

## CORPORATE AND COMMUNITY SERVICES COMMITTEE

Minutes of meeting held in the Reception Area, Level 4, Civic Centre, 10 Watson Terrace,  
Mount Gambier on Monday 13<sup>th</sup> February, 2017

### PRESENTATIONS:

- 5.30 p.m. District Council of Grant presentation regarding an update on the Mount Gambier Airport Infrastructure Project
- 6.00 p.m. RSL Mount Gambier President Bob Sandow presentation regarding Saluting Monash

Meeting commenced at 6:24 pm

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

APOLOGY: Mayor Lee moved that the apology from Cr S Perryman be received.  
Cr Persello seconded Carried

COUNCIL OFFICERS: Chief Executive Officer, Mark McShane  
Finance Manager, Gary Button  
Manager Community Services and Development, Barbara Cernovskis  
Administration Officer – Executive Support, Fiona McGregor  
Administration Officer – Executive Support, Ashlee Lavia

### COUNCIL OFFICERS

APOLOGIES: Nil

### COUNCIL MEMBERS

AS OBSERVERS: Cr P Richardson, Cr C Greco, Cr F Morello, Cr I Von Stanke

**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 12<sup>th</sup> December, 2016 be taken as read and confirmed.

Mayor Lee seconded Carried

### QUESTIONS:

- (a) With Notice - Nil received
- (b) Without Notice - Nil submitted

### **1. FINANCIAL STATEMENT – as at 31<sup>st</sup> January, 2017**

**Cr Lynagh moved it be recommended the financial statement as at 31<sup>st</sup> January, 2017 be received.**

**Cr Persello seconded Carried**

**2. FINANCIAL MANAGEMENT – Budgeting - Annual Business Plan and Budget Consultation 2017/18 Financial Year - Ref. AF15/461**

The Chief Executive Officer reported:

- (a) In accordance with Section 123 of the Local Government Act 1999, the following Program leading up to the adoption of Annual Business Plan and Budget for 2017/2018 is proposed (actual dates to be confirmed):

<b>Date (2017)</b>	<b>Description</b>
early March	Audit Committee Meeting (LTFP, AIMP and Budget)
early April	Members LTFP, SIMP and Budget Briefing(s)
late April	Draft Business Plan and Budget released for public comment.
mid/late May	Public submissions on draft Business Plan and Budget close.
late May	First Special (public) Meeting to hear any public submissions and to discuss the draft Business Plan and Budget.
late May / early June	Second Special (public) Meeting to be held to discuss/finalise the draft Business Plan and Budget (if required).
mid/late June	Special Council meeting to be held to finalise and endorse draft Business Plan and Budget (if required).
mid July	Last date for finalisation/distribution of first quarterly rate notice and distribution of summary Annual Business Plan.
8 <sup>th</sup> September	First quarterly rate installment final payment date.

**Cr Lynagh moved it be recommended:**

- (a) the report be received;
- (b) the Draft 2017/2018 Annual Business Plan and Budget Program be endorsed by Council.

**Cr Meziniec seconded**

**Carried**

**3. CORPORATE AND COMMUNITY SERVICES REPORT NO. 04/2017 - Budget Update as at 31<sup>st</sup> December, 2016 - Ref. AF15/461**

**Cr Lynagh moved it be recommended:**

- (a) Corporate and Community Services Report No. 04/2017 be received;
- (b) the Budget Update as at 31<sup>st</sup> December, 2016 as presented with this Report be adopted by Council with all amendments to be made to the 2016/2017 Council Budget.

**Cr Persello seconded**

**Carried**

**4. CORPORATE AND COMMUNITY SERVICES REPORT NO. 08/2017 - Policy P420 Procurement and Disposal of Land and Assets - Ref. AF11/1950**

**Cr Lynagh moved it be recommended:**

- (a) Corporate and Community Services Report No. 08/2017 be received;
- (b) Council hereby adopts updated Council Policy:

**P420 – Procurement, & Disposal of Land and Assets**

- (c) Council makes the necessary amendments to Council's Policy Manual Index.

Cr Meziniec seconded

Carried

**5. CORPORATE AND COMMUNITY SERVICES REPORT NO. 09/2017 - Authorised Banking Signatories - Ref. AF11/636**

Cr Lynagh moved it be recommended:

- (a) Corporate and Community Services Report No. 09/2017 be received;
- (b) that the authorised signatories of the Council's general accounts and financial bank accounts and transactions etc. be any two (2) of the following:
- Mayor
  - Deputy Mayor
  - Chief Executive Officer
  - General Manager Council Business Services
  - General Manager City Growth
  - General Manager City Infrastructure
  - General Manager Community Wellbeing
  - Director Operational Services
  - Manager Business & Strategic Planning
  - Manager Community Services & Development
  - Manager Governance & Property
  - Manager Regulatory Services (Manager Development & Regulatory)
  - Engineering Manager (Engineering Design & Contract Management)
- (c) that the Chief Executive Officer may by written instrument add/amend/revoke the bank signatory authorisation of officers listed in resolution (b) as necessary to align with the organisational structure, position titles/appointments, and absence/availability of officers, for further review at the next statutory Council meeting following the November 2018 local government elections.

Mayor Lee seconded

Carried

**6. CORPORATE AND COMMUNITY SERVICES REPORT NO. 10/2017 - Delegations of Powers of Council - Ref. AF11/1020**

Cr Lynagh moved it be recommended:

- (a) Corporate and Community Services Report No. 10/2017 be received;
- (b) 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. 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 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 1999**
- 1.1.16. Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions - Levies) Regulations 2005**
- 1.1.17. Public Assemblies Act 1972**
- 1.1.18. Roads (Opening & Closing) Act 1991**
- 1.1.19. Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 1999 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 1999**
- 1.1.20. South Australian Public Health Act 2011 along with the South Australian Public Health (Legionella) Regulations 2013 and South Australian Public Health (Wastewater) Regulations 2013.**
- 1.1.21. Supported Residential Facilities Act 1992**
- 1.1.22. Unclaimed Goods Act 1987**
- 1.1.23. Work Health & Safety Act 2012**
- 1.1.24. Safe Drinking Water Act 2011**
- 1.1.25. Real Property Act 1886**
- 1.1.26. Strata Titles Act 1988**
- 1.1.27. Heavy Vehicle National Law (South Australia) Act 2013**
- 1.1.28. 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, 20<sup>th</sup> 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 and Environment Protection (Waste to Resources) Policy 2010 (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 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014 (Appendix 20/20A/20B)**
- 2.1.18. Unclaimed Goods Act 1987 (Appendix 25)**
- 2.1.19. South Australian Public Health Act 2011 South Australian Public Health (Legionella) Regulations 2013 and South Australian Public Health (Wastewater) Regulations 2013 and South Australian Public Health (General) Regulations 2013 (Appendix 26)**
- 2.1.20. Safe Drinking Water Act 2011 (Appendix 27)**
- 2.1.21. Real Property Act 1886 (Appendix 28) and Electronic Conveyancing National Law (SA) Act 2013 (Appendix 28A)**
- 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)**

**2.1.26. Local Nuisance and Litter Control Act 2016 (Appendix 33)**

**2.1.27. Water Industry Act 2012 and Water Industry Regulations 2012 (Appendix 34)**

**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 Instrument of Delegation (Appendix 21) are hereby delegated this 21<sup>st</sup> February, 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 Instrument of Delegation (Appendix 21 and which are specified in Schedule I) are hereby delegated this 21<sup>st</sup> February, 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.**

**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 contained in Instrument of Delegation (Appendix 22) are hereby delegated this 21<sup>st</sup> February, 2017 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 further delegations made by the Chief Executive Officer extend to any person who is appointed to act in the position of the 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 Instrument of Delegation (Appendix 24) are hereby delegated this 21<sup>st</sup> February, 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 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 purpose 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 purpose 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.**

**6. Authorisations and Sub-delegation 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:**

**Mark McShane  
Daryl Sexton  
Daryl Morgan**

**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:**

**Daryl Sexton  
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 Instrument of Sub-delegation (Appendix 20A) is hereby sub-delegated this 21<sup>st</sup> of February 2017 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 Sub-delegation.; 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:**

**Daryl Sexton  
Daryl Morgan**

**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 Instrument of Delegation (Appendix 27) are hereby delegated this 21<sup>st</sup> of February 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 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 further delegations made by the Chief Executive Officer extend to any person who is appointed to act in the position of the delegate.**

**8. Delegations under Fire and Emergency Services Act 2005 to a Fire Prevention Officer**

**8.1. In exercise of the power contained in Section 93 of the Fire and Emergency Services Act 2005 the powers and functions under the Fire and Emergency Services Act 2005 contained in Instrument of Delegation (Appendix 7B) are hereby delegated this 21<sup>st</sup> of February 2017 to the person appointed Fire Prevention Officer of the Council under the Fire and Emergency Services Act 2005 subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Fire and Emergency Services Act 2005.**



8.2. Such powers and functions may be further delegated by the Fire Prevention Officer as the Fire Prevention 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 Fire and Emergency Services Act 2005.

8.3. For the purposes of these delegations, all delegations to the Fire Prevention Officer extend to any person appointed to act in the position of Fire Prevention Officer.

Cr Persello seconded

Carried

7. **CORPORATE AND COMMUNITY SERVICES REPORT NO. 11/2017 - Mount Gambier Community RSL - Request for Support - Saluting Monash - Ref. AF11/213**

Cr Lynagh moved it be recommended:

- (a) Corporate and Community Services Report No. 11/2017 re Saluting Monash be received;
- (b) Council write a letter of support to Mr Bob Sandow, Chairman of the Reserve Forces Council of South Australia to support the posthumous promotion of General Sir John Monash, one step in rank, to Field Marshal.

Cr Meziniec seconded

Carried

**MOTIONS WITH NOTICE - Nil**

**MOTIONS WITHOUT NOTICE -**

1. **STRATEGIC MANAGEMENT - Establishment - Implementation of the Community Plan - Ref. AF16/185**

Cr Sonya Meziniec reported:

The City of Mount Gambier Community Plan 2015-2019 identifies the development of a cultural plan, youth strategy, digital plan and economic development growth strategy as key outcomes.

Development of the digital plan and economic development growth strategy is largely completed, a briefing session on the cultural plan in January 2017 and work on the youth strategy is yet to commence.

Cr Meziniec moved it be recommended that to progress the above goals, Council will:

- (a) Prepare timelines for the development of a youth strategy and cultural plan by the end of March 2017;
- (b) Complete the youth strategy and cultural plan by the end of the 2017 calendar year;
- (c) Table bi-monthly progress reports on the youth strategy, cultural plan, digital plan and economic development growth strategy at the Corporate and Community Services Committee;

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- (d) Devise a community engagement/consultation strategy for the digital plan by the end of March 2017.**

**Mayor Lee seconded**

**Carried**

Meeting closed at 6:45 p.m.

FM/MJT/AL

CONFIRMED THIS

DAY OF

2017.

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PRESIDING MEMBER