to Corporate and Community Services Report No. 27/2016 and marked Appendix 21) are hereby delegated this 20th April, 2016 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.**

- 3.2 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 proposed Instrument of Delegation (annexed to Corporate and Community Services Report No. 27/2016 and marked Appendix 21 and which are specified in Schedule I, attached to this Report) are hereby delegated this 20th April, 2016 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:**

Refer Schedule I (attached) for details of the Council Delegations to the Council Development Assessment Panel.

- 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 delegations made by the Chief Executive Officer extends to any person who is appointed to act in the position of the sub-delegate.**

4. Delegations made under Food Act 2001

- 4.1 In exercise of the powers contained in Section 91 of the Food Act 2001, the powers and functions under the Food Act 2001 contained in the proposed Instrument of Delegation (Appendix 22) are hereby delegated this 20th April, 2016 to the person occupying the office of Chief Executive Officer ("the head of the enforcement agency" for the purposes of the Food Act 2001), subject to the conditions or limitations indicated in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Food Act 2001.**

- 4.2 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 Food Act 2001.
 - 4.3 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.
 - 4.4 For the purposes of these delegations all delegations made by the Chief Executive Officer extends to any person who is appointed to act in the position of the sub-delegate.
- 5. Delegations under Supported Residential Facilities Act 1992
 - 5.1 In exercise of the power contained in Section 9 of the Supported Residential Facilities Act 1992, the powers and functions under the Supported Residential Facilities Act 1992 contained in the proposed Instrument of Delegation (annexed to Corporate and Community Services Report No. 27/2016 and marked Appendix 24) are hereby delegated this 20th April, 2016 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 Supported Residential Facilities Act 1992.
 - 5.2 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 Supported Residential Facilities Act 1992.
 - 5.3 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.
 - 5.4 For the purposes of these delegations all delegations made by the Chief Executive Officer extends to any person who is appointed to act in the position of the sub-delegate.
- 6. Authorisations and Subdelegation under the Road Traffic Act 1961
 - 6.1 In accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure (the 'Instrument') the Council authorises the following person(s) pursuant to Clause A.7 of the Instrument to endorse Traffic Impact Statements for the purposes of Clause A of the Instrument provided that such person(s) shall take into account the matters specified in Clause A.7 of the Instrument in respect of Traffic Impact Statements:

CHIEF EXECUTIVE OFFICER – Mark McShane
DIRECTOR OPERATIONAL SERVICES – Daryl Sexton

- 6.2 In accordance with Clause A.7 of the Instrument, the Council is of the opinion that the following person(s) is/are experienced traffic engineering practitioner(s) for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the Instrument:**

**DIRECTOR OPERATIONAL SERVICES – Daryl Sexton
ENGINEERING MANAGER – Daryl Morgan**

- 6.3 In exercise of the power contained in, and in accordance with, Clause G.1 of the Instrument, the power contained in Section 33(1) of the Road Traffic Act 1961 and delegated to the Council pursuant to Clause G of the Instrument and contained in the proposed Instrument of Sub-delegation (Appendix 20A) is hereby sub-delegated this 20th of April 2016 to the person occupying the office of Chief Executive Officer of the Council subject to:**

- (i) the conditions contained in the Instrument; and**
- (ii) any conditions contained in this Resolution or in the Instrument of Subdelegation.; and**
- (iii) the creation of a separate instrument in writing reflecting such subdelegation under the Instrument and this Resolution.**
- (iv) For the purpose of this sub-delegation, the sub-delegation to the Chief Executive Officer extends to any person appointed to act in the position of Chief Executive Officer.**

- 6.4 In accordance with Clause E.2 of the Instrument, the Council is of the opinion that the following person(s) has (have) an appropriate level of knowledge and expertise in the preparation of traffic management Plans:**

DIRECTOR OPERATIONAL SERVICES – Daryl Sexton

7. Delegations under Safe Drinking Water Act 2011 (of enforcement agency)

- 7.1 In exercise of the power contained in Section 43 of the Safe Drinking Water Act 2011 the powers and functions of the Council as a relevant authority under the Safe Drinking Water Act 2011 contained in the proposed Instrument of Delegation (Appendix 27) are hereby delegated this 20th of April 2016 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 Safe Drinking Water Act 2011.**
- 7.2 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 Safe Drinking Water Act 2011.**
- 7.3 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.**
- 7.4 For the purposes of these delegations all delegations made by the Chief Executive Officer extends to any person who is appointed to act in the position of the sub-delegate.**

Cr Lynagh seconded

Carried

12. **CORPORATE AND COMMUNITY SERVICES REPORT NO. 28/2016** - Register of Statutory Resolutions and Appointments - Ref. AF11/1020

Goal: Governance

Strategic Objective: *Demonstrate innovative and responsive organisational governance.*

Cr Meziniec moved it be recommended:

- (a) Corporate and Community Services Report No. 28/2016 incorporating the "Register of Statutory Resolutions and Appointments" be received;
- (b) the Resolutions (Statutory and Non-Statutory) contained in *The Register of Statutory Resolutions and Appointments* be noted;
- (c) the Officer Appointments and Authorisations contained in *The Register of Statutory Resolutions and Appointments* be noted and affirmed.

Cr Persello seconded

Carried

13. **CORPORATE AND COMMUNITY SERVICES REPORT NO. 29/2016** - Member Appointment - Community Engagement and Social Inclusion Sub-Committee - Ref. AF15/500

Goal: Governance

Strategic Objective: (i) *Demonstrate innovative and responsive organisational governance.*

(ii) *Engage with national, state, regional and local forums and partnerships to provide solutions and options to continually improve Councils service delivery and performance.*

Goal: Diversity

Strategic Objective: *Develop the capacity of Council to effectively communicate and engage with our communities, other agencies and service providers.*

Cr Persello moved it be recommended:

- (a) Corporate and Community Services Report No. 29/2016 be received.
- (b) a targeted approach be used by Council Members to identify suitable nominees for the Community Engagement and Social Inclusion Sub-Committee vacancy;
- (c) Council Members present nominations (with accompanying background information) for the Community Engagement and Social Inclusion Sub-Committee position to the Manager - Governance and Property by Friday 27th May 2016 for presentation to the June 2016 Corporate and Community Services Committee.

Cr Perryman seconded

Carried

14. CORPORATE AND COMMUNITY SERVICES REPORT NO. 30/2016 - Appointment of Members on Outside Bodies or Organisations - Queen Elizabeth Park Trust - Ref. AF11/854

Goal: Diversity

Strategic Objective: Develop the capacity of Council to effectively communicate and engage with our communities, other agencies and service providers.

Cr Meziniec moved it be recommended:

- (a) Corporate and Community Services Report No. 30/2016 be received;**
- (b) the nomination of Mr Mervyn White for the vacant QEPT Board position be accepted and Mr Mervyn White be a Council appointed QEPT Board Member until 31st March 2019 or such earlier date as Council may determine by resolution.**

Cr Persello seconded

Carried

SUPPLEMENTARY ITEM

15. CORPORATE AND COMMUNITY SERVICES REPORT NO. 31/2016 – Flag Enquiry – Red Cross Month – Ref. AF11/2285

Goal: Governance

Strategy: Demonstrate innovative and responsive organisational governance.

Council has received a request from the Australian Red Cross (Mount Gambier Branch) to conduct a flag raising ceremony on the morning of Monday 9th May 2016 at 9am (or thereabouts) to celebrate Red Cross Month, and for the flag to be flown until the end of the month.

At its meeting held on 15th March 2016 Council adopted updated Policy F140 Flags Protocol and resolved that requests to fly flags on special days be presented to Council in accordance with the guidelines contained in Corporate and Community Services Report No. 22/2016.

Council has not formally (by resolution) identified the 9th May or the month of May for the flying of the Red Cross Flag.

This report recommends that the request to fly the Red Cross Flag be supported.

Cr Meziniec moved it be recommended:

- (a) Corporate and Community Services Report No. 31/2016 be received;**
- (b) The request to fly the Red Cross Flag be supported.**
- (c) The Red Cross Flag be raised at a flag raising ceremony at or around 9am on Monday 9th May 2016 using one of the special occasion flag poles located in the Cave Garden Courtyard.**
- (d) The Red Cross Flag then be flown daily by Council for the remainder of the month of May 2016 only.**

- (e) The Australian Red Cross to supply the flag that is to be flown in accordance with resolutions (c) and (d) and to make all necessary arrangements for the flag raising ceremony.
- (f) Being the applicant, it is therefore considered that the Australian Red Cross supports the flying of their flag by Council in the circumstances.

Cr Perryman seconded

Carried

MOTIONS WITH NOTICE - Nil

MOTIONS WITHOUT NOTICE - Nil

16. CONSIDERATION FOR EXCLUSION OF PUBLIC

Cr Perryman moved that the following item(s) 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 Council Members: Cr S Mezinac Cr M Lovett, Cr Lynagh, Cr S Perryman and Cr H Persello and Council Officers: Grant Humphries, Gary Button, Barbara Cernovskis, Michael McCarthy, Tracy Tzioutziouklaris and Fiona McGregor now present) be excluded from the meeting in order for the item(s) to be considered in confidence as the Council (or Committee) is satisfied that the item is a matter that can be considered in confidence pursuant to the grounds referenced in Section 90 (3) of the said Act:

s90(3)(a) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), information regarding the financial and personal affairs of a ratepayer because the report proposes that Council issue orders in accordance with s184 of the Local Government Act 1999 to sell several properties which have rates in arrears in excess of three years.

and

s90(3)(i) information to be received, discussed or considered in relation to the Agenda Items is information relating to litigation that the Council believes on reasonable grounds will take place involving the Council or an employee of the Council being legal action to enforce the recovery of outstanding rates and sale of land for non-payment of rates.

and

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because disclosure of the information would involve an unreasonable disclosure of the financial and personal affairs of a ratepayer and which could compromise Council's position in relation to recovering the outstanding rates and in any associated litigation and sale of land.

ITEM NO.	SUBJECT MATTER	S90(3) GROUNDS
17.	<u>SALE OF LAND FOR NON PAYMENT OF RATES</u> - Notice of Intention to Sell Land for Non-Payment of Council Rates	(a) & (i)
18.	<u>SALE OF LAND FOR NON PAYMENT OF RATES</u> - Notice of Intention to Sell Land for Non-Payment of Council Rates	(a) & (i)
19.	<u>CONSIDERATION FOR KEEPING MATTERS CONFIDENTIAL</u>	

Cr Lovett seconded

Carried