



Civic Centre, 10 Watson Terrace
Mount Gambier SA 5290

PO Box 56
Mount Gambier SA 5290

Telephone 08 87212555
Facsimile 08 87249791
city@mountgambier.sa.gov.au

mountgambier.sa.gov.au

I hereby give notice that an Ordinary Meeting of Council will be held on:

Date: Tuesday, 17 March 2020
Time: 6.00 p.m.
Location: Council Chamber
Civic Centre
10 Watson Terrace
Mount Gambier

AGENDA

Ordinary Council Meeting 17 March 2020

A handwritten signature in black ink, appearing to read 'A Meddle', is written over a horizontal line.

**Andrew Meddle
Chief Executive Officer**

12 March 2020

Order Of Business

1	Acknowledgement of Country	7
2	Apologies	7
3	Leave of Absence	7
4	Confirmation of Council Minutes	7
5	Mayoral Report	7
6	Reports from Councillors	8
7	Questions with Notice	9
7.1	Request for Update - WIN TV Negotiations	9
8	Questions without Notice	10
9	Petitions	10
	Nil	
10	Deputations	11
10.1	Deputation - Limestone Coast Regional Sporting Academy – Report No. AR20/16018	11
11	Notice of Motion to Rescind or Amend	13
	Nil	
12	Elected Members Workshops	14
12.1	Elected Members Workshops held from 19 February 2020 to 13 March 2020 – Report No. AR20/13214	14
13	Elected Members Training and Development	17
13.1	Member Training Request - Cr Paul Jenner - Parks and Leisure Australia Conference SA/NT – Report No. AR20/16649.....	17
14	Council Action Items	24
14.1	Council Action Items from 18 February 2020 – Report No. AR20/13211	24
15	Economic and Environment Committee Minutes and Recommendations	47
15.1	Minutes of the Economic and Environment Committee held on 2 March 2020 - Go to Attachment	47
15.2	Deputation - Limestone Coast Prostate Cancer Support Group – Report No. AR20/12751	47
15.3	Public open space service levels – Report No. AR20/10721	47
15.4	Council Assessment Panel Fees and Recruitment Update – Report No. AR20/10875	47
15.5	Joint Planning Board for the Limestone Coast Region – Report No. AR20/10881	48
15.6	Inquiry into Local Government Costs and Efficiency – Report No. AR20/11623	48
15.7	Information Leaflet - Variable Message Display Units to be used as a temporary advertising display – Report No. AR20/12496	48
16	People and Place Committee Minutes and Recommendations	49
	Nil	



17	Regional Sport and Recreation Centre Committee Minutes and Recommendations	50
17.1	Minutes of the Regional Sport and Recreation Centre Committee held on 10 March 2020 - Go to Attachment	50
17.2	Community and Recreation Hub Development Application Update – Report No. AR20/14297.....	50
17.3	Community and Recreation Hub Procurement Process – Report No. AR20/14298	50
17.4	Community and Recreation Hub - Tenancies Update – Report No. AR20/14510	50
18	Council Assessment Panel Minutes	51
18.1	Minutes of the Council Assessment Panel held on 20 February 2020	51
19	Junior Sports Assistance (Section 41) Committee Minutes and Recommendations	52
19.1	Minutes of the Junior Sports Assistance Fund held on 11 March 2020 - Go to Attachment.....	52
19.2	Correspondence Received – Report No. AR19/66243	52
19.3	Committee Appointments – Report No. AR19/64728.....	52
19.4	Statement of Revenue and Expenses - 1/10/2019 - 29/02/2020 – Report No. AR20/15047	52
19.5	Applications for Financial Assistance for Juniors and Payments from the Fund from 01/09/2019 to 29/02/2020 – Report No. AR20/15392.....	53
19.6	Rotary Club of Mount Gambier Lakes - Donation to Financially Disadvantaged Junior Sportspeople – Report No. AR19/66198.....	53
20	Audit Committee Minutes and Recommendations	54
	Nil	
21	Chief Executive Officer Performance Review Committee Minutes and Recommendations	55
21.1	Minutes of the Chief Executive Officer Performance Review Committee held on 3 March 2020 - Go to Attachment.....	55
21.2	Chief Executive Officer Performance Review Committee Terms of Reference – Report No. AR20/9108	55
22	Building Fire Safety Committee Minutes	56
	Nil	
23	Council Reports	57
23.1	Budget Review Quarter 2 FY2019-20 – Report No. AR20/9615	57
23.2	Public Transport Trials – Report No. AR20/12896	70
23.3	Renewable Energy Provision at Adelaide City Council – Report No. AR20/12897	73
23.4	Creative Arts Fund - Approval of Concept - Shine in the South East – Report No. AR20/15104.....	77
23.5	Guarantee Request - Mount Gambier Netball Association - Refinancing of Original Guaranteed Loan – Report No. AR20/16408.....	81



23.6	Request for a Discretionary Rate Rebate for 9 Penola Road whilst occupied by the Stand Like Stone Foundation – Report No. AR20/16434.....	88
24	Motions with Notice	90
24.1	Notice of Motion - Domestic Violence	90
24.2	Notice of Motion - Newstart Allowance	95
24.3	Notice of Motion - Closure of Aquatic Centre.....	96
25	Urgent Motions without Notice	97
26	Confidential Items of Committees	98
26.1	Confidential items of the Economic and Environment Committee held on 2 March 2020	98
26.2	Presentation by Beach Energy – Report No. AR20/8188	98
26.3	Confidential items of the Regional Sport and Recreation Centre Committee held on 10 March 2020.....	99
26.4	Confidentiality, Activities and the Community and Recreation Hub – Report No. AR20/15651.....	99
27	New Confidential Items	100
27.1	Blue Lake Golf Club KPI Report	100
27.3	Confidential items of the Chief Executive Officer Performance Review Committee held on 3 March 2020	101
28	Meeting Close	103
	Committee Minutes and Reports / Attachments	104
Attachments Item 4	Ordinary Council Meeting - 18 February 2020	105
Attachments Item 4	Special Council Meeting - 3 March 2020	127
Attachments Item 19.1	Minutes of the Junior Sports Assistance Fund held on 11 March 2020	132
Attachments Item 19.2	Correspondence Received.....	135
Attachments Item 19.3	Committee Appointments	142
Attachments Item 19.4	Statement of Revenue and Expenses - 1/10/2019 - 29/02/2020.....	145
Attachments Item 19.5	Applications for Financial Assistance for Juniors and Payments from the Fund from 01/09/2019 to 29/02/2020.....	150
Attachments Item 19.6	Rotary Club of Mount Gambier Lakes - Donation to Financially Disadvantaged Junior Sportspeople.....	154
Attachments Item 15.1	Minutes of the Economic and Environment Committee held on 2 March 2020	157
Attachments Item 15.2	Deputation - Limestone Coast Prostate Cancer Support Group ..	163
Attachments Item 15.3	Public open space service levels.....	167
Attachments Item 15.4	Council Assessment Panel Fees and Recruitment Update.....	171
Attachments Item 15.5	Joint Planning Board for the Limestone Coast Region.....	175
Attachments Item 15.6	Inquiry into Local Government Costs and Efficiency.....	216
Attachments Item 15.7	Information Leaflet - Variable Message Display Units to be used as a temporary advertising display.....	220



Attachments Item 17.1	Minutes of the Regional Sport and Recreation Centre Committee held on 10 March 2020.....	229
Attachments Item 17.2	Community and Recreation Hub Development Application Update	233
Attachments Item 17.3	Community and Recreation Hub Procurement Process.....	272
Attachments Item 17.4	Community and Recreation Hub - Tenancies Update.....	282
Attachments Item 21.1	Minutes of the Chief Executive Officer Performance Review Committee held on 3 March 2020.....	285
Attachments Item 21.2	Chief Executive Officer Performance Review Committee Terms of Reference.....	288



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 APOLOGIES

Nil

3 LEAVE OF ABSENCE

Nil

4 CONFIRMATION OF COUNCIL MINUTES

[Ordinary Council Meeting - 18 February 2020](#)

[Special Council Meeting - 3 March 2020](#)

RECOMMENDATION

That the minutes of the Ordinary Council meeting held on 18 February 2020 and the Special Council meeting held on 3 March 2020 be confirmed as an accurate record of the proceedings of the meeting.

5 MAYORAL REPORT

- With CEO attendance at 2020 Superloop Adelaide 500
- Official handover of Cheque, Council Donation to RFDS Patient Transfer Facility
- Meeting with representatives from Mount Gambier Chamber of Commerce
- First Budget Workshop
- Planet Youth Limestone Coast Community Information Session
- Meeting with representatives from Borg Manufacturing
- Meeting with DFAT State Director and Deputy Director
- WiBRD 2020 Cocktail Event Launch and Hall of Fame
- Classic Masters Event – McNamara Park
- With CEO Meeting re Masters Games
- Economic and Environment Committee
- CEO Performance Review Committee
- Special Meeting of Council
- WiBRD International Women’s Day Breakfast
- Community Celebration Barbecue – 34 Years of the Mount Gambier Aquatic Centre
- With CEO meeting with DC Grant Mayor and CEO
- With CEO Introduction and discussion with ac.care CEO
- Junior Sports Assistance Fund Committee Meeting
- RDALC - CSIRO Transit Report Launch
- Meeting with Colby Ind regarding his attendance at the National Plastic Summit in Canberra
- Chamber of Commerce Breakfast Meeting



6 REPORTS FROM COUNCILLORS



7 QUESTIONS WITH NOTICE

7.1 REQUEST FOR UPDATE - WIN TV NEGOTIATIONS

Meeting: Council
CM9 Reference: AF19/416
Member: Ben Hood, Councillor

The following question on notice was received from Councillor Ben Hood.

Question

“Can the CEO advise Council on the progress of negotiations with WIN TV regarding the access to historical footage for use by the City of Mount Gambier for community benefit.”

Response

The Chief Executive Officer has followed up with WINTV recently and they have advised that the tapes have been safely transported from Mount Gambier to Ballarat, where they are now stored in an appropriate environment.

Downloading from the tapes has commenced. The equipment is old and has had to be repaired a couple of times when the technicians have the time, given this is not an operational priority for WINTV. The volume of material (from a number of stations) means that this will be a slow process, but it has commenced. I am aware the local manager has been provided with some clips from this process.

The relevant General Manager has also been in touch with NF&SA, but at this time the Chief Executive Officer is unsure as to the outcome of those discussions.

REPORT RECOMMENDATION

That the response to the question regarding Request for Update – WIN TN Negotiations raised by Councillor Ben Hood be received and noted.

ATTACHMENTS

Nil



8 QUESTIONS WITHOUT NOTICE

9 PETITIONS

Nil



10 DEPUTATIONS

10.1 DEPUTATION - LIMESTONE COAST REGIONAL SPORTING ACADEMY – REPORT NO. AR20/16018

Meeting: Council
CM9 Reference: AF19/416
Author: Elisa Solly, Executive Administration Officer
Authoriser: Andrew Meddle, Chief Executive Officer

REPORT RECOMMENDATION

1. That Council Report No. AR20/16018 titled 'Deputation - Limestone Coast Regional Sporting Academy' as presented on 17 March 2020 be noted.



BACKGROUND

The Mayor, Lynette Martin OAM has granted a deputation from the Limestone Coast Regional Sporting Academy (LCRSA), who would like the opportunity to present a small number of its athletes, who are City of Mount Gambier residents, to the Mayor and the Council members.

The City of Mount Gambier is a major partner of the LCRSA and without Council support, would not be able to provide talented athletes with the chance to follow their sporting dreams.

ATTACHMENTS

Nil



11 NOTICE OF MOTION TO RESCIND OR AMEND

Nil



12 ELECTED MEMBERS WORKSHOPS

12.1 ELECTED MEMBERS WORKSHOPS HELD FROM 19 FEBRUARY 2020 TO 13 MARCH 2020 – REPORT NO. AR20/13214

Meeting: Council
CM9 Reference: AF19/416
Author: Fiona McGregor, Executive Administration Officer

REPORT RECOMMENDATION

1. That Council Report No. AR20/13214 titled 'Elected Members Workshops held from 19 February 2020 to 13 March 2020' as presented on 17 March 2020 be noted.



ATTACHMENTS

1. Designated Informal Gathering - Members Workshop - Record of Proceedings - 25/02/2020



**DESIGNATED INFORMAL GATHERING
DISCUSSION ANNUAL BUSINESS PLAN AND BUDGET (ABP&B) AND LONG-TERM
FINANCIAL PLAN (LTFP) – FIRST WORKSHOP
5.30 PM, TUESDAY 25 FEBRUARY 2020**

RECORD OF PROCEEDINGS
5.30 pm, Tuesday 25 February 2020
Level 4, Committee Room, Civic Centre,
10 Watson Terrace, Mount Gambier

MEMBERS PRESENT:-

Mayor Martin
Cr Morello
Cr Bruins
Cr Meziniec
Cr Hood
Cr Greco

STAFF PRESENT:-

Chief Executive Officer
General Manager Community Wellbeing
General Manager City Growth
General Manager City Infrastructure
Finance Manager
Team Leader Finance

MEMBERS APOLOGIES:-

Cr Amoroso
Cr Perryman
Cr Jenner

LEAVE OF ABSENCE:-

Nil

DISCUSSION:

- Budget briefings timeframes
- Objectives of the Long-Term Financial Plan
- Integrated Planning and Budgeting Framework
- Long-Term Financial Plan detail
- Asset Management Plans
- Annual Business Plan and Budget process
- Next steps

Discussion closed at 6.50 p.m.



13 ELECTED MEMBERS TRAINING AND DEVELOPMENT

13.1 MEMBER TRAINING REQUEST - CR PAUL JENNER - PARKS AND LEISURE AUSTRALIA CONFERENCE SA/NT – REPORT NO. AR20/16649

Meeting: Council
CM9 Reference: AF19/416
Author: Michael McCarthy, Manager Executive Administration
Authoriser: Andrew Meddle, Chief Executive Officer

REPORT RECOMMENDATION

1. That Council Report No. AR20/16649 titled 'Member Training Request - Cr Paul Jenner - Parks and Leisure Australia Conference SA/NT' as presented on 17 March 2020 be noted.
2. That, having considered the cost and benefit to Council and having determined that attendance at the Parks and Leisure Australia Conference is directly or closely related to the performance or discharge of the roles or duties of a Member of Council;
 - (a) Council support / do not support the attendance of Cr Paul Jenner at the Parks and Leisure Australia Conference in Clare on Friday 17 April 2020.
 - (b) Costs associated with registration (\$250+GST), travel and accommodation for attendance be reimbursed/borne by Council up to the value of \$600.
 - (c) Cr Paul Jenner submit a report for presentation at the Member Reports agenda item at the May 2020 Council meeting, in accordance with Council Policy M500.



BACKGROUND

In accordance with Council Policy M500 - Members Training and Development, the City of Mount Gambier is committed to providing appropriate training and development activities for its Council Members relevant to their roles and functions and which must have a relationship to the business of Council or local government.

Council Policy M500 Members Training & Development provide a hierarchy for approval/reporting of Member training and development requests, as follows:

Training/Development Category	Authorisation	Reporting
Local Training (hosted locally within City/SE Region)	By Application	General Listing in Annual Report
SA LGA Training, Conferences, Meetings (Adelaide Based)	Generic Council Resolution (for any Councillor to attend)	Submission of Evaluation Pro-Forma for circulation on Member Extranet
All Other Training (e.g. Technical, Professional, Specialist, Non-LGA/Non-Local/Interstate Seminars, Conferences etc)	Specific Council Resolution (via pro-forma application) <ul style="list-style-type: none"> • Name of Councillor • Description of Training • Location • Training Cost • Benefits 	Submission of Evaluation Pro-Forma/Report for presentation at the Member Reports Council Agenda Item.

For training that is not hosted locally, a Council resolution is required to authorise Elected Member attendance, whether by generic resolution enabling any Council Member to attend LGA training/development opportunities in Adelaide, or by specific resolution for all other training including technical, professional, specialist, non-LGA and interstate seminars and conferences.

The authorisation of non-Local / non-LGA training should include consideration of the training cost and benefit to Council, as well as overall training costs/budget and equity in access and expenditure for training for all Members.

DISCUSSION

A request has been received from Cr Paul Jenner to attend the Parks and Leisure Australia Conference in the Clare Valley on Friday 17 April 2020.

The information for consideration in required for authorisation, in accordance with Council Policy M500 is presented as follows:

Pro-Forma Information	Cr Paul Jenner
Description of Training	<ul style="list-style-type: none"> • Investing in innovative and sustainable places, facilities and environments • Creating and sustaining greener spaces for community wellbeing and regional sustainability
Location	Clare, South Australia
Training Cost	(non-member) Registration Fee: \$250+gst Travel / Accommodation Expenses – not provided
Benefits	4x Conference Streams - Attached

A copy of Cr Jenner's Member Training / Approval Request form is provided for Members information (**Attachment 1**) together with an online extract of the conference program (**Attachment 2**).



The Program received from Cr Jenner indicates that attendance at the LEGATUS Group Climate Ready Regions Conference component on Saturday 19 April (including attendance at the SA Autumn Garden Festival at the Clare Showground - an additional \$66 registration cost) is not sought.

Cr Jenner is seeking accommodation for one night, meals and fuel reimbursement. He is not seeking attendance at the Ethical Living Network Event on the Friday evening. The Clare Valley Motel has rooms from \$125. A limit of up to \$600 is suggested as being reasonable to cover the fees, accommodation, meals and fuel.

CONCLUSION

This report provides a recommendation for Council to consider to approve the attendance of Cr Jenner at the Parks and Leisure Australia Conference in the Clare Valley on Friday 17 April 2020.

The recommendation includes provision for Council to provide an approval limit on the reimbursement of expenses associated with attendance, in the absence of any estimated expenses (or proposed travel/accommodation arrangements) having been provided with the request.

ATTACHMENTS

1. Member Training Approval Form - Cr Paul Jenner - 17/04/2020 - Parks and Leisure Australia Conference SA/NT [↓](#)
2. Parks and Leisure Australia Conference Program excerpt [↓](#)





MEMBER TRAINING / APPROVAL REQUEST

Member Name: Cr. Paul Jenner

1 Elected Member to Complete

Name of Course/Seminar: Parks and Leisure Australia Conference SA/NT.
 Course Provider (LGA etc): Green Life Group, Syngenta.
 Location of Course: Clare
 Dates: Friday 17th April

Description of Training: Investing in Innovative and Sustainable places, facilities & Environments
- Creating & Sustaining green spaces for Community Wellbeing and Regional Sustainability

Explanation of Benefits: 4 x Conference Streams - Attached.

Course information attached Yes

Copies of quotes or estimates attached members / Non Members

		DETAILS OF EXPENSES				
		members	Non Members			
Course fees	\$ \$ 200 + GST	\$ 250 + GST	<input type="checkbox"/>	Estimate	<input type="checkbox"/>	Quote
Travel	\$		<input type="checkbox"/>	Estimate	<input type="checkbox"/>	Quote
Council Vehicle	\$			kms @ \$0.77/km		
Cab charges/ eTickets	No. of taxi trips required					
Accommodation (If necessary)	\$		<input type="checkbox"/>	Estimate	<input type="checkbox"/>	Quote
Other (please attach details)	\$		<input type="checkbox"/>	Estimate	<input type="checkbox"/>	Quote

2 AUTHORISATION

- | Category | Reporting | Authorisation Required |
|--|--|---|
| <input type="checkbox"/> Local Training
(hosted locally within City/SE Region) | Listed in Annual Report | By Member Application |
| <input type="checkbox"/> SA LGA Training, Conferences, Meetings
(Adelaide Based) | Evaluation Pro-Forma in Friday Edition | Generic Council Resolution (Insert Minute Reference) |
| <input type="checkbox"/> All Other Training
(e.g. Technical, Professional, Specialist, Non-LGA/Non-Local/Interstate Seminars, Conferences etc) | Evaluation/Report at Member Reports Council Agenda Item. | Specific Council Resolution (Insert Minute Reference) |

CEO Signature _____
 Date / /

Budget Line Code: _____

3 OFFICE USE ONLY

3/11/2020

Conference Program

[MENU](#)

Friday 17 April 2020

9.00am **Welcome and Conference Opening**

Suzanne Suter, President Parks & Leisure Australia SA/NT

Helen Macdonald, CEO Clare & Gilbert Valley Council

9.20am

Key note speakers:

[Craig Grocke](#), Economic Development Executive, Spatial Planning, Infrastructure, Investment and Place Management, Regional Development Australia Barossa

Investing in innovative and sustainable places, facilities and environments

[Greg Ingleton](#), Business Development Manager - Environmental Opportunities, SA Water

Creating and sustaining greener spaces for community wellbeing and regional sustainability

10.30am

Morning Tea

11.00am

CONFERENCE STREAMS

- *Recreation & Sport Facilities*

Lisel Mcleay, Associate Director Urban Design and Landscape Architecture, Jensen Plus

Principles for achieving sustainable and innovative recreation and sport facilities in regions, drawing on Barossa Valley and other regional planning

- *Open Spaces & the Environment*

Tony Fox, Regional Manager Northern & Yorke Landscape Board

The social, tourism and economic value and potential of natural environments in regions

11.45am

CONFERENCE STREAMS

- *Recreation & Sport Facilities*

Mark Band, Director 180 Sport & Leisure Solutions

Ensuring an appropriate and sustainable provision of sports facilities through good practice planning, maintenance and management

<https://santconference.parksleisure.com.au/learning-and-events/conference-sa-nt/program/>

1/3



3/11/2020

Conference Program

- *Open Spaces & the Environment*

Annie Charlton, Tredwell Management Services

Strategic planning for widespread open space networks across vast regional LGA's and the implications for regional sustainability

12.30pm

LUNCH

1.15pm

CONFERENCE STREAMS

- *Recreation & Sport Facilities*

YMCA senior management team member

Achieving viable and vibrant indoor and aquatic facilities in regions through innovative and proactive practices

- *Open Spaces & the Environment*

Allan Mayfield and Pat Williams, Clare & Gilbert Valley community and committee members

How the Riesling Trail and Gleeson Wetlands have added value to the sustainability and appeal of the region

2.00pm

CONFERENCE STREAMS

- *Recreation & Sport Facilities*

Russell Peate, CEO Copper Coast Council

How key sport and recreation facilities have contributed to Copper Coast's appeal and sustainability

- *Open Spaces & the Environment*

Holly Cowan, Wakefield Regional Council with **John Nicholls**, Elected Member and community interest

Creating a unique recreation space around a natural asset 'Lake Bumbunga', as part of regional sustainability

2.45pm

AFTERNOON TEA

3.10pm

Key Note Speaker

[Christian Hampson](#), Co-founder and Director of Yerrabingin (Indigenous Design Thinking for Collaborative Solutions)

<https://santconference.parksleisure.com.au/learning-and-events/conference-sa-nt/program/>

2/3



3/11/2020

Conference Program

Yerrabingin environmental and open space sustainable solutions and innovations

3.40pm

PANEL DISCUSSION

Key regional sustainability challenges and opportunities for regions

Craig Grocke, Greg Ingleton, Russell Peate and Christian Hampson

4.25pm Conference Closure

5.00pm

Networking Event - [Ethical Living](#)

Mr Micks Cellar Door & Kitchen

\$40 (additional)

Key note speaker Rebecca Sullivan (writer and champion of ethical living), entry drink and native produce food tasters

Saturday 18 April 2020

9.00am-
4.00pm

Climate Ready Regions Conference

Make it a great weekend and also enrol into the LEGATUS Group's **CLIMATE READY REGIONS CONFERENCE** in Clare and attend the highly acclaimed SA Autumn Garden Festival at the Clare Showground on Sunday 19 April 2020

[Click here for details](#)



14 COUNCIL ACTION ITEMS

14.1 COUNCIL ACTION ITEMS FROM 18 FEBRUARY 2020 – REPORT NO. AR20/13211

Meeting: Council
CM9 Reference: AF19/416
Author: Fiona McGregor, Executive Administration Officer
Authoriser:

REPORT RECOMMENDATION

1. That Council Report No. AR20/13211 titled 'Council Action Items from 18 February 2020' as presented on 17 March 2020 be noted.



ATTACHMENTS

1. Actions for Council 18/02/2020 [↓](#)



Outstanding/Finalised	Division: Committee: Officer:	Date From: 18/02/2020 Date To: 18/02/2020
Action Sheets Report		Printed: 12 March 2020 12:05 PM

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Meddle, Andrew Meddle, Andrew	Notice of Motion to Rescind or Amend	Notice of Rescission/Amendment - Caroline Landfill Gate and Waste Transfer Fees
RESOLUTION 2020/22			
Moved: Cr Sonya Meziniec			
Seconded: Cr Max Bruins			
<ol style="list-style-type: none"> 1. That Council Report No. AR20/7276 titled 'Notice of Rescission/Amendment - Caroline Landfill Gate and Waste Transfer Fees' as presented on 18 February 2020 be noted. 2. That parts 2, 3 and 4 of resolution 2019/300 titled "Review of Caroline Landfill Gate and Waste Transfer Station Fees" that was passed at Council meeting on 19 November 2019 be rescinded as follows: <ol style="list-style-type: none"> "2. That Council adopt recommended gate price for Caroline Landfill of \$190 effective from 1 January 2020 and authorise administration to: <ol style="list-style-type: none"> (a) Notify all known regular users of the facility; and (b) Update the fees and charges register. 3. That Council adopt a decrease of 40% Waste Transfer Station fees effective from 1 January 2020 and authorise administration to: <ol style="list-style-type: none"> (a) Notify the public who may use the facility; and (b) Update the fees and charges register. 4. A further report be written for Council's consideration on implementing a separation of waste charge on Council's rate notices for 2020/2021." 			
CARRIED			
3 Mar 2020 - 9:17 PM - Andrew Meddle Action completed by: Meddle, Andrew Motion rescinded - further action elsewhere on the agenda to inform next steps.			



Outstanding/Finalised	Division: Committee: Officer:	Date From: 18/02/2020 Date To: 18/02/2020
Action Sheets Report		Printed: 12 March 2020 12:05 PM

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Solly, Elisa Meddle, Andrew	Elected Members Workshops	Elected Member Workshop 22/01/2020 - 13/02/2020
<p>RESOLUTION 2020/23</p> <p>Moved: Cr Max Bruins Seconded: Cr Christian Greco</p> <p>1. That Council Report No. AR20/8937 titled 'Elected Member Workshop 22/01/2020 - 13/02/2020' as presented on 18 February 2020 be noted.</p> <p style="text-align: right;">CARRIED</p> <p><i>21 Feb 2020 - 9:19 AM - Elisa Solly</i> Action completed by: Solly, Elisa complete</p>			

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	McGregor, Fiona Meddle, Andrew	Council Action Items	Action items from 21/01/2020
<p>RESOLUTION 2020/24</p> <p>Moved: Cr Frank Morello Seconded: Cr Christian Greco</p> <p>1. That Council Report No. AR20/8938 titled 'Action Items from 21/01/2020' as presented on 18 February 2020 be noted.</p> <p style="text-align: right;">CARRIED</p> <p><i>21 Feb 2020 - 10:28 AM - Fiona McGregor</i> Action completed by: McGregor, Fiona Completed</p>			



Outstanding/Finalised	Division: Committee: Officer:	Date From: 18/02/2020 Date To: 18/02/2020
Action Sheets Report		Printed: 12 March 2020 12:05 PM

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Solly, Elisa Meddie, Andrew	People and Place Committee Minutes and Recommendation	Minutes of the People and Place Committee held on 3 February 2020
RESOLUTION 2020/25			
Moved: Cr Frank Morello			
Seconded: Cr Max Bruins			
That the Minutes of the People and Place Committee meeting held on 3 February 2020 as attached be noted.			
CARRIED			
21 Feb 2020 - 9:19 AM - Elisa Solly Action completed by: Solly, Elisa complete			

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Kilsby, Ben Cernovskis, Barbara	Reports	Yerkalapata - A Reconciliation Action Plan for the City of Mount Gambier
RESOLUTION 2020/26			
Moved: Cr Frank Morello			
Seconded: Cr Sonya Mezinac			
1. That People and Place Committee Report No. AR20/3865 titled 'Yerkalapata - A Reconciliation Action Plan for the City of Mount Gambier' as presented on 03 February 2020 be noted.			
2. That Council endorse the Yerkalapata - Reconciliation Action Plan (RAP) 2020-2022 for the City of Mount Gambier.			
3. That, in collaboration with our Aboriginal and Torres Strait Islander community, there be a public launch of the Yerkalapata - Reconciliation Action Plan (RAP) 2020-2022.			
CARRIED			
12 Mar 2020 - 10:08 AM - Ben Kilsby Revised Target Date changed by: Kilsby, Ben From: 3 Mar 2020 To: 01 Mar 2022 Reason: 2 year plan. Work commenced.			



Outstanding/Finalised	Division:	Date From:	18/02/2020
	Committee:	Date To:	18/02/2020
Action Sheets Report	Officer:	Printed:	12 March 2020 12:05 PM

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Meddle, Andrew Meddle, Andrew	Reports	First Draft of the Strategic Plan 2020-2024
RESOLUTION 2020/27			
Moved: Cr Frank Morello			
Seconded: Cr Ben Hood			
<ol style="list-style-type: none"> 1. That People and Place Committee Report No. AR20/5444 titled 'First Draft of the Strategic Plan 2020-2024' as presented on 03 February 2020 be noted. 2. That the People and Place Committee note the report and that a final draft for public consultation will be presented to Council. 			
CARRIED			
<p>20 Feb 2020 - 4:58 PM - Andrew Meddle Action completed by: Meddle, Andrew No further action required as superseded by second report.</p>			



Outstanding/Finalised	Division: Committee: Officer:	Date From: 18/02/2020 Date To: 18/02/2020
Action Sheets Report		Printed: 12 March 2020 12:05 PM

Meeting	Officer/Director	Section	Subject																				
Council 18/02/2020	Lavia, Ashlee Cernovskis, Barbara	Reports	Creative Arts Fund 2019/2020 Applications																				
RESOLUTION 2020/28																							
Moved: Cr Frank Morello																							
Seconded: Cr Ben Hood																							
<ol style="list-style-type: none"> That People and Place Committee Report No. AR19/67241 titled 'Creative Arts Fund 2019/2020 Applications' as presented on 03 February 2020 be noted. That \$25,000 be endorsed for distribution for the 2019/2020 Creative Arts Fund as follows: That all applicants be notified accordingly, advising that the provision and acquittal of these grant funds will always be subject to: <ul style="list-style-type: none"> all necessary land holder and development approvals being obtained; and all works being completed in accordance with all relevant legislative and compliance standards. To thank the panel for its work in making its recommendations. That the funds not be released for the project Shine in the South East until a final concept design is received and endorsed by Council at its meeting on 17 March 2020. 																							
CARRIED																							
<table border="1"> <thead> <tr> <th>Project Name</th> <th>Applicant</th> <th>Requested</th> <th>Approved</th> </tr> </thead> <tbody> <tr> <td>Shine in the South East</td> <td>Justin Clarke</td> <td>\$ 8,800</td> <td>\$ 8,800</td> </tr> <tr> <td>The Locals</td> <td>Kate Hill</td> <td>\$ 6,345</td> <td>\$ 6,200</td> </tr> <tr> <td>City Band Hail Mural</td> <td>Mount Gambier City Band</td> <td>\$ 13,000</td> <td>\$ 10,000</td> </tr> <tr> <td></td> <td></td> <td>\$ 28,145</td> <td>\$ 25,000</td> </tr> </tbody> </table>				Project Name	Applicant	Requested	Approved	Shine in the South East	Justin Clarke	\$ 8,800	\$ 8,800	The Locals	Kate Hill	\$ 6,345	\$ 6,200	City Band Hail Mural	Mount Gambier City Band	\$ 13,000	\$ 10,000			\$ 28,145	\$ 25,000
Project Name	Applicant	Requested	Approved																				
Shine in the South East	Justin Clarke	\$ 8,800	\$ 8,800																				
The Locals	Kate Hill	\$ 6,345	\$ 6,200																				
City Band Hail Mural	Mount Gambier City Band	\$ 13,000	\$ 10,000																				
		\$ 28,145	\$ 25,000																				
<p>4 Mar 2020 - 11:17 AM - Ashlee Lavia Action completed by: Lavia, Ashlee Successful and unsuccessful applicants have been notified and a report regarding the 'Shine in the South East' concept has been prepared for the March Council meeting.</p>																							



Outstanding/Finalised	Division: Committee: Officer:	Date From: 18/02/2020 Date To: 18/02/2020
Action Sheets Report		Printed: 12 March 2020 12:05 PM

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Meddle, Andrew Meddle, Andrew	Reports	State Government Consultations on Creative Industries and the Hi-Tech Sector
RESOLUTION 2020/29			
Moved: Cr Frank Morello Seconded: Cr Paul Jenner			
<ol style="list-style-type: none"> That People and Place Committee Report No. AR20/3819 titled 'State Government Consultations on Creative Industries and the Hi-Tech Sector' as presented on 03 February 2020 be noted. That the Chief Executive Officer respond to the consultation in line with the final paragraphs of the Creative Industries Consultation and Hi-Tech Sector Consultation sections of this report. 			
CARRIED			
<p>20 Feb 2020 - 4:58 PM - Andrew Meddle Action completed by: Meddle, Andrew Letters sent on the consultation and circulated in the Friday Edition.</p>			

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Meddle, Andrew Meddle, Andrew	Reports	Planning and Design Code Update
RESOLUTION 2020/30			
Moved: Cr Frank Morello Seconded: Cr Paul Jenner			
<ol style="list-style-type: none"> That People and Place Committee Report No. AR20/3815 titled 'Planning and Design Code Update' as presented on 03 February 2020 be noted. That Council note that the Council Administration will supply a technical response to the consultation on the Planning and Design Code addressing perceived inconsistencies and errors in the drafting of the Planning and Design Code for the City of Mount Gambier. 			
CARRIED			
<p>4 Mar 2020 - 2:55 PM - Andrew Meddle Action completed by: Meddle, Andrew Response supplied on 27/02/2020. Copy provided to Elected Members on 04/03/2020.</p>			



Outstanding/Finalised	Division: Committee: Officer:	Date From: 18/02/2020 Date To: 18/02/2020
Action Sheets Report		Printed: 12 March 2020 12:05 PM

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Meddle, Andrew Meddle, Andrew	Reports	Council Assessment Panel - Meeting Procedures
RESOLUTION 2020/31			
Moved: Cr Frank Morello			
Seconded: Cr Ben Hood			
<ol style="list-style-type: none"> 1. That People and Place Committee Report No. AR20/3785 titled 'Council Assessment Panel - Meeting Procedures' as presented on 03 February 2020 be noted. 2. That Council endorse the City of Mount Gambier Council Assessment Panel Meeting Procedures, as attached this report. 3. That the Council Assessment Panel consider the Meeting Procedures and recently updated Terms of Reference. 4. That following endorsement by the Council Assessment Panel, the meeting procedures are made public on the relevant Council Assessment Panel part of the Council's website, alongside the Terms of Reference. 			
CARRIED			
<p>3 Mar 2020 - 9:55 AM - Andrew Meddle Action completed by: Meddle, Andrew Matter agreed by CAP and placed on website.</p>			



Outstanding/Finalised		Division:	Date From:	18/02/2020
Action Sheets Report		Committee:	Date To:	18/02/2020
		Officer:	Printed: 12 March 2020 12:05 PM	
Meeting	Officer/Director	Section	Subject	
Council 18/02/2020	Tzioutziouklaris, Tracy Nagy, Judy	Reports	The use of variable message display units for temporary advertising signage associated with events	
RESOLUTION 2020/32				
Moved: Cr Frank Morello				
Seconded: Cr Sonya Meziniec				
<ol style="list-style-type: none"> 1. That People and Place Committee Report No. AR20/1840 titled 'The use of variable message display units for temporary advertising signage associated with events' as presented on 03 February 2020 be noted. 2. Council support the placement of the Visual Message Display Units at the following locations: <ol style="list-style-type: none"> I. Frew Park; Penola Road Frontage II. The Visitor Centre, Jubilee Highway West; III. The Information Bay, Jubilee Highway West (Millicent Road); IV. Crater Lakes Round about, Bay Road; V. The Information Bay, Jubilee Highway East (Adjacent Blue Lake Sports Park); VI. The Rail Lands, Bay Road frontage; VII. The Information Bay, Penola Road (adjacent Kalganyi Caravan Park); and VIII. The Civic Centre carpark (adjacent Sturt Street) 3. Council endorse Development Applications being prepared and submitted for Variable Message Display Units at the locations as identified in (2) as above subject to the following requirements: <ol style="list-style-type: none"> I. The advertising display of the Variable Message Display Unit does not exceed 4.6 square metres. II. No landscaping shall be damaged during the placement and removal of the Variable Display Message Unit. III. The Variable Message Display Unit shall be located on the subject site no longer than seven days before an event and must be removed within one day after the event to which it is associated. IV. Any damage to Council's infrastructure, such as the kerb and/or footpaths, during the placement and removal of the Variable Message Display Unit shall be made good to the satisfaction of Council. 4. A leaflet be prepared which can be provided to the community identifying where the Variable Message Display Units can be located upon the determination of the Development Applications, and a draft to be supplied to Council for endorsement. 				
CARRIED				
<p>5 Mar 2020 - 4:58 PM - Tracy Tzioutziouklaris Revised Target Date changed by: Tzioutziouklaris, Tracy From: 3 Mar 2020 To: 01 May 2020 Reason: Council Officer's are proceeding to prepare Development Applications for the Variable Message Display Units.</p>				



Outstanding/Finalised	Division: Committee: Officer:	Date From: 18/02/2020 Date To: 18/02/2020
Action Sheets Report		Printed: 12 March 2020 12:05 PM

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Ferguson, Derek Nagy, Judy	Reports	Request from Reidy Park Primary School to reduce the size of the Bus Zone on O'Halloran Terrace and install a No Parking Zone
RESOLUTION 2020/33			
Moved: Cr Frank Morello			
Seconded: Cr Max Bruins			
<ol style="list-style-type: none"> 1. That People and Place Committee Report No. AR20/3880 titled 'Request from Reidy Park Primary School to reduce the size of the Bus Zone on O'Halloran Terrace and install a No Parking Zone' as presented on 03 February 2020 be noted. 2. The Traffic impact statement attached to the People and Place Committee Report No. be endorsed by Council. 3. That City of Mount Gambier, pursuant to Ministerial delegation resolves the following: <ul style="list-style-type: none"> . Amend Prohibited Area BUS ZONE 2.1.075 O'HALLORAN TERRACE (NORTHERN HALF)- From 208.0 metres east of the T- intersection with Wehl Street South to 283.3 metres east of the said intersection. To apply between 8.00am and 9.30am / 2.30pm and 4.00pm, Monday to Friday. Prohibited Area NO PARKING 1.2.073 O'HALLORAN TERRACE (NORTHERN HALF)- From 144.4 metres east of the T- intersection with Wehl Street South to 205.0 metres east of the said intersection. To apply between 8.00am and 9.30am / 2.30pm and 4.00pm, Monday to Friday To be effective on the installation of appropriate signage 			
			CARRIED
12 Mar 2020 - 9:04 AM - Derek Ferguson Revised Target Date changed by: Ferguson, Derek From: 3 Mar 2020 To: 20 Mar 2020 Reason: Signs ordered awaiting delivery			



Outstanding/Finalised	Division: Committee: Officer:	Date From: 18/02/2020 Date To: 18/02/2020
Action Sheets Report		Printed: 12 March 2020 12:05 PM

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Meddle, Andrew Meddle, Andrew	Reports	Population Health Profile for the City of Mount Gambier
RESOLUTION 2020/34			
Moved: Cr Frank Morello Seconded: Cr Paul Jenner			
<ol style="list-style-type: none"> That People and Place Committee Report No. AR20/3906 titled 'Population Health Profile for the City of Mount Gambier' as presented on 03 February 2020 be noted. That Council note the provision of this report and endorse it being placed on the Council's website. 			
CARRIED			
<p>20 Feb 2020 - 4:57 PM - Andrew Meddle Action completed by: Meddle, Andrew Uploaded onto website.</p>			

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Solly, Elisa Meddle, Andrew	Council Assessment Panel Minutes	Minutes of the Council Assessment Panel held on 16 January 2020
RESOLUTION 2020/35			
Moved: Cr Paul Jenner Seconded: Cr Christian Greco			
That the Minutes of the Council Assessment Panel meeting held on 16 January 2020 as previously circulated be noted.			
CARRIED			
<p>21 Feb 2020 - 9:19 AM - Elisa Solly Action completed by: Solly, Elisa complete</p>			



Outstanding/Finalised	Division: Committee: Officer:	Date From: 18/02/2020 Date To: 18/02/2020
Action Sheets Report		Printed: 12 March 2020 12:05 PM

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Solly, Elisa Meddle, Andrew	Audit Committee Minutes and Recommendations	Minutes of the Audit Committee held on 20 January 2020
RESOLUTION 2020/36			
Moved: Cr Sonya Meziniec			
Seconded: Cr Frank Morello			
That the Minutes of the Audit Committee meeting held on 20 January 2020 as attached be noted.			
CARRIED			
21 Feb 2020 - 9:20 AM - Elisa Solly			
Action completed by: Solly, Elisa complete			

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Zwijenburg, Jeroen Meddle, Andrew	Reports	Internal Financial Controls - Improvement Task Update
RESOLUTION 2020/37			
Moved: Cr Sonya Meziniec			
Seconded: Cr Max Bruins			
1. That Audit Committee Report No. AR19/43570 titled 'Internal Financial Controls - Improvement Task Update' as presented on 20 January 2020 be noted.			
CARRIED			
26 Feb 2020 - 1:12 PM - Jeroen Zwijnenburg			
Action completed by: Zwijnenburg, Jeroen Noted.			



Outstanding/Finalised	Division: Committee: Officer:	Date From: 18/02/2020 Date To: 18/02/2020
Action Sheets Report		Printed: 12 March 2020 12:05 PM

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Zwijenburg, Jeroen Meddie, Andrew	Reports	Quarterly Budget Reviews - Audit Committee Update
RESOLUTION 2020/38			
Moved: Cr Sonya Meziniec Seconded: Cr Max Bruins			
1. That Audit Committee Report No. AR19/66430 titled 'Quarterly Budget Reviews - Audit Committee Update' as presented on 20 January 2020 be noted.			
CARRIED			
26 Feb 2020 - 1:08 PM - Jeroen Zwijnenburg Action completed by: Zwijnenburg, Jeroen Noted.			

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Zwijenburg, Jeroen Meddie, Andrew	Reports	Crisis management arrangements update
RESOLUTION 2020/39			
Moved: Cr Sonya Meziniec Seconded: Cr Ben Hood			
1. That Audit Committee Report No. AR19/66672 titled 'Crisis management arrangements update' as presented on 20 January 2020 be noted.			
CARRIED			
26 Feb 2020 - 1:08 PM - Jeroen Zwijnenburg Action completed by: Zwijnenburg, Jeroen Noted.			

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Zwijenburg, Jeroen Meddie, Andrew	Reports	Annual Report 2018-2019



Outstanding/Finalised	Division: Committee: Officer:	Date From: Date To:	18/02/2020 18/02/2020
Action Sheets Report		Printed: 12 March 2020 12:05 PM	

RESOLUTION 2020/40
 Moved: Cr Sonya Meziniec
 Seconded: Cr Max Bruins

1. That Audit Committee Report No. AR19/68392 titled 'Annual Report 2018-2019' as presented on 20 January 2020 be noted.

CARRIED

26 Feb 2020 - 1:08 PM - Jeroen Zwijnenburg
 Action completed by: Zwijnenburg, Jeroen
 Noted.

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Zwijnenburg, Jeroen Meddie, Andrew	Reports	Audit Committee self-assessment of performance

RESOLUTION 2020/41
 Moved: Cr Sonya Meziniec
 Seconded: Cr Max Bruins

1. That Audit Committee Report No. AR19/68407 titled 'Audit Committee self-assessment of performance' as presented on 20 January 2020 be received subject to the inclusion of the performed Works Program and the dates and attendance of the Audit Committee meetings for 2018/19.

2. That the Audit Committee record that it is satisfied that its performance is meeting Council and other relevant Authority's standards and expectations.

3. That the Audit Committee includes an 'Annual report to Council by the Presiding member of the Audit Committee' to its Works Program.

4. The Audit Committee recommends that each Audit Committee agenda include a standard agenda item for the review of progress against the works program.

CARRIED

26 Feb 2020 - 1:09 PM - Jeroen Zwijnenburg
 Action completed by: Zwijnenburg, Jeroen
 Noted.



Outstanding/Finalised	Division:	Date From:	18/02/2020
	Committee:	Date To:	18/02/2020
Action Sheets Report	Officer:	Printed:	12 March 2020 12:05 PM

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Zwijenburg, Jeroen Meddie, Andrew	Reports	Review of external auditor's performance and overall effectiveness
RESOLUTION 2020/42			
Moved: Cr Sonya Mezinac			
Seconded: Cr Frank Morello			
<ol style="list-style-type: none"> That Audit Committee Report No. AR19/68411 titled 'Review of external auditor's performance and overall effectiveness' as presented on 20 January 2020 be noted. That Audit Committee note the inclusion of the IT Audit and Project Costing controls testing and that additional controls will be included for testing into the 2019/20 External Audit Plan. 			
CARRIED			
<p>26 Feb 2020 - 1:11 PM - Jeroen Zwijnenburg Action completed by: Zwijnenburg, Jeroen Noted. IT Audit and Project Costing controls testing and additional controls are included for testing into the 2019/20 External Audit Plan.</p>			



Outstanding/Finalised	Division: Committee: Officer:	Date From: 18/02/2020 Date To: 18/02/2020
Action Sheets Report		Printed: 12 March 2020 12:05 PM

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Zwijnenburg, Jeroen Meddle, Andrew	Reports	Audit Related Policy Reviews
RESOLUTION 2020/43			
Moved: Cr Sonya Meziniec Seconded: Cr Max Bruins			
<ol style="list-style-type: none"> 1. That Audit Committee Report No. AR19/68420 titled 'Audit Related Policy Reviews' as presented on 20 January 2020 be noted. 2. That the Audit Committee endorses the following updated Council Policies as attached to the Audit Committee Report No. AR19/68420 to be adopted by Council: <ol style="list-style-type: none"> (a) Budget Framework Policy B300 (b) Fraud and Corruption Prevention Policy F225 (c) Treasury Management Policy T150 			
			CARRIED
<p><i>12 Mar 2020 - 9:29 AM - Jeroen Zwijnenburg</i> Action completed by: Zwijnenburg, Jeroen Noted.</p>			

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Zwijnenburg, Jeroen Meddle, Andrew	Reports	Reforming Local Government in South Australia
RESOLUTION 2020/44			
Moved: Cr Sonya Meziniec Seconded: Cr Frank Morello			
<ol style="list-style-type: none"> 1. That Audit Committee Report No. AR19/70460 titled 'Reforming Local Government in South Australia' as presented on 20 January 2020 be noted. 			
			CARRIED
<p><i>26 Feb 2020 - 1:13 PM - Jeroen Zwijnenburg</i> Action completed by: Zwijnenburg, Jeroen Noted.</p>			



Outstanding/Finalised	Division: Committee: Officer:	Date From: 18/02/2020 Date To: 18/02/2020
Action Sheets Report		Printed: 12 March 2020 12:05 PM

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Serle, Nick Meddle, Andrew	Council Reports	Review of Caroline Landfill Gate and Waste Transfer Station Fees
RESOLUTION 2020/45			
Moved: Cr Max Bruins Seconded: Cr Sonya Meziniec			
<ol style="list-style-type: none"> 1. That Council Report No. AR20/8599 titled 'Review of Caroline Landfill Gate and Waste Transfer Station Fees' as presented on 18 February 2020 be noted. 2. That Council adopt recommended gate price for Caroline Landfill of \$190 as presented in this report effective from 1 March 2020 and authorise administration to: <ol style="list-style-type: none"> (a) Notify all known regular users of the facility; and (b) Update the fees and charges register. 			
CARRIED			
<p>12 Mar 2020 - 8:56 AM - Nick Serle Action completed by: Serle, Nick Users notified of new charge and fees and charges register updated</p>			

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Scheidt, Jo Zwijenburg, Jeroen	Council Reports	Review of Valuation and Rating System 2020/2021
RESOLUTION 2020/46			
Moved: Cr Sonya Meziniec Seconded: Cr Frank Morello			
<ol style="list-style-type: none"> 1. That Council Report No. AR20/1352 titled 'Review of Valuation and Rating System 2020/2021' as presented on 18 February 2020 be noted. 2. That the rating assumptions and directions referred to in this Report be used to prepare Council's draft Annual Business Plan and draft Budget for 2020/2021 for Council's future consideration. 			
CARRIED			
<p>25 Feb 2020 - 1:54 PM - Jo Scheidl Action completed by: Scheidl, Jo For noting only.</p>			



Outstanding/Finalised	Division: Committee: Officer:	Date From: 18/02/2020 Date To: 18/02/2020
Action Sheets Report		Printed: 12 March 2020 12:05 PM

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Meddle, Andrew Meddle, Andrew	Council Reports	Consultation Draft of the Strategic Plan 2020-2024
RESOLUTION 2020/47			
Moved: Cr Ben Hood			
Seconded: Cr Frank Morello			
<ol style="list-style-type: none"> 1. That Council Report No. AR20/8162 titled 'Consultation Draft of the Strategic Plan 2020-2024' as presented on 18 February 2020 be noted. 2. That Council endorse the draft Strategic 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 and to update the Mayoral Message if required in consultation with the Mayor; 4. That the Statement of Commitment to Aboriginal and Torres Strait Islander Communities be updated to be consistent with the Reconciliation Action Plan, by the CEO, in conjunction with the Mayor, subject to the endorsement of the Reconciliation Action Plan. 5. That Council note the Implementation Plan as being a live document and needing to be updated annually in tandem with the Annual Business Plan and Budget. 			
CARRIED			
<p>3 Mar 2020 - 9:56 AM - Andrew Meddle Action completed by: Meddle, Andrew Radio interviews undertaken and material available. Public sessions being arranged.</p>			



Outstanding/Finalised	Division: Committee: Officer:	Date From: 18/02/2020 Date To: 18/02/2020
Action Sheets Report		Printed: 12 March 2020 12:05 PM

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Davison, Georgina Cernovskis, Barbara	Council Reports	Bookmark Cafe - Interim Upgrade Works
RESOLUTION 2020/48			
Moved: Cr Ben Hood Seconded: Cr Max Bruins			
<ol style="list-style-type: none"> That Council Report No. AR20/3432 titled 'Bookmark Cafe - Interim Upgrade Works ' as presented on 18 February 2020 be noted. That Council undertake stage 1 immediate upgrade works in conjunction with the preferred operator for the Bookmark Café within existing budget allocation. Council refer further Bookmark Café upgrade works to 2020/21 budget deliberations, to be informed by discussion with the preferred operator and their Business Plan. 			
CARRIED			
<p>12 Mar 2020 - 12:04 PM - Fiona McGregor Revised Target Date changed by: Davison, Georgina From: 3 Mar 2020 To: 01 May 2020 Reason: In Progress</p>			

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Meddle, Andrew Meddle, Andrew	Council Reports	Elected Member Participation When Not Physically Present
RESOLUTION 2020/49			
Moved: Cr Ben Hood Seconded: Cr Christian Greco			
<ol style="list-style-type: none"> That Council Report No. AR20/3787 titled 'Elected Member Participation When Not Physically Present' as presented on 18 February 2020 be noted. Council staff prepare a report on current teleconferencing technologies to be presented at an informal gathering of Council. That Council develop a clear policy around teleconferencing. 			
Carried			
<p>3 Mar 2020 - 9:17 PM - Andrew Meddle Action completed by: Meddle, Andrew Contact made with other councils about whether they allow this, what technology they use and whether they have a policy.</p>			



Outstanding/Finalised	Division: Committee: Officer:	Date From: 18/02/2020 Date To: 18/02/2020
Action Sheets Report		Printed: 12 March 2020 12:05 PM

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	McCarthy, Michael Meddle, Andrew	Council Reports	Use of Cave Garden Flag Poles - Fringe 2020
RESOLUTION 2020/50			
Moved: Cr Sonya Mezinac			
Seconded: Cr Paul Jenner			
<ol style="list-style-type: none"> 1. That Council Report No. AR20/7275 titled 'Use of Cave Garden Flag Poles - Fringe 2020' as presented on 18 February 2020 be noted. 2. That Fringe Mount Gambier be granted approval to use the special occasion flag poles in the Cave Garden Courtyard as anchor points to hang fairy lights from Tuesday 17 March to Sunday 22 March 2020, subject to: <ol style="list-style-type: none"> (a) The poles facing Watson Terrace not being used for such purpose, to enable the Aboriginal and Torres Strait Island flags to continue to be flown daily during the period. (b) The consent of the Mount Gambier RSL being obtained for the use of the RSL pole. (c) Such conditions as the Chief Executive Officer (or delegate) consider appropriate to indemnify and release Council from any claim or loss arising from the use of the poles. 			
CARRIED			
21 Feb 2020 - 9:25 AM - Michael McCarthy Action completed by: McCarthy, Michael Applicant advised and referred to Events Team to incorporate in Event Permit			



Outstanding/Finalised	Division: Committee: Officer:	Date From: 18/02/2020 Date To: 18/02/2020
Action Sheets Report		Printed: 12 March 2020 12:05 PM

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Meddle, Andrew Meddle, Andrew	Council Reports	Council Executive Structure
<p>RESOLUTION 2020/51</p> <p>Moved: Cr Frank Morello Seconded: Cr Max Bruins</p> <p>1. That Council Report No. AR20/7640 titled 'Council Executive Structure' as presented on 18 February 2020 be noted.</p> <p style="text-align: right;">CARRIED</p> <p><i>20 Feb 2020 - 4:59 PM - Andrew Meddle</i> Action completed by: Meddle, Andrew Report was for noting and outcome has been shared via CEO monthly meetings with all staff.</p>			

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Meddle, Andrew Meddle, Andrew	Motions with Notice	Notice of Motion - Regional Cabinet
<p>RESOLUTION 2020/52</p> <p>Moved: Cr Paul Jenner Seconded: Cr Ben Hood</p> <p>1. That Council Report No. AR20/8673 titled 'Notice of Motion - Regional Cabinet' as presented on 18 February 2020 be noted.</p> <p>2. Council write to the Premier of South Australia, Hon. Steven Marshall, and invite the Cabinet to hold a Cabinet meeting in Mount Gambier during 2020, and as part of a regional Cabinet meeting arrange meetings with relevant Ministers on to be identified council and community issues; council host a formal function and networking opportunity for COMG, DCG, Cabinet, and community leaders.</p> <p>3. Council write to the Leader of the Opposition, Mr Peter Malinauskis MP, and invite the Shadow Cabinet to hold a Shadow Cabinet meeting in Mount Gambier during 2020, and as part of a regional Shadow Cabinet meeting arrange meetings with relevant Ministers on to be identified council and community issues; council host a formal function and networking opportunity for COMG, DCG, Cabinet, and community leaders.</p> <p>4. The District Council of Grant be invited to co-host any visit arranged as part of part 1 & 2 of the motion.</p> <p style="text-align: right;">CARRIED</p> <p><i>12 Mar 2020 - 9:05 AM - Andrew Meddle</i></p>			



Outstanding/Finalised	Division: Committee: Officer:	Date From: 18/02/2020 Date To: 18/02/2020
Action Sheets Report		Printed: 12 March 2020 12:05 PM

Action completed by: Meddle, Andrew
The Mayor has drafted letters as required by the motion.

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Meddle, Andrew Meddle, Andrew	Motions with Notice	Notice of Motion - Joint Council Function
RESOLUTION 2020/53			
Moved: Cr Paul Jenner			
Seconded: Cr Christian Greco			
<ol style="list-style-type: none"> 1. That Council Report No. AR20/8676 titled 'Notice of Motion - Joint Council Function' as presented on 18 February 2020 be noted. 2. Council invites the Elected Members, CEO and Senior Officers of the District Council of Grant to an informal networking opportunity (eg a BBQ or casual dinner) to provide Councillors to meet their fellow Councillors from our neighbouring council. 3. The above be scheduled before the end of April 2020. 4. Costs of this important networking function be covered by the City of Mount Gambier. 			
			CARRIED
3 Mar 2020 - 8:38 PM - Andrew Meddle			
Action completed by: Meddle, Andrew			
Meeting with District Council of Grant held and arrangements discussed.			

Meeting	Officer/Director	Section	Subject
Council 18/02/2020	Meddle, Andrew Meddle, Andrew	Motion	Motion
RESOLUTION 2020/54			
Moved: Cr Paul Jenner			
Seconded: Cr Christian Greco			
That the City of Mount Gambier invite representatives of the Mount Gambier Hay Run to an informal gathering along with representatives of the District Council of Grant to seek more information on how the two Councils may be able to assist.			
			CARRIED
4 Mar 2020 - 5:02 PM - Andrew Meddle			
Action completed by: Meddle, Andrew			
The CEO spoke with Scott Simpson on 04/03/2020, who confirmed that, at this time, the Hay Run organisers do not wish to present to Council.			



15 ECONOMIC AND ENVIRONMENT COMMITTEE MINUTES AND RECOMMENDATIONS

15.1 MINUTES OF THE ECONOMIC AND ENVIRONMENT COMMITTEE HELD ON 2 MARCH 2020 - [Go to Attachment](#)

RECOMMENDATION

That the Minutes of the Economic and Environment Committee meeting held on 2 March 2020 as attached be noted.

15.2 [Deputation - Limestone Coast Prostate Cancer Support Group](#) – Report No. AR20/12751

RECOMMENDATION

1. That Economic and Environment Committee Report No. AR20/12751 titled 'Deputation - Limestone Coast Prostate Cancer Support Group' as presented on 02 March 2020 be noted.

15.3 [Public open space service levels](#) – Report No. AR20/10721

RECOMMENDATION

1. That Economic and Environment Committee Report No. AR20/10721 titled 'Public open space service levels' as presented on 02 March 2020 be noted.
2. Council supports the improvement measures contained in report AR20/10721.
3. That a report on the 2020/2021 peak weed season be brought back to Council in March 2021, updating Council on the impact of the proposed improvements.

15.4 [Council Assessment Panel Fees and Recruitment Update](#) – Report No. AR20/10875

RECOMMENDATION

1. That Economic and Environment Committee Report No. AR20/10875 titled 'Council Assessment Panel Fees and Recruitment Update' as presented on 02 March 2020 be noted.



15.5 [Joint Planning Board for the Limestone Coast Region](#) – Report No. AR20/10881

RECOMMENDATION

1. That Economic and Environment Committee Report No. AR20/10881 titled 'Joint Planning Board for the Limestone Coast Region' as presented on 02 March 2020 be noted.
2. That Council endorses the draft Joint Planning Board Agreement (at attachment 1) and agrees that the Mayor and Chief Executive Officer execute the agreement on behalf of the City of Mount Gambier.
3. That the Mayor be the City of Mount Gambier representative on the Joint Planning Board, with the Deputy Mayor appointed as a proxy.

15.6 [Inquiry into Local Government Costs and Efficiency](#) – Report No. AR20/11623

RECOMMENDATION

1. That Economic and Environment Committee Report No. AR20/11623 titled 'Inquiry into Local Government Costs and Efficiency' as presented on 02 March 2020 be noted.

15.7 [Information Leaflet - Variable Message Display Units to be used as a temporary advertising display](#) – Report No. AR20/12496

RECOMMENDATION

1. That Economic and Environment Committee Report No. AR20/12496 titled 'Information Leaflet - Variable Message Display Units to be used as a temporary advertising display' as presented on 02 March 2020 be noted.
2. The draft wording and plan for the information leaflet identifying where the Variable Message Display Units and that this will be subject to graphic design prior to publication be noted.



16 PEOPLE AND PLACE COMMITTEE MINUTES AND RECOMMENDATIONS

Nil



17 REGIONAL SPORT AND RECREATION CENTRE COMMITTEE MINUTES AND RECOMMENDATIONS

17.1 MINUTES OF THE REGIONAL SPORT AND RECREATION CENTRE COMMITTEE HELD ON 10 MARCH 2020 - [Go to Attachment](#)

RECOMMENDATION

That the Minutes of the Regional Sport and Recreation Centre Committee meeting held on 10 March 2020 as attached be noted.

17.2 [Community and Recreation Hub Development Application Update](#) – Report No. AR20/14297

RECOMMENDATION

1. That Regional Sport and Recreation Centre Committee Report No. AR20/14297 titled 'Community and Recreation Hub Development Application Update' as presented on 10 March 2020 be noted.

17.3 [Community and Recreation Hub Procurement Process](#) – Report No. AR20/14298

RECOMMENDATION

1. That Regional Sport and Recreation Centre Committee Report No. AR20/14298 titled 'Community and Recreation Hub Procurement Process' as presented on 10 March 2020 be noted.

17.4 [Community and Recreation Hub - Tenancies Update](#) – Report No. AR20/14510

RECOMMENDATION

1. That Regional Sport and Recreation Centre Committee Report No. AR20/14510 titled 'Community and Recreation Hub - Tenancies Update' as presented on 10 March 2020 be noted.
2. Further advice will be provided to Council at the conclusion of the capital works component of the endorsed arrangements.



18 COUNCIL ASSESSMENT PANEL MINUTES

18.1 MINUTES OF THE COUNCIL ASSESSMENT PANEL HELD ON 20 FEBRUARY 2020

RECOMMENDATION

That the Minutes of the Council Assessment Panel meeting held on 20 February 2020 as previously circulated be noted.



19 JUNIOR SPORTS ASSISTANCE (SECTION 41) COMMITTEE MINUTES AND RECOMMENDATIONS

19.1 [MINUTES OF THE JUNIOR SPORTS ASSISTANCE FUND HELD ON 11 MARCH 2020 - Go to Attachment](#)

RECOMMENDATION

That the Minutes of the Junior Sports Assistance Fund meeting held on 11 March 2020 as attached be noted.

19.2 [Correspondence Received](#) – Report No. AR19/66243

RECOMMENDATION

1. That Junior Sports Assistance Fund Report No. AR19/66243 titled 'Correspondence Received' as presented on 11 March 2020 be noted.

19.3 [Committee Appointments](#) – Report No. AR19/64728

RECOMMENDATION

1. That Junior Sports Assistance Fund Report No. AR19/64728 titled 'Committee Appointments' as presented on 11 March 2020 be noted.

19.4 [Statement of Revenue and Expenses - 1/10/2019 - 29/02/2020](#) – Report No. AR20/15047

RECOMMENDATION

1. That Junior Sports Assistance Fund Report No. AR20/15047 titled 'Statement of Revenue and Expenses - 1/10/2019 - 29/02/2020' as presented on 11 March 2020 be noted.
2. The financial statement of the Fund as 29 February 2020 be received, noting a cash balance of \$108,023.



19.5 [Applications for Financial Assistance for Juniors and Payments from the Fund from 01/09/2019 to 29/02/2020](#) – **Report No. AR20/15392**

RECOMMENDATION

1. That Junior Sports Assistance Fund Report No. AR20/15392 titled 'Applications for Financial Assistance for Juniors and Payments from the Fund from 01/09/2019 to 29/02/2020' as presented on 11 March 2020 be noted.

19.6 [Rotary Club of Mount Gambier Lakes - Donation to Financially Disadvantaged Junior Sportspersons](#) – **Report No. AR19/66198**

RECOMMENDATION

1. That Junior Sports Assistance Fund Report No. AR19/66198 titled 'Rotary Club of Mount Gambier Lakes - Donation to Financially Disadvantaged Junior Sportspersons' as presented on 11 March 2020 be noted.
2. The following applications/funding be made available to the Member Organisation named below to assist the identified junior(s) to achieve their fullest participation with the specific purpose donation from the Rotary Club of Mount Gambier Lakes - Donations to Financially Disadvantaged Junior Sportspersons initiative (funded from some of the proceeds from the 2018 Blue Lake Fun Run) and to be used strictly in accordance with their respective confidential application:
 - (i) Basketball Mount Gambier - \$900



20 AUDIT COMMITTEE MINUTES AND RECOMMENDATIONS

Nil



21 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MINUTES AND RECOMMENDATIONS

21.1 MINUTES OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE HELD ON 3 MARCH 2020 - [Go to Attachment](#)

RECOMMENDATION

That the Minutes of the Chief Executive Officer Performance Review Committee meeting held on 3 March 2020 as attached be noted.

21.2 [Chief Executive Officer Performance Review Committee Terms of Reference](#) – Report No. AR20/9108

RECOMMENDATION

1. That Chief Executive Officer Performance Review Committee Report No. AR20/9108 titled 'Chief Executive Officer Performance Review Committee Terms of Reference' as presented on 03 March 2020 be noted.
2. That the Chief Executive Officer Performance Review Committee endorse the Terms of Reference.



22 BUILDING FIRE SAFETY COMMITTEE MINUTES

Nil



23 COUNCIL REPORTS

23.1 BUDGET REVIEW QUARTER 2 FY2019-20 – REPORT NO. AR20/9615

Committee:	Council
Meeting Date:	17 March 2020
Report No.:	AR20/9615
CM9 Reference:	AF19/416
Author:	Jeroen Zwijnenburg, Manager Finance and Customer Service
Authoriser:	Andrew Meddle, Chief Executive Officer
Summary:	This report provides revisions resulting from the Quarter 2 Budget Review (BR2) for consideration by the Council
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 Council Report No. AR20/9615 titled 'Budget Review Quarter 2 FY2019-20' as presented on 17 March 2020 be noted.
2. That the YTD Quarter 2 Budget Review revisions be adopted for the FY2019/20 financial year, reflecting:
 - a \$264,000 forecast operating deficit (BR1: \$48,000), representing a \$103,000 improvement from the original budget operating deficit of \$367,000 (this is taking into account the \$125,000 operating carry over);
 - a \$156,000 forecast net deficit (BR1: \$157,000 net surplus), representing a \$313,000 decrease from the original budget net surplus of \$157,000;
 - A \$1,495,000 impairment expense within Other Comprehensive expenses related to the Aquatic Centre and Olympic Park assets which will be impaired with their closure and removal with the build of the CaRH;
 - A \$11,746,000 forecast capital expenditure, representing a \$1,219,000 change from the original budget capital expenditure of \$12,695,000, including a Budget revision carry over to 2020/21 of \$1,655,000;

with all the above original budget amounts including taking into account a \$125,000 operating carry over and a \$2,201,000 capital carry over per the Economic and Environment Committee 2 September 2019 resolution Work in Progress budget carry overs from 2018/19 – Report No. AR19/41788.



BACKGROUND

In accordance with the *Local Government (Financial Management) Regulations 2011*, Regulation 9 requires Council to prepare and consider the following reports relating to the review of budgets:

- “9.1(a) *At least twice, between 30 September and 31 May (both dates inclusive) in the relevant financial year (where at least 1 report must be considered before the consideration of the report under sub regulation (1)(b), and at least 1 report must be considered after consideration of the report under sub regulation (1)(b)) - a report showing a revised forecast of its operating and capital investment activities for the relevant financial year compared with the estimates for those activities set out in the budget presented in a manner consistent with the note in the Model Financial Statements entitled Uniform Presentation of Finances;*
- 9.1(b) *Between 30 November and 15 March (both dates inclusive) in the relevant financial year – a report showing a revised forecast of each item shown in its budgeted financial statements for the relevant financial year compared with estimates set out in the budget presented in a manner consistent with the Model Financial Statements.*
- 9.2 *A council must also include in a report under sub regulation (1)(b) revised forecasts for the relevant financial year of the council's operating surplus ratio, net financial liabilities ratio and asset sustainability ratio compared with estimates set out in the budget presented in a manner consistent with the note in the Model Financial Statements entitled Financial Indicators.”*

Council has scheduled to undertake and present the budget reviews as follows:

Budget Review	Inclusive Dates	Council Meeting in
Quarter One (BR1)	1 July to 30 September	November 2019
Quarter Two (BR2)	1 July to 31 December	March 2020
Quarter Three (BR3)	1 July to 31 March	May 2020

Section 123 7(a)(b) of the Local Government Act 1999 (the ‘Act’) states that each budget of council must:

- “7(a) *Be considered in conjunction with the council's annual business plan (and must be consistent with that plan, as adopted); and*
- 7(b) *Be adopted by the council after the council has adopted its annual business plan.”*



Table 1: Operational expenditure Budget estimate revisions since adoption of the original 2019/20 Budget – impact on Profit & Loss Statement.			
Item	CoMG ref	Adjustment to Estimates - Description	P&L impact
1	BR1-02	Boundary Roads funding	(60,000)
2	BR1-06*	Solid Waste Levy	(9,000)
3	BR1-08	Regional Recycling Transport Relief fund	(78,120)
4	BR1-09	Software budget update	(502,013)
5	BR1-10	Civica capex project adjustment	(10,290)
6	BR1-11*	Blue Lake Golf Club operational grant	75,000
7	BR1-13	Street sweeping DPTI funding	(9,000)
8	BR1-14*	Funding for economic development strategies	(50,000)
9	BR1-15	Property lease/rental/hire fees	(86,143)
10	BR1-16	Asset value reduction related to the sale of renewed assets	349,000
11	BR1-17	Salaries allocation between employee and operating costs	(155,000)
12	BR1-19	All other BU manager changes BR1	85,754
13	BR2-01*	Caroline Landfill fees	243,400
14	BR2-02*	300 Mature trees planting program	30,000
15	BR2-03*	Girl Guides - Hastings Cunningham Reserve Shed	37,000
16	BR2-04*	Royal Flying Doctors Shed	15,000
17	BR2-05*	Red Bull Event support	18,000
18	BR2-06	SAPN Australian Energy Regulator	(186,449)
19	BR2-07	WHS Best Practice Awards	(5,000)
20	BR2-08	Additional training requirements	25,000
21	BR2-09	Authority upgrade related Payables review outcomes	(5,000)
22	BR2-10*	Mt Gambier out of School Hours Care (MGOSHC) - playground	(150,000)
23	BR2-11*	Bell tower MG Anglican Church	8,000
24	BR2-12*	Additional Valley Lake Conservation Area contribution	10,000
25	BR2-13*	WINTV right of way	(8,500)
26	BR2-18	LGFA Bonus Interest + Interest revenue reduction	(19,210)
27	BR2-19	Change in Site Valuation (old Target) impact \$56.6k.	56,663
28	BR2-21*	CaRH Tenancy - Open Door Baptist	1,500
29	BR2-25*	Christmas Decorations	25,000
30	BR2-26	Kerbside Recycling	4,000
31	BR2-27	RDO Toil over-accrual	(5,000)
32	BR2-30	IT server and network infrastructure review	15,000
33	BR2-32*	Impairment of Aquatic Centre (Other Comprehensive income)	1,495,000
34	BR2-33*	Sport and Recreation Major Capital Works Program 2019/20	30,000
35	BR2-34*	Pioneers Basketball Club support for Basketball Victoria NBL1 competition	25,000
36	BR2-35*	Sale of 25 Alexander Street - disposal of land	146,000
Total		Budget Review Q2 YTD overall impact P&L	1,807,404
(*) Council previously approved BR measures			



Table 2: Operational expenditure Budget estimate revisions since adoption of the original 2019/20 Budget – impact on Balance Sheet.			
Item	CoMG ref	Adjustment to Estimates - Description	BS impact
1	BR1-10	Civica capex project adjustment	(19,710)
2	BR1-14*	Funding for economic development strategies	50,000
3	BR1-20	Information Technology capex updates	(35,290)
4	BR2-10*	Mt Gambier Out of School Hours Care (MGOSHC) - playground	150,000
5	BR2-14*	Memorial seat Archery Park	1,800
6	BR2-15*	Wrapping of fleet vehicles	4,600
7	BR2-20*	CaRH Tenancy - Scouts Container	4,000
8	BR2-21*	CaRH Tenancy - Open Door Baptist	5,000
9	BR2-22*	CONFIDENTIAL – Senior Citizens	52,000
10	BR2-25*	Christmas Decorations	(25,000)
11	BR2-36*	Pump Track Construction	248,400
12	BR2-37	Capex Rollover from 2019/20 to 2020/21	(1,654,960)
Total		Budget Review Q2 YTD overall impact BS	(1,219,160)
(*) Council previously approved BR measures			



DISCUSSION

The above two tables include estimates as part of the year to date 2019/20 Budget Review Two, since adoption of the original 2019/20 Budget, including the financial implications of any Council resolved changes since the original adoption of the budget and including items per the 2019/20 Budget Review One.

The attached Proforma Statement of Comprehensive Income, Proforma Statement of Financial Position, Proforma Statement of Changes in Equity and Proforma Statement of Cash Flows provide a comparison to the adopted Annual Business Plan and Budget 2019/20, the Budget Revision One and December 2019 YTD actuals.

The following is noted for information:

FY2019/20 original budget

The original adopted 2019/20 Annual Business Plan and Budget included:

- A net surplus of \$282,000 and an operating deficit of \$242,000
- Net capital expenditure (Capex) \$10,494,000

Subsequently, the Work in Progress budget carryovers from 2018/19 carried forward from the 2018/19 financial year the following amounts:

- \$125,000 operating expenditure (Opex – impacting net surplus and operating deficit)
- \$2,201,000 capital expenditure (Capex)

The adjusted original budget therefore resulted in:

- A net surplus of \$157,000 and an operating deficit of \$367,000
- Net capital expenditure (Capex) \$12,695,000



YTD BR2 Operating & Comprehensive income

The year to date 2019/20 Quarter 2 Budget Review has resulted in a \$103,000 improvement to the operating net deficit forecasted position, from a deficit of \$367,000 to a deficit of \$264,000.

The major Quarter 2 Budget Revisions year to date show below the operating surplus / (deficit) lines, and are related to assets, namely:

- A \$313,000 decrease in the net deficit position, bringing the budgeted net surplus of \$157,000 to a revised estimate of a budgeted net deficit of \$156,000.
- A total comprehensive income movement from \$157,000 to a deficit of \$1,651,000.

The primary reason for this decrease in the net profit / (deficit) was included in Budget Review 1. This \$349,000 amount relates to the inclusion of the asset value of the assets to be replaced for which proceeds of \$349,000 were included for in the original budget.

The secondary reason for the decrease in the net profit / (deficit) is the sale of 25 Alexander Street for \$1 while the assets was valued at \$146,000 in Council's asset register.

All this transpires under the line 'asset disposal & fair value adjustments' on the Proforma Statement of Comprehensive Income.

Total comprehensive income is impacted by a further \$1,495,000 impairment expense within Other Comprehensive expenses related to the Aquatic Centre and Olympic Park assets, which will be impaired with their closure and removal with the build of the CaRH, based on a current estimate of their remaining values at the end of this financial year.

YTD BR2 Capital expenditure

The Quarter 2 Budget Review also includes the acknowledgement that every year Council carries over budgeted capital expenditure to the following year, as many projects, which have been approved by Council as part of the budget process, are not completed at 30 June 2020, but will continue into the following year. In anticipating these carry overs as part of the Budget Review process as well as the Budget process Council will be able to better forecast its cash flow. This aspect of financial forecasting is becoming of more relevance with Council expected to move into increased need to borrow funds to finance its operating and capital expense commitments with the build of the CaRH into the coming years.

The currently Budget Revision carry over capital expenditure into FY2020/21 amounts to \$1,655,000 (which compares to an actual carry over from FY2018/19 into FY 2019/20 of \$2,201,000).

The BR2 capital expenditure budget for 2019/20 amounts to \$11,746,000. This represents the original budget amount of \$12,695,000, an additional \$436,000 in capital expenditure items and a reduction due to carry over of capital expenditure of \$1,655,000. The addition capital expenditure for the year (per Table 2) includes the Pump Track (\$248,400) and the Mount Gambier Out of School Hours Care (MGOSHC) playground (\$150,000).

CONCLUSION

The Quarter 2 Budget Review forecasts:

- A operating deficit position of \$264,000, an improvement of \$103,000 from the budgeted position of \$367,000 due to a variety of small changes in the operating expenses;
- A net deficit for the financial year of \$156,000. This decrease of \$313,000 compared to the original budget adopted by Council on 27 June 2019 is primarily due to the sale of 25 Alexander Street and the inclusion of the asset value reduction due to sale of assets omitted in the original budget.
- Changes to capital assets from a profit of \$157,000 to a loss of \$1,651,000, primarily due to the Aquatic Centre and Olympic Park revaluation, the sale of 25 Alexander Street and the inclusion of the asset value reduction due to sale of assets omitted in the original budget.



ATTACHMENTS

1. Proforma Financial Statements BR2 FY2020 [↓](#)



City of Mount Gambier

Proforma Statement of Comprehensive Income
BR2 FY2020, BR1 FY2020, Budget FY2020 and Actual FY2019

		FY BR2 2020 \$'000	FY BR3 2020 \$'000	FY BR2 2020 \$'000	FY BR1 2020 \$'000	FY Budget \$'000	2019 Actual \$'000
INCOME							
Rates	2	22,157	22,433	22,433	22,433	22,435	21,433
Statutory charges	2	402	439	439	439	402	426
User charges	2	5,307	5,511	5,511	5,511	5,269	5,021
Grants, subsidies and contributions	2	4,181	4,102	4,102	4,102	3,909	4,435
Investment income	2	113	64	64	64	48	86
Reimbursements	2	105	109	109	109	101	19
Other income	2	463	251	251	251	249	417
Total Income		32,727	32,910	32,910	32,910	32,414	31,837
EXPENSES							
Employee costs	3	12,231	12,494	12,494	12,494	12,589	11,800
Materials, contracts & other expenses	3	12,915	12,853	12,853	12,853	12,709	11,972
Depreciation, amortisation & impairment	3	7,655	7,447	7,447	7,447	7,331	7,424
Finance costs	3	191	164	164	164	152	203
Total Expenses		32,991	32,959	32,959	32,959	32,781	31,399
OPERATING SURPLUS / (DEFICIT)		(264)	(48)	(48)	(48)	(367)	437
Asset disposal & fair value adjustments	4	(115)	-	-	-	349	(595)
Amounts received for new or upgraded assets	2	223	205	205	205	175	105
Physical resources received free of charge	2	-	-	-	-	-	159
NET SURPLUS / (DEFICIT)		(156)	157	157	157	157	107
transferred to Equity Statement							
Other Comprehensive Income							
<i>Amounts which will not be reclassified subsequently to operating result</i>							
Changes in revaluation surplus - infrastructure, property, plant & equipment							56
Impairment (expense) / recoupments offset to asset revaluation reserve		(1,495)	-	-	-	-	-
Total Other Comprehensive Income		(1,495)	-	-	-	-	56
TOTAL COMPREHENSIVE INCOME		(1,651)	157	157	157	157	163



City of Mount Gambier
Proforma Statement of Financial Position
BR2 FY2020, BR1 FY2020, Budget FY2020 and Actual FY2019

		FY BR2 2020	FY BR1	FY Budget	2019 Actual
	Notes	\$'000	2020 \$'000	2020 \$'000	\$'000
ASSETS					
Current assets					
Cash and cash equivalents	5	1,343	3,132	431	6,069.451
Trade & other receivables	5	1,861	1,861	1,524	1,848.581
Inventories	5	816	816	304	815.587
0.307952505		4,020	5,809	2,259	8,733.618
Non-current assets					
Financial assets	6	(0)	18	-	17.686
Infrastructure, property, plant & equipment	7	247,915	247,915	252,201	244,752.176
Total non-current assets		247,915	247,933	252,201	244,769.861
Total assets		251,935	253,742	254,460	253,503.479
LIABILITIES					
Current liabilities					
Trade & other payables	8	3,065	3,065	2,609	3,016.473
Borrowings	8	206	206	206	194.581
Provisions	8	2,407	2,407	2,332	2,338.396
Total current liabilities		5,678	5,678	5,147	5,549.451
Non-current liabilities					
Borrowings	8	2,171	2,171	2,170	2,377.285
Provisions	8	3,809	3,809	3,768	3,649.369
Total non-current Liabilities		5,980	5,980	5,938	6,026.654
Total liabilities		11,658	11,658	11,085	11,576.104
NET ASSETS		240,277	242,084	243,375	241,927.375
EQUITY					
Accumulated surplus		65,454	65,766	65,908	65,609.259
Asset revaluation reserves	9	173,963	175,458	176,619	175,457.938
Other reserves	9	860	860	848	860.179
TOTAL EQUITY		240,277	242,084	243,375	241,927.375

This Statement is to be read in conjunction with the attached notes.



City of Mount Gambier

Proforma Statement of Changes in Equity Budget Review 2 FY2020 and Actual FY2019

	Accumulated surplus	Asset revaluation reserve	Other reserves	Total equity
2020	\$'000	\$'000	\$'000	\$'000
Balance at end of previous reporting period	65,609	175,458	860	241,928
Restated opening balance	65,609	175,458	860	241,928
Net surplus / (deficit) for the year	- 156	-	-	- 156
Other Comprehensive Income				
Transfers between reserves	-	-	-	-
Balance at end of period	65,454	173,963	860	240,278
2019	\$'000	\$'000	\$'000	\$'000
Balance at end of previous reporting period	65,515	175,402	847	241,764
Other Comprehensive Income				
Gain on revaluation of infrastructure, property, plant & equipment	-	56	-	56
Transfers between reserves	- 13	0	13	0
Balance at end of period	65,609	175,458	860	241,927



City of Mount Gambier

Proforma Statement of Cash Flows

BR2 FY2020, BR1 FY2020, Budget FY2020 and Actual FY2019

	Notes	FY BR2 2020 \$'000	FY BR1 2020 \$'000	FY Budget 2020 \$'000	2019 Actual \$'000
CASH FLOWS FROM OPERATING ACTIVITIES					
<u>Receipts</u>					
Rates - general & other		21,194	21,278	21,280	21,388
Fees & other charges		402	439	402	426
User charges		5,294	5,480	5,238	5,459
Investment receipts		113	64	-	86
Grants utilised for operating purposes		4,181	4,102	3,909	4,435
Reimbursements		105	109	101	21
Other revenues		463	251	187	446
<u>Payments</u>					
Employee costs		(12,114)	(12,344)	(13,013)	(11,629)
Materials, contracts & other expenses		(12,003)	(11,781)	(10,665)	(12,981)
Finance payments		(152)	(152)	(152)	(161)
Net cash provided by (or used in) Operating Activities		7,484	7,447	7,287	7,490
CASH FLOWS FROM INVESTING ACTIVITIES					
<u>Receipts</u>					
Amounts received for new or upgraded assets		223	205	175	105
Sale of replaced assets		(116)	-	349	359
Sale of surplus assets		-	-	-	-
Repayments of loans by community groups		-	-	18	17
<u>Payments</u>					
Expenditure on renewal/replacement of assets		(9,635)	(7,790)	(7,493)	(4,006)
Expenditure on new/upgraded assets		(2,488)	(2,604)	(2,953)	(2,265)
Net cash provided by (or used in) Investing Activities		(12,016)	(10,189)	(9,904)	(5,790)
CASH FLOWS FROM FINANCING ACTIVITIES					
<u>Payments</u>					
Repayments of borrowings		(195)	(195)	(195)	(218)
Net cash provided by (or used in) Financing Activities		(195)	(195)	(195)	(218)
Net increase / (decrease) in cash held		(4,726)	(2,937)	(2,812)	1,482
Cash & cash equivalents at beginning of period	10	6,069	6,069	3,243	4,587
Cash & cash equivalents at end of period	10	1,343	3,132	431	6,069



City of Mount Gambier

Proforma Notes BR2 FY2020, BR1 FY2020, Budget FY2020 and Actual FY2019

These financial indicators have been calculated in accordance with *Information Paper 9 - Local Government Financial Indicators* prepared as part of the LGA Financial Sustainability Program for the Local Government Association of South Australia. Detailed methods of calculation are set out in the SA Model Statements.

	FY BR2 2020	FY BR1 2020	FY Budget 2020	2019 Actual
Operating surplus ratio				
<u>Operating surplus</u>				
Total operating revenue	(0.8%)	(0.1%)	(1.1%)	1.4%

This ratio expresses the operating surplus as a percentage of total operating revenue.

Net financial liabilities ratio

<u>Net financial liabilities</u>				
Total operating revenue	36%	35%	34%	11%

Net financial liabilities are defined as total liabilities less financial assets. These are expressed as a percentage of total operating revenue.

Adjustments to ratios

In recent years the Federal Government has made advance payments prior to 30th June from future year allocations of financial assistance grants, as explained in Note 1. The adjusted operating surplus ratio adjusts for the resulting distortion in the disclosed operating result for each year.

Adjusted operating surplus ratio	(1.2%)	(0.1%)	(1.5%)	(0.7%)
Adjusted financial liabilities ratio	35%	35%	34%	10%
Asset renewal funding ratio				
<u>Net asset renewals</u>				
Asset Management Plan required expenditure	132%	107%	103%	68%

Net asset renewals expenditure is defined as net capital expenditure on the renewal and replacement of existing assets, and excludes new capital expenditure on the acquisition of additional assets.



City of Mount Gambier

Proforma Notes BR2 FY2020, BR1 FY2020, Budget FY2020 and Actual FY2019

Note 14 - Uniform presentation of finances

The following is a high level summary of both operating and capital investment activities of the Council prepared on a simplified Uniform Presentation Framework basis.

All Councils in South Australia have agreed to summarise annual budgets and long-term financial plans on the same basis.

The arrangements ensure that all Councils provide a common 'core' of financial information, which enables meaningful comparisons of each Council's finances.

	FY BR2 2020 \$'000	FY BR1 2020 \$'000	FY Budget 2020 \$'000	2019 Actual \$'000
Income	32,727	32,910	32,362	31,836
Expenses	32,991	32,959	32,604	(31,399)
Operating surplus / (deficit)	<u>(264)</u>	<u>(48)</u>	<u>(242)</u>	<u>437</u>
Net outlays on existing assets				
Capital expenditure on renewal and replacement of existing assets	9,635	7,790	7,493	5,346
Depreciation, amortisation and impairment	(7,655)	(7,447)	(7,331)	(7,424)
Proceeds from sale of replaced assets	116	-	(349)	(359)
	<u>2,096</u>	<u>343</u>	<u>(187)</u>	<u>(2,437)</u>
Net outlays on new and upgraded assets				
Capital expenditure on new and upgraded assets <i>(including investment property & real estate developments)</i>	2,488	2,604	2,953	566
Amounts received specifically for new and upgraded assets	(223)	(205)	(175)	(105)
Proceeds from sale of surplus assets <i>(including investment property and real estate developments and non-current assets held for resale)</i>	-	-	-	359
	<u>2,265</u>	<u>2,399</u>	<u>2,778</u>	<u>820</u>
Net lending / (borrowing) for financial year	<u>(4,625)</u>	<u>(2,790)</u>	<u>(2,833)</u>	<u>2,054</u>



23.2 PUBLIC TRANSPORT TRIALS – REPORT NO. AR20/12896

Committee:	Council
Meeting Date:	17 March 2020
Report No.:	AR20/12896
CM9 Reference:	AF19/416
Author:	Andrew Meddle, Chief Executive Officer
Authoriser:	Andrew Meddle, Chief Executive Officer
Summary:	A report providing a brief update as the Question Without Notice on this matter.
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 Council Report No. AR20/12896 titled 'Public Transport Trials' as presented on 17 March 2020 be noted.
2. That a further report be brought before Council, once the relevant information has been provided from the State Government.



BACKGROUND

The following Question Without Notice was asked at the February Council meeting:

“Can the administration gather more information about this Bus Service trial with a view to exploring if there are opportunities for a similar service to be developed and implemented here in our City?”

As a result of this question, the Chief Executive Officer wrote to the relevant Minister (please see **Attachment 1**). At the time of write no response has been received. When a substantive response is received, a report will be brought back to Council.

The intent of this report will be to bring together the current work being undertaken in the public transport space, including:

- Strategic Plan 2020-2024;
- Public transport contract renewal discussions with DPTI;
- Council’s own public transport work; and
- Limestone Coast Leadership Program Action Learning Report.

Elected Members can find out more regarding the trial at:

<https://adelaidemetro.com.au/Timetables-Maps/Special-Services/On-Demand-Bus-Services>

<https://sa.keoride.com.au/>

CONCLUSION

That Council note this brief report, with the intent to bring back further information when it is provided.

ATTACHMENTS

1. Letter from CEO to Hon Stephan Knoll [↓](#)





Civic Centre, 10 Watson Terrace
Mount Gambier SA 5290

PO Box 56
Mount Gambier SA 5290

Telephone 08 87212555
Facsimile 08 87249791
city@mountgambier.sa.gov.au

mountgambier.sa.gov.au

Reference: AF18/153
Enquiries to: Mr Andrew Meddle

26th February 2020

Hon. Stephan Knoll MP
Minister for Transport, Infrastructure and Local Government
BY EMAIL TO: ministerknoll@sa.gov.au

Dear Minister Knoll

ON DEMAND BUS SERVICE TRIALS

At a recent Council meeting, the following question without notice was asked:

"Can Council administration gather further information about this On-Demand Bus Service being trialed in Mount Barker and the Barossa Valley and provide a report to Council to enable elected members explore potential opportunities for a similar public transport service to be developed and implemented here in our City?"

Having reviewed the information available on the Keoride website and your press release, I am seeking more detailed information to enable me to craft a Council report. As such, I would be grateful if you would share any detailed information that you are able relating to this trial, which will enable the Council Administration to answer this question, including the costs, future evaluation of the trials and how this Council may participate in any future trials.

If you have any questions arising from this letter, please contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read "A Meddle".

Andrew MEDDLE
CHIEF EXECUTIVE OFFICER



23.3 RENEWABLE ENERGY PROVISION AT ADELAIDE CITY COUNCIL – REPORT NO. AR20/12897

Committee: Council
Meeting Date: 17 March 2020
Report No.: AR20/12897
CM9 Reference: AF19/416
Author: Andrew Meddle, Chief Executive Officer
Authoriser: Andrew Meddle, Chief Executive Officer
Summary: A report providing a brief update as the Question Without Notice on this matter.
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 Council Report No. AR20/12897 titled 'Renewable Energy Provision at Adelaide City Council' as presented on 17 March 2020 be noted.
2. That a further report be brought before Council, once the relevant information has been provided from Adelaide City Council.



BACKGROUND

The following Question Without Notice was asked at the February Council meeting:

“Can the City of Mount Gambier gather detailed information about this plan, costs, arrangements etc. so that Council can examine whether such a plan may have benefits for Council operations and our community as part of our strategic plan implementation?”

As a result of this question, the Chief Executive Officer contacted Adelaide City Council for further information. The response received can be found as **Attachment 1**. At the time of write no detailed response has been received. When a substantive response is received, a report will be brought back to Council.

What is clear from the limited amount of information provided, is that this a project of the scope and scale of a capital city municipality, which required significant investment. The lessons learned may have limited transferability, but this will be debated in a future report.

CONCLUSION

That Council note this brief report, with the intent to bring back further information when it is provided.

ATTACHMENTS

1. City of Adelaide 100% Renewable Electricity Contract Media Release [↓](#)





MEDIA RELEASE

5 February 2020



CITY OF ADELAIDE LEADS THE WAY WITH 100 PER CENT RENEWABLE ELECTRICITY CONTRACT

In a first for a South Australian council, the City of Adelaide's operations will be powered by 100 per cent renewable electricity as part of a power purchase deal from 1 July 2020.

The City of Adelaide is partnering with Flow Power to meet its electricity needs from a mix of wind and solar power. This city leading project is a long-term commitment that will support South Australia's energy transition and foster the growth of new renewable energy generation and jobs growth in our State.

Lord Mayor of Adelaide, Sandy Verschoor, said that procuring 100 per cent renewable electricity was part of the City of Adelaide's commitment to becoming a carbon neutral council and will reduce its emissions by approximately 50 per cent.

"The City of Adelaide is taking climate change seriously and this partnership demonstrates that we are taking real and meaningful action on climate change. We are leading the way in the transition to cost effective, clean and reliable energy," said the Lord Mayor.

"From the 1 July 2020, if it's run by the City of Adelaide, it's being powered by renewable electricity – the agreement is a first for any council in South Australia.

"This means that all our corporate and community buildings, council event infrastructure, electric vehicle chargers, barbecues in the Park Lands, water pumps, street lighting and traffic lights – everything that council operates - will be powered by renewable electricity.

"The electricity to be provided by renewable generation each year is equivalent to powering over 3,800 homes. The switch will reduce emissions by over 11,000 tonnes or the equivalent of taking 3,500 cars off the road. Electricity cost savings are anticipated to be in the order of 20 per cent compared to the City of Adelaide's most recent contract.

"This partnership will not only save our rate payers money; it helps cement Adelaide's international clean and green reputation."

The electricity in the contract will be delivered from Clements Gap wind farm in mid-north South Australia and new solar farms on the Eyre Peninsula and in the South East. The Streaky Bay and Coonalpyn Solar Farms, which Flow Power has acquired from Tetris Energy, are expected to help generate local employment opportunities in both construction and operational stages.

Flow Power Co-Founder and Director of Engineering and Projects, David Evans, said that the partnership with City of Adelaide would play an important role in driving investment in new renewable projects.



Follow us on social media – City of Adelaide
Find out what else is in the [news](#)

Media Contact: Paula Stevens 0427 910 554



“This deal will provide crucial support to new solar projects in the state, creating jobs and helping to bring more renewables into the system.

“It’s evident that South Australia is a world leader in renewable energy. We have seen significant growth since opening our Adelaide office and are committed to driving the uptake of renewable energy in the state for the long-term.

“We view this as a long-term partnership, which will empower the city to fulfil its ambitious climate commitments and create opportunities to support the energy system.”

Frank Boland, Tetris Energy Director said, “Tetris Energy is pleased to reach this exciting milestone with Flow Power to acquire the Streaky Bay and Coonalpyn solar farms. Tetris is proud that these solar farms can enable the City of Adelaide to be completely powered by renewable electricity.”

Switching to renewable electricity is only one part of how the City of Adelaide is taking action to address climate change.

In 2019, new solar panels were installed in four additional locations, increasing the City of Adelaide’s total solar power capacity to over 1.1 megawatts and generating enough electricity to power 338 homes. Buildings such as the Adelaide Town Hall, works depots, car parks, Adelaide Central Market and Adelaide Aquatic Centre are being powered by on-site solar power, saving the City of Adelaide 12 per cent in building electricity use and over a quarter of a million dollars per annum.

The City of Adelaide also offers support and incentives for its ratepayers and property owners to become more sustainable. These include the Sustainability Incentives Scheme, the CitySwitch Green Office program and the Building Upgrade Finance program.

To find out more about what actions the City of Adelaide is taking to address climate change, go to www.cityofadelaide.com.au/about-adelaide/our-sustainable-city/responding-to-climate-change/.

To watch a time lapse of the Town Hall solar panels being installed and footage of Clement’s Gap go to <https://www.dropbox.com/sh/nnnlzl2wyk4aib/AAAxHvN46vSJjW4NOipteXFna?dl=0>



**23.4 CREATIVE ARTS FUND - APPROVAL OF CONCEPT - SHINE IN THE SOUTH EAST –
REPORT NO. AR20/15104**

Committee:	Council
Meeting Date:	17 March 2020
Report No.:	AR20/15104
CM9 Reference:	AF19/416
Author:	Ashlee Lavia, Administrative Support - Community Wellbeing
Authoriser:	Barbara Cernovskis, General Manager Community Wellbeing
Summary:	The concept design for the project ‘Shine in the South East’ has been received and Council endorsement is sought for the project to proceed.
Community Plan Reference:	Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage

REPORT RECOMMENDATION

1. That Council Report No. AR20/15104 titled ‘Creative Arts Fund - Approval of Concept - Shine in the South East’ as presented on 17 March 2020 be noted.
2. That the funds be released for the project Shine in the South East and the concept design as provided by the artist Justin Clarke be endorsed.
3. That the provision and acquittal of these grant funds be subject to:
 - all necessary land holder and development approvals being obtained; and
 - all works being completed in accordance with all relevant legislative and compliance standards.



BACKGROUND

At its meeting held on Tuesday 18 February 2020, Council endorsed the following:

1. That Council Report No. AR20/15104 titled 'Creative Arts Fund - Approval of Concept - Shine in the South East' as presented on 17 March 2020 be noted.
2. That \$25,000 be endorsed for distribution for the 2019/2020 Creative Arts Fund as follows:

<i>Project Name</i>	<i>Applicant</i>	<i>Requested</i>	<i>Approved</i>
<i>Shine in the South East</i>	<i>Justin Clarke</i>	<i>\$ 8,800</i>	<i>\$ 8,800</i>
<i>The Locals</i>	<i>Kate Hill</i>	<i>\$ 6,345</i>	<i>\$ 6,200</i>
<i>City Band Hall Mural</i>	<i>Mount Gambier City Band</i>	<i>\$ 13,000</i>	<i>\$ 10,000</i>
		<i>\$ 28,145</i>	<i>\$ 25,000</i>

3. That all applicants be notified accordingly, advising that the provision and acquittal of these grant funds will always be subject to:
 - all necessary land holder and development approvals being obtained; and
 - all works being completed in accordance with all relevant legislative and compliance standards.
4. That the funds not be released for the project Shine in the South East until a final concept design is received and endorsed by Council at its meeting on 17 March 2020.

Following the above resolution, artist Justin Clarke was contacted to provide his final concept for the project 'Shine in the South East' for endorsement at Council's meeting in March.

DISCUSSION

Justin's project 'Shine in the South East' was presented as a collaborative concept that would be developed through mentorship with Tenison Woods College students.

In preparing the concept Justin workshopped with approximately eighteen year 10 students and collated their drawings and ideas of the Limestone Coast.

The concept received consists of clear references and links to the Limestone Coast region by including coastal elements such as a fish, octopus and waves and cave components through the addition of stalactites and stalagmites. Within the concept Justin has added replicas of students drawings for example:

- a ghost on a mushroom (ghost mushrooms) holding a piece of limestone
- an erupting Volcano
- and a small bird wearing a mask

CONCLUSION

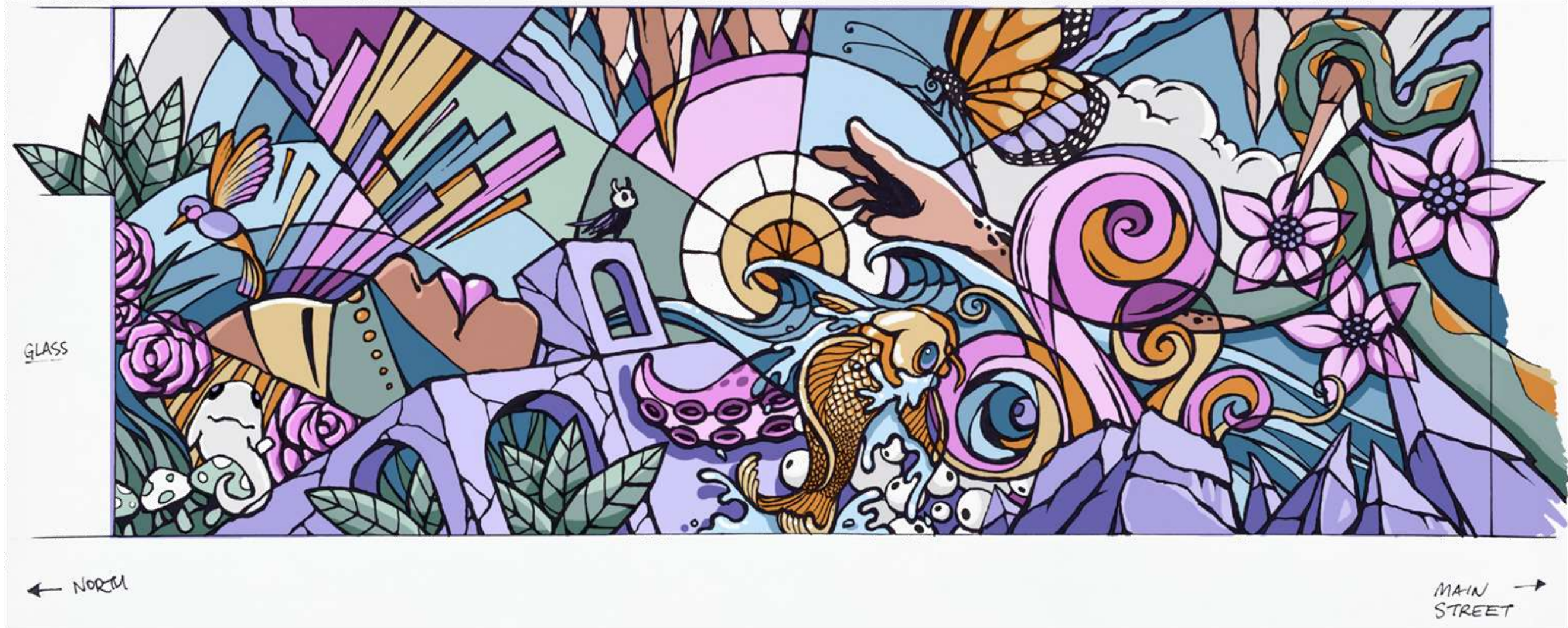
The 'Shine in the South East' concept captures a diverse cross section of the Limestone Coast region through the ideas of 15-17 year old students.

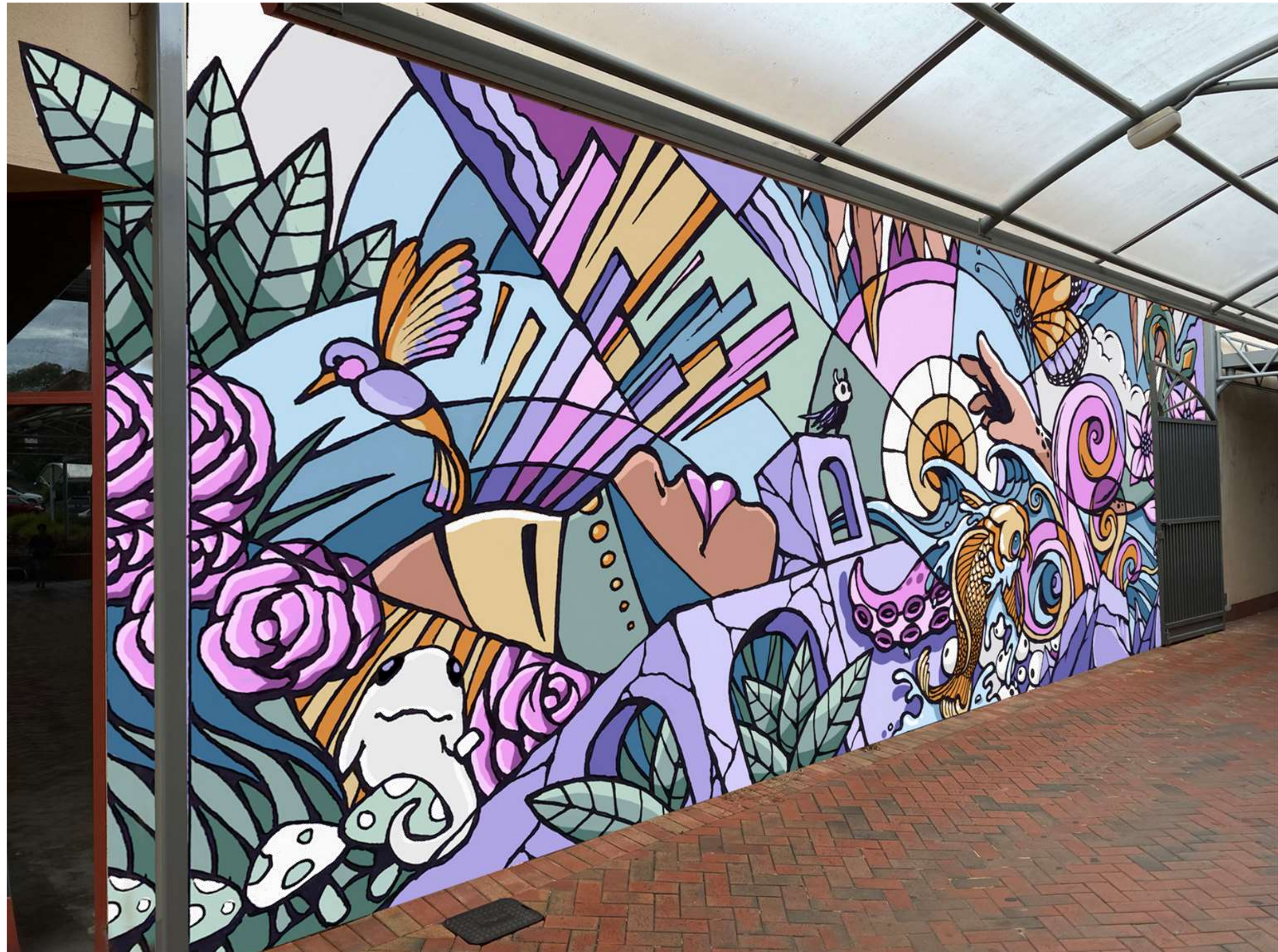
At its last meeting, Council endorsed \$8,800 to be allocated to the project 'Shine in the South East' pending approval of the concept. The 'Shine in the South East' concept has been attached for Members review and consideration.

ATTACHMENTS

1. Concept - Shine in the South East - Justin Clarke [↓](#)







**23.5 GUARANTEE REQUEST - MOUNT GAMBIER NETBALL ASSOCIATION -
REFINANCING OF ORIGINAL GUARANTEED LOAN – REPORT NO. AR20/16408**

Committee: Council
Meeting Date: 17 March 2020
Report No.: AR20/16408
CM9 Reference: AF19/416
Author: Ashlee Lavia, Administrative Support - Community Wellbeing
Authoriser: Barbara Cernovskis, General Manager Community Wellbeing
Summary: To assess a request from Mount Gambier Netball Association for the City of Mount Gambier to guarantee a further \$50,000 to assist with the resurfacing of 2 courts and LED lighting upgrades.
Community Plan Reference: Goal 1: Our People

REPORT RECOMMENDATION

1. That Council Report No. AR20/16408 titled 'Guarantee Request - Mount Gambier Netball Association - Refinancing of Original Guaranteed Loan' as presented on 17 March 2020 be noted.
2. That Council agree to provide the Mount Gambier Netball Association with a further guarantee to the relevant financial institution for \$50,000;
3. That the Mayor and Chief Executive Officer be authorised to sign and seal any loan guarantee documentation with the relevant financial institution;
4. That the Mount Gambier Netball Association be advised of this Council resolution.



BACKGROUND

In 2012 the Mount Gambier Netball Association embarked on a major upgrade of their facilities including re-orientation, resurfacing of courts and lighting. The total cost of the upgrade was estimated to be \$433,000 and was assisted by an ORS Grant of \$170,000.

In November 2012 the Mount Gambier Netball Association sought assistance from Council for their shortfall of \$110,000 in the form of a loan guarantee and the below was endorsed:

- (a) *the letter be received;*
- (b) *Council agree to provide the Mount Gambier Netball Association with a loan guarantee to the relevant financial institution for the amount of \$110,000;*
- (c) *the Mayor and Chief Executive Officer be authorised to sign and seal the loan guarantee documentation with the relevant financial institution;*
- (d) *the Mount Gambier Netball Association be advised of this Council resolution.*

The guarantee documentation for the \$110,000 for a period of 10 years was signed on 29 January 2013 and expiring 29 January 2023.

As at 1 January 2020 the guaranteed loan of \$110,000 had a balance of \$38,083.75 remaining.

DISCUSSION

The Mount Gambier Netball Association have since contacted Council requesting a further guarantee of \$50,000 to assist with the resurfacing of two (2) netball courts and LED lighting upgrades.

The project cost for the upgrades is \$101,690 with the Mount Gambier Netball Association contributing \$30,275 and a further \$21,415 of grant funding. A Council guarantee would equate to 49% of the total capital project costs.

When assessed against the criteria of Council Policy P910 - *Provision of Loans or Guarantees to Community Groups* the request is consistent with the policy and meets the criteria as follows;

1. The further guarantee will support the local community sporting organisation;
2. The limit of the guarantee does not exceed \$200,000;
3. The overall limit of the guarantee for the Mount Gambier Netball Club does not exceed the maximum of \$500,000;
4. The Mount Gambier Netball Club contribution is 51% of the total project cost.
5. There will be two (2) active guarantees that will not exceed the maximum \$200,000;
6. The Mount Gambier Netball Club will be seeking a loan term of up to 7 years.
7. This will be communicated to the Mount Gambier Netball Association in their letter;
8. The Council will request a financial report of the capital works planned by the Mount Gambier Netball Association to be provided before guarantee approval;
9. The Mount Gambier Netball Association are accredited as a Level 4 STARCLUB Development Program participant however, they are recognised as Level 5 but are awaiting formal confirmation from Adelaide;
10. The letter requesting the refinancing of the guarantee from the Mount Gambier Netball Association has been attached for Council's review;
11. Any further considerations are subject to consideration by Council at the meeting 17 March 2020.



CONCLUSION

When assessed against Council Policy P910 the request of the Mount Gambier Netball Association is confirmed to be consistent and in line with the policy's assessment criteria.

ATTACHMENTS

1. Council Policy P910 - Provision of Loans or Guarantees to Community Groups [↓](#)
2. Request for Guarantee - Mount Gambier Netball Association [↓](#)



	P910 PROVISION OF LOANS OR GUARANTEES TO COMMUNITY GROUPS	Version No:	1
		Issued:	August 2019
		Next Review:	August 2023

1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier (“Council”) for when requests are received for the provision of guarantees and/or loans to community groups.

2. ASSESSMENT CRITERIA

GUARANTEES

The assessment to grant a guarantee to a community group follows the Council Administration putting a recommendation to Council, as a result of a formal request from a community group, including sufficient information to enable assessment against this policy.

In assessing the request, the Council will apply the following assessment criteria:

1. Purpose of providing the guarantee:
 - The purpose for the funding for which the guarantee is requested is to be aligned with the Council’s community objectives; and/or
 - the funding is considered necessary for its purpose and otherwise not accessible to the community organisation without a Council guarantee; and/or
 - The Council’s guarantee will assist in reducing the interest rates charged by the lending provider to such an extent that this now becomes a viable option for the community organisation;
2. The limit of the individual guarantee entered into is a maximum of \$200,000 per individual guarantee;
3. The overall limit of guarantees entered into by the Council is set at a maximum of \$500,000 at any point in time. This takes into account Council’s current assessment of the exposure and financial risk related to these guarantees;
4. The limit to the guarantee amount provided, as a percentage of the guarantee compared to the overall investment amount per individual guarantee, is a maximum of 50% for any capital expenditure;
5. The limit to the total of the guarantee amounts and/or number of guarantees per community group is \$200,000 with a maximum of two outstanding guarantees at any one point in time;
6. The maximum time limit to the guarantee is set at ten years. Where relevant this is aligned with the underlying loan that is guaranteed and therefore subject to the purpose for which the underlying loan is requested (e.g. a shorter period for a guarantee on a working capital loan);
7. All direct costs related to the establishment of the guarantee will be borne by the community organisation;
8. The final granting of the guarantee is subject to providing the Council with sufficient financial documentation supporting the guarantee request and financial capacity of the community group. This required documentation will be established on a case by case basis;

<p><i>Electronic version on TRIM is the controlled version. Printed copies are considered uncontrolled. Before using a printed copy, verify that it is the current version.</i></p>	<p>Page 1 of 3</p>
--	--------------------



 City of Mount Gambier	P910 PROVISION OF LOANS OR GUARANTEES TO COMMUNITY GROUPS	Version No:	1
		Issued:	August 2019
		Next Review:	August 2023

9. In the case of a sporting community group requesting a guarantee, the Council will require the community group being a STARCLUB Club Development Program participant for the duration of the guarantee;
10. In its assessment the Council will take into account any relevant history supplied by the community organisation;
11. The Council is able to add further considerations to the assessment criteria on an individual request basis.

LOANS

The Council's preference is not to provide new community loans.

The Mount Gambier community is considered of a size and diversity that viable community organisations would be able to source funding (from community banks / organisational bodies). Therefore, the Council does not consider this to be part of its current role within the community. Where such organisations can demonstrate that they are financially viable, but are unable to access commercial funding, then the Council may consider being the lender of last resort.

4. 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 will also be provided to interested members of the community upon request, and upon payment of a fee in accordance with Council's Schedule of Fees and Charges.

Electronic version on TRIM is the controlled version. Printed copies are considered uncontrolled. Before using a printed copy, verify that it is the current version.	Page 2 of 3
--	-------------



	P910 PROVISION OF LOANS OR GUARANTEES TO COMMUNITY GROUPS	Version No:	1
		Issued:	August 2019
		Next Review:	August 2023

File Reference:	AF18/48
Applicable Legislation:	Local Government Act 1999
Reference: Strategic Plan – Beyond 2015	
Related Policies:	
Related Procedures:	
Related Documents:	

DOCUMENT DETAILS

Responsibility:	General Manager Council Business Services
Version:	1.0
Last revised date:	20 August 2019
Effective date:	20 August 2019
Minute reference:	Council Meeting 20 August 2019 - Minute Ref. 16.3
Next review date:	
<u>Document History</u>	
First Adopted By Council:	20 August 2019
Reviewed/Amended:	

<i>Electronic version on TRIM is the controlled version. Printed copies are considered uncontrolled. Before using a printed copy, verify that it is the current version.</i>	Page 3 of 3
---	-------------





MOUNT GAMBIER NETBALL ASSOCIATION

PO BOX 421, MOUNT GAMBIER SA 5290
info@mgna.com.au

10th March 2020

City of Mount Gambier
PO Box 56
MOUNT GAMBIER SA 5290

To Whom It May Concern,

I write on behalf of the Mount Gambier Netball Association to request whether the City of Mount Gambier would once again be our guarantor for a loan refinance with Bendigo Bank.

Back in November 2012, Mark McShane on behalf of the City Council provided a letter regarding being a loan guarantor to the Mount Gambier Netball Association with a loan that we took with the Bendigo Bank to do our courts/lighting upgrades. In February 2013 the loan guarantee documents were all provided by Council. We started with a loan of \$110,000 and over the duration have had no issues paying this loan and as of 1st January 2020 we only have a balance of \$38,083.75 remaining.

As you are aware we are looking at upgrading our current lighting to more cost efficient LEDs and are requiring to resurface 2 courts. I have been in contact with the Bendigo Bank to see if we are able to refinance our existing loan. They have requested that I ask if The City of Mt Gambier Council would once again be our guarantor for this loan refinance. If this is possible the Bendigo Bank require a letter confirming the guarantee.

Please see details below for the refinancing of our current Bendigo Bank loan.

Resurface of courts -	\$ 54,929 (inc GST)
Upgrade of lighting -	\$ 46,761 (inc GST)
TOTAL -	\$ 101,690.00
Minus	\$ 21,415 (inc GST) grant funding
Minus	\$ 30,275 our contribution
TOTAL OF LOAN	\$ 50,000

We would anticipate refinancing with the Bendigo Bank for a term of 7 years.

Please feel free to contact me if you require further information.

Thank you for your assistance in this matter and I look forward to hearing from you in the near future.

Many thanks

Regards

Jane Martin
MGNA
Treasurer

23.6 REQUEST FOR A DISCRETIONARY RATE REBATE FOR 9 PENOLA ROAD WHILST OCCUPIED BY THE STAND LIKE STONE FOUNDATION – REPORT NO. AR20/16434

Committee: Council
Meeting Date: 17 March 2020
Report No.: AR20/16434
CM9 Reference: AF19/416
Author: Andrew Meddle, Chief Executive Officer
Authoriser: Andrew Meddle, Chief Executive Officer
Summary: A report seeking a decision of Council on whether to grant a discretionary rate rebate for 9 Penola Road, Mount Gambier.
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 Council Report No. AR20/16434 titled 'Request for a Discretionary Rate Rebate for 9 Penola Road whilst occupied by the Stand Like Stone Foundation' as presented on 17 March 2020 be noted.
2. That Council grant a 50% discretionary rate rebate for 9 Penola Road, Mount Gambier whilst it is occupied by the Stand Like Stone Foundation.
3. The Chief Executive Officer be requested to write to the Stand Like Stone Foundation advising them of the Council's decision.



BACKGROUND

The City of Mount Gambier Policy R105 sets out the Council's Rating Policy and can be found here:

<https://s3-ap-southeast-2.amazonaws.com/cm-g-public-assets/docs/R105-Rating.pdf>

This policy contains a section covering discretionary rate rebates. An application has been received from the Stand Like Stone Foundation seeking a rebate.

Council granted the Stand Like Stone Foundation a five year lease, which commenced in February 2020.

DISCUSSION

Rates are subject to mandatory rebates and discretionary rebates. The Stand Like Stone Foundation has applied for 100% of their rates to be subject to discretionary relief, i.e. that they would pay no rates to the Council. Their application can be found as **Attachment 1**.

The following table identifies the mandatory (M) rebates and those which are discretionary.

5. Section 166 - Discretionary Rebates				
2508	MG A & H Society	1 Pick Avenue	166(1)(e)	50%
3549	MG & District Naval Association	21 Birdwood Avenue	166(1)(j)	50% (M)
4636	Pangula Mannamurna Aboriginal Corp	22 Kurrajong Street	166(1)(j)	50% (M)
7342	Mount Gambier City Band	136 Lake Terrace East	166(1)(j)	50%
8750	Regional Foodbank	23 Cave Road	166(1)(j)	50%
9753	M E Earl	73 Gray Street	166(1)(hj)	50% (M)
10362	Scout Association	5 Margaret Street	166(1)(g)	50%
11687	St Martins Church Kindergarten	11a Edward Street	166(1)(g)	75% (M)
12258	Catholic Church End Soc Inc (Hall)	20 Penola Road	166(1)(g)	50% (M)
13760	RSL (Mt Gambier Sub-Branch) Inc	16 Sturt Street	166(1)(j)	50%
14055	Uniting Church Manse	26 Elizabeth Street	166(1)(g)	50%
15159	S E Christian Broadcasters Inc	11A Edward Street	166 (1) (j)	25%
15171	Forestry SA (Regional Dev Board)	2/152 Jubilee Highway East	166 (1)(j)	50%

Council will note that the highest discretionary rate rebate offered is 50%. It would seem appropriate to continue this approach, rather than setting a precedent, which could impact on future rebates for both this property and others.

Based upon current year figures, the rates payable would be \$1,936.40, which would be reduced to \$968.20 on the basis of a 50% rebate.

CONCLUSION

Given the clear, consistent approach taken by the Council, a 50% discretionary rebate on the expected rates would appear to be a prudent way forward. It is further recommended that this rebate tie in with the occupancy of the building by the Stand Like Stone Foundation, rather than a report requiring consideration annually.

ATTACHMENTS

Nil



24 MOTIONS WITH NOTICE

24.1 NOTICE OF MOTION - DOMESTIC VIOLENCE

Meeting: Council
CM9 Reference: AF19/416
Member: Sonya Mezinec, Councillor

I, Councillor Sonya Mezinec, give notice that at the next Ordinary Meeting of Council to be held on 17 March 2020, I intend to move the following motion:

MOTION

1. That Council Report No. AR20/16449 titled 'Notice of Motion - Domestic Violence' as presented on 17 March 2020 be noted.
2. The Council write to the Premier, Mr Steven Marshall MP, Minister for the Status of Women, Michelle Lensink MLC, The Prime Minister the Hon Scott Morrison MP and the Minister for Women, Senator the Hon Marise Payne requesting the following:
 - (a) The 5 urgent actions as detailed in the AWAVA and Fair Agenda letter to Women's Safety Ministers dated 5 March 2020 be implemented immediately.
 - (b) Increase the annual funding allocation for domestic violence specialist workers in the Limestone Coast Region to enable domestic violence services provide more effective services and supports to women residing in rural and more remote areas of the Limestone Coast Region.
3. The City of Mount Gambier writes to the Limestone Coast Local Government Association requesting this issue is added to the agenda for their next meeting requesting that member Councils write to the Premier, Mr Steven Marshall MP, Minister for the Status of Women, Michelle Lensink MLC, The Prime Minister the Hon Scott Morrison MP and the Minister for Women, Senator the Hon Marise Payne advocating for the immediate implementation of the 5 urgent actions detailed in the AWAVA and Fair Agenda letter and an increase in annual funding allocation for domestic violence specialist workers in the Limestone Coast Region.

RATIONALE

The recent horrific murder of Hannah Clarke and her children Laianah, Aaliyah and Trey has once again highlighted the extent and effects of domestic violence experienced by many in women in Australia. In December 2018 our community mourned the loss of Eden Kennett was murdered by her partner here in Mount Gambier.

The following statistics from the White Ribbon Website demonstrate the prevalence and severity of violence against women in Australia

- On average one woman per week is murdered by her current or former partner.
- 1 in 4 women have experienced emotional abuse by a current or former partner since the age of 15
- 1 in 5 women have experienced sexual violence since the age of 15
- 85% of Australian Women have been sexually harassed
- Almost 40% of women continued to experience violence from their partner while temporarily separated



- 1 in 6 women have experienced stalking since the age of 15
- Domestic violence is the leading cause of homelessness for women and their children
- 1 in 3 young people presenting alone to homeless services have experienced domestic violence
- Indigenous women are 32x more likely to be hospitalised due to family violence than non-indigenous women
- Australian police deal with domestic violence every two minutes
- Violence against women is estimated to cost the Australian economy \$22 billion a year

Women in rural and regional areas and women with a disability experience greater vulnerability in regard to domestic violence.

The attached joint letter was sent by the Australian Women Against Violence Alliance. And Fair Agenda to Women's Safety Ministers from all jurisdictions prior to their meeting Friday 6 March 2020 to discuss possible measures to improve women's and children's safety, ahead of the Council of Australian Governments meeting Friday 13 March 2020.

I commend this Notice of Motion to Council.

ATTACHMENTS

1. Joint Letter to Women's Safety Ministers on urgent actions for women's safety [↓](#)



Letter to Women's Safety Ministers on urgent actions for women's safety

5 March 2020

Dear Women's Safety Ministers,

As specialists with years of experience working with and for women and children subjected to violence, we know that long-term, major reforms are needed over the coming months and years to achieve lasting improvements to safety and justice.

We also know there are key changes your governments can make immediately that will dramatically improve the safety of many women and children within weeks.

As well as committing to comprehensive reform to prevent all forms of violence against women, we urge you to action these five desperately needed changes at your meeting on Friday:

1. Fully fund the specialist services that improve women's safety, and hold men who use violence to account, including:

- The safety planning, risk assessment and wrap-around individual support provided by specialist women's services,
- The safe at home programs and emergency accommodation services provided by specialist homelessness providers working specifically with victim-survivors of violence,
- The legal assistance and representation provided by specialist women's legal services, Family Violence Prevention Legal Services, community legal centres, Aboriginal legal services, and Legal Aid,
- The perpetrator intervention, men's behaviour change programs and fathering programs provided by accredited men's behaviour change experts,
- The specialist and culturally-safe services that are best able to assist Aboriginal and Torres Strait Islander women and women from migrant and refugee backgrounds,
- The disability advocacy and domestic violence services needed to support women with disabilities to overcome the barriers to achieving safety after violence from a partner, carer or in an institutional setting,
- The safe phones program, which has been found to be effective in delivering victims/survivors greater technology safety,
- LGBTIQ+ services and LGBTIQ+-specific resources, programs and targeted community education campaigns,
- Supporting community-based services to lead the conversations needed to change the attitudes and behaviours that enable violence, including empowering bystanders.

2. Remove the presumption of equal shared parental responsibility and emphasis on shared parenting in the *Family Law Act 1975*, to **ensure a child's safety and wellbeing are the key considerations**, so that courts are determining the best parenting arrangement for their needs and circumstances.

3. Initiate a standard screening, risk assessment and referral process nationally, to **ensure public health, social and community services are trained to identify key safety risks early** for people experiencing violence in their relationships, and able to refer them to the services that can help them achieve safety and recover.

4. Agree to institute **improved AVO standards** to make clear what is expected of police, magistrates and courts to hold perpetrators accountable, and ensure women and children subjected to domestic and family violence are able to rely on these orders to achieve safety and justice.

5. **Ensure victims/survivors seeking help can access free translating and interpreting services**, so that regardless of their disability, cultural or language background, or geographical location, any woman reaching out for help to build a safer future is able to access the assistance she needs.



Letter to Women's Safety Ministers on urgent actions for women's safety

5 March 2020

As with all initiatives for improved community safety and wellbeing, these urgent steps must be taken in a way that responds to the factors that shape people's experiences of violence and encounters with institutions. These can include: the ongoing impacts of colonisation, race, class, sexual orientation and gender identity, ethnicity, nationality, religion, dis/ability and age, as well as the community attitudes, geographical isolation and the poor connectivity experienced by women in remote, rural and regional areas.

Further to these five immediate interventions, we note that the national alliance tasked with bringing together organisations to develop solutions, Australian Women Against Violence Alliance (AWAVA), has presented [comprehensive advice](#) on the major long-term reforms needed including the [Blueprint for Reform](#) for women on temporary visas experiencing violence, and that Women's Legal Services Australia has mapped out the steps required for [Safety First in Family Law](#). These solutions will require meaningful and sustained investment. AWAVA, its members and allies stand ready to work with governments to design and implement these reforms together.

This national crisis cannot be solved overnight. But actioning these five changes will bring immediate and substantial improvement to the safety of many women and children currently at risk, and will save lives. We urge you to do your part.

Signed,

1. National Aboriginal and Torres Strait Islander Women's Alliance
2. Embolden (SA peak body of domestic, family and sexual violence services)
3. Women's Legal Services Queensland
4. Women's Legal Services Tasmania
5. Ruby Gaea Darwin Centre Against Sexual Violence
6. Sexual Assault Support Service Tasmania
7. Aboriginal & Torres Strait Islander Women's Legal Service North Queensland Inc.
8. Emma House Domestic Violence Service
9. Women's Council for Domestic and Family Violence Services WA
10. North Queensland Women's Legal Service
11. Equality Rights Alliance
12. WESNET – The Women's Services Network
13. Annie North Inc
14. Domestic Violence NSW
15. Women's Legal Service NSW
16. economic Security4Women
17. Limestone Coast Family Violence Action Group
18. National Rural Women's Coalition
19. CASA Forum – Victorian Centres Against Sexual Assault
20. Ending Violence Against Women Queensland
21. Seras Women's Shelter Inc.
22. Mackay Women's Services
23. Association of Women Educators
24. National Council of Single Mothers & their Children
25. YWCA Canberra
26. Women's Safety NSW
27. Mitcham Family Violence Education and Support Service
28. Centre for Non-Violence
29. Eastern Region Domestic Violence Services Network Inc. – Koolkuna
30. Communicare Women's Support Services
31. Carnarvon Family Support Services
32. WRISC Family Violence Support Inc.
33. Women's Centre Far North Queensland
34. Migrant Women's Support Program of Women's Safety Services SA



Letter to Women's Safety Ministers on urgent actions for women's safety
5 March 2020

35. Lucy Saw Centre Association Inc.
36. Penrith Women's Health Centre
37. Australasian Centre for Human Rights and Health
38. Macleod Accommodation Support Service Inc.
39. inTouch Multicultural Centre Against Family Violence
40. North Shore Women's Benevolent Association Limited
41. Mid Coast Women's Domestic Violence Court Advocacy Service
42. safe steps Family Violence Response Centre
43. Darwin Aboriginal & Islander Women's Shelter
44. Harmony Alliance: Migrant and Refugee Women for Change
45. Accountability Matters Project
46. DVConnect
47. Domestic Violence Action Centre Toowoomba
48. Gold Coast Domestic Violence Prevention Centre
49. Domestic Violence Crisis Service Canberra
50. Immigrant Women's Support Service
51. Sonshine Sanctuary Association
52. Beryl Women Inc.
53. Edon Place and Centre for Women & Co.
54. Lou's Place
55. Cairns Regional Domestic Violence Service
56. Women's Information, Support and Housing in the North
57. Settlement Services International
58. Multicultural Centre for Women's Health
59. Northern Territory Council of Social Service
60. Domestic Violence Victoria
61. Project Respect
62. Melaleuca Refugee Centre
63. Dawn House Inc.
64. Western Women's Domestic Violence Court Advocacy Service
65. Bramwell House (Salvation Army)
66. Domestic Violence Resource Centre Victoria
67. WASH House Inc.
68. Immigrant Women's Speakout Association Inc.
69. Immigration Advice and Rights Centre
70. Australian Women's Health Network
71. Centre Against Sexual Assault Central Victoria
72. Open Support
73. Women's Legal Service (South Australia)
74. Family Violence Prevention Legal Services National Forum
75. Women's Legal Services Australia
76. No To Violence
77. Take It Seriously
78. YWCA Australia
79. Refugee Advice & Casework Service (Aust) Inc.
80. Jesuit Refugee Service (JRS) Australia
81. Salvation Army National Family Violence Stream
82. Economic Justice Australia



24.2 NOTICE OF MOTION - NEWSTART ALLOWANCE

Meeting: Council
CM9 Reference: AF19/416
Member: Sonya Mezinec, Councillor

I, Councillor Sonya Mezinec, give notice that at the next Ordinary Meeting of Council to be held on 17 March 2020, I intend to move the following motion:

MOTION

1. That Council Report No. AR20/16450 titled 'Notice of Motion - Newstart Allowance' as presented on 17 March 2020 be noted.
2. The City of Mount Gambier writes to the Prime Minister the Hon Scott Morrison MP and the relevant Federal Government Ministers advocating for an increase to the Newstart Allowance.
3. The City of Mount Gambier writes to the Limestone Coast Local Government Association requesting this issue is added to the agenda for their next meeting requesting that member Councils write to the Prime Minister the Hon Scott Morrison MP and the relevant Federal Government Ministers advocating for an increase to the Newstart Allowance.

RATIONALE

At its Council meeting October 2017 passed the following motion supporting the Anti-Poverty Network SA campaign during Anti-Poverty week (16- 22 October) to increase the Newstart Allowance. The Newstart allowance is \$267 per week (approx. \$14,000 per year and is over \$160 per week (approx. \$8,000 per year) below the poverty line. It has not been raised in real terms since 1994.

In recent months the calls to increase the Newstart Allowance has come from many areas and groups including the Australian Council for Social Services and the Business Council of Australia. It is recognised widely that an increase in the Newstart Allowance will not only alleviate the poverty and hardship those on Newstart are experiencing, it will also provide an economic stimulus benefit.

I commend this Notice of Motion to Council.

ATTACHMENTS

Nil



24.3 NOTICE OF MOTION - CLOSURE OF AQUATIC CENTRE

Meeting: Council
CM9 Reference: AF19/416
Member: Lynette Martin, Mayor

I, Mayor Lynette Martin, give notice that at the next Ordinary Meeting of Council to be held on 17 March 2020, I intend to move the following motion:

MOTION

1. That Council Report No. AR20/16482 titled 'Notice of Motion - Closure of Aquatic Centre' as presented on 17 March 2020 be noted;
2. That the closure of the Aquatic Centre to accommodate the construction phase of the Community and Recreation Hub project be noted;
3. That the work of Peter Collins in the operation of the Aquatic Centre be acknowledged and that the Mayor send a letter of thanks.

RATIONALE

Peter Collins has managed the Mount Gambier Aquatic Centre since 2002 and I wish to acknowledge and thank him for enabling the provision of this community facility for all to enjoy.

The pool has been in operation in its current form since 1986 and we acknowledge the closure as the next step towards a new facility that will continue to benefit the community of Mount Gambier for many decades to come.

I commend this Notice of Motion to Council.

ATTACHMENTS

Nil



25 URGENT MOTIONS WITHOUT NOTICE



26 CONFIDENTIAL ITEMS OF COMMITTEES

26.1 CONFIDENTIAL ITEMS OF THE ECONOMIC AND ENVIRONMENT COMMITTEE HELD ON 2 MARCH 2020

26.2 PRESENTATION BY BEACH ENERGY – REPORT NO. AR20/8188

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Mayor L Martin, Councillors S Mezinac, K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officers A Meddle, M McCarthy, B Cernovskis, N Serle, A Watson and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 26.2 AR20/8188 Presentation by Beach Energy.

The Council is satisfied that, pursuant to section 90(3) (d) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- 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

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because Future operational plans discussed which are in the planning stages.

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 26.2 AR20/8188 Presentation by Beach Energy 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) (d) be kept confidential and not available for public inspection until After operational plans are released by Beach Energy.
2. Further that Council delegates the power to review, revoke, but not extension 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*.



26.3 CONFIDENTIAL ITEMS OF THE REGIONAL SPORT AND RECREATION CENTRE COMMITTEE HELD ON 10 MARCH 2020

26.4 CONFIDENTIALITY, ACTIVITIES AND THE COMMUNITY AND RECREATION HUB – REPORT NO. AR20/15651

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Mayor L Martin, Councillors S Mezinac, K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officers A Meddle, M McCarthy, B Cernovskis, N Serle, A Watson and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 26.4 AR20/15651 Confidentiality, Activities and the Community and Recreation Hub.

The Council is satisfied that, pursuant to section 90(3) (f) 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 prejudice the maintenance of law, including by affecting (or potentially affecting) the:
 - prevention, detection, or investigation of a criminal offence, or
 - the right to a fair trial
- 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 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 of legislative provisions that prohibit the disclosure of information of the kind to be provided in a verbal report by the Chief Executive Officer.

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 26.4 AR20/15651 Confidentiality, Activities and the Community and Recreation Hub 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) (f) and (g) be kept confidential and not available for public inspection until the end of this term of Council when the 2022 local government elections have concluded.
2. Further that Council delegates the power to review, revoke, but not extension 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*.



27 NEW CONFIDENTIAL ITEMS

27.1 BLUE LAKE GOLF CLUB - KPI REPORT DECEMBER QUARTER 2019 – REPORT NO. AR20/15109

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Mayor L Martin, Councillors S Mezinac, K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officers A Meddle, M McCarthy, B Cernovskis, N Serle, A Watson and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.1 AR20/15109 Blue Lake Golf Club - KPI Report December Quarter 2019.

The Council is satisfied that, pursuant to section 90(3) (d) and (g) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- 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 Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the matters to be received and discussed include commercial information relating to the operations of the Blue Lake Golf Club provided in-confidence to Council for review purposes creating a duty of confidence, and the disclosure of which could reasonably be expected to confer a commercial advantage on a 3rd party and prejudice the commercial position of the Blue Lake Golf Club.

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 27.1 AR20/15109 Blue Lake Golf Club - KPI Report December Quarter 2019 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) (d) and (g) be kept confidential and not available for public inspection until two years have passed or the Blue Lake Golf Club has ceased operating, whichever is the earlier.
2. Further that Council delegates the power to review, revoke, but not extension 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*.

27.2 CONFIDENTIAL ITEMS OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE HELD ON 3 MARCH 2020

27.3 SELECTION OF PROFESSIONAL SUPPORT FOR THE CHIEF EXECUTIVE OFFICER'S PERFORMANCE REVIEW – REPORT NO. AR20/9109

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Mayor L Martin, Councillors S Meziniec, K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officers A Meddle, M McCarthy, B Cernovskis, N Serle, A Watson and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.3 AR20/9109 Selection of professional support for the Chief Executive Officer's Performance Review.

The Council is satisfied that, pursuant to section 90(3) (b) and (k) 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

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

- tenders for the:
 - supply of goods, or
 - the provision of services, or
 - the carrying out of works

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information to be considered includes offers for the supply of services, the disclosure of which prior to the making of a procurement decision could reasonably be expected to confer an advantage on a third party or prejudice the commercial position of the Council negotiations..

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 27.3 AR20/9109 Selection of professional support for the Chief Executive Officer's Performance Review 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) and (k) be kept confidential and not available for public inspection until 2 years have elapsed. The name and contract value of the selected service provider be released immediately upon execution of a service contract.

2. Further that Council delegates the power to review, revoke, but not extension 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*.

28 MEETING CLOSE



COMMITTEE MINUTES

AND

REPORTS / ATTACHMENTS

**MINUTES OF CITY OF MOUNT GAMBIER ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE,
MOUNT GAMBIER ON TUESDAY, 18 FEBRUARY 2020 AT 6.00 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Sonya Meziniec, Cr Max Bruins, Cr Christian Greco, Cr Ben Hood, Cr Paul Jenner, Cr Frank Morello

OFFICERS IN ATTENDANCE:	Chief Executive Officer	- Mr A Meddle
	General Manager Community Wellbeing	- Ms B Cernovskis
	General Manager City Infrastructure	- Mr N Serle
	General Manager City Growth	- Dr J Nagy
	Manager Development Services	- Mrs T Tzioutziouklaris
	Communications Officer	- Mrs A Watson
	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 APOLOGIES

RESOLUTION 2020/18

Moved: Cr Paul Jenner

Seconded: Cr Frank Morello

That the apologies from Cr Steven Perryman and Cr Kate Amoroso be received.

CARRIED

3 LEAVE OF ABSENCE

Nil

4 CONFIRMATION OF COUNCIL MINUTES

RESOLUTION 2020/19

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

That the minutes of the Ordinary Council meeting held on 21 January 2020 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

5 MAYORAL REPORT

- 100th Birthday Celebration for Mr Jack Hopgood at the RSL
- Afternoon Tea with residents of Boandik St Mary's
- Library Summer Reading Club Party
- Australia Day Celebrations
- Citizenship Ceremony
- McDonald Park School Lead Learners Presentation
- Members Briefings - Art Collaboration / Strategic Plan
- Members Briefings - Landfill Gate and Waste Transfer Station Fees / Weed Control
- People and Place Committee Meeting
- Presentation of Long Service Awards to Employees at Department for Correctional Services
- Flinders University Rural Health SA - 2020 Rural Health Placements Welcome Function
- Meeting re Generations in Jazz
- Guides of Mount Gambier Celebration Evening - Mayor to present Awards
- Elected Members - Strategic Plan Workshop
- Telstra 5G Launch
- With Mayor Richard Sage, Mondelez's Suttontown Factory Site Tour and Briefing
- Opening Ceremony - Wellness and Wellbeing Festival
- Official Opening SA Volunteer Fire Fighters Museum in Naracoorte
- With CEO, Meeting at Wattle Range Council - Discussion regarding Waste

RESOLUTION 2020/20

Moved: Mayor Lynette Martin

Seconded: Cr Ben Hood

That the Mayoral report made on 18 February 2020 be received.

CARRIED**6 REPORTS FROM COUNCILLORS**

Cr Jenner	Australia Day Breakfast and Awards Ceremony, Citizenship Ceremony, Chronic Illness Support Group Limestone Coast - Wellness and Wellbeing Festival, National Tidy Towns Sustainable Communities Judging Day Lunch, Green Triangle Employment Board Meeting
Cr Greco	Blue Lake Sports Park Meeting
Cr Hood	Australia Day Breakfast and Awards Ceremony, Funds for our Furies, New Years Eve Thank you Dinner
Cr Mezinec	Mount Gambier Pacing Gold Cup Official Opening of upgraded Track Lighting, Friends for Furies Fun Day, Limestone Coast Local Government Association
Cr Morello	Australia Day Breakfast and Awards Ceremony

RESOLUTION 2020/21

Moved: Cr Christian Greco

Seconded: Cr Paul Jenner

That the reports made by Councillors on 18 February 2020 be received.

CARRIED**7 QUESTIONS WITH NOTICE**

Nil

8 QUESTIONS WITHOUT NOTICE

Nil

9 PETITIONS

Nil

10 DEPUTATIONS

Nil

11 NOTICE OF MOTION TO RESCIND OR AMEND**11.1 NOTICE OF RESCISSION/AMENDMENT - CAROLINE LANDFILL GATE AND WASTE TRANSFER FEES****RESOLUTION 2020/22**

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

1. That Council Report No. AR20/7276 titled 'Notice of Rescission/Amendment - Caroline Landfill Gate and Waste Transfer Fees' as presented on 18 February 2020 be noted.
2. That parts 2, 3 and 4 of resolution 2019/300 titled "*Review of Caroline Landfill Gate and Waste Transfer Station Fees*" that was passed at Council meeting on 19 November 2019 be rescinded as follows:
 - "2. That Council adopt recommended gate price for Caroline Landfill of \$190 effective from 1 January 2020 and authorise administration to:
 - (a) Notify all known regular users of the facility; and
 - (b) Update the fees and charges register.
 3. That Council adopt a decrease of 40% Waste Transfer Station fees effective from 1 January 2020 and authorise administration to:
 - (a) Notify the public who may use the facility; and
 - (b) Update the fees and charges register.
 4. A further report be written for Council's consideration on implementing a separation of waste charge on Council's rate notices for 2020/2021."

Cr Greco called a division.

The declaration was set aside.

Voting by division being:

In Favour: Crs Sonya Meziniec, Max Bruins, Ben Hood, Paul Jenner and Frank MorelloAgainst: Cr Christian Greco

The Mayor declared the motion

CARRIED 5/1

12 ELECTED MEMBERS WORKSHOPS**12.1 ELECTED MEMBER WORKSHOP 22/01/2020 - 13/02/2020****RESOLUTION 2020/23**

Moved: Cr Max Bruins

Seconded: Cr Christian Greco

1. That Council Report No. AR20/8937 titled 'Elected Member Workshop 22/01/2020 - 13/02/2020' as presented on 18 February 2020 be noted.

CARRIED**13 ELECTED MEMBERS TRAINING AND DEVELOPMENT**

Nil

14 COUNCIL ACTION ITEMS**14.1 ACTION ITEMS FROM 21/01/2020****RESOLUTION 2020/24**

Moved: Cr Frank Morello

Seconded: Cr Christian Greco

1. That Council Report No. AR20/8938 titled 'Action Items from 21/01/2020' as presented on 18 February 2020 be noted.

CARRIED**15 ECONOMIC AND ENVIRONMENT COMMITTEE MINUTES AND RECOMMENDATIONS**

Nil

16 PEOPLE AND PLACE COMMITTEE MINUTES AND RECOMMENDATIONS**16.1 MINUTES OF THE PEOPLE AND PLACE COMMITTEE HELD ON 3 FEBRUARY 2020****RESOLUTION 2020/25**

Moved: Cr Frank Morello

Seconded: Cr Max Bruins

That the Minutes of the People and Place Committee meeting held on 3 February 2020 as attached be noted.

CARRIED

16.2 YERKALAPATA - A RECONCILIATION ACTION PLAN FOR THE CITY OF MOUNT GAMBIER – REPORT NO. AR20/3865**RESOLUTION 2020/26**

Moved: Cr Frank Morello

Seconded: Cr Sonya Mezinac

1. That People and Place Committee Report No. AR20/3865 titled 'Yerkalapata - A Reconciliation Action Plan for the City of Mount Gambier' as presented on 03 February 2020 be noted.
2. That Council endorse the Yerkalapata - Reconciliation Action Plan (RAP) 2020-2022 for the City of Mount Gambier.
3. That, in collaboration with our Aboriginal and Torres Strait Islander community, there be a public launch of the Yerkalapata - Reconciliation Action Plan (RAP) 2020-2022.

CARRIED

16.3 FIRST DRAFT OF THE STRATEGIC PLAN 2020-2024 – REPORT NO. AR20/5444**RESOLUTION 2020/27**

Moved: Cr Frank Morello

Seconded: Cr Ben Hood

1. That People and Place Committee Report No. AR20/5444 titled 'First Draft of the Strategic Plan 2020-2024' as presented on 03 February 2020 be noted.
2. That the People and Place Committee note the report and that a final draft for public consultation will be presented to Council.

CARRIED

Pursuant to Section 75A of the Local Government Act 1999, Cr Max Bruins disclosed a perceived conflict of interest in Item 16.4:

“One of the applicants is a friend of mine and my parents are the subject of one of the photos in the exhibition.”

Cr Max Bruins informed the meeting of the manner in which he intended to deal with the perceived conflict of interest in Item 16.4 as follows:

“Remain in the chamber and vote on the matter”.

Pursuant to Section 75A of the Local Government Act 1999, Cr Frank Morello disclosed a perceived conflict of interest in Item 16.4:

“I was a member of the selection panel”.

Cr Morello informed the meeting of the manner in which he intended to deal with the perceived conflict of interest in Item 16.4 as follows:

“There is no material, or otherwise, benefit to me or my direct family, so I plan to take part in discussions and vote”.

16.4 CREATIVE ARTS FUND 2019/2020 APPLICATIONS – REPORT NO. AR19/67241

RESOLUTION 2020/28

Moved: Cr Frank Morello

Seconded: Cr Ben Hood

1. That People and Place Committee Report No. AR19/67241 titled ‘Creative Arts Fund 2019/2020 Applications’ as presented on 03 February 2020 be noted.
2. That \$25,000 be endorsed for distribution for the 2019/2020 Creative Arts Fund as follows:

<u>Project Name</u>	<u>Applicant</u>	<u>Requested</u>	<u>Approved</u>
Shine in the South East	Justin Clarke	\$ 8,800	\$ 8,800
The Locals	Kate Hill	\$ 6,345	\$ 6,200
City Band Hall Mural	Mount Gambier City Band	\$ 13,000	\$ 10,000
		\$ 28,145	\$ 25,000

3. That all applicants be notified accordingly, advising that the provision and acquittal of these grant funds will always be subject to:
 - all necessary land holder and development approvals being obtained; and
 - all works being completed in accordance with all relevant legislative and compliance standards.
4. To thank the panel for its work in making its recommendations.
5. That the funds not be released for the project Shine in the South East until a final concept design is received and endorsed by Council at its meeting on 17 March 2020.

CARRIED

In accordance with Section 75A of the Local Government Act 1999 Cr Max Bruins remained in the chamber and voted in favour of the motion for Item 16.4.

In accordance with Section 75A of the Local Government Act 1999 Cr Morello remained in the chamber and voted in favour of the motion for Item 16.4.

16.5 STATE GOVERNMENT CONSULTATIONS ON CREATIVE INDUSTRIES AND THE HI-TECH SECTOR – REPORT NO. AR20/3819**RESOLUTION 2020/29**

Moved: Cr Frank Morello

Seconded: Cr Paul Jenner

1. That People and Place Committee Report No. AR20/3819 titled 'State Government Consultations on Creative Industries and the Hi-Tech Sector' as presented on 03 February 2020 be noted.
2. That the Chief Executive Officer respond to the consultation in line with the final paragraphs of the Creative Industries Consultation and Hi-Tech Sector Consultation sections of this report.

CARRIED

Pursuant to Section 75A of the Local Government Act 1999, Cr Jenner disclosed a perceived conflict of interest in Item 16.6:

"I am a CAP Member".

Cr Jenner informed the meeting of the manner in which he intended to deal with the perceived conflict of interest in Item 16.6 as follows:

I intend to remain in the chamber for discussion and to vote".

16.6 PLANNING AND DESIGN CODE UPDATE – REPORT NO. AR20/3815**RESOLUTION 2020/30**

Moved: Cr Frank Morello

Seconded: Cr Paul Jenner

1. That People and Place Committee Report No. AR20/3815 titled 'Planning and Design Code Update' as presented on 03 February 2020 be noted.
2. That Council note that the Council Administration will supply a technical response to the consultation on the Planning and Design Code addressing perceived inconsistencies and errors in the drafting of the Planning and Design Code for the City of Mount Gambier.

CARRIED

In accordance with Section 75A of the Local Government Act 1999 Cr Jenner remained in the chamber and voted in favour of the motion for Item 16.6.

Pursuant to Section 74 of the Local Government Act 1999, Cr Jenner disclosed a material conflict of interest in Item 16.7:

"I am a CAP Member".

In accordance with Section 74 of the Local Government Act 1999 Cr Jenner did not participate in the meeting for Item 16.7.

Cr Jenner vacated the meeting at 6.54 p.m.

16.7 COUNCIL ASSESSMENT PANEL - MEETING PROCEDURES – REPORT NO. AR20/3785**RESOLUTION 2020/31**

Moved: Cr Frank Morello

Seconded: Cr Ben Hood

1. That People and Place Committee Report No. AR20/3785 titled 'Council Assessment Panel - Meeting Procedures' as presented on 03 February 2020 be noted.
2. That Council endorse the City of Mount Gambier Council Assessment Panel Meeting Procedures, as attached this report.
3. That the Council Assessment Panel consider the Meeting Procedures and recently updated Terms of Reference.
4. That following endorsement by the Council Assessment Panel, the meeting procedures are made public on the relevant Council Assessment Panel part of the Council's website, alongside the Terms of Reference.

CARRIED

Cr Jenner resumed the meeting at 6.55 p.m.

16.8 THE USE OF VARIABLE MESSAGE DISPLAY UNITS FOR TEMPORARY ADVERTISING SIGNAGE ASSOCIATED WITH EVENTS – REPORT NO. AR20/1840**RESOLUTION 2020/32**

Moved: Cr Frank Morello

Seconded: Cr Sonya Meziniec

1. That People and Place Committee Report No. AR20/1840 titled 'The use of variable message display units for temporary advertising signage associated with events' as presented on 03 February 2020 be noted.
2. Council support the placement of the Visual Message Display Units at the following locations:
 - I. Frew Park; Penola Road Frontage
 - II. The Visitor Centre, Jubilee Highway West;
 - III. The Information Bay, Jubilee Highway West (Millicent Road);
 - IV. Crater Lakes Round about, Bay Road;
 - V. The Information Bay, Jubilee Highway East (Adjacent Blue Lake Sports Park);
 - VI. The Rail Lands, Bay Road frontage;
 - VII. The Information Bay, Penola Road (adjacent Kalganyi Caravan Park); and
 - VIII. The Civic Centre carpark (adjacent Sturt Street)
3. Council endorse Development Applications being prepared and submitted for Variable Message Display Units at the locations as identified in (2) as above subject to the following requirements:
 - I. The advertising display of the Variable Message Display Unit does not exceed 4.6 square metres.
 - II. No landscaping shall be damaged during the placement and removal of the Variable Display Message Unit.
 - III. The Variable Message Display Unit shall be located on the subject site no longer than seven days before an event and must be removed within one day after the event to which it is associated.
 - IV. Any damage to Council's infrastructure, such as the kerb and/or footpaths, during the placement and removal of the Variable Message Display Unit shall be made good to the satisfaction of Council.
4. A leaflet be prepared which can be provided to the community identifying where the Variable Message Display Units can be located upon the determination of the Development Applications, and a draft to be supplied to Council for endorsement.

CARRIED

16.9 REQUEST FROM REIDY PARK PRIMARY SCHOOL TO REDUCE THE SIZE OF THE BUS ZONE ON O'HALLORAN TERRACE AND INSTALL A NO PARKING ZONE – REPORT NO. AR20/3880

RESOLUTION 2020/33

Moved: Cr Frank Morello

Seconded: Cr Max Bruins

1. That People and Place Committee Report No. AR20/3880 titled 'Request from Reidy Park Primary School to reduce the size of the Bus Zone on O'Halloran Terrace and install a No Parking Zone' as presented on 03 February 2020 be noted.
2. The Traffic impact statement attached to the People and Place Committee Report No. be endorsed by Council.
3. That City of Mount Gambier, pursuant to Ministerial delegation resolves the following:

Amend Prohibited Area

BUS ZONE

2.1.075

O'HALLORAN TERRACE (NORTHERN HALF)- From 208.0 metres east of the T- intersection with Wehl Street South to 283.3 metres east of the said intersection. To apply between 8.00am and 9.30am / 2.30pm and 4.00pm, Monday to Friday.

Prohibited Area

NO PARKING

1.2.073

O'HALLORAN TERRACE (NORTHERN HALF)- From 144.4 metres east of the T- intersection with Wehl Street South to 205.0 metres east of the said intersection. To apply between 8.00am and 9.30am / 2.30pm and 4.00pm, Monday to Friday

To be effective on the installation of appropriate signage

CARRIED

16.10 POPULATION HEALTH PROFILE FOR THE CITY OF MOUNT GAMBIER – REPORT NO. AR20/3906

RESOLUTION 2020/34

Moved: Cr Frank Morello

Seconded: Cr Paul Jenner

1. That People and Place Committee Report No. AR20/3906 titled 'Population Health Profile for the City of Mount Gambier' as presented on 03 February 2020 be noted.
2. That Council note the provision of this report and endorse it being placed on the Council's website.

CARRIED

17 REGIONAL SPORT AND RECREATION CENTRE COMMITTEE MINUTES AND RECOMMENDATIONS

Nil

18 COUNCIL ASSESSMENT PANEL MINUTES**18.1 MINUTES OF THE COUNCIL ASSESSMENT PANEL HELD ON 16 JANUARY 2020****RESOLUTION 2020/35**

Moved: Cr Paul Jenner
Seconded: Cr Christian Greco

That the Minutes of the Council Assessment Panel meeting held on 16 January 2020 as previously circulated be noted.

CARRIED

19 JUNIOR SPORTS ASSISTANCE (SECTION 41) COMMITTEE MINUTES AND RECOMMENDATIONS

Nil

20 AUDIT COMMITTEE MINUTES AND RECOMMENDATIONS**20.1 MINUTES OF THE AUDIT COMMITTEE HELD ON 20 JANUARY 2020****RESOLUTION 2020/36**

Moved: Cr Sonya Meziniec
Seconded: Cr Frank Morello

That the Minutes of the Audit Committee meeting held on 20 January 2020 as attached be noted.

CARRIED

20.2 INTERNAL FINANCIAL CONTROLS - IMPROVEMENT TASK UPDATE – REPORT NO. AR19/43570**RESOLUTION 2020/37**

Moved: Cr Sonya Meziniec
Seconded: Cr Max Bruins

1. That Audit Committee Report No. AR19/43570 titled 'Internal Financial Controls - Improvement Task Update' as presented on 20 January 2020 be noted.

CARRIED

20.3 QUARTERLY BUDGET REVIEWS - AUDIT COMMITTEE UPDATE – REPORT NO. AR19/66430

RESOLUTION 2020/38

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

1. That Audit Committee Report No. AR19/66430 titled 'Quarterly Budget Reviews - Audit Committee Update as presented on 20 January 2020 be noted.

CARRIED**20.4 CRISIS MANAGEMENT ARRANGEMENTS UPDATE – REPORT NO. AR19/66672****RESOLUTION 2020/39**

Moved: Cr Sonya Meziniec

Seconded: Cr Ben Hood

1. That Audit Committee Report No. AR19/66672 titled 'Crisis management arrangements update' as presented on 20 January 2020 be noted.

CARRIED

Cr Ben Hood vacated the meeting at 7:05 pm

20.5 ANNUAL REPORT 2018-2019 – REPORT NO. AR19/68392**RESOLUTION 2020/40**

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

1. That Audit Committee Report No. AR19/68392 titled 'Annual Report 2018-2019' as presented on 20 January 2020 be noted.

CARRIED

Cr Ben Hood resumed the meeting at 7:06 pm

20.6 AUDIT COMMITTEE SELF-ASSESSMENT OF PERFORMANCE – REPORT NO. AR19/68407[V1]**RESOLUTION 2020/41**

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

1. That Audit Committee Report No. AR19/68407 titled 'Audit Committee self-assessment of performance' as presented on 20 January 2020 be received subject to the inclusion of the performed Works Program and the dates and attendance of the Audit Committee meetings for 2018/19.
2. That the Audit Committee record that it is satisfied that its performance is meeting Council and other relevant Authority's standards and expectations.
3. That the Audit Committee includes an 'Annual report to Council by the Presiding member of the Audit Committee' to its Works Program.
4. The Audit Committee recommends that each Audit Committee agenda include a standard agenda item for the review of progress against the works program.

CARRIED

20.7 REVIEW OF EXTERNAL AUDITOR'S PERFORMANCE AND OVERALL EFFECTIVENESS – REPORT NO. AR19/68411**RESOLUTION 2020/42**

Moved: Cr Sonya Meziniec

Seconded: Cr Frank Morello

1. That Audit Committee Report No. AR19/68411 titled 'Review of external auditor's performance and overall effectiveness' as presented on 20 January 2020 be noted.
2. That Audit Committee note the inclusion of the IT Audit and Project Costing controls testing and that additional controls will be included for testing into the 2019/20 External Audit Plan.

CARRIED

20.8 AUDIT RELATED POLICY REVIEWS – REPORT NO. AR19/68420**RESOLUTION 2020/43**

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

1. That Audit Committee Report No. AR19/68420 titled 'Audit Related Policy Reviews' as presented on 20 January 2020 be noted.
2. That the Audit Committee endorses the following updated Council Policies as attached to the Audit Committee Report No. AR19/68420 to be adopted by Council:
 - (a) Budget Framework Policy B300
 - (b) Fraud and Corruption Prevention Policy F225
 - (c) Treasury Management Policy T150

CARRIED**20.9 REFORMING LOCAL GOVERNMENT IN SOUTH AUSTRALIA – REPORT NO. AR19/70460****RESOLUTION 2020/44**

Moved: Cr Sonya Meziniec

Seconded: Cr Frank Morello

1. That Audit Committee Report No. AR19/70460 titled 'Reforming Local Government in South Australia' as presented on 20 January 2020 be noted.

CARRIED**21 BUILDING FIRE SAFETY COMMITTEE MINUTES**

Nil

22 COUNCIL REPORTS

22.1 REVIEW OF CAROLINE LANDFILL GATE AND WASTE TRANSFER STATION FEES

RESOLUTION 2020/45

Moved: Cr Max Bruins

Seconded: Cr Sonya Mezinec

1. That Council Report No. AR20/8599 titled 'Review of Caroline Landfill Gate and Waste Transfer Station Fees' as presented on 18 February 2020 be noted.
2. That Council adopt recommended gate price for Caroline Landfill of \$190 as presented in this report effective from 1 March 2020 and authorise administration to:
 - (a) Notify all known regular users of the facility; and
 - (b) Update the fees and charges register.

CARRIED

22.2 REVIEW OF VALUATION AND RATING SYSTEM 2020/2021

RESOLUTION 2020/46

Moved: Cr Sonya Mezinec

Seconded: Cr Frank Morello

1. That Council Report No. AR20/1352 titled 'Review of Valuation and Rating System 2020/2021' as presented on 18 February 2020 be noted.
2. That the rating assumptions and directions referred to in this Report be used to prepare Council's draft Annual Business Plan and draft Budget for 2020/2021 for Council's future consideration.

CARRIED

22.3 CONSULTATION DRAFT OF THE STRATEGIC PLAN 2020-2024

RESOLUTION 2020/47

Moved: Cr Ben Hood

Seconded: Cr Frank Morello

1. That Council Report No. AR20/8162 titled 'Consultation Draft of the Strategic Plan 2020-2024' as presented on 18 February 2020 be noted.
2. That Council endorse the draft Strategic 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 and to update the Mayoral Message if required in consultation with the Mayor;
4. That the Statement of Commitment to Aboriginal and Torres Strait Islander Communities be updated to be consistent with the Reconciliation Action Plan, by the CEO, in conjunction with the Mayor, subject to the endorsement of the Reconciliation Action Plan.
5. That Council note the Implementation Plan as being a live document and needing to be updated annually in tandem with the Annual Business Plan and Budget.

CARRIED

22.4 BOOKMARK CAFE - INTERIM UPGRADE WORKS**RESOLUTION 2020/48**

Moved: Cr Ben Hood
Seconded: Cr Max Bruins

1. That Council Report No. AR20/3432 titled 'Bookmark Cafe - Interim Upgrade Works ' as presented on 18 February 2020 be noted.
2. That Council undertake stage 1 immediate upgrade works in conjunction with the preferred operator for the Bookmark Café within existing budget allocation.
3. Council refer further Bookmark Café upgrade works to 2020/21 budget deliberations, to be informed by discussion with the preferred operator and their Business Plan.

CARRIED**22.5 ELECTED MEMBER PARTICIPATION WHEN NOT PHYSICALLY PRESENT****RESOLUTION 2020/49**

Moved: Cr Ben Hood
Seconded: Cr Christian Greco

1. That Council Report No. AR20/3787 titled 'Elected Member Participation When Not Physically Present' as presented on 18 February 2020 be noted.
2. Council staff prepare a report on current teleconferencing technologies to be presented at an informal gathering of Council.
3. That Council develop a clear policy around teleconferencing.

CARRIED**22.6 USE OF CAVE GARDEN FLAG POLES - FRINGE 2020****RESOLUTION 2020/50**

Moved: Cr Sonya Mezinec
Seconded: Cr Paul Jenner

1. That Council Report No. AR20/7275 titled 'Use of Cave Garden Flag Poles - Fringe 2020' as presented on 18 February 2020 be noted.
2. That Fringe Mount Gambier be granted approval to use the special occasion flag poles in the Cave Garden Courtyard as anchor points to hang fairy lights from Tuesday 17 March to Sunday 22 March 2020, subject to:
 - (a) The poles facing Watson Terrace not being used for such purpose, to enable the Aboriginal and Torres Strait Island flags to continue to be flown daily during the period.
 - (b) The consent of the Mount Gambier RSL being obtained for the use of the RSL pole.
 - (c) Such conditions as the Chief Executive Officer (or delegate) consider appropriate to indemnify and release Council from any claim or loss arising from the use of the poles.

CARRIED

22.7 COUNCIL EXECUTIVE STRUCTURE

RESOLUTION 2020/51

Moved: Cr Frank Morello

Seconded: Cr Max Bruins

1. That Council Report No. AR20/7640 titled 'Council Executive Structure' as presented on 18 February 2020 be noted.

CARRIED

Cr Max Bruins vacated the meeting at 7:43 pm

Cr Max Bruins resumed the meeting at 7:45 pm

23 MOTIONS WITH NOTICE

23.1 NOTICE OF MOTION - REGIONAL CABINET

RESOLUTION 2020/52

Moved: Cr Paul Jenner

Seconded: Cr Ben Hood

1. That Council Report No. AR20/8673 titled 'Notice of Motion - Regional Cabinet' as presented on 18 February 2020 be noted.
2. Council write to the Premier of South Australia, Hon. Steven Marshall, and invite the Cabinet to hold a Cabinet meeting in Mount Gambier during 2020, and as part of a regional Cabinet meeting arrange meetings with relevant Ministers on to be identified council and community issues; council host a formal function and networking opportunity for COMG, DCG, Cabinet, and community leaders.
3. Council write to the Leader of the Opposition, Mr Peter Malinauskis MP, and invite the Shadow Cabinet to hold a Shadow Cabinet meeting in Mount Gambier during 2020, and as part of a regional Shadow Cabinet meeting arrange meetings with relevant Ministers on to be identified council and community issues; council host a formal function and networking opportunity for COMG, DCG, Cabinet, and community leaders.
4. The District Council of Grant be invited to co-host any visit arranged as part of part 1 & 2 of the motion.

CARRIED

23.2 NOTICE OF MOTION - JOINT COUNCIL FUNCTION**RESOLUTION 2020/53**

Moved: Cr Paul Jenner

Seconded: Cr Christian Greco

1. That Council Report No. AR20/8676 titled 'Notice of Motion - Joint Council Function' as presented on 18 February 2020 be noted.
2. Council invites the Elected Members, CEO and Senior Officers of the District Council of Grant to an informal networking opportunity (eg a BBQ or casual dinner) to provide Councillors to meet their fellow Councillors from our neighbouring council.
3. The above be scheduled before the end of April 2020.
4. Costs of this important networking function be covered by the City of Mount Gambier.

CARRIED

24 URGENT MOTIONS WITHOUT NOTICE**MOTION – MOUNT GAMBIER HAY RUN****RESOLUTION 2020/54**

Moved: Cr Paul Jenner

Seconded: Cr Christian Greco

That the City of Mount Gambier invite representatives of the Mount Gambier Hay Run to an informal gathering along with representatives of the District Council of Grant to seek more information on how the two Councils may be able to assist.

CARRIED

25 CONFIDENTIAL ITEMS OF COMMITTEES

Nil

26 NEW CONFIDENTIAL ITEMS**26.1 BOOKMARK CAFE - EXPRESSIONS OF INTEREST – REPORT NO. AR20/3205****RESOLUTION 2020/55**

Moved: Cr Christian Greco

Seconded: Cr Max Bruins

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Mayor L Martin, Councillors S Meziniec, M Bruins, C Greco, B Hood, P Jenner and F Morello and Council Officers A Meddle, B Cernovskis, N Serle, J Nagy, T Tzioutziouklaris, A Watson, M McCarthy, M Telford be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 26.1 AR20/3205 Bookmark Cafe - Expressions of Interest.

The Council is satisfied that, pursuant to section 90(3) (a), (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 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 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 Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information provided with the Expression of Interest submissions includes business and financial information of individual and business respondents that has been provided to Council in-confidence and the public consideration and release of which would be an unreasonable disclosure of personal and confidential information that could confer a commercial advantage on a 3rd party or jeopardise the commercial position of Council in the negotiation of arrangements for an operator of the Bookmark Cafe.

CARRIED

RESOLUTION 2020/56

Moved: Cr Max Bruins
Seconded: Cr Sonya Meziniec

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 26.1 AR20/3205 Bookmark Cafe - Expressions of Interest 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) and (g) be kept confidential and not available for public inspection until 6 years have elapsed, or 1 year after the expiry of an operating arrangement entered into in association with this Expression of Interest process, whichever is the later. To be reviewed once in every year in accordance with s91(9).

The name of the successful operator, and the value of any amount payable by the Council under any associated contractual agreement, to be released immediately following execution of agreement documentation.

2. Further that Council delegates the power to review, revoke, but not extension 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

26.2 RIDDOCH ART GALLERY CRATE LOADER – REPORT NO. AR19/62327**RESOLUTION 2020/57**

Moved: Cr Christian Greco
Seconded: Cr Sonya Meziniec

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Mayor L Martin, Councillors S Meziniec, M Bruins, C Greco, B Hood, P Jenner and F Morello and Council Officers A Meddle, B Cernovskis, N Serle, J Nagy, T Tzioutziouklaris, A Watson, M McCarthy, M Telford be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 26.2 AR19/62327 Riddoch Art Gallery Crate Loader.

The Council is satisfied that, pursuant to section 90(3) (b) and (k) 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
- tenders for the:
 - supply of goods, or
 - the provision of services, or

- the carrying out of works

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the matter to be considered includes proposed budget amount associated with a tender process that has yet to be commenced. The disclosure of this information prior to or during a tender process could confer an advantage on potential tenderers and prejudice the commercial position of the Council.

CARRIED

RESOLUTION 2020/58

Moved: Cr Max Bruins

Seconded: Cr Sonya Meziniec

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 26.2 AR19/62327 Riddoch Art Gallery Crate Loader 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) and (k) be kept confidential and not available for public inspection until a contract has been entered into for the proposed Crate Loader.
2. Further that Council delegates the power to review, revoke, but not extension 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

26.3 NOTICE OF MOTION - COMMUNITY AND RECREATION HUB PROJECT CONTROL GROUP – REPORT NO. AR20/8677

RESOLUTION 2020/59

Moved: Cr Sonya Meziniec

Seconded: Cr Christian Greco

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Mayor L Martin, Councillors S Meziniec, M Bruins, C Greco, B Hood, P Jenner and F Morello and Council Officers A Meddle, B Cernovskis, N Serle, J Nagy, T Tzioutziouklaris, A Watson, M McCarthy, M Telford be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 26.3 AR20/8677 Notice of Motion - Community and Recreation Hub Project Control Group.

The Council is satisfied that, pursuant to section 90(3) (b) 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

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the Notice of Motion relates to an item previously considered by Council in-confidence that remains subject to a confidentiality order to ensure that the commercial position of the Council is not disadvantaged by third parties understanding the scale of financial delegations relating to this project.

CARRIED

RESOLUTION 2020/60

Moved: Cr Christian Greco

Seconded: Cr Max Bruins

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 26.3 AR20/8677 Notice of Motion - Community and Recreation Hub Project Control Group 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) be kept confidential and not available for public inspection until 31 December 2021.
2. Further that Council delegates the power to review, revoke, but not extension 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

27 MEETING CLOSE

The Meeting closed at 8.20 p.m.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 17 March 2020.

.....
PRESIDING MEMBER

**MINUTES OF CITY OF MOUNT GAMBIER
SPECIAL COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON TUESDAY, 3 MARCH 2020 AT 6.15 P.M.**

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

COUNCIL OFFICERS: Chief Executive Officer - Mr A Meddle
Manager Executive Administration - Mr M McCarthy
Communications Officer - Mrs A Watson

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 APOLOGIES

RESOLUTION 2020/70

Moved: Cr Paul Jenner

Seconded: Cr Christian Greco

That the apology from Cr Kate Amoroso be received

CARRIED

3 COUNCIL REPORTS

3.1 ITEM 2 - COMMUNITY AND RECREATION HUB - REQUEST FOR REPORT ON TIMING OF ADVICE ON TENDER OUTCOMES

MOTION

Moved: Cr Steven Perryman

1. That Council Report No. AR20/14667 titled 'Item 2 - Community and Recreation Hub - Request for Report on Timing of Advice on Tender Outcomes' as presented on 03 March 2020 be noted.
2. The CEO provide a written report to Council explaining the reasons and issues which caused him to delay providing prompt advice to Councilors via briefing, memo, report or other means, of the outcomes of the tender for the Regional Recreation and Sports Centre project.

After taking into account the Guiding Principles the Mayor refused to accept the Motion, in accordance with R12 (6) on the basis that it should be dealt with by way of a written Notice of Motion.

3.2 ITEM 3 - COMMUNITY AND RECREATION HUB - REQUEST FOR REASONS FOR TENDER DEADLINE EXTENSION

MOTION

Moved: Cr Steven Perryman

1. That Council Report No. AR20/14677 titled 'Item 3 - Community and Recreation Hub - Request for Reasons for Tender Deadline Extension' as presented on 03 March 2020 be noted.
2. The CEO provide a detailed written memo to Councilors explaining the reasons for council administration extending deadline of Regional Recreation and Sports Centre tender process on two occasions, including details of who made the decision, under what delegated authority the decision was made, and why a Council meeting or Regional Sport and Recreation Centre Committee meeting was not called to deal with the issue of extending the tender timelines. This report to be provided to Councilors by 5.00 p.m. on Wednesday 4th March 2020.

After taking into account the Guiding Principles the Mayor refused to accept the Motion, in accordance with R12 (6) on the basis that it should be dealt with by way of a written Notice of Motion.

Item 3.3 was discussed after Item 4.2

3.3 ITEM 5 - COMMUNITY AND RECREATION HUB - REQUEST FOR CEO MEMO ON MATTERS LISTED IN ITEM 4

MOTION

Moved: Cr Paul Jenner

1. That Council Report No. AR20/14689 titled 'Item 5 - Community and Recreation Hub - Request for CEO Memo on matters listed in Item 4' as presented on 03 March 2020 be noted.
2. The CEO distribute a memo to Councilors providing a detailed written summary to the matters in tem 4) above by 5 pm Wednesday 4th March.

After taking into account the Guiding Principles the Mayor refused to accept the Motion, in accordance with R12 (6) on the basis that it should be dealt with by way of a written Notice of Motion.

4 NEW CONFIDENTIAL ITEMS

4.1 ITEM 1 - COMMUNITY AND RECREATION HUB - REQUEST FOR SUMMARY LISTING OF COMPANY NAMES AND TENDER PRICES – REPORT NO. AR20/14664

RESOLUTION 2020/71

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Mayor L Martin, Councillors S Mezinec, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officers A Meddle, M McCarthy and A Watson be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 4.1 AR20/14664 Item 1 - Community and Recreation Hub - Request for summary listing of company names and tender prices.

The Council 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 Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the matter to be discussed is the subject of a tender process that is still under assessment and to which stringent confidentiality provisions have been applied to ensure integrity of the procurement process thus creating a duty of confidence in related matters.

The premature disclosure of information associated with the tender could reasonably be expected to prejudice the integrity of the procurement process.

Further, the premature discussion and potential disclosure of information arising from tenderer submissions could reasonably be expected to include information of a commercial and/or confidential nature the release of which could prejudice the commercial position of the Council as the principal in the procurement process.

The public interest in the public disclosure of such information is considered to be outweighed by the public benefit of the project the subject of this matter, which project and/or project timing could be put at risk by any material factors that could undermine the integrity of the procurement process.

CARRIED

RESOLUTION 2020/72

Moved: Cr Sonya Mezinec

Seconded: Cr Max Bruins

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 4.1 AR20/14664 Item 1 - Community and Recreation Hub - Request for summary listing of company names and tender prices 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 the relevant tender(s) associated with the Regional Sport and Recreation Project have been considered and determined by the Council, or 2 years, whichever is the earlier.
2. Further that Council delegates the power to review, revoke, but not extension 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

4.2 ITEM 4 - COMMUNITY AND RECREATION HUB - REQUEST FOR VERBAL UPDATE - SEVERAL MATTERS – REPORT NO. AR20/14687

RESOLUTION 2020/73

Moved: Cr Frank Morello
 Seconded: Cr Sonya Meziniec

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Mayor L Martin, Councillors S Meziniec, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officers A Meddle, M McCarthy and A Watson be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 4.2 AR20/14687 Item 4 - Community and Recreation Hub - Request for Verbal Update - Several Matters.

The Council is satisfied that, pursuant to section 90(3) (b) 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
- 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 Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the matters to be discussed includes

information subject to existing order of confidentiality made by Council the disclosure of which would be a breach of Council's own confidence.

Further, matters to be raised include procurements which are the subject of tender processes that are yet to be completed. The premature disclosure of information associated with such procurements could reasonably be expected to prejudice the commercial position of the Council.

The public interest in the disclosure of such information is considered to be outweighed by the public benefit of achieving a beneficial outcomes from the procurement processes.

CARRIED

RESOLUTION 2020/74

Moved: Cr Max Bruins

Seconded: Cr Sonya Mezinac

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 4.2 AR20/14687 Item 4 - Community and Recreation Hub - Request for Verbal Update - Several Matters 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) and (g) be kept confidential and not available for public inspection until 31 December 2021.
2. Further that Council delegates the power to review, revoke, but not extension 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

4 MEETING CLOSE

The Meeting closed at 6.40 p.m.

The minutes of this meeting were confirmed at the Ordinary Meeting of the City of Mount Gambier held on 17 March 2020.

.....
PRESIDING MEMBER

**MINUTES OF CITY OF MOUNT GAMBIER JUNIOR SPORTS ASSISTANCE FUND
COMMITTEE MEETING HELD AT THE COMMITTEE ROOM, LEVEL 1, CIVIC CENTRE,
10 WATSON TERRACE, MOUNT GAMBIER ON WEDNESDAY 11 MARCH 2020 AT 5.30 P.M.**

PRESENT: Cr Christian Greco, Mayor Lynette Martin, Ms Karen Cunningham, Cr Megan Dukalskis, Ms Jenny Burston

OFFICERS IN ATTENDANCE: 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: Karen Cunningham

Seconded: Jenny Burston

That the apologies from Cr Kate Amoroso and Mrs Jeanette Elliott be received.

CARRIED

3 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Karen Cunningham

That the minutes of the Junior Sports Assistance Fund meeting held on 9 October 2019 and the Junior Sports Assistance Fund meeting held on 9 October 2019 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 QUESTIONS WITHOUT NOTICE

Nil

5 REPORTS

5.1 CORRESPONDENCE RECEIVED

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Megan Dukalskis

1. That Junior Sports Assistance Fund Report No. AR19/66243 titled 'Correspondence Received' as presented on 11 March 2020 be noted.

CARRIED

5.2 COMMITTEE APPOINTMENTS

COMMITTEE RESOLUTION

Moved: Cr Christian Greco
Seconded: Karen Cunningham

1. That Junior Sports Assistance Fund Report No. AR19/64728 titled 'Committee Appointments' as presented on 11 March 2020 be noted.

CARRIED

5.3 STATEMENT OF REVENUE AND EXPENSES - 1/10/2019 - 29/02/2020

COMMITTEE RESOLUTION

Moved: Cr Christian Greco
Seconded: Karen Cunningham

1. That Junior Sports Assistance Fund Report No. AR20/15047 titled 'Statement of Revenue and Expenses - 1/10/2019 - 29/02/2020' as presented on 11 March 2020 be noted.
2. The financial statement of the Fund as 29 February 2020 be received, noting a cash balance of \$108,023.

CARRIED

5.4 APPLICATIONS FOR FINANCIAL ASSISTANCE FOR JUNIORS AND PAYMENTS FROM THE FUND FROM 01/09/2019 TO 29/02/2020

COMMITTEE RESOLUTION

Moved: Cr Christian Greco
Seconded: Jenny Burston

1. That Junior Sports Assistance Fund Report No. AR20/15392 titled 'Applications for Financial Assistance for Juniors and Payments from the Fund from 01/09/2019 to 29/02/2020' as presented on 11 March 2020 be noted.

CARRIED

5.5 ROTARY CLUB OF MOUNT GAMBIER LAKES - DONATION TO FINANCIALLY DISADVANTAGED JUNIOR SPORTSPERSONS

COMMITTEE RESOLUTION

Moved: Karen Cunningham
Seconded: Jenny Burston

- | |
|--|
| <ol style="list-style-type: none">1. That Junior Sports Assistance Fund Report No. AR19/66198 titled 'Rotary Club of Mount Gambier Lakes - Donation to Financially Disadvantaged Junior Sportspersons' as presented on 11 March 2020 be noted.2. The following applications/funding be made available to the Member Organisation named below to assist the identified junior(s) to achieve their fullest participation with the specific purpose donation from the Rotary Club of Mount Gambier Lakes - Donations to Financially Disadvantaged Junior Sportspersons initiative (funded from some of the proceeds from the 2018 Blue Lake Fun Run) and to be used strictly in accordance with their respective confidential application:<ol style="list-style-type: none">(i) Basketball Mount Gambier - \$900 |
|--|

CARRIED

6 URGENT MOTIONS WITHOUT NOTICE

Nil

7 MEETING CLOSE

The Meeting closed at 5.46 p.m.

The minutes of this meeting were confirmed at the Junior Sports Assistance Fund held on .

.....
PRESIDING MEMBER

19.2 CORRESPONDENCE RECEIVED - REPORT NO. AR19/66243

Committee:	Junior Sports Assistance Fund
Meeting Date:	11 March 2020
Report No.:	AR19/66243
CM9 Reference:	AF11/725
Author:	Melissa Telford, Administration Officer - Executive Support
Authoriser:	Andrew Meddle, Chief Executive Officer
Summary:	The report provides details on correspondence received since the previous meeting of the Fund dated 9 October 2019.
Community Plan Reference:	Goal 1: Our People

REPORT RECOMMENDATION

1. That Junior Sports Assistance Fund Report No. AR19/66243 titled 'Correspondence Received' as presented on 11 March 2020 be noted.



BACKGROUND

The report provides details on correspondence received since the previous meeting of the Fund dated 9 October 2019 and is provided for information.

DISCUSSION

The following correspondence has been received thanking the Fund for payments since the last meeting dated 19 October 2019:

- Danelle Seaton (letter of appreciation for donation to Ellie and Kate Seaton to attend the Singapore Cup);
- Mark and Jo Wight (letter of thanks for donation to Tess Wight to attend the Junior National Road Cycling Championships);
- Austin Rossi (letter of thanks for donation to attend the Singapore Cup);
- Seth Michielan (letter of thanks for donation to attend the Singapore Cup); and
- Stella Mobbs (Letter of thanks for donation to attend Australian Junior Basketball Championships).

ATTACHMENTS

1. Email - Donation thank you - Ellie and Kate Seaton [↓](#)
2. Email - Donation thank you - Tess Wight [↓](#)
3. Letter - Donation thank you - Austin Rossi [↓](#)
4. Letter - Donation thank you - Seth Michielan [↓](#)
5. Letter - Donation thank you - Stella Mobbs [↓](#)



Melissa Telford

From: Danelle Seaton <danelleseaton@gmail.com>
Sent: Thursday, 24 October 2019 1:54 PM
To: City Emails
Subject: Re: Ellie and Kate Seaton Junior Sports Assistance Fund

On behalf of Ellie and Kate Seaton I would like to sincerely thank the City of Mount Gambier for their generous Junior Sports Fund donation. With kind regards, Danelle Seaton

On Mon, 14 Oct. 2019, 6:41 pm Danelle Seaton, <danelleseaton@gmail.com> wrote:
Please find attached Questionnaire from Ellie and Kate Seaton. With kind regards, Danelle Seaton



Melissa Telford

From: wight@internode.on.net
Sent: Sunday, 13 October 2019 2:16 PM
To: City Emails
Subject: Jnr Sports Fund - Tess Wight

Good Afternoon,

Writing to thank the Jnr Sports Committee for the financial assistance in enabling daughter Tess to participate at the Jnr National Road Cycling Championships in late Sept.

Tess had great results in her first year as a South Australian State U17 rider, finishing 4th in the Time Trial, 3rd in the Road Race and 7th in the Criterium race.

She has learnt a lot from the racing and is looking forward to her future events.

Thanks again for the support without contribution from such funds we would not always be able help Tess achieve her dreams.

Regards

Mark and Jo Wight



24th November, 2019

Junior Sports Assistance Fund
c/- PO Box 56
Mount Gambier SA 5290

To Whom It May Concern

I would like to take this opportunity to thank your organization for its generous donation which assisted me to travel to Singapore to participate in the 2019 Singa Cup.

It was a fantastic experience that allowed me to compete in an international tournament against elite players from the Asia-Pacific region. I thoroughly enjoyed the time spent in Singapore, both in a sporting and cultural sense.

I hope to use the knowledge gained from this competition to continue developing not only as a player but also as a person.

Once again, thank you for your generosity!

Kind Regards,
Austin Rossi



Dear City of Mount Gambier Junior Assistance Program,

I would like to take this opportunity to personally thank you for your kind donation towards my trip when I competed in the 2019 Singa Cup in Singapore in November. It really was very generous and I appreciate it greatly.

The South Australian Under 14's Regional team unfortunately were eliminated after reaching the quarter finals. Playing in the hot conditions was very different, difficult and sometimes exhausting which we all found very challenging. It taught us a lot about hydration and smart player management. We learnt many things from the excellent coaching staff and it has made me aware of how much more there is to learn, and what I have to do to be the best player that I can be.

My coach Rod Del Nido was amazing! I learnt so many new things about the game and also myself. My coach also spent every day and night – showing us around the city to see the sights and expose us to the Singapore cultural experiences. One of my favourite times was being taken to the food stalls to have a traditional Singaporean meal of Chicken, rice and soup.

This experience really has taught me to appreciate the wonderful opportunities we have by living in this great country. I have also made many new friendships with the playing and coaching staff.

Once again thank you very much for your thoughtful and supportive donation which helped me in attending such a wonderful tournament.

Kind regards,

Seth Michielar



20th February 2020

Secretary,
Mount Gambier Junior Sports Assistance Fund,
P O Box 56,
Mount Gambier SA 5290

To Whom It May Concern,

Thank you for the contribution made by the Junior Sports Assistance Fund to assist me to attend a trip to Albury for the 2020 Australian Junior Basketball Championship.

The week was an extremely valuable experience, my confidence, personal growth has developed, and I want to continue to increase my effort to better myself both on and off the court now that I have returned.

Thanks again for this support,

Kind Regards,

Stella Mobbs
Stella Mobbs



19.3 COMMITTEE APPOINTMENTS - REPORT NO. AR19/64728

Committee:	Junior Sports Assistance Fund
Meeting Date:	11 March 2020
Report No.:	AR19/64728
CM9 Reference:	AF11/725
Author:	Melissa Telford, Administration Officer - Executive Support
Authoriser:	Andrew Meddle, Chief Executive Officer
Summary:	This report reflects the appointment of members of the Committee who are authorised to consider and approve applications for Junior Sports Fund assistance.
Community Plan Reference:	Goal 1: Our People

REPORT RECOMMENDATION

1. That Junior Sports Assistance Fund Report No. AR19/64728 titled 'Committee Appointments' as presented on 11 March 2020 be noted.



BACKGROUND

The Junior Sports Assistance Fund appoints Committee Members to consider and approve applications for funding from Member Organisations. This report reflects the appointments made.

DISCUSSION

Due to the withdrawal of the Mount Gambier Showjumping Club the following amended list of committee members empowered to consider applications are presented for authorisation:

APPLICATIONS FROM	COMMITTEE MEMBERS EMPOWERED TO CONSIDER
1. SWIMMING	KAREN CUNNINGHAM FELICITY WALKER
2. FOOTBALL	JEANETTE ELLIOTT JENNY BURSTON
3. HOCKEY	KAREN CUNNINGHAM JEANETTE ELLIOTT
4. BASKETBALL	FELICITY WALKER JENNY BURSTON
5. NETBALL – MGT NETBALL ASSOCIATION <u>AND</u> (those Netball Clubs associated with Mount Gambier WBFL Football Clubs provided those Football Clubs are Members of the Fund i.e. <ul style="list-style-type: none"> • South Gambier • North Gambier) 	JEANETTE ELLIOTT JENNY BURSTON
6. BASEBALL	KAREN CUNNINGHAM FELICITY WALKER
7. TENNIS	KAREN CUNNINGHAM FELICITY WALKER
8. PONY CLUB	JEANETTE ELLIOTT JENNY BURSTON
9. GOLF	JENNY BURSTON FELICITY WALKER
10. CRICKET	KAREN CUNNINGHAM JEANETTE ELLIOTT
11. ATHLETICS	KAREN CUNNINGHAM JEANETTE ELLIOTT
12. TOUCH FOOTBALL	JENNY BURSTON FELICITY WALKER
13. WOMEN'S FOOTBALL	KAREN CUNNINGHAM JENNY BURSTON



APPLICATIONS FROM	COMMITTEE MEMBERS EMPOWERED TO CONSIDER
14. CYCLING & TRIATHLON	JEANETTE ELLIOTT FELICITY WALKER
15. SOCCER	KAREN CUNNINGAM JENNY BURSTON

CONCLUSION

The committee appointments referenced above to consider and approve applications to the Junior Sports Fund Assistance Fund be presented for adoption.

ATTACHMENTS

Nil



19.4 STATEMENT OF REVENUE AND EXPENSES - 1/10/2019 - 29/02/2020 - REPORT NO. AR20/15047

Committee: Junior Sports Assistance Fund
Meeting Date: 11 March 2020
Report No.: AR20/15047
CM9 Reference: AF11/725
Author: Melissa Telford, Administration Officer - Executive Support
Authoriser: Andrew Meddle, Chief Executive Officer
Summary: This report presents the financial position of the Junior Sports Assistance Fund for period 1 October 2019 - 29 February 2020.
Community Plan Reference: Goal 1: Our People

REPORT RECOMMENDATION

1. That Junior Sports Assistance Fund Report No. AR20/15047 titled 'Statement of Revenue and Expenses - 1/10/2019 - 29/02/2020 as presented on 11 March 2020 be noted.
2. The financial statement of the Fund as 29 February 2020 be received, noting a cash balance of \$108,023.



BACKGROUND

The financial position of the Junior Sports Assistance Fund from meeting to meeting is reported for information.

DISCUSSION

The report provides the Junior Sports Assistance Fund Committee the balance of funds held at the Bendigo Bank as at 29 February 2020. Provided is the revenue from the member sporting organisations, Council contributions, bank interest and any donations received during the reporting period. Payments to junior sportspersons, coaching clinics, exceptional and financially disadvantaged juniors are also provided to inform the members of the expenditure incurred during this reporting period. This allows the Committee the ability to assess current funds to determine whether any adjustment is necessary in relation to payments to member organisations.

CONCLUSION

The financial position of the Junior Sports Assistance Fund as at 29 February 2020 is very sound. The consolidated balance of the fund is \$108,023 which is more than sufficient to cover future commitments.

ATTACHMENTS

1. Junior Sports Assistance Fund - Statement of Reveue and Expediture 01/10/2019 - 29/02/2020
[↓](#)



CITY OF MOUNT GAMBIER JUNIOR SPORTING FUND**STATEMENT OF REVENUE AND EXPENDITURE
1st October 2019 - 29 February 2020****REVENUE**

Member Contributions		\$8,546.00
Blue Lake Y Swimming Club	\$ 400.00	
Limestone Coast Football Association	\$ 704.00	
South East Women's Football Association	\$ 642.00	
Lakes Junior Tennis Association	\$ 400.00	
Mount Gambier Netball Association	\$ 400.00	
Mount Gambier Junior Cricket Association	\$ 400.00	
Mount Gambier Touch Association	\$ 400.00	
Basketball Mount Gambier	\$ 800.00	
Mount Gambier & District Pony Club	\$ 400.00	
Lower South East Hockey Association	\$ 800.00	
Mount Gambier & District Baseball League	\$ 800.00	
Mount Gambier Cycling Club	\$ 400.00	
Mount Gambier Swimming Club Inc	\$ 400.00	
Mount Gambier Golf Club	\$ 400.00	
South Gambier Football & Netball Clubs	\$ 400.00	
North Gambier Football & Netball Clubs	\$ 400.00	
Mount Gambier & District Little Athletics	\$ 400.00	
Council Contributions		\$16,000.00
City of Mount Gambier	\$ 12,000.00	
District Council of Grant	\$ 4,000.00	
Investments on investment/bank accounts	\$446.22	\$446.22
Donations - Coaching Clinics		\$0.00
Donations - Financially Disadvantaged Juniors		\$0.00
Donations - Exceptional Juniors		\$0.00
Donations - Other		\$0.00
TOTAL REVENUE	-	\$24,992.22



LESS EXPENDITURE

Payments for Junior Sportsperson		\$3,500.00
Lower South East Hockey Association - R Earle	\$ 300.00	
Limestone Coast Football Association - F kentish	\$ 350.00	
Lower South East Hockey Association - Shae Delaney	\$ 300.00	
Limestone Coast Football Association - Nicholas Teodoro	\$ 350.00	
Lakes Junior Tennis Association - Jayme Young & Emily Edwards	\$ 400.00	
Basketball Mount Gambier - 6 nominees	\$ 1,200.00	
Lower South East Hockey Association - Zara Blackwell	\$ 400.00	
Mount Gambier & District Cricket Association - Hamish Case	\$ 200.00	
Payments for Coaching Clinics		\$0.00
Payments for Financially Disadvantaged Juniors		\$0.00
Payments to Exceptional Juniors		\$0.00
Bank fees and charges	\$ -	\$0.00
TOTAL EXPENDITURE		\$3,500.00
<u>SURPLUS (DEFICIT)</u>		<u>\$21,492.22</u>



CITY OF MOUNT GAMBIER JUNIOR SPORTING FUND**STATEMENT OF NET ASSETS
29-Feb-20****This is represented by:**

Opening Balance Bendigo Bank Term Deposit (633-000 152962106) as at 30 September 2019	\$42,236.24
Opening Balance Bendigo Bank Account (633-000 148372071) as at 30 September 2019	\$50,714.54
Less outstanding cheques as at 30 September 2019	
Cheque 2914 (Mount Gambier & District Little Athletics)	(\$200.00)
Cheque 2917 (Lower South East Hockey Association)	(\$600.00)
Cheque 2918 (Limestone Coast Football Association)	(\$2,800.00)
Cheque 2919 (South East Women's Football Association)	(\$2,100.00)
Cheque 2920 (Lower South East Hockey Association)	(\$600.00)
Cheque no.2905 (Mount Gambier & District Baseball League)	(\$120.00)
Add: Surplus/Deficit (Period Ended 29 Feb 2020)	\$21,492.22
Net Assets as at 30th June 2019	\$108,023.00
Closing Balance Bendigo Bank Term Deposit (633-000 152962106) as at 29 Feb 2020	\$42,659.76
Closing Balance Bendigo Bank Account (633-000 148372071) as at 29 Feb 2020	\$66,563.24
Less Outstanding Cheques as at 30 Sept 2019	
Cheque no. 2926 (Basketball Mount Gambier)	(\$1,200.00)
TOTAL ASSETS	\$108,023.00



19.5 APPLICATIONS FOR FINANCIAL ASSISTANCE FOR JUNIORS AND PAYMENTS FROM THE FUND FROM 01/09/2019 TO 29/02/2020 - REPORT NO. AR20/15392

Committee: Junior Sports Assistance Fund
Meeting Date: 11 March 2020
Report No.: AR20/15392
CM9 Reference: AF11/725
Author: Melissa Telford, Administration Officer - Executive Support
Authoriser: Andrew Meddle, Chief Executive Officer
Summary: The report provides details on applications received for financial assistance from Members of the Junior Sports Assistance Fund and payments made from the Fund since the previous general meeting held 9 October 2019.
Community Plan Reference: Goal 1: Our People

REPORT RECOMMENDATION

1. That Junior Sports Assistance Fund Report No. AR20/15392 titled 'Applications for Financial Assistance for Juniors and Payments from the Fund from 01/09/2019 to 29/02/2020' as presented on 11 March 2020 be noted.



BACKGROUND

The report provides details on applications received for financial assistance from Members of the Junior Sports Assistance Fund and payments made from the Fund from meeting to meeting and is reported for information.

DISCUSSION

Applications for Financial Assistance

The Secretary reported that for the period 1 September 2019 to 29 February 2020 the following applications have been received and payments made from the Fund for Junior's:

- (a) Mount Gambier Netball Association
Nil
- (b) Basketball Mount Gambier
 - (i) six nominees \$1,200
- (c) Lower South East Hockey Association
 - (i) two nominees \$600
 - (ii) one nominee \$300
 - (iii) one nominee \$300
 - (iv) one nominee \$400
- (d) Mount Gambier and District Baseball League
Nil
- (e) Blue Lake Y Swim Club
Nil
- (f) South Gambier Football/Netball Clubs
Nil
- (g) North Gambier Football/Netball Clubs
Nil
- (h) Mount Gambier Touch Association
Nil
- (i) Mount Gambier and District Junior Cricket
 - (i) one nominee \$200
- (j) Mount Gambier Golf Club
Nil
- (k) Mount Gambier District Little Athletics



Nil

(l) Discretionary

Nil

(m) Mount Gambier and District Pony Club

Nil

(n) South East Women's Football

(ii) six nominees \$2,100

(o) Mount Gambier Cycling Club

Nil

(p) Limestone Coast Football Association

(i) eight nominees \$2,800

(ii) one nominee \$350

(iii) one nominee \$350

(q) Lakes Junior Tennis

(iv) two nominees \$400

(r) Mount Gambier Swimming Club

Nil

Payments from the Fund - Since 1 July 2015

Payments to Member Organisations for Junior Sportsperson's financial assistance for period 1 September 2019 to 29 February 2020 amounts to \$9,000 and total payments since 1 July 1988 to 29 February 2020 amounts to \$489,595.

Actual payments to Member Organisations for Coaching Clinics for the period 1 September 2019 to 29 February 2020 amounts to Nil and total actual payments since 1 July 1991 to 29 February 2020 amounts to \$90,383.

Please note we will commence the application process for Coaching Clinic funding in the coming week.

Payments to Member Organisations for Financially Disadvantaged Juniors for period 1 September 2019 to 29 February 2020 amounts to Nil and total payments since 22 May 2013 to 29 February 2020 amounts to \$15,000.

Payments to Member Organisations for Exceptional Juniors for period 1 September 2019 to 29 February 2020 amounts to Nil and total payments since 20th November 2013 to 29 February 2020 amounts to \$7,000. Note: this initiative was previously funded by a sponsor direct to the awardee.

Please note we have received advice from the Commercial Club of their intention to once again fund this initiative. We will commence the application process with our members in the coming week for their nominations for Exceptional Junior for 2019.



Payments from the Junior Sports Fund on a quarterly basis over previous quarters for Juniors - State Selection only (not coaching etc.) is as follows:

<i>Financial year</i>	<i>Quarter</i>	<i>Totals each quarter \$</i>	<i>Accumulative Totals \$</i>
2019/2020	J - S	7,050	7,050
	O - D	1,700	1,700
	J - 29 Feb	1,800	1,800
2018/2019	J - S	5,500	5,500
	O-D	3,750	9,250
	J-M	2,325	11,575
	A - J	4,620	16,195
2017/2018	J - S	4,100	4,100
	O - D	4,600	8,700
	J - M	2,100	10,800
	A - J	2,650	13,450
2016/2017	J - S	6,750	6,750
	O - D	2,250	9,000
	J - M	8,500	17,500
	A - J	2,850	20,350
2015/2016	J - S	3,450	3,450
	O - D	9,950	13,400
	J - M	3,900	17,300
	A - J	3,300	20,600
2014/2015	J - S	4,000	4,000
	O - D	5,350	9,350
	J - M	1,000	12,450
	A - J	2,750	15,200

Other Applications Received

Since the previous general meeting of 9 October 2019 to 29 February 2020:

- (a) no non-resident applications was received during this period;
- (b) no applications for financial assistance were declined during this period.
- (c) no discretionary donation was made during this period.

ATTACHMENTS

Nil



19.6 ROTARY CLUB OF MOUNT GAMBIER LAKES - DONATION TO FINANCIALLY DISADVANTAGED JUNIOR SPORTSPERSONS - REPORT NO. AR19/66198

Committee:	Junior Sports Assistance Fund
Meeting Date:	11 March 2020
Report No.:	AR19/66198
CM9 Reference:	AF11/725
Author:	Melissa Telford, Administration Officer - Executive Support
Authoriser:	Andrew Meddle, Chief Executive Officer
Summary:	The Rotary Club of Mount Gambier Lakes provides annual funding to assist the Junior Sports Assistance Fund to provide a program to assist financially disadvantaged junior sportspersons with the costs of their participation in their chosen sport. Member Organisations are invited to submit up to two confidential nominations for consideration of the Committee.
Community Plan Reference:	Goal 1: Our People

REPORT RECOMMENDATION

1. That Junior Sports Assistance Fund Report No. AR19/66198 titled 'Rotary Club of Mount Gambier Lakes - Donation to Financially Disadvantaged Junior Sportspersons' as presented on 11 March 2020 be noted.
2. The following application(s)/funding be made available to the Member Organisations named below to assist the identified junior(s) to achieve their fullest participation with the specific purpose donation from the Rotary Club of Mount Gambier Lakes - Donations to Financially Disadvantaged Junior Sportspersons initiative (funded from some of the proceeds from the 2018 Blue Lake Fun Run) and to be used strictly in accordance with their respective confidential application:
 - (i)
 - (ii)



BACKGROUND

The Rotary Club of Mount Gambier Lakes conducted the very successful 2018 One Forty One Plantation Blue Lake Fun Run.

The Club had previously determined its schedule of organisations to receive the benefit of the surplus funds from the 2018 event.

One of the initiatives that the Club wished to achieve was to develop a process to assist financially disadvantaged junior sportspersons with the costs of their participation in their chosen sport e.g. equipment, footwear etc.

Member Organisations were invited to submit up to two (2) confidential nominations in accordance with the guidelines and the application form to utilise the remaining funding being \$1,350 with applications closing on Friday 17 January 2020.

DISCUSSION

As at Friday 17 January 2020 the following nominations were received:

(i) **Applicant 1**

Basketball Mount Gambier - Nominee Aged 13 years

REASONS FOR NOMINATING THIS PARTICULAR JUNIOR:

Applicant 1 unfortunately lost both parents and is cared for by her neighbour. A teacher at Applicant 1's school contacted Basketball Mount Gambier enquiring about basketball as one of her friends is playing. Applicant 1 was contacted and subsequently placed in her friends team. Basketball Mount Gambier have not billed Applicant 1 for season 2019/2020 and will not do so. We feel Applicant 1 needs to play with her friend to get her out and about participating in sport and maintaining and developing new friendships.

ASSUME MAXIMUM DONATION IS \$300 – HOW WILL DONATION BE USED?

The donation will be used to pay Applicant 1's registration fees and weekly match fees for the 2020 winter season.

(ii) **Applicant 2**

The following advice is provided for consideration and discussion at the meeting.

This application came through nominating the two brothers as one applicant. Our policy for Member Organisations is that they are able to nominate up to two of their juniors for consideration and who meet the criteria of this initiative.

Basketball Mount Gambier - Nominee Aged 12 & 11 years

REASONS FOR NOMINATING THIS PARTICULAR JUNIOR:

Applicant 2 are two brothers who are cared for by their grandmother. The grandmother has custody of her 6 grandchildren and 2 of them have disabilities. Although both brothers have played basketball for a number of years, our fees have increased and we would love to ease the burden financially a little to assist this family.

ASSUME MAXIMUM DONATION IS \$300 – HOW WILL DONATION BE USED?



The donation will be used to pay winter 2020 registration fees and/or match fees.

CONCLUSION

This report presents the applications received for consideration of the Junior Sports Assistance Fund Committee.

We thank the Rotary Club of Mount Gambier Lakes for their ongoing support to this most worthy Program which assists disadvantaged juniors to continue participating in their chosen sport

ATTACHMENTS

Nil



**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, 2 MARCH 2020 AT 5.30 P.M.**

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

OFFICERS IN ATTENDANCE:	Chief Executive Officer	- Mr A Meddle
	General Manager City Infrastructure	- Mr N Serle
	General Manager City Growth	- Dr J Nagy
	Manager Development Services	- Mrs T Tzioutziouklaris
	Communications Officer	- Mrs A Watson
	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)

Due to telecommunication difficulties, the request from Cr Kate Amoroso to dial in was unsuccessful.

3 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Paul Jenner

That the minutes of the Economic and Environment Committee meeting held on 13 January 2020 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 QUESTIONS WITHOUT NOTICE

Nil

5 DEPUTATIONS

5.1 DEPUTATION - LIMESTONE COAST PROSTATE CANCER SUPPORT GROUP

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Frank Morello

1. That Economic and Environment Committee Report No. AR20/12751 titled 'Deputation - Limestone Coast Prostate Cancer Support Group' as presented on 02 March 2020 be noted.

CARRIED

The confidential presentation by Beach Energy was brought forward and presented at 5.45 p.m. due to time restraints. Refer to item 8.1 in confidential minutes.

6 REPORTS

6.1 PUBLIC OPEN SPACE SERVICE LEVELS

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Max Bruins

4. That Economic and Environment Committee Report No. AR20/10721 titled 'Public open space service levels' as presented on 02 March 2020 be noted.
5. Council supports the improvement measures contained in report AR20/10721.
6. That a report on the 2020/2021 peak weed season be brought back to Council in March 2021, updating Council on the impact of the proposed improvements.

CARRIED

Pursuant to Section 74 of the Local Government Act 1999, Cr Jenner disclosed a material conflict of interest in Item 6.2:

"I am a CAP Member".

In accordance with Section 74 of the Local Government Act 1999 Cr Jenner did not participate in the meeting for Item 6.2.

Cr Jenner left the meeting at 6.46 p.m.

6.2 COUNCIL ASSESSMENT PANEL FEES AND RECRUITMENT UPDATE

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Ben Hood

1. That Economic and Environment Committee Report No. AR20/10875 titled 'Council Assessment Panel Fees and Recruitment Update' as presented on 02 March 2020 be noted.

CARRIED

Cr Jenner resumed the meeting at 6.49 p.m.

Pursuant to Section 75A of the Local Government Act 1999, Cr Jenner disclosed a perceived conflict of interest in Item 6.3:

"I am a CAP Member.

Cr Jenner informed the meeting of the manner in which he intended to deal with the perceived conflict of interest in Item 6.3 as follows:

"In accordance with Section 75A of the Local Government Act 1999 I do not intend to participate in the meeting in relation to the matter."

Cr Jenner left the meeting at 6.50 p.m.

6.3 JOINT PLANNING BOARD FOR THE LIMESTONE COAST REGION

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Sonya Mezinac

1. That Economic and Environment Committee Report No. AR20/10881 titled 'Joint Planning Board for the Limestone Coast Region' as presented on 02 March 2020 be noted.
2. That Council endorses the draft Joint Planning Board Agreement (at attachment 1) and agrees that the Mayor and Chief Executive Officer execute the agreement on behalf of the City of Mount Gambier.
3. That the Mayor be the City of Mount Gambier representative on the Joint Planning Board, with the Deputy Mayor appointed as a proxy.

CARRIED

Cr Jenner resumed the meeting at 6.53 p.m.

6.4 INQUIRY INTO LOCAL GOVERNMENT COSTS AND EFFICIENCY

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Mayor Lynette Martin

1. That Economic and Environment Committee Report No. AR20/11623 titled 'Inquiry into Local Government Costs and Efficiency' as presented on 02 March 2020 be noted.

CARRIED

6.5 INFORMATION LEAFLET - VARIABLE MESSAGE DISPLAY UNITS TO BE USED AS A TEMPORARY ADVERTISING DISPLAY**COMMITTEE RESOLUTION**

Moved: Cr Christian Greco

Seconded: Cr Max Bruins

1. That Economic and Environment Committee Report No. AR20/12496 titled 'Information Leaflet - Variable Message Display Units to be used as a temporary advertising display' as presented on 02 March 2020 be noted.
2. The draft wording and plan for the information leaflet identifying where the Variable Message Display Units and that this will be subject to graphic design prior to publication be noted.

CARRIED

7 URGENT MOTIONS WITHOUT NOTICE

Nil

8 CONFIDENTIAL ITEMS

8.1 PRESENTATION BY BEACH ENERGY – REPORT NO. AR20/8188

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Frank Morello

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, M Bruins, B Hood, P Jenner, S Mezinac, F Morello and S Perryman and Council Officers A Meddle, N Serle, J Nagy, T Tzioutziouklaris, A Watson and M Telford be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 8.1 AR20/8188 Presentation by Beach Energy.

The Economic and Environment Committee is satisfied that, pursuant to section 90(3) (d) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- 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 Future operational plans discussed which are in the planning stages.

CARRIED

COMMITTEE RESOLUTION

Moved: Cr Max Bruins

Seconded: Cr Ben Hood

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 AR20/8188 Presentation by Beach Energy 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) (d) be kept confidential and not available for public inspection until After operational plans are released by Beach Energy.
2. Further that Council delegates the power to review, revoke, but not extension 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

9 MEETING CLOSE

The Meeting closed at 6.54 p.m.

The minutes of this meeting were confirmed at the Economic and Environment Committee held on 4 May 2020.

.....
PRESIDING MEMBER

**15.2 DEPUTATION - LIMESTONE COAST PROSTATE CANCER SUPPORT GROUP –
REPORT NO. AR20/12751**

Meeting: Economic and Environment Committee
CM9 Reference: AF19/412
Author: Christian Greco, Councillor
Authoriser:

REPORT RECOMMENDATION

1. That Economic and Environment Committee Report No. AR20/12751 titled 'Deputation - Limestone Coast Prostate Cancer Support Group' as presented on 02 March 2020 be noted.



BACKGROUND

Letter attached for Elected Members noting.

ATTACHMENTS

1. Background information regarding Limestone Coast Prostate Cancer Support Group [↓](#)





Limestone Coast Prostate Cancer Support Group
(Mount Gambier)

PO Box 33 Mount Gambier 5290
Tuesday 25th February 2020

Mr Christian Greco,
Mount Gambier City Council
Mount Gambier.

Dear Sir

Two members of the LCPCSG Richard Harry and Tony Duddy attended a meeting facilitated by Mr Troy Bell at the Mount Gambier Hospital on 16/09/2019. Also at the meeting was Travis Fatchen, Ngarie Buchanan CEO Mount Gambier Hospital Paul Bullen Mount Gambier Hospital, Pam Schubert Naracoorte Hospital and Maureen Klintberg HAC Mount Gambier hospital.

Points from the meeting:

- . All parties agreed that a transperineal biopsy machine was needed in the South East.
- . Envisaged the machine could be used at Mount Gambier, Naracoorte and Millicent hospitals where there were visiting urologists.
- . Paul Bullen advised cost of machine \$180K
- . Paul Bullen advised Male Bag Foundation could put \$60K towards machine.
- . Richard Harry advised LCPCSG could put forward about \$60K mid 2020
- . HAC would fundraise to assist with extra funds.
- . Patient would not have to travel to Adelaide, less chance of infection, less time off work, less cost to patient/ family, more support for patient with a possible cancer, does not have to stay extra day in Adelaide after procedure, less demand on PATS.
- . The use of this machine is considered best practice – available in Adelaide, should be available to regional and rural men.

More men are being diagnosed with prostate cancer than women with breast cancer.

pcfa.org.au

Dedicated to reducing the impact of prostate cancer on Australian men, their partners, families and the wider community.

(2)

Since that meeting last year the LCPCSG successfully applied to the Bendigo Bank for a grant and received \$10,000 towards this machine.

On the 4/02/2020 HAC and Paul Bullen were advised that LCPCSG could supply \$65K as of that date and not the latter half of the year.

The LCPCSG is actively trying to gain further funds for this machine as is HAC.

Any funds obtained can be channeled through either entity. The LCPCSG is not a registered charity, nor do we have an ABN number.

Mount Gambier City Council may prefer to supply a promissory note until an invoice for the machine has been raised. (Expected second half 2020)

Mount Gambier City Council is encouraged to request that a Prostate Cancer Foundation of Australia (PCFA) ambassador speak with their employees on prostate health.

David Parkin the patron of Male Bag Foundation did a media release some weeks ago re the Postie Bike Ride to be held in mid October this year for raising funds for this machine.

The above is a brief summary of what has occurred over the last few months.

Could our City Council please assist financially for the amount of \$10,000 in obtaining this equipment for use in our area? Locals helping locals.

Further information can be supplied by Richard Harry mob. 0427 978 898 or email richardharry@bigpond.com or (HAC) Maureen Klintberg mob. 0438 010 780 or email maureenklintberg@gmail.com

Would it be possible to do a deputation after the March "Economic and Environment Committee" committee meeting.

Yours truly,

Richard Harry

Chair Limestone Coast Prostate Cancer Support Group



15.3 PUBLIC OPEN SPACE SERVICE LEVELS – REPORT NO. AR20/10721

Committee:	Economic and Environment Committee
Meeting Date:	2 March 2020
Report No.:	AR20/10721
CM9 Reference:	AF19/412
Author:	Nick Serle, General Manager City Infrastructure
Authoriser:	Andrew Meddle, Chief Executive Officer
Summary:	This report discusses the current service levels for the City of Mount Gambier public open space
Community Plan Reference:	Goal 2: Our Location Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage

REPORT RECOMMENDATION

1. That Economic and Environment Committee Report No. AR20/10721 titled 'Public open space service levels' as presented on 02 March 2020 be noted.
2. That a report on the 2020/2021 peak weed season be brought back to Council in March 2021, updating Council on the impact of the proposed improvements.



BACKGROUND

The following question without notice was asked at the December Council meeting:

“Can we please completely readdress this issue from planning to implementing of weed control, and can a report be compiled to be brought through the Economic and Environment Committee by the next Economic and Environment meeting please?”

Following discussion, it was agreed to present this matter to the March Economic and Environment Committee rather than the January one due to the Christmas shutdown.

DISCUSSION

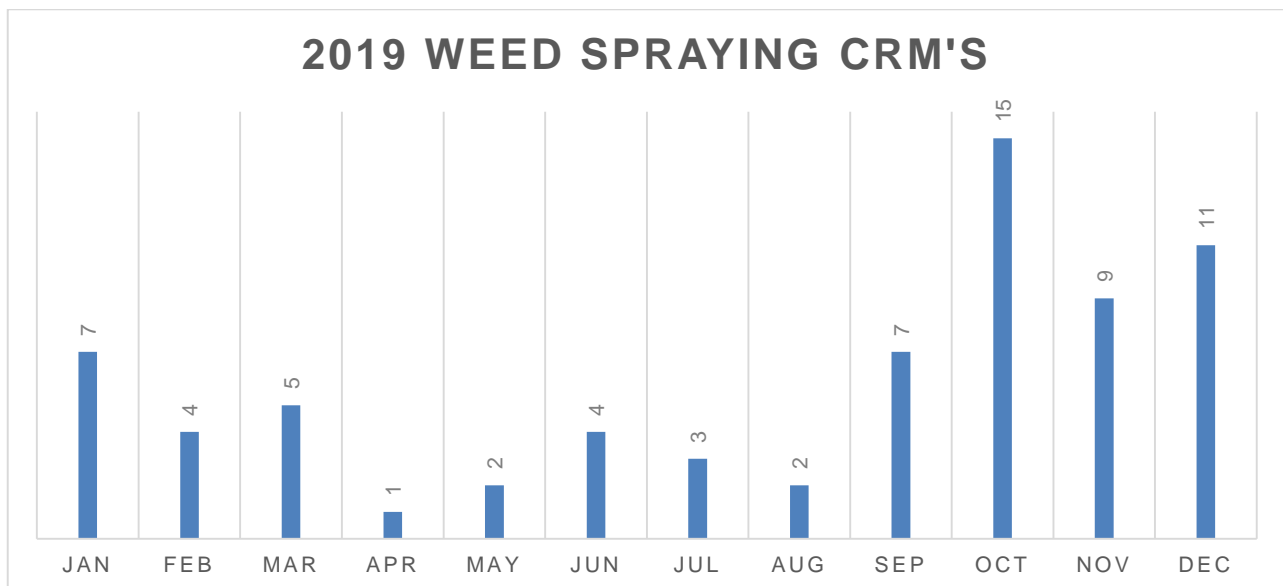
An Elected Member briefing was held on 29 January 2020 to discuss the service levels for the City of Mount Gambier public open space. At the briefing the following was discussed:

1. Public open space key statistics, including:
 - Eighteen full time employees in the Parks and Gardens team;
 - \$3.2M annual operating costs; and
 - 8,750 street trees (excluding trees in reserves) are maintained.
2. Current Service Levels:
 - Service levels for community land is documented in Community Land Management Plans;
 - Service levels for the crater lakes area is documented in the Crater Lakes Management Plan;
 - Urban roads (defined as adjacent to residential houses typically with a formed kerb and footpaths) are mowed on a 3 to 6 weekly rotation and sprayed with herbicide as required;
 - Rural roads (defined as adjacent to open space typically farming / forestry land and have not yet been subject to housing development) are slashed as required, generally being 4 to 5 times per year; and
 - Work is restricted during fire ban days.
3. Customer feedback:
 - Complaints recorded in the customer request management system (CRM) have remained consistent over the 2017 – 2019 period despite:
 - A significant increase in the workload driven by increased area to maintain (+7% over last five years) and a net increase of 300 street trees per year;
 - An increased focus on logging complaints in the CRM system;
 - Typically Council receives approximately 60 requests for cutting grass on reserves and 80 requests to deal with weeds each year; and
 - A number of the requests relate to privately owned land and not public open space maintained by Council.

At the briefing it was suggested that the customer feedback be analysed to ascertain if there is a certain time of the year or certain areas of the City that are subject to greater feedback. The CRM data has been analysed with the following results:

- In the 2019 calendar year there are approximately twice as many requests for weed spraying in Spring and Summer (September to January inclusive) months than in other months of the year.





The data does not show a particular area of the City that regularly has requests for weed spraying. However, the following locations (see Table 1) received two or more separate requests throughout the 2019 calendar year (where a request for the same or similar location was received on the same day it has been treated in the analysis as the same location being reported by two customers).

Table 1 – Repeat Reports by Street	
STREET LOCATION	REPEAT REPORTS
Avon Street	3
Hutley Terrace	2
Kennedy Avenue	2
Lake Terrace East	2
Parkway Drive	2
Powell Street	2
Ronald Grove	2
Tenison Drive	2
Tollner Road	2
Victoria Terrace	2
Wireless Road	2
Woodlands Drive	2

Significant upgrade work including using woodchip to mulch steep embankments on Kennedy Avenue has been undertaken and is expected to reduce the requests for this area going forward.

REPLANNING THE SERVICE

The question seeks that the service be completely replanned. However, discussion at the recent workshop indicated that was not required. It was acknowledged that the Council's current approach is not perfect and that further work would be undertaken to improve this. As a result, the following are being investigated ready for initiation in the 2020/21 municipal year:



- Encouraging the community and Elected Members to lodge requests with the Council Customer Experience Team so that they can be recorded in the CRM system;
- Continue to analyse the CRM data to ensure improvement effort is focussed on the appropriate areas;
- Utilising contract resources during the peak periods from September to January;
- Continuing to trial new technology and equipment to prevent and control weed growth; and
- Continuing to treat new areas created by housing development, road upgrades or other causes with mulch or other treatments to prevent and control weed growth.
-
- Continuing to trial new technology and equipment to prevent and control weed growth
- Continuing to treat new areas created by housing development, road upgrades or other causes with mulch or other treatments to prevent and control weed growth

CONCLUSION

Improvements focussed on reducing the number of customer requests should be targeted at the areas of the City identified in the discussion section of this report.

Ongoing improvement is required and effort will be focussed on the following areas in the 2020/21 municipal year:

- Encouraging the community and Elected Members to lodge requests with the Council Customer Experience Team so that they can be recorded in the CRM system;
- Continue to analyse the CRM data to ensure improvement effort is focussed on the appropriate areas;
- Utilising contract resources during the peak periods from September to January;
- Continuing to trial new technology and equipment to prevent and control weed growth; and
- Continuing to treat new areas created by housing development, road upgrades or other causes with mulch or other treatments to prevent and control weed growth.

A further report will be scheduled for March 2021 to identify the changes recorded as a result of these proposed improvements.

ATTACHMENTS

Nil



15.4 COUNCIL ASSESSMENT PANEL FEES AND RECRUITMENT UPDATE – REPORT NO. AR20/10875

Committee:	Economic and Environment Committee
Meeting Date:	2 March 2020
Report No.:	AR20/10875
CM9 Reference:	AF19/412
Author:	Andrew Meddle, Chief Executive Officer
Authoriser:	Andrew Meddle, Chief Executive Officer
Summary:	A report to provide information previously requested on Council Assessment Panel fees and to provide an update as the recruitment of missing members.
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. AR20/10875 titled 'Council Assessment Panel Fees and Recruitment Update' as presented on 02 March 2020 be noted.



BACKGROUND

At the Council meeting on 21st January 2020, it was resolved for item 15.6 that:

“3(d) That a report be prepared for Council comparing City of Mount Gambier Council Assessment Panel allowances to other like Councils and the report be presented to Council at a future meeting.”

Table 1 provided by the LGA, together with Table 2 prepared by the Council provides this information.

The Council Assessment Panel currently comprises an independent presiding member, two independent members and Cr Jenner. This will change with the introduction of the Planning and Design Code.

DISCUSSION

There is significant variation in fees between councils and this information does not take account of the number of times that a Panel meets, the complexity and value of the items they consider or the impact of their geography.

In terms of recruitment, the vacant position on the Council Assessment Panel was subject to an LGA recruitment, which closed on 20th January 2020. There were no applicants. The recruitment is being re-run with the recently increased remuneration.

The Council's CAP recruitment is important as, on the introduction of the Planning and Design Code, accredited professionals will be required to fill the independent roles. On that date, the exemption for former elected members will be terminated. This will leave Council with three members of its CAP, but only one of the two independent members is currently an accredited professional. This will mean that the CAP will be unable to function unless accredited professionals can be recruited.

This makes Council's consideration of the Joint Planning Board Agreement more interesting as it may provide the only realistic opportunity of continuing to have local determination of applications. More information is provided with that item.

COUNCIL ASSESSMENT PANEL PAYMENTS PER MEETING 2020 (LGA FIGURES)

Table 1 – Council Assessment Panel Payments Per Meeting 2020 (LGA figures)				
	Presiding Member	Independent Member	Council Member	Comments
City of Walkerville	\$500.00	\$350.00		Meet twice a month
Yorke Peninsula Council	\$500.00 (Previously \$150.00 plus \$100.00 maximum travel allowance)	\$350.00 (Previously \$100.00 plus \$100.00 maximum travel allowance)		No travel allowance. Recently raised due to accreditation scheme.
City of Burnside	\$600.00	\$400.00	\$250.00	Will not pay for accreditation
Port Pirie Regional Council	\$500.00	\$300.00		Will be reviewing payments shortly
City of Adelaide	\$650.00	\$550.00		Recently increased sitting



Table 1 – Council Assessment Panel Payments Per Meeting 2020 (LGA figures)				
	Presiding Member	Independent Member	Council Member	Comments
				fees by \$50.00 to assist with accreditation
City of Norwood Payneham & St Peters	\$550.00	\$450.00		Recently increased sitting fees by \$50.00 to assist with accreditation. Will review again when costs for accreditation are known.
City of Gawler	\$425.00	\$325.00		Will review following implementation of P & D Code.
City of Prospect	\$550.00	\$475.00		Increased recently to assist with accreditation
Goyder Council	\$600.00	\$350.00	\$350.00	Plus travel allowance. Do not pay for accreditation
District Council of Loxton Waikerie. (Part of Riverland Assessment Panel)	\$750.00	\$450.00	\$350.00	All out of pocket expense reimbursed (travel, training & accreditation) to a maximum of \$1000.00
City of Onkaparinga	\$550.00	\$350.00	\$350.00	\$75/hr for any training. Do not pay or contribute towards accreditation fees.

Table 2 – Council Assessment Panel Fees (CoMG staff)			
	Presiding Member	Independent Member	Travel
District Council of Grant	\$250	\$200	\$0.66 per km
City of Port Lincoln	\$200	\$120	Nil



Table 2 – Council Assessment Panel Fees (CoMG staff)			
	Presiding Member	Independent Member	Travel
City of Whyalla	\$350	\$300	Nil
City of Victor Harbor	\$450	\$350	Nil
Rural City of Murray Bridge	\$500	\$300	Nil

CONCLUSION

This item delivers on the action required from the January Council meeting and is for the noting of Council.

ATTACHMENTS

Nil



15.5 JOINT PLANNING BOARD FOR THE LIMESTONE COAST REGION – REPORT NO. AR20/10881

Committee:	Economic and Environment Committee
Meeting Date:	2 March 2020
Report No.:	AR20/10881
CM9 Reference:	AF19/412
Author:	Andrew Meddle, Chief Executive Officer
Authoriser:	Andrew Meddle, Chief Executive Officer
Summary:	A report providing information on the Joint Planning Board and seeking endorsement of the draft agreement.
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. AR20/10881 titled 'Joint Planning Board for the Limestone Coast Region' as presented on 02 March 2020 be noted.
2. That Council endorses the draft Joint Planning Board Agreement (at attachment 1) and agrees that the Mayor and Chief Executive Officer execute the agreement on behalf of the City of Mount Gambier.
3. That the Mayor be the City of Mount Gambier representative on the Joint Planning Board, with the Deputy Mayor appointed as a proxy.



BACKGROUND

There is an opportunity to form a Joint Planning Board (JPB) that incorporates the seven councils comprising the Limestone Coast Local Government Association (LCLGA). This will allow the region to control its own land use planning processes rather than have a plan imposed on the region from Adelaide. This was considered and endorsed in principle by the LCLGA Board in 2019.

When considered at the June 2019 LCLGA Board meeting it was agreed to develop a draft Joint Planning Board Agreement which would include the flexibility to include other functions at a later date such as Assessment Panels. In the first instance the JPB would be focus on developing a regional plan and not include Assessment Panels.

A workshop was held with the LCLGA's Lawyers and Council CEO's to work through the draft agreement to include the feedback from the LCLGA Board. There were several changes and a new Draft Agreement has been developed and circulated to CEO's for further feedback.

Until recently, the LCLGA have been unable to proceed with a JPB as the issue of insurance from Mutual Liability Scheme was a stumbling block in the process. Following a gazettal on the 6 February, 2020 this matter appears to be resolved. The LGA SA have assessed the gazettal and believe it provides the necessary safeguards for member councils.

DISCUSSION

The *Planning, Development and Infrastructure Act 2016* (the Act) provides councils with a mechanism to deliver local government functions and potentially, with agreement by the relevant Minister, state government functions on a regional basis. Previous studies have suggested that the key drivers for collaboration have been:

- Improved ability to respond to regional strategic planning issues, promote economic development and achieve a regional strategic direction and infrastructure;
- Stronger advocacy capacity, improved relationships with other levels of government and greater ability to leverage funds;
- Better planning and consistency of approach across the region in relation to decision making and strategic direction;
- Cost savings, efficiencies in service delivery, economies of scale, reduced duplication of effort and resources;
- Increased organisational capacity;
- Better risk management; and
- Meeting skill shortages and a means for attracting locally based resources in regional areas.

Once there is sign off on the new agreement from the LCLGA members, they will then seek approval to proceed with seeking Ministerial approval to form a Joint Planning Board.

Under the Charter of the Limestone Coast LGA, Board Members are chosen by the constituent councils from the elected membership of those councils (see clause 3.1 of the Charter). The relevant papers indicate that the Board will be comprised of the Mayors from the seven members.

In terms of the functions of the Joint Planning Board, there have been discussions around the level and range of service provided. As requested by member councils, provisions are included Clause C of the Background and Clause 2.1 of the agreement, regarding the carrying out of the optional additional functions being the appointment of a regional assessment panel and assessment manager and the preparation of amendments of designated instruments other than the regional plan (i.e. the Planning and Design Code).

Whilst the City of Mount Gambier has maintained its position regarding a regional assessment panel, there is a desire from the majority of councils to provide a regional service, which is likely to comprise



two or more regional assessment panels. This provision requires further work and is not intended to be delivered from day one.

The City of Mount Gambier needs to carefully consider its position with regards to regional assessment panels in view of the difficulty in maintaining an effective Council Assessment Panel, due to a lack of interest in the region to serve on such a Panel. The Council has attempted to recruit to its CAP on two occasions, has now raised the fees paid and is undertaking recruitment again.

The challenge in many regions for CAP recruitment and retention is that those operating as planners in a private capacity often chose not to serve on a CAP because of their work which cause conflicts of interest. This then tends to shorten the list of those likely to be available to local government planners or retired planners. The Council's current policy does not pay Council Planners who serve on the CAP. The level of continuing professional development and the fees for professional accreditation are likely to push retired planners away from continuing to serve CAPs.

The Accredited Professionals Scheme comes into full effect when the Planning and Design Code comes into effect. As a stage 3 council, this is currently predicted to be September 2020. At this time only one of the current independent members will be able to continue in his role. Cr Jenner, as the Council's nominated representative, is unaffected by this change.

At this stage, the impact of the implementation of the Planning and Design Code will be to hamper decisions being made locally, as the City of Mount Gambier CAP cannot function with two members. As such, the impact and solutions are likely to be:

- Pay for accredited professionals from other regions (most likely Greater Adelaide) to attend meetings at a significant cost;
- Refer all matters to the State Commission Assessment Panel, which is likely to lead to sanctions against the Council;
- Enable Council Planners (from other Councils) to be remunerated, but given the shortage in the region this may not deliver the requisite number; or
- Form Regional Assessment Panels serving different parts of the Limestone Coast.

At this stage, Schedule 1 of the Agreement still requires the inclusion of details regarding the funding model. Discussions have been had with regards to a *pro rata* fee, as per the current membership model and, if in future regional development assessment functions are undertaken, a fee for service approach.

CONCLUSION

The proposed agreement paves the way for the Council to be part of a Joint Planning Board and for the ability to work on a regional plan for the benefit of the region. It also builds future regional capacity and capability, which will be necessary to address the challenges of the implementation of the Planning, Design and Infrastructure Act 2016.

ATTACHMENTS

1. Draft Agreement [↓](#)



LIMESTONE COAST JOINT PLANNING BOARD

PLANNING AGREEMENT

Under Section 35 of the
Planning Development and Infrastructure Act 2016

Draft

DZM\M00292775F06030709.DOCX



TABLE OF CONTENTS

	Page No.
1. INTRODUCTION.....	2
1.1 Minister to Establish Board	2
1.2 Name	2
1.3 Corporate Status	2
1.4 National Competition Policy.....	2
1.5 Outcomes	2
1.6 Regional Objectives and Targets	2
2. FUNCTIONS, POWERS AND DUTIES OF THE BOARD.....	3
2.1 Functions	3
2.2 Powers	4
2.3 Duties.....	5
2.4 Other Powers, Functions and Duties.....	6
2.5 Principles to be Observed by Members of the Board	6
3. DELEGATIONS	6
3.1 General Matters	6
4. CONSTITUTION OF BOARD.....	7
4.1 Membership of the Board.....	7
4.2 Vacancy in Office of Member	7
4.3 Reimbursement of Expenses.....	8
4.4 Insurance	8
4.5 Propriety of Members of the Board	8
4.6 Board Members' Duty of Care.....	9
4.7 Chairperson of the Board	10
4.8 Proceedings of the Board	10
4.9 Notice of Ordinary Meetings.....	11
4.10 Special Meetings.....	12
4.11 Provisions Generally Applicable to Meetings	12
5. EXECUTIVE ADVISORY COMMITTEE.....	13
6. OTHER COMMITTEES.....	13
7. SUBSIDIARIES	14
8. DEVELOPMENT ASSESSMENT	14
9. EXECUTIVE OFFICER AND APPOINTMENT OF OTHER STAFF	14
10. FINANCIALS.....	15
10.1 Borrowings and Expenditure.....	15
10.2 Property.....	16
10.4 Financial Contributions.....	17
10.5 Financial Standards and Reporting.....	17
10.6 Financial Transactions	18
11. MANAGEMENT FRAMEWORK	18
11.1 Business Plan	18
11.2 Audit	18
11.3 Audit and Risk Management Committee	19
11.4 Insurance and Superannuation Requirements.....	19
12. PROVISION OF INFORMATION.....	20
13. DISCLOSURE	20
14. COMMON SEAL.....	20
15. VALIDITY OF ACTS	20

DZM\M00292775F06030709.DOCX



TABLE OF CONTENTS	Page No
16. PROTECTION FROM LIABILITY.....	21
17. LIABILITY GUARANTEE	21
18. INCONSISTENCY WITH PDI ACT AND REGULATIONS	21
19. GOVERNING LAW AND JURISDICTION	21
20. SERVICE	21
21. MISCELLANEOUS PROVISIONS.....	22
21.1 Withdrawal of a Party.....	22
21.2 Abolition of Board	22
21.3 Non-derogation and Direction by Parties.....	22
21.4 Review of Agreement	23
21.5 Transitional Provisions	23
21.5.1 <i>Executive Officer</i>	23
21.5.2 <i>First Board Meeting</i>	23
21.5.3 <i>First Budget</i>	24
21.5.4 <i>Business Plan</i>	24
21.5.5 <i>Audit Committee</i>	24
21.6 Disputes.....	24
21.6.1 <i>General</i>	24
21.6.2 <i>Mediation</i>	24
21.6.3 <i>Arbitration</i>	25
21.7 Exemption from Requirements of Agreement.....	26
22. DEFINITIONS AND INTERPRETATION	26
22.1 Definitions	26
22.2 Interpretation.....	27
22.3 Background.....	28
SCHEDULE 1 – FUNDING CONTRIBUTION	29
SCHEDULE 2 – BOARD MEMBERSHIP.....	30
SCHEDULE 3 – CHAIRPERSON AND DEPUTY CHAIRPERSON	31

DZM\M00292775F06030709.DOCX





DATE

[Insert date of agreement]

PARTIES

Minister for Planning of Level 11, 45 Pirie Street, Adelaide, South Australia, 5000

District Council of Grant of 324 Commercial Street West, Mount Gambier, South Australia, 5290

Kingston District Council of 29 Holland Street, Kingston SE, South Australia, 5275

City of Mount Gambier of 10 Watson Terrace, Mount Gambier, South Australia, 5290

Naracoorte Lucindale Council of Degaris Place, Naracoorte, South Australia, 5271

The District Council of Robe of Royal Circus, Robe, South Australia, 5276

The District Council of Tatiara of 43 Woolshed Street, Bordertown, South Australia, 5268

Wattle Range Council of George Street, Millicent, South Australia, 5280

BACKGROUND

- A. The administration of the PDI Act is committed to the Minister.
- B. District Council of Grant, Kingston District Council, City of Mount Gambier, Naracoorte Lucindale Council, The District Council of Robe, The District Council of Tatiara and Wattle Range Council are constituted under the LG Act for the government and management of their Council Areas at the local level.
- C. The Parties have determined to enter into an agreement under Section 35 of the PDI Act for the purposes of:
- (a) providing for the constitution of a joint planning board to carry out the functions and powers assigned to the Board under this Agreement within the Area; and
 - (b) enabling the preparation (and thereafter amendment, if necessary) of a Regional Plan for the Area by the Board;
 - (c) subject to this Agreement, enabling the Board to initiate proposals to amend other Designated Instruments;
 - (d) subject to this Agreement, facilitating the appointment of an assessment panel by the Board under Sections 82 and 83 of the PDI Act; and
 - (e) subject to this Agreement, facilitating the appointment of an Assessment Manager by the Board under Section 87 of the PDI Act.

DZM\M00292775F06030709.DOCX



-
- D. It is the intention of the Parties that the Board is a local government body, and it is neither an agency nor instrumentality of the Crown.

AGREED TERMS

1. INTRODUCTION

1.1 Minister to Establish Board

- 1.1.1 The Board is a joint planning board established under Section 36 of the PDI Act by the Minister in accordance with the terms of this Agreement.
- 1.1.2 Upon commencement of this Agreement, the Minister must, by notice published in the Gazette, establish the Board in accordance with the terms of this Agreement.

1.2 Name

The name of the joint planning board is Limestone Coast Joint Planning Board.

1.3 Corporate Status

The Board is a body corporate and is governed by the PDI Act and this Agreement.

1.4 National Competition Policy

If the Board is at any time involved in a significant business activity as defined in the Clause 7 Statement prepared under the Competition Principles Agreement of the National Competition Policy, it will implement the principles of competitive neutrality by way of annual review of its business operations in the market place and application of the relevant principle(s) where that is appropriate to do so, unless the benefits to be realised through the application of the principles of competitive neutrality outweigh the costs associated with implementation as provided for in Part 4 of the *Government Business Enterprises (Competition) Act 1996*.

1.5 Outcomes

This Agreement is intended to achieve the following outcomes:

- 1.5.1 the establishment of the Board;
- 1.5.2 the preparation (and thereafter amendment, if necessary) of a Regional Plan by the Board;
- 1.5.3 enabling the Board to initiate amend other Designated Instruments;
- 1.5.4 the appointment of an Assessment Panel by the Board;
- 1.5.5 the appointment of an Assessment Manager by the Board.

1.6 Regional Objectives and Targets

- 1.6.1 The Councils may, from time to time, determine:

DZM\M00292775F06030709.DOCX



-
- 1.6.1.1 objectives;
 - 1.6.1.2 priorities; and/or
 - 1.6.1.3 targets for the Area.
- 1.6.2 The Board must:
- 1.6.2.1 to the extent directed by the Councils, take steps to achieve the objectives, priorities and targets determined by the Councils; and
 - 1.6.2.2 report to the Councils in writing annually on the commencement of this Agreement as to its progress in achieving the objectives, priorities and targets determined by the Councils.

2. FUNCTIONS, POWERS AND DUTIES OF THE BOARD

The functions, powers and duties of the Board are to be exercised in the performance and furtherance of the purposes and outcomes of this Agreement and the objectives, priorities and targets set by the Councils.

2.1 Functions

- 2.1.1 The functions of the Board, in addition to those assigned to it under the PDI Act or any other Act are, subject to Clause 2.1.2:
 - 2.1.1.1 to be responsible for the preparation (and thereafter amendment, if necessary) of a Regional Plan;
 - 2.1.1.2 to initiate proposals amend other Designated Instruments under Section 73(2) of the PDI Act;
 - 2.1.1.3 to appoint an Assessment Panel under Sections 82 and 83 of the PDI Act;
 - 2.1.1.4 to appoint an Assessment Manager under Section 87 of the PDI Act; and
 - 2.1.1.5 to work with, receive advice from and provide advice to the Commission as and when required related to the performance and furtherance of the purposes and outcomes of this Agreement and/or the objectives, priorities and targets set by the Councils.
- 2.1.2 The Board must obtain the consent of each of the Councils before proceeding to:
 - 2.1.2.1 appoint the Board's first Assessment Panel under Sections 82 and 83 of the PDI Act;
 - 2.1.2.2 appoint the Board's first Assessment Manager under Section 87 of the PDI Act; or

DZM\M00292775F06030709.DOCX



- 2.1.2.3 initiate the Board's first proposal to amend a Designated Instrument under Section 73(2) of the PDI Act,

however nothing in this Clause requires the Board to obtain the consent of the Councils for the appointment of a particular person as a member of an Assessment Panel or as Assessment Manager, or to initiate a particular proposal to amend a Designated Instrument.

2.2 Powers

In addition to those available to it under the PDI Act or any other Act, the Board has the following powers:

- 2.2.1 to establish and maintain a reserve fund or funds clearly identified for the upkeep and/or replacement of fixed assets of the Board or meeting any deferred liability of the Board;
- 2.2.2 to establish and maintain a cash reserve development fund or funds clearly identified for future initiatives supported by the Strategic Plan;
- 2.2.3 subject to Clause 10.1 to enter into any kind of contract or arrangement;
- 2.2.4 to borrow funds and incur expenditure in accordance with Clause 10.1;
- 2.2.5 to publish information relating to its operations and/or on behalf of the Parties;
- 2.2.6 subject to Clause 10.1 to employ, engage, determine conditions of employment/engagement, remunerate, remove, suspend or dismiss/terminate the Executive Officer of the Board;
- 2.2.7 subject to Clause 10.1 to employ, engage or retain professional advisers to the Board;
- 2.2.8 subject to the PDI Act and any other Act, to set and charge fees for the use of facilities and services of the Board;
- 2.2.9 subject to Clause 10.1 to institute, initiate and carry on legal proceedings;
- 2.2.10 to adopt and use a trading name provided that the Board must first register the trading name with the Australian Securities and Investments Commission in accordance with the *Business Names Registration Act 2011*;
- 2.2.11 subject to Clause 10.1 to agree to undertake a project in conjunction with any council or government agency or authority and, in so doing, to participate in the formation of a trust, partnership or joint venture with any council or government agency or authority to give effect to the project;
- 2.2.12 to open and operate bank accounts;
- 2.2.13 to make submissions for and accept grants, subsidies and contributions to further the purposes and outcomes of this Agreement and/or the objectives, priorities and targets set by the Councils;



-
- 2.2.14 to invest any funds of the Board in any investment provided that:
 - 2.2.14.1 in exercising this power of investment the Board must exercise the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons; and
 - 2.2.14.2 the Board must avoid investments that are speculative or hazardous in nature;
 - 2.2.14.3 the Board must not make an investment with a body other than the Local Government Finance Authority of South Australia without the prior agreement of the Councils;
 - 2.2.15 to compromise, compound, abandon or settle a debt/claim owed to the Board;
 - 2.2.16 to make any election for tax;
 - 2.2.17 with the prior approval of the Councils, other than as set out in Clause 2.2.11, to participate in a trust, including by becoming and exercising the powers of a trustee, not inconsistent with this Agreement or the purposes and outcomes of this Agreement and/or the objectives, priorities and targets set by the Councils;
 - 2.2.18 the power to do anything else necessary or convenient for or incidental to the exercise, performance or discharge of its powers, functions or duties or the attainment of the purposes and outcomes of this Agreement and/or the objectives, priorities and targets set by the Councils;
 - 2.2.19 subject to Clause 10.1, to lease, licence, hire or rent any real property or interests therein;
 - 2.2.20 with the prior approval of the Councils, to purchase, sell or otherwise acquire, dispose of or encumber any real property or interests therein other than by lease or licence.

2.3 Duties

The Board has the following duties:

- 2.3.1 to exercise the functions and powers of the Board only in the performance and furtherance of the purposes and outcomes of this Agreement and the objectives, priorities and targets set by the Councils;
- 2.3.2 notwithstanding any other clause or provision in this Agreement, not to act outside the Area unless the prior approval of the Councils that such action is necessary or expedient to the performance of the Parties or the Board's functions has been obtained;
- 2.3.3 to comply with this Agreement, the PDI Act, all other applicable law and any lawful joint direction of the Councils.



2.4 Other Powers, Functions and Duties

The Board may exercise such other local government functions, powers and duties as are:

- 2.4.1 delegated to the Board under the PDI Act or any other Act from time to time;
- 2.4.2 agreed by a least 75% of the Councils from time to time.

2.5 Principles to be Observed by Members of the Board

The Members of the Board must seek to achieve the following in the performance of the Board's functions:

- 2.5.1 providing professional input and policy direction to the Board;
- 2.5.2 ensuring strong accountability and stewardship of the Board;
- 2.5.3 monitoring, overseeing and measuring the performance of the Executive Officer of the Board;
- 2.5.4 ensuring that ethical behaviour and integrity is established and maintained by the Board in all activities undertaken by the Board;
- 2.5.5 subject to Clause 4.8.4, ensuring, where appropriate, that the business of the Board is undertaken in an open and transparent manner;
- 2.5.6 ensuring the Board develops and adopts such policies and procedures as give effect to good governance and administrative practices;
- 2.5.7 exercising the care, diligence and skill that a prudent person of business would exercise in managing the affairs of other persons; and
- 2.5.8 avoiding investments that are speculative or hazardous in nature.

3. DELEGATIONS

3.1 General Matters

- 3.1.1 The Board must cause a separate record to be kept of all delegations made to the Board or made by the Board under the PDI Act or any other Act.
- 3.1.2 A person is entitled to inspect (without charge) the record of delegations referred to in this clause at the Principal Office of the Board during ordinary office hours.
- 3.1.3 A person is entitled, on payment of a fee fixed by the Board, to an extract from the record of delegations held.
- 3.1.4 The Executive Officer must cause a record of delegations referred to in this clause to be published on a website determined by the Executive Officer.



4. CONSTITUTION OF BOARD

4.1 Membership of the Board

The Board is constituted in accordance with Schedule 2.

4.2 Vacancy in Office of Member

4.2.1 The office of a Member will become vacant:

4.2.1.1 if the Member dies; or

4.2.1.2 if the Member completes a term of office and is not reappointed;
or

4.2.1.3 if the Member resigns by written notice addressed to the Parties
and served on any of them; or

4.2.1.4 if the Member becomes bankrupt or applies for the benefit of a
law for the relief of insolvent debtors; or

4.2.1.5 if the Member is removed from office by the Council that
appointed the Member; or

4.2.1.6 if the Party who appointed the Member ceases to be a Party to
this Agreement.

4.2.2 The office of a Member who is an elected member of a Council will become
vacant if the Member ceases to be a member of the Council that appointed
the Member.

4.2.3 The Board may, by resolution supported by at least two thirds of the
Members currently in office (excluding the Member subject to this clause
and ignoring any fraction), make a recommendation as to the termination of
the appointment of a Member appointed pursuant to Schedule 2, in the
event of any behaviour of a Member which in the opinion of the Board
amounts to:

4.2.3.1 impropriety;

4.2.3.2 serious neglect of duty in attending to the responsibilities as a
Member;

4.2.3.3 breach of fiduciary duty to the Board;

4.2.3.4 breach of any of the legislative obligations and duties of a
Member;

4.2.3.5 breach of the conflict of interest provisions of this Agreement;

4.2.3.6 breach of the duty of confidentiality to the Board; or

4.2.3.7 any other behaviour which may discredit the Board or the Parties.



-
- 4.2.4 In the event the office of a Member becomes vacant, then a person must be appointed to fill the vacancy in accordance with Schedule 2 and the person so appointed shall hold office for the balance of the original term or such other term as determined by the Council appointing the Member.
- 4.2.5 A person is not required to be appointed to fill a vacancy under Clause 4.2.4 if the balance of the original term is less than six months unless there is already a vacancy in the office of a Member that has not been filled at the time of the subsequent vacancy.

4.3 Reimbursement of Expenses

- 4.3.1 All Members will receive from the Board reimbursement of expenses properly incurred in performing or discharging official functions and duties as determined by the Board and set out in a policy adopted by the Board for the purposes of this clause.
- 4.3.2 The expenses reimbursed to Members will, at least once in every two years, be reviewed by the Councils.

4.4 Insurance

The Board must take out a suitable policy of insurance insuring Members and Deputy Members against risks associated with the performance or discharge of their official functions and duties or on official business of the Board.

4.5 Propriety of Members of the Board

- 4.5.1 A Member of the Board must at all times act honestly in the performance and discharge of official functions and duties.
- 4.5.2 A Member or former Member of the Board must not, whether within or outside the State, make improper use of information acquired by virtue of his or her position as a Member to gain, directly or indirectly, an advantage for himself or herself or for another person or to cause detriment to the Board or a Party.
- 4.5.3 A Member of the Board must not, whether within or outside the State, make improper use of his or her position as a board member to gain, directly or indirectly, an advantage for himself or herself or for another person or to cause detriment to the Board or a Party.
- 4.5.4 The Board may, with the approval of the Councils, adopt additional conduct standards to apply to Members of the Board in addition to the provisions of any code of conduct adopted by the Minister and a Member must comply with any additional conduct standards adopted by the Board.
- 4.5.5 If the Minister has not adopted a code of conduct to be observed by members of a joint planning board, the Board must adopt a Code of Conduct approved by the Councils to be observed by Members.
- 4.5.6 Any Code of Conduct adopted by the Board must, at a minimum, include provisions relating to:

DZM\M00292775F06030709.DOCX



-
- 4.5.6.1 conflict of interest;
 - 4.5.6.2 behaviour of Members;
 - 4.5.6.3 use of information;
 - 4.5.6.4 relationships with third parties;
 - 4.5.6.5 public comment.
- 4.5.7 A Party may give directions in relation to an actual or potential conflict of duty between offices held concurrently, or in relation to some other incompatibility between offices held concurrently and, if the person concerned complies with those directions, he or she is excused from any breach that would otherwise have occurred.

4.6 Board Members' Duty of Care

- 4.6.1 A Member must at all times act with reasonable care and diligence in the performance and discharge of official functions and duties, and (without limiting the effect of the foregoing) for that purpose:
- 4.6.1.1 must take reasonable steps to inform himself or herself about the Board, its operations and activities; and
 - 4.6.1.2 must take reasonable steps through the processes of the Board to obtain sufficient information and advice about matters to be decided by the Board to enable him or her to make conscientious and informed decisions; and
 - 4.6.1.3 must exercise an active discretion with respect to all matters to be decided by the Board.
- 4.6.2 A Member is not bound to give continuous attention to the affairs of the Board but is required to exercise reasonable diligence in attendance at and preparation for meetings of the Board.
- 4.6.3 In determining the degree of care and diligence required to be exercised by a Member, regard must be had to the skills, knowledge or acumen possessed by the Member and the degree of risk involved in a particular circumstance.
- 4.6.4 If an elected member or employee of a Council is appointed as a Member, he or she is not taken to have vacated his or her office as a Member of the Council, or of staff of the Council, or to have been invalidly appointed to the Board because:
- 4.6.4.1 the potential exists for the duties of the two offices to conflict; or
 - 4.6.4.2 the duties of either office require, by implication, the person's full time attention.

DZM\M00292775F06030709.DOCX



-
- 4.6.5 A Member does not commit a breach of duty under this clause by acting in accordance with a joint direction from the Councils in accordance with Clause 21.3.3 and 21.3.4.

4.7 Chairperson of the Board

- 4.7.1 The Board must have a Chairperson in accordance with Schedule 3.
- 4.7.2 The Board must have a Deputy Chairperson in accordance with Schedule 3.

4.8 Proceedings of the Board

- 4.8.1 The prescribed number of Members of the Board constitutes a quorum of the Board and no business can be transacted at a meeting of the Board unless a quorum is present.

The **prescribed number** of Members of the Board is a number ascertained by dividing the total number of Members of the Board for the time being in office by 2, ignoring any fraction resulting from the division, and adding 1.

- 4.8.2 Subject to Clause 4.8.8, ordinary meetings of the Board will be held at such times and places as determined by the Board except that there must be at least one ordinary meeting of the Board every two months.
- 4.8.3 Chapter 6 Part 3 of the LG Act extends to the Board as if the Board were a Council and the Members of the Board were members of a Council.
- 4.8.4 Subject to Chapter 6 Part 3 of the LG Act, meetings of the Board will be open to the public unless the Board resolves otherwise.
- 4.8.5 The Chairperson must preside at all meetings of the Board and, in the event the Chairperson is absent from a meeting, the Deputy Chairperson shall preside and, in the event of both the Chairperson and Deputy Chairperson being absent from a meeting, the Board must appoint one of the Members present to preside at that meeting only.
- 4.8.6 A decision carried by a majority of votes cast by Members at a meeting is a decision of the Board.
- 4.8.7 Each Member present at a meeting of the Board is entitled to one vote on any matter arising for decision and, if the votes are equal, the Board Member presiding at the meeting is entitled to a second or casting vote.
- 4.8.8 A telephone or video conference between Members will, for the purposes of this clause, be taken to be a meeting of the Board at which the participating Board Members are present if:
- 4.8.8.1 notice of the conference is given to all Members in the manner determined by the Board for that purpose; and
- 4.8.8.2 each participating Member is capable of communicating with every other participating Member during the conference;

DZM\M00292775F06030709.DOCX



-
- 4.8.8.3 the number of participating Members constitutes a quorum of the Board.
- 4.8.9 A proposed resolution of the Board becomes a valid decision of the Board despite the fact that it is not voted on at a meeting if:
- 4.8.9.1 notice of the proposed resolution is given to all Members in accordance with procedures determined by the Board; and
- 4.8.9.2 a majority of the Board Members current in office express their concurrence with the proposed resolution in writing or by electronic communication.
- 4.8.10 A person authorised in writing by a Party for the purposes of this clause may attend (but not participate in) a meeting of the Board and may have access to papers provided to the Board for the purpose of the meeting.
- 4.8.11 The Board must have accurate minutes kept of its proceedings.
- 4.8.12 The Executive Officer must ensure the minutes are presented to the next ordinary meeting of the Board for confirmation.
- 4.8.13 The Executive Officer must, within five days after a meeting of the Board, provide to each Member and the Councils a copy of the minutes of the meeting of the Board in a form agreed to by the Board.
- 4.8.14 Subject to the PDI Act, this clause, and to a direction of the Councils, the Board may determine its own procedures.
- 4.9 Notice of Ordinary Meetings**
- 4.9.1 Subject to Clause 4.10.2, notice of an ordinary meeting of the Board will be given by the Executive Officer to each Board Member not less than three clear days prior to the holding of the meeting.
- 4.9.2 The Executive Officer must, in relation to a notice of meeting of the Board for the purpose of considering the making of a recommendation to the Parties to terminate this Agreement, provide the notice to all Board Members at least four months before the date of the meeting.
- 4.9.3 A notice of meeting of the Board must:
- 4.9.3.1 be in writing; and
- 4.9.3.2 set out the date, time and place of the meeting; and
- 4.9.3.3 be signed by the Executive Officer; and
- 4.9.3.4 contain, or be accompanied by, the agenda for the meeting.



4.10 Special Meetings

- 4.10.1 Any Party, the Chairperson or three Members may, by delivering a written request to the Executive Officer, require a special meeting of the Board to be held and any such special meeting shall constitute a special meeting of the Board. The written request must be accompanied by the agenda for the special meeting and if an agenda is not provided the request has no effect.
- 4.10.2 On receipt of a written request pursuant to Clause 4.10, the Executive Officer and Chairperson must determine the date and time of the special meeting and the Executive Officer must give notice to all Board Members at least four hours prior to the commencement of the special meeting in accordance with Clause 4.9.3.

4.11 Provisions Generally Applicable to Meetings

- 4.11.1 The Executive Officer must, insofar as is reasonably practicable:
 - 4.11.1.1 ensure that items on an agenda given to Members are described with reasonable particularity and accuracy; and
 - 4.11.1.2 supply to each Member at the time that notice of a meeting is given, a copy of any documents or reports that are to be considered at the meeting (so far as this is practicable).
- 4.11.2 Notice of a meeting of the Board may be given to a Board Member:
 - 4.11.2.1 personally; or
 - 4.11.2.2 by delivering the notice (whether by post or otherwise) to the usual place of residence of the Member or to another place authorised in writing by the Member; or
 - 4.11.2.3 by a means authorised in writing by the Member as being an available means of giving notice.
- 4.11.3 A notice that is not given in accordance with Clause 4.11.2 is taken to have been validly given if the Executive Officer considers it impracticable to give the notice in accordance with that clause and takes action the Executive Officer considers reasonable in the circumstances to bring the notice to the attention of the Member.
- 4.11.4 The Executive Officer must give notice to the public of the times and places of meetings of the Board at least three clear days prior to the holding of an ordinary meeting (or as soon as reasonably practicable with respect to a special meeting) by causing a copy of the notice and agenda for the meeting to be placed on public display at the principal offices of the Councils and the Board.
- 4.11.5 Subject to Clause 4.11.7, the Executive Officer must also ensure that a reasonable number of copies of any document or report supplied to Members for consideration at a meeting of the Board are available for inspection by members of the public:

DZM\M00292775F06030709.DOCX



-
- 4.11.5.1 at the principal offices of the Councils and the Board and on a website determined by the Executive Officer as soon as practicable after the time when the document or report is supplied to Members; or
 - 4.11.5.2 in the case of a document or report supplied to Members at the Board Meeting, at the meeting as soon as practicable after the time when the document or report is supplied to Members.
 - 4.11.6 The Executive Officer may indicate on a document or report provided to Members under Clause 4.11.1, any information or matter contained in or arising from a document or report that may, if the Board determines, be considered in confidence in accordance with Clause 4.8.4 provided that the Executive Officer at the same time specifies the basis on which an order could be made pursuant to the provisions of Chapter 6 Part 3 of the LG Act.
 - 4.11.7 Clause 4.11.5 does not apply to a document or report:
 - 4.11.7.1 that is subject to the operation of Clause 4.11.6; or
 - 4.11.7.2 that relates to a matter dealt with by the Board on a confidential basis in accordance with Clause 4.8.4 and Chapter 6 Part 3 of the LG Act.
 - 4.11.8 The Executive Officer must maintain a record of all notices of Board meetings given under Clause 4.9.3 to Members.
 - 4.11.9 All Members must at all times keep confidential all documents and any information provided to them for their consideration on a confidential basis prior to a meeting of the Board except that this clause does not prevent a Board Member from disclosing documents and information to the elected members or employees of a Council on a confidential basis, where necessary.

5. EXECUTIVE ADVISORY COMMITTEE

- 5.1 The Board must establish an Executive Advisory Committee of the Board in accordance with Section 38 of the PDI Act.
- 5.2 The Executive Advisory Committee comprises the Chief Executive Officers of the Councils, or their nominee.
- 5.3 The functions of the Executive Advisory Committee include:
 - 5.3.1 to provide advice to the Board on its operations and affairs;
 - 5.3.2 to undertake such other functions or activities as requested by the Board from time to time.

6. OTHER COMMITTEES

- 6.1 The Board may establish other committees in accordance with Section 38 of the PDI Act.

DZM\M00292775F06030709.DOCX



6.2 A member of a committee established under this Clause holds office at the pleasure of the Board.

7. SUBSIDIARIES

The Board may, with the consent of each of the Councils, establish subsidiaries in accordance with Section 39 of the PDI Act.

8. DEVELOPMENT ASSESSMENT

Subject to Clause 2.1.2:

8.1 the Board may appoint an Assessment Panel in respect of its Area under Sections 82 and 83 of the PDI Act;

8.2 the Board may appoint an Assessment Manager in accordance with Section 87 of the PDI Act.

9. EXECUTIVE OFFICER AND APPOINTMENT OF OTHER STAFF

9.1 The Board may employ staff and must, subject to Clause 9.3, appoint an Executive Officer on a fixed term, performance-based employment contract, which does not exceed five years in duration (or such shorter term if the Agreement is to expire in accordance with Section 35(5)(a) of the PDI Act) and on such other terms as determined by the Board.

9.2 The Board may at the end of the contract term enter into a new contract not exceeding five years in duration (or such shorter term if the Agreement is to expire in accordance with Section 35(5)(a) of the PDI Act) with the same person.

9.3 With the concurrence of the Councils, the Board may second a person employed by a Council, a subsidiary of a Council or a regional subsidiary of Councils to act in the office of Executive Officer for a term determined by the Councils.

9.4 The Executive Officer is responsible for appointing, managing, suspending and dismissing the other employees of the Board on behalf of the Board.

9.5 In the absence of the Executive Officer for any period exceeding one week, the Executive Officer must appoint a suitable person as Acting Executive Officer. If the Executive Officer does not make, or is incapable of making such an appointment, a suitable person must be appointed by the Board.

9.6 The Board delegates responsibility for day to day management of the Board to the Executive Officer, who will ensure that sound business and human resource management practices are applied in the efficient and effective management of the operations of the Board.

9.7 The functions of the Executive Officer include:

9.7.1 ensuring the decisions of the Board are implemented in a timely and efficient manner;

-
- 9.7.2 providing information to assist the Board to assess the Board's performance against its Business Plan;
 - 9.7.3 providing advice and reports to the Board on the exercise and performance of its powers and functions under this Agreement or any Act;
 - 9.7.4 co-ordinating and initiating proposals for consideration of the Board including but not limited to continuing improvement of the operations of the Board;
 - 9.7.5 ensuring the assets and resources of the Board are properly managed and maintained;
 - 9.7.6 ensuring that records required under the PDI Act or any other Act are properly kept and maintained;
 - 9.7.7 exercising, performing or discharging other powers, functions or duties conferred on the Executive Officer by or under the PDI Act or any other Act and performing other functions lawfully directed by the Board;
 - 9.7.8 achieving financial outcomes in accordance with adopted plans and budgets; and
 - 9.7.9 establishing policies and procedures relating to work, health and safety.
- 9.8 The Board must undertake a review of the performance of the Executive Officer at least once every year.
- 9.9 The Executive Officer and other senior staff of the Board as determined by the Board, are required to submit returns under Chapter 7, Part 4, Division 2 of the LG Act, as if the Executive Officer and other staff of the Board were employees of a Council and the Board was a Council.
- 9.10 The Executive Officer may delegate or sub-delegate to an employee of the Board or Council, or a committee comprising employees of the Board or Council, any power or function vested in the Executive Officer. Such delegation or sub-delegation may be subject to conditions or limitations as determined by the Executive Officer.
- 9.11 Where a power or function of the Executive Officer is delegated to an employee, the employee is responsible to the Executive Officer for the efficient and effective exercise or performance of that power or function.
- 9.12 A written record of delegations and sub-delegations under this clause must be kept by the Executive Officer at all times.

10. FINANCIALS

10.1 Borrowings and Expenditure

- 10.1.1 The Board has the power to incur expenditure as follows:
 - 10.1.1.1 in accordance with a Budget adopted by the Board and approved by the Councils as required by this Agreement; or

DZM\M00292775F06030709.DOCX



-
- 10.1.1.2 with the prior approval of the Councils; or
 - 10.1.1.3 in accordance with Clause 10.3.10.
 - 10.1.2 Subject to Clause 10.1.3, the Board has the power to borrow money as follows:
 - 10.1.2.1 in accordance with a Budget adopted by the Board as required by the PDI Act or this Agreement;
 - 10.1.2.2 in respect of an overdraft facility or facilities up to a maximum amount of \$100,000;
 - 10.1.2.3 with the prior approval of the Councils.
 - 10.1.3 Unless otherwise approved by the Councils, any and all borrowings taken out by the Board:
 - 10.1.3.1 must be from the Local Government Finance Authority of South Australia or a registered bank or financial institution within Australia; and
 - 10.1.3.2 in the case of fixed loans, must be drawn down within a period of 24 months from the date of approval.
 - 10.2 Property**
 - 10.2.1 All property held by the Board is held by it on behalf of the Councils.
 - 10.2.2 Except as provided in Clause 2.2.20 or in accordance with a Policy adopted by the Board by resolution with the agreement of the Councils, no property of the Board may be sold, encumbered or otherwise dealt with without the prior approval of the Councils and the approval of the Board by resolution.
 - 10.3 Budget**
 - 10.3.1 The Board must have a Budget for each financial year.
 - 10.3.2 Each Budget of the Board:
 - 10.3.2.1 must deal with each principal activity of the Board on a separate basis; and
 - 10.3.2.2 must be consistent with its Business Plan; and
 - 10.3.2.3 must comply with standards and principles prescribed by the Councils and the *Local Government (Financial Management) Regulations 2011*, as if the Board were a regional subsidiary.
 - 10.3.3 The Board must before 30 April of each year, prepare and submit a draft Budget to the Councils for the ensuing Financial Year (or, if appropriate, part Financial Year) for approval by the Councils.

DZM\M00292775F06030709.DOCX



-
- 10.3.4 The Board must adopt after 31 May and within six weeks of approval of the draft Budget by the Councils in each year, a Budget for the ensuing Financial Year consistent with the approval given by the Councils pursuant to Clause 10.3.3.
 - 10.3.5 The Board may in a Financial Year, after consultation with the Councils, incur spending before adoption of its Budget for the year, but the spending must be provided for in the appropriate Budget for the year.
 - 10.3.6 The Board must each Financial Year provide a copy of its adopted Budget to the Parties within five business days after the adoption of the Budget by the Board.
 - 10.3.7 Quarterly reports summarising the financial position and performance of the Board against the Budget must be prepared by the Executive Officer and presented to a meeting of the Board at each ordinary meeting of the Board and copies provided to the Councils.
 - 10.3.8 The Board may with the approval of the Councils, amend its Budget for a Financial Year at any time before the year ends.
 - 10.3.9 The contents of the Budget must be in accordance with the PDI Act, the regulations and any requirement of the Councils.
 - 10.3.10 The Board may incur, for the purpose of genuine emergency or hardship, spending that is not authorised by its Budget.

10.4 Financial Contributions

- 10.4.1 The Councils must contribute funds to the Board each financial year:
 - 10.4.1.1 in accordance with the funding contribution provided for in Schedule 1; and
 - 10.4.1.2 as set out in the Budget adopted by the Board and approved by the Councils.
- 10.4.2 The Councils may agree to provide the Board with additional funds at any time on such terms and conditions, if any, as determined by the Councils.
- 10.4.3 The contributions of the Councils payable to the Board under this clause are recoverable by the Board as a debt.

10.5 Financial Standards and Reporting

- 10.5.1 The Board must ensure the Financial Statements of the Board for each Financial Year are audited by the Board's auditor.
- 10.5.2 The Financial Statements must be finalised and audited in sufficient time to be included in the Annual Report to be provided to the Parties pursuant to the PDI Act.

DZM\M00292775F06030709.DOCX



10.6 Financial Transactions

- 10.6.1 The Board must establish and maintain a bank account with such banking facilities and at a bank to be determined by the Board.
- 10.6.2 The Board will develop and maintain appropriate policies for all financial transactions.
- 10.6.3 The Executive Officer must act prudently in the handling of all financial transactions for the Board.

11. MANAGEMENT FRAMEWORK**11.1 Business Plan**

The Board:

- 11.1.1 must in consultation with the Councils prepare and adopt a Business Plan for a minimum three year period which will continue in force for the period specified in the Business Plan or until the adoption by the Board of a new Business Plan;
- 11.1.2 must in consultation with the Councils review the Business Plan annually and following such a review, the Business Plan shall continue to operate for the period for which the Business Plan was adopted pursuant to Clause 11.1.1;
- 11.1.3 may, after consultation with the Councils, amend its Business Plan at any time; and
- 11.1.4 must ensure the contents of the Business Plan is in accordance with the PDI Act, and regulations.

11.2 Audit

- 11.2.1 The Board must cause adequate and proper books of account to be kept in relation to all the affairs of the Board and must establish and maintain effective auditing of its operations.
- 11.2.2 The Parties agree the provisions of Regulation 20 of the *Local Government (Financial Management) Regulations 2011* apply to the Board as if the Board were a regional subsidiary.
- 11.2.3 The Board must appoint an Auditor in accordance with Clause 11.2.2 on such terms and conditions as determined by the Board.
- 11.2.4 The audited Financial Statements of the Board, together with the accompanying report from the Auditor, shall be submitted to both the Board and the Parties by 30 September in each year.

DZM\M00292775F06030709.DOCX



11.3 Audit and Risk Management Committee

- 11.3.1 The Board must establish an Audit and Risk Management Committee to be comprised of five persons nominated by the Board and approved by the Councils.
- 11.3.2 The functions of the Audit and Risk Management Committee include:
- 11.3.2.1 reviewing annual Financial Statements to ensure they provide a timely and fair view of the state of affairs of the Board;
 - 11.3.2.2 liaising with external auditors; and
 - 11.3.2.3 reviewing the adequacy of the accounting, internal auditing, reporting and other financial management systems and practices of the Board on a regular basis.
- 11.3.3 The members of the Audit and Risk Management Committee:
- 11.3.3.1 must include two persons professionally qualified in accounting, commerce, finance, law or risk management;
 - 11.3.3.2 must include at least one person who is not a Member of the Board and who is determined by the Councils to have financial experience relevant to the functions of the Audit and Risk Management Committee;
 - 11.3.3.3 may include elected members of the Councils.
- 11.3.4 The term of appointment of a member of the Audit and Risk Management Committee shall be for a term not exceeding two years at the expiry of which such member will be eligible for reappointment.
- 11.3.5 The Parties may agree to implement audit arrangements that differ from the requirements of this clause (including but not limited to the implementation of an internal audit or audit undertaken by one of the Councils on behalf of the Board). In such cases, the terms of that agreement operate to the exclusion of this clause.

11.4 Insurance and Superannuation Requirements

- 11.4.1 The Board shall register with the Local Government Mutual Liability Scheme and the Local Government Workers Compensation Scheme and comply with the rules of the Schemes.
- 11.4.2 The Board shall advise Local Government Risk Management Services of its insurance requirements relating to Local Government Special Risks including buildings, structures, vehicles and equipment under the management, care and control of the Board.



12. PROVISION OF INFORMATION

- 12.1 The Board must, at the written request of a Party, furnish to the Party information or records in the possession or control of the Board as the Party may require in such manner and form as the Party may require.
- 12.2 If the Board considers that information or a record furnished under this clause contains matters that should be treated as confidential, the Board may advise the Party of that opinion giving the reason for the opinion and the Party may, subject to Clause 12.3, act on that advice as the Party thinks fit.
- 12.3 If the Party is satisfied on the basis of the Board's advice that the Board owes a duty of confidence in respect of a matter, the Party must ensure the observance of that duty in respect of the matter, but this clause does not prevent a disclosure as required in the proper performance of the functions or duties of the Party.

13. DISCLOSURE

- 13.1 If the Board discloses to a person in pursuance of this Agreement a matter in respect of which the Board owes a duty of confidence, the Board must give notice of the disclosure to the person to whom the duty is owed.
- 13.2 A Member of the Board does not commit a breach of duty by reporting a matter relating to the affairs of the Board to a Party, or otherwise in accordance with the provisions of the PDI Act.

14. COMMON SEAL

- 14.1 The Board will have a common seal.
- 14.2 The common seal of the Board must not be affixed to a document except to give effect to a resolution of the Board.
- 14.3 The affixation of the common seal of the Board must be attested by two Board Members.
- 14.4 The Executive Officer must maintain a register which records the resolutions of the Board giving authority to affix the common seal and details of the documents to which the common seal has been affixed with the particulars of persons who witnessed the fixing of the seal and the date the seal was affixed.
- 14.5 The Board may by instrument under common seal authorise a person to execute documents on behalf of the Board subject to any limitations specified in the instrument of authority.
- 14.6 If a document appears to bear the common seal of the Board, it will be presumed in the absence of proof to the contrary that the common seal of the Board was properly affixed to the document.

15. VALIDITY OF ACTS

An act or proceeding of the Board is not invalid by reason only of a vacancy in its membership or a defect in the appointment of a Member.

DZM\M00292775F06030709.DOCX



16. PROTECTION FROM LIABILITY

16.1 The Board must indemnify each Member of the Board against any civil liability for an honest act or omission in the performance or discharge of the Member's powers, functions and duties under this Agreement.

16.2 This Clause survives the expiry or termination of this Agreement.

17. LIABILITY GUARANTEE

The liabilities incurred or assumed by the Board are guaranteed by the Councils.

18. INCONSISTENCY WITH PDI ACT AND REGULATIONS

18.1 This Agreement is not invalid on account of any inconsistency with the PDI Act or any regulations made thereunder.

18.2 In the event of an inconsistency between the provisions of this Agreement and the provisions of the PDI Act and any regulations made thereunder, the provisions of the PDI Act and the regulations prevail to the extent of the inconsistency.

19. GOVERNING LAW AND JURISDICTION

This Agreement is governed by the laws of South Australia.

20. SERVICE

20.1 A document required to be served on or given to a person by the Board under any law may be served or given:

20.1.1 in any manner provided for under the PDI Act; or

20.1.2 if no relevant provision exists under the PDI Act, in any manner provided for under the LG Act, as if the Board were a Council.

20.2 A document required to be served on or given to the Board under any law may be served or given:

20.2.1 in any manner provided for under the PDI Act; or

20.2.2 if no relevant provision exists under the PDI Act, in any manner provided for under the LG Act, as if the Board were a Council.

20.3 A document required to be served on or by or given on or by a Party to this Agreement on another party to this Agreement for the purposes of this Agreement may be served or given:

20.3.1 in any manner provided for under the PDI Act; or

20.3.2 if no relevant provision exists under the PDI Act, in any manner provided for under the LG Act (and if the Party is not a Council, the LG Act applies as if the Party were a Council for the purposes of this clause).



21. MISCELLANEOUS PROVISIONS**21.1 Withdrawal of a Party**

- 21.1.1 Subject to the PDI Act, a Party (other than the Minister) may withdraw from the Agreement after giving not less than six months written notice of its intention to do so, subject to Clause 21.1.2, to the Board and to the other Parties.
- 21.1.2 In any event, a withdrawal will not become effective until 30 June following the expiry of the six months written notice period referred to in Clause 21.1.1. Until a withdrawal becomes effective, the Party proposing withdrawal from the Agreement will remain liable for all financial contributions up to the Date of Withdrawal.
- 21.1.3 Upon a withdrawal taking effect, a Party will be entitled to payment of such amounts and on such conditions as determined by unanimous agreement of the Parties and failing unanimous agreement the matter will be resolved in accordance with Clause 21.6.
- 21.1.4 The withdrawal of any Party does not extinguish the liability of that Party for the payment of its contribution towards any actual or contingent deficiency in the Net Assets of the Board at the end of the Financial Year in which such withdrawal occurs.
- 21.1.5 The withdrawal of any Party does not extinguish the liability of that Party to contribute to any loss or liability incurred by the Board at any time before or after the Date of Withdrawal in respect of any act or omission by the Board prior to such date.

21.2 Abolition of Board

- 21.2.1 The Board may be abolished by the Minister in accordance with Section 36(3) of the PDI Act on termination or expiry of the Agreement.
- 21.2.2 Upon expiry or termination of this Agreement, the Councils may jointly request the Minister abolish the Board.
- 21.2.3 Subject to the PDI Act, on abolition of the Board, the surplus assets or liabilities of the Board, as the case may be, must be distributed between or become the responsibility of:
- 21.2.3.1 a new Board (if formed for the same Area); or
- 21.2.3.2 the Parties, as agreed unanimously by the Parties and failing unanimous agreement the matter will be resolved in accordance with Clause 21.6.

21.3 Non-derogation and Direction by Parties

- 21.3.1 Subject to any provision of the PDI Act to the contrary, the establishment of the Board does not derogate from the power of any of the Parties to act independently in relation to a matter within the jurisdiction of the Board.

DZM\M00292775F06030709.DOCX



-
- 21.3.2 Subject to any provision of the PDI Act to the contrary, provided a majority of the Councils have all first agreed as to the action to be taken, the Councils may jointly direct and control the Board.
- 21.3.3 A joint direction of the Councils to the Board is only valid and required to be complied with by the Board if at least a majority of the Councils express the direction in the same or similar terms.
- 21.3.4 Where the Councils seek to jointly direct the Board, that direction must be made and evidenced by a resolution passed by the Council making the direction.
- 21.3.5 Where the Board is required pursuant to the PDI Act or this Agreement to obtain the agreement, consent or approval of one or more of the Parties, that consent or approval must only be granted and must be evidenced by either a resolution passed by the Council granting such consent or approval, or otherwise if that Party is not a Council, in writing signed by or on behalf of the Party.
- 21.3.6 Unless otherwise stated in this Agreement, where the Board is required to obtain the agreement, consent or approval of the Councils or Parties, this means the consent or approval of a majority of the Councils expressed in the same or similar terms.
- 21.3.7 For the purpose of this clause, any direction given by the Councils must be communicated by notice in writing provided to the Executive Officer of the Board together with a copy of the relevant resolutions of the Councils and written instruments.
- 21.4 Review of Agreement**
- 21.4.1 The Board must review this Agreement at least once in every five years and submit any recommendations for changes to the Agreement to the Parties.
- 21.4.2 Before the Parties determine a proposal to alter this Agreement arising from a review under this clause, they must take into account any recommendation of the Board.
- 21.5 Transitional Provisions**
- 21.5.1 Executive Officer**
- The Councils must appoint a person to act in the position of Executive Officer as soon as possible after the establishment of the Board until such time as the Board appoints an Executive Officer in accordance with Clause 9.1.
- 21.5.2 First Board Meeting**
- 21.5.2.1 The first meeting of the Board following the establishment of the Board will be called by the Acting Executive Officer appointed pursuant to Clause 21.5.1 to be held within three months of the appointment by the Parties of the Members.

DZM\M00292775F06030709.DOCX



21.5.2.2 At the first meeting of the Board, the Board will determine the time, date and place of ordinary meetings of the Board up to the following local government periodic election.

21.5.2.3 The Acting Executive Officer must give notice of the first Board meeting to Members and the public in accordance with Clause 4.9.

21.5.3 First Budget

21.5.3.1 Notwithstanding Clause 10, the first draft Budget of the Board following its establishment for the current part financial year must be submitted to the Councils for their approval within four months of the first Board meeting held in accordance with Clause 21.5.2.

21.5.3.2 Notwithstanding Clause 10, the Board must, within six weeks of approval by the Councils of the first draft budget for the current part financial year submitted in accordance with Clause 21.5.3.1, adopt a Budget consistent with the approval given by the Councils pursuant to Clause 21.5.3.1.

21.5.4 Business Plan

The first Business Plan of the Board following its establishment must be submitted to the Councils for their approval within twelve months of the establishment of the Board.

21.5.5 Audit Committee

The Board must establish an Audit and Risk Management Committee in accordance with Clause 11.3 within six months of the first Board meeting held in accordance with Clause 21.5.2.

21.6 Disputes

21.6.1 General

21.6.1.1 Where a dispute arises between the Parties or between a Party and the Board which relates to this Agreement or the Board, (**the Dispute**) the Parties will use their best endeavours to resolve the Dispute and to act at all times in good faith.

21.6.2 Mediation

21.6.2.1 A Party is not entitled to initiate arbitration or court proceedings (except proceedings seeking urgent equitable or injunctive relief) in respect of a Dispute unless it has complied with this clause 21.6.2.

21.6.2.2 If the Parties are unable to resolve the Dispute within thirty days, the Parties must refer the Dispute for mediation in accordance with the Mediation Rules of the Law Society of South Australia



Incorporated, within seven days of a written request by any Party to the other Party that the Dispute be referred for mediation, to:

- (a) a mediator agreed by the Parties; or
- (b) if the Parties are unable to agree on a mediator at the time the Dispute is to be referred for mediation, a mediator nominated by the then President of the Law Society or the President's successor.

21.6.2.3 In the event the Parties fail to refer the matter for mediation in accordance with Clause 21.6.2.2, one or more of the Parties may refer the matter for mediation in accordance with the Mediation Rules of the Law Society of South Australia Incorporated to a mediator nominated by the then President of the Law Society or the President's successor.

21.6.2.4 The role of any mediator is to assist in negotiating a resolution of the dispute. A mediator may not make a decision that is binding on a Party unless that Party has so agreed in writing.

21.6.2.5 If mediation does not resolve the Dispute within 28 days of referral of the Dispute for mediation or such longer period agreed unanimously by the Parties as evidenced by resolutions of each of the Parties, any Party may then refer the Dispute to arbitration in accordance with Clause 21.6.3 or otherwise commence court proceedings.

21.6.3 Arbitration

21.6.3.1 An arbitrator may be appointed by agreement between the Parties.

21.6.3.2 Failing agreement as to an arbitrator, the then Chairperson of the South Australian Chapter of the Institute of Arbitrators or his or her successor shall nominate an Arbitrator pursuant to these conditions.

21.6.3.3 A submission to arbitration shall be deemed to be a submission to arbitration within the meaning of the *Commercial Arbitration Act 2011*.

21.6.3.4 Upon serving a notice of arbitration, the Party serving the notice shall lodge with the arbitrator a deposit by way of security for the cost of the arbitration proceedings.

21.6.3.5 Upon each submission to arbitration, the costs of and incidental to the submission and award shall be at the discretion of the arbitrator who may in his or her sole discretion determine the amount of costs, how costs are to be proportioned and by whom they are to be paid.



-
- 21.6.4 Whenever reasonably possible, performance of the obligations of the parties pursuant to this Agreement shall continue during the mediation or arbitration proceedings and no payment by or to a Party shall be withheld on account of the mediation and arbitration proceedings.

21.7 Exemption from Requirements of Agreement

- 21.7.1 The Board may, with the approval of the Councils, apply to the Minister in writing for an exemption from any of the requirements of this Agreement.
- 21.7.2 An application under Clause 21.7.1 must comply with any guidelines determined by the Minister.
- 21.7.3 An exemption granted by the Minister under this Clause may operate for a limited duration, or be subject to such conditions as the Minister thinks fit.

22. DEFINITIONS AND INTERPRETATION

22.1 Definitions

In this Agreement, unless the contrary intention appears:

- 22.1.1 **Area** means the collective Council Areas of the Councils;
- 22.1.2 **Board** means Limestone Coast Joint Planning Board;
- 22.1.3 **Business Plan** means the business plan adopted by the Board pursuant to Clause 11.1;
- 22.1.4 **Assessment Manager** means the person appointed by the Board under Section 87 of the PDI Act;
- 22.1.5 **Assessment Panel** means the assessment panel appointed by the Board under Section 82 of the PDI Act;
- 22.1.6 **Board Member** or **Member** means a person appointed to the Board in accordance with Schedule 2, and unless the context requires otherwise or it is expressly stated otherwise, a reference to a Board Member includes a Deputy Board Member;
- 22.1.7 **Budget** means the annual budget adopted by the Board pursuant to Clause 10.3;
- 22.1.8 **Chairperson** means the member of the Board appointed pursuant to Clause 4.7;
- 22.1.9 **Commission** has the same meaning as in the PDI Act;
- 22.1.10 **Councils** means those councils constituted under the LG Act who have agreed to enter into this Agreement in accordance with Section 35(1) of the PDI Act and **Council** has the corresponding meaning;
- 22.1.11 **Council Area** has the same meaning as 'area' in the LG Act;

DZM\M00292775F06030709.DOCX



-
- 22.1.12 **Date of Withdrawal** means the date a Party's withdrawal from the Board becomes effective pursuant to Clause 21.1;
- 22.1.13 **Deputy Member** means a person appointed to act as a deputy to a Member in accordance with Schedule 2;
- 22.1.14 **Designated Instrument** has the same meaning as in Subdivision 5 of Division 2 of Part 5 of the PDI Act, but excludes a Regional Plan.
- 22.1.15 **Executive Officer** means the person appointed pursuant to Clause 9.1 as the Executive Officer of the Board;
- 22.1.16 **Financial Statements** has the same meaning as in Section 127 of the LG Act;
- 22.1.17 **Financial Year** means 1 July in each year to 30 June in the subsequent year;
- 22.1.18 **Gazette** means the South Australian Government Gazette (including any supplement to that gazette) printed and published, or purporting to be printed and published, by the Government Printer of the State of South Australia;
- 22.1.19 **LG Act** means the *Local Government Act 1999* and includes all regulations made thereunder;
- 22.1.20 **Limestone Coast Local Government Association** means the regional subsidiary of the Councils by that name established under Section 43 of the LG Act;
- 22.1.21 **Minister** means the Minister responsible for the administration of the PDI Act;
- 22.1.22 **Net Assets** means total assets (current and non-current) less total liabilities (current and non-current) of the Board as reported in the annual audited Financial Statements of the Board;
- 22.1.23 **Parties** means those entities who have agreed to enter into this Agreement in accordance with Section 35(1) of the PDI Act and **Party** has the corresponding meaning;
- 22.1.24 **PDI Act** means the *Planning, Development and Infrastructure Act 2016* and includes all regulations made thereunder;
- 22.1.25 **Principal Office** means the principal office of the Board as determined by the Board after consultation with the Parties;
- 22.1.26 **Regional Plan** has the same meaning as in Section 64 of the PDI Act.

22.2 Interpretation

In this Agreement, unless the context otherwise requires:

- 22.2.1 headings do not affect interpretation;



-
- 22.2.2 singular includes plural and plural includes singular;
 - 22.2.3 words of one gender include any gender;
 - 22.2.4 a reference to a person includes a partnership, corporation, association, government body and any other entity;
 - 22.2.5 a reference to legislation (including subordinate legislation) includes any amendment to it, any legislation substituted for it, and any subordinate legislation made under it;
 - 22.2.6 an unenforceable provision or part of a provision of this Agreement may be severed, and the remainder of this Agreement continues in force, unless this would materially change the intended effect of this Agreement;
 - 22.2.7 the meaning of general words is not limited by specific examples introduced by 'including', 'for example' or similar expressions; and
 - 22.2.8 a reference to a 'Clause' means a clause of this Agreement.

22.3 Background

The background forms part of this Agreement and is correct.

Draft



Schedule 1 – Funding Contribution

The funding of the Joint Planning Board will be approved by the Board as part of the annual business plan.

The approach to JPB funding will be based on:

The recovery of costs associated with the establishment and general operations of the JPB would be recovered based on following distribution:

City of Mount Gambier	27%
Wattle Range Council	21%
Naracoorte Lucindale Council	15%
District Council of Grant	13%
Tatiara District Council	13%
Kingston District Council	6%
District Council of Robe	6%

Variable costs incurred that are directly attributed to a council would be recovered on a cost recovery basis.

Draft



Schedule 2 – Board Membership

A. Membership of the Board

- A.1 The Board comprises 7 Members.
- A.2 Each Council must, by resolution, appoint an elected member of the Council to be a Member of the Board.
- A.3 Subject to Clause 4.2, the term of office of a Member of the Board is as specified in their instrument of appointment and a Member is eligible for reappointment following the expiry of their term of office.
- A.4 A person may be appointed to the Board only if the appointment of such person is consistent with any requirement of the Minister under Section 35(4) of the PDI Act.
- A.5 If a Council fails to appoint a Member in accordance with this Clause, the Minister may appoint a person to fill the vacancy.

B. Deputy Members

- B.1 There may be at least one and no more than two Deputy Members of the Board for each Member of the Board.
- B.2 The Deputy Members of the Board:
 - B.2.2 are appointed in the same manner, subject to the same conditions and for the same term;
 - B.2.3 may be removed from office in the same way and their office will become vacant in the same circumstancesas the Member of the Board for whom they are appointed as Deputy.
- B.3 The office of Deputy Member becomes vacant if the office of the Member of the Board for whom they are appointed as Deputy becomes vacant.
- B.4 A Deputy Member is entitled to act in the place of the Member for whom they are appointed as Deputy Member if that Member is absent or unable for any reason to act as a Member and may exercise all the rights and privileges of the Member and will be deemed to be the Member of the Board for the period of the Member's absence or inability to act as a Member.

DZM\M00292775F06030709.DOCX



Schedule 3 – Chairperson and Deputy Chairperson

- A. The Board must at its first meeting and then at each meeting of the Board immediately following the Annual General Meeting of the Board of the Limestone Coast Local Government Association appoint from amongst the Members:
- A.1 a Chairperson; and
- A.2 a Deputy Chairperson,
- to hold office for a term concluding at the first meeting of the Board immediately following the next Annual General Meeting of the Board of the Limestone Coast Local Government Association.
- B. Where there is more than one nomination for the position of Chairperson or Deputy Chairperson, the member appointed to the position shall be determined by ballot.
- C. In the absence of the Chairperson, the Deputy Chairperson shall act in the office of Chairperson.
- D. The Chairperson or Deputy Chairperson will cease to hold office as Chairperson or Deputy Chairperson in the event:
- D.1 the person resigns as Chairperson or Deputy Chairperson; or
- D.2 the person ceases to be a Member of the Board; or
- D.3 the Board by unanimous resolution of the Board Members in office (excluding the person the subject of the resolution) terminates the Chairperson or Deputy Chairperson's appointment as Chairperson or Deputy Chairperson.
- E. In the event the office of Chairperson or Deputy Chairperson becomes vacant, the Board must appoint a new Chairperson or Deputy Chairperson who shall hold office for the balance of the original term.
- F. At the conclusion of the term of office of the Chairperson or Deputy Chairperson, the person is eligible for reappointment.

DZM\M00292775F06030709.DOCX



Executed as an **Agreement** as follows:

Signed by Minister for Planning in the presence of:

.....
Signature of witness Minister for Planning

.....
Name of witness (print)

The common seal of District Council of Grant was affixed in the presence of:

.....
Signature of Mayor Signature of Chief Executive Officer

.....
Name of Mayor (print) Name of Chief Executive Officer (print)

The common seal of Kingston District Council was affixed in the presence of:

.....
Signature of Mayor Signature of Chief Executive Officer

.....
Name of Mayor (print) Name of Chief Executive Officer (print)

The common seal of City of Mount Gambier was affixed in the presence of:

.....
Signature of Mayor Signature of Chief Executive Officer

.....
Name of Mayor (print) Name of Chief Executive Officer (print)

DZM\M00292775F06030709.DOCX



The common seal of Naracoorte Lucindale Council was affixed in the presence of:

.....
Signature of Mayor

.....
Signature of Chief Executive Officer

.....
Name of Mayor (print)

.....
Name of Chief Executive Officer (print)

The common seal of The District Council of Robe was affixed in the presence of:

.....
Signature of Mayor

.....
Signature of Chief Executive Officer

.....
Name of Mayor (print)

.....
Name of Chief Executive Officer (print)

The common seal of The District Council of Tatiara was affixed in the presence of:

.....
Signature of Mayor

.....
Signature of Chief Executive Officer

.....
Name of Mayor (print)

.....
Name of Chief Executive Officer (print)

The common seal of Wattle Range Council was affixed in the presence of:

.....
Signature of Mayor

.....
Signature of Chief Executive Officer

.....
Name of Mayor (print)

.....
Name of Chief Executive Officer (print)

DZM\M00292775F06030709.DOCX



Draft

DZM\M00292775F06030709.DOCX



15.6 INQUIRY INTO LOCAL GOVERNMENT COSTS AND EFFICIENCY – REPORT NO. AR20/11623

Committee:	Economic and Environment Committee
Meeting Date:	2 March 2020
Report No.:	AR20/11623
CM9 Reference:	AF19/412
Author:	Andrew Meddle, Chief Executive Officer
Authoriser:	Andrew Meddle, Chief Executive Officer
Summary:	A report providing an update on the Inquiry into Local Government Costs and Efficiency.
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. AR20/11623 titled 'Inquiry into Local Government Costs and Efficiency' as presented on 02 March 2020 be noted.



BACKGROUND

In 2019, the State Government commissioned an inquiry into Local Government Costs and Efficiency. The final report prepared by the South Australian Productivity Commission was published on 22 November 2020 and it can be found here:

https://www.sapc.sa.gov.au/_data/assets/pdf_file/0003/137676/Local-Government-Inquiry-Final-Report.pdf

The State Government released its report on 20 February 2020, which can be found at:

https://www.dpc.sa.gov.au/_data/assets/pdf_file/0004/139261/Government-Response-SAPC-Local-Government.pdf

As a result of this, the Minister for Local Government published a media statement which can be found here:

<https://www.premier.sa.gov.au/news/media-releases/news/marshall-government-response-to-deliver-lower-council-rates>

The results of the SA Productivity Commission Inquiry and the Government's response, need to be considered in the context of local government reform. Local government reform was a features of DPTI work in 2019 and significant reactive work by the LGASA and councils. Whilst the consultation on this closed in November 2019 and an announcement was expected in February 2020, no announcement has been made yet. The element of the DPTI website dealing with local government reform can be found here:

https://www.dpti.sa.gov.au/local_govt/local_government_reform

DISCUSSION

The SA Productivity Commission Final Report sets out nine recommendations and ten advice notes for councils. The State Government's response to the SA Productivity Commission Final Report endorses all nine recommendations, converts these into ten actions and sets a timeframe for these to be undertaken, which are all within 2020, except for those considered 'on-going'. **Tables 1** and **2** deal with the potential impact of the recommendations and advice respectively.

Table 1 – ACTIONS, TIMEFRAMES & COUNCIL IMPACT	
ACTIONS & TIMEFRAME	COUNCIL IMPACT
1. March – December 2020	No impact on local activity or resourcing.
2. Mid 2020	No impact on local activity or resourcing.
3. March – December 2020	Some impact on working with the LGASA and State Government to develop a fit for purpose suite of benchmarks.
4. Ongoing	Expected impact on resourcing depending on the detailed differences between current and future reporting requirements
5. June 2020	No impact on local activity or resourcing at the initial stage, but longer-term impacts will require consideration at this time.
6. Ongoing	No impact on local activity or resourcing at the initial stage, but longer-term impacts will require consideration at this time.
7. April 2020	Expectance that the Council will step up to a regional leadership role in the consideration of a regional employment agreement.
8. April 2020	No impact on local activity or resourcing at the initial stage, but longer-term impacts will require consideration at this time.
9. April 2020	No impact on local activity or resourcing
10. March 2020	Expected to be both costs and savings from this proposal



Table 2 – ADVICE AND COUNCIL IMPACT	
ADVICE	COUNCIL IMPACT
1.	Majority of work for LGASA, which may impact on them needing additional resourcing, which will be paid for by all councils. The outcome of their work may have an impact on the resources required for local data collection.
2.	Some limited impact in terms of providing local resources to assist with a regional or statewide initiative. At this stage it is not clear whether this element will deliver savings or cost pressure to councils.
3.	Potential significant savings through a single streamlined procurement process, but one which may not be advantageous to local businesses in our region. This approach will need to balance efficiency with local support.
4.	Local businesses will need support to be able to be big or diverse enough to be on panel contracts.
5.	Resource sharing and hosting as the regional centre may have both benefits and disbenefits, but is the right thing to do for the City Council. The approach to a more consistent set of systems that support resource sharing is to be encouraged, as is the adoption of the hub and spoke model for the Limestone Coast.
6.	The LCLGA Councils have consistently opposed benchmarking, but they have been a lone voice at the LGASA. With benchmarking coming, it is probably better to focus our attention to getting appropriate and consistent benchmarking, which does not incur significant resources to gather, process and assess the relevant information. Advice to this council is that benchmarking has the propensity to delivery significant savings, but this must be tempered by the costs incurred in gaining such information.
7.	A consistent template approach is supported, subject to the ability to produce high quality documents.
8.	There will be a significant resourcing issue in preparing service standards for all services provided by Councils – in excess of 400 services – which is unlikely to be offset by savings.
9.	This advice is good practice and is undertaken by the Administration when it considers proposals for new or changes to services. However, when cost-shifting occurs there is little opportunity for this or to effect changes to service standards.
10.	The expansion of the role of Audit Committees is supported.

CONCLUSION

The State Government response to the SA Productivity Commission Inquiry into Local Government Costs and Efficiency is clearly a political view taken in the context of:

- Local Government Reform
- Rate Capping
- Shared services
- Regionalisation of local government
- Centralisation of State Government services
- Loss of face to face provision by state and federal government agencies.

As such, the results should not be taken in isolation and represent a concerted external political effort to change local government following the loss of the earlier approach to rate capping. The State Government response is selective in its commentary and not wholly reflective of the SA Productivity Commission Inquiry.



The State Government are not looking for a response from anyone to their response, but will need to engage closely with the LGASA and local government more generally to achieve the outcomes they are seeking by any means other than legislated sanctions. It is hoped that the LGASA take a proactive stance for the sector and the communities we serve to ensure that ideology does not adversely impact on our communities nor does additional bureaucracy outweigh cashable savings.

ATTACHMENTS

Nil



15.7 INFORMATION LEAFLET - VARIABLE MESSAGE DISPLAY UNITS TO BE USED AS A TEMPORARY ADVERTISING DISPLAY – REPORT NO. AR20/12496

Committee:	Economic and Environment Committee
Meeting Date:	2 March 2020
Report No.:	AR20/12496
CM9 Reference:	AF19/412
Author:	Tracy Tzioutziouklaris, Manager Development Services
Authoriser:	Judy Nagy, General Manager City Growth
Summary:	This report provides Members with the draft wording for the Information Leaflet to be produced outlining the use of Variable Message Display Units as temporary advertising signage.
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. AR20/12496 titled 'Information Leaflet - Variable Message Display Units to be used as a temporary advertising display' as presented on 02 March 2020 be noted.
2. The draft wording and plan for the information leaflet identifying where the Variable Message Display Units and that this will be subject to graphic design prior to publication be noted.



BACKGROUND

Council at its meeting held in February, 2020 considered a solution for the need to have specific Development Approval for each use of Variable Message Display Units to advertise/announce local events.

At this meeting Council determined:

- “2. *Council support the placement of the Visual Message Display Units at the following locations:*
 - I. Frew Park; Penola Road Frontage*
 - II. The Visitor Centre, Jubilee Highway West;*
 - III. The Information Bay, Jubilee Highway West (Millicent Road);*
 - IV. Crater Lakes Round about, Bay Road;*
 - V. The Information Bay, Jubilee Highway East (Adjacent Blue Lake Sports Park);*
 - VI. The Rail Lands, Bay Road frontage;*
 - VII. The Information Bay, Penola Road (adjacent Kalganyi Caravan Park); and*
 - VIII. The Civic Centre carpark (adjacent Sturt Street)*
3. *Council endorse Development Applications being prepared and submitted for Variable Message Display Units at the locations as identified in (2) as above subject to the following requirements:*
 - I. The advertising display of the Variable Message Display Unit does not exceed 4.6 square metres.*
 - II. No landscaping shall be damaged during the placement and removal of the Variable Display Message Unit.*
 - III. The Variable Message Display Unit shall be located on the subject site no longer than seven days before an event and must be removed within one day after the event to which it is associated.*
 - IV. Any damage to Council’s infrastructure, such as the kerb and/or footpaths, during the placement and removal of the Variable Message Display Unit shall be made good to the satisfaction of Council.*
4. *A leaflet be prepared which can be provided to the community identifying where the Variable Message Display Units can be located upon the determination of the Development Applications.”*

DISCUSSION

The draft wording for the information leaflet to be provided to the community identifying where the Variable Message Display Units can be located is provided for Members information and perusal.

Graphic design work is currently being undertaken to improve the visual appearance of the leaflet.

The leaflet will be finalised upon the assessment of the Development Applications to enable the identified sites to be promoted and used for the siting of the Visual Message Display Units.

CONCLUSION

The draft wording and plan for the information leaflet identifying where the Variable Message Display Units and that this will be subject to graphic design prior to publication be noted.

ATTACHMENTS

1. draft information leaflet - The use of Variable Message Display Units for Temporary Advertising Signage associated with events.pdf [↓](#)







INFORMATION LEAFLET

The Use of Variable Message Display Units for Temporary Advertising Signage associated with events

INTRODUCTION

Variable Message Display Units (VMDU) are commonly used throughout the City of Mount Gambier as advertising signage.

A visual example of a VMDU includes the following:



THE USE OF VMDU AS ADVERTISING FOR COMMUNITY EVENTS

The use of VMDU as advertising signage are development and require Development Approval to be obtained prior to the commencement of the advertisement.

The City of Mount Gambier supports the use of VMDUs for the advertising of community events.

A community event is defined as an event of a religious, educational, cultural, social or recreational character.

Some examples of a community event include:

- Blue Lake Fun Run
- New Years Eve Celebrations at Vansittart Park
- Fringe Festival
- Carols by Candlelight
- Sutton Reserve Community Day

Some examples of events that are not considered as community events:

- Events associated for the sole benefit of a private business
- Membership drives for individual sporting/community clubs

Council acknowledges the administrative time and delays in obtaining Development Approval and has sought to reduce this requirement by granting approval for a number of locations to be used for the placement of these types of signs.

PRE APPROVED LOCATIONS FOR VDMU

The locations pre-approved for the placement of a VMDU include:

1. The Civic Centre carpark, adjacent to Ferrers Street
2. Frew Park, Adjacent to Penola Road
3. Visitor Centre, adjacent to the Visitor Centre, Jubilee Highway East
4. Information Bay – Jubilee Highway East, Millicent Road
5. Crater Lakes, Round about
6. Information Bay – Adjacent Blue Lake Sports Park, Jubilee Highway East
7. Railway Land – Adjacent to Bay Road
8. Information bay – Adjacent to Kalganyi Caravan Park, Penola Road

Please refer to the attachment which illustrates the areas available for the placement of a VMDU.

CONDITIONS OF APPROVAL FOR THE VDMU

The Conditions applicable to the placement of a VMDU at these locations are:

1. The advertising display of the Variable Message Display Unit does not exceed 4.6 square metres.
2. No landscaping shall be damaged during the placement and removal of the Variable Messaged Display Unit.
3. The Variable Message Display Unit shall be located on the subject site no longer than seven (7) days before an event.
4. The Variable Message Display Unit must be removed within one (1) day after the event to which it is associated.
5. Any damage to Council's infrastructure, such as the kerb and/or footpaths, during the placement and removal of the Variable Message Display Unit shall be made good to the satisfaction of Council.

RIGHTS OF THE CITY OF MOUNT GAMBIER AS THE LAND OWNER

Please note, Council is responsible for the management of all of the identified sites for the placement of the Variable Message Display Units. The signs are displayed at the pleasure of Council.

The City of Mount Gambier retains the right to cancel the approval for the placement of these signs at any of these locations and may request the removal of any sign.

AR20/9675
17th February, 2020



ATTACHMENT: Proposed locations for the Variable Message Display Units

1. Civic Centre car park, Adjacent to Ferrers Street



2. Frew Park – Adjacent to Penola Road



3. Visitor Centre – Adjacent to the Visitor Centre



4. Information Bay – Jubilee Highway East, Millicent Road



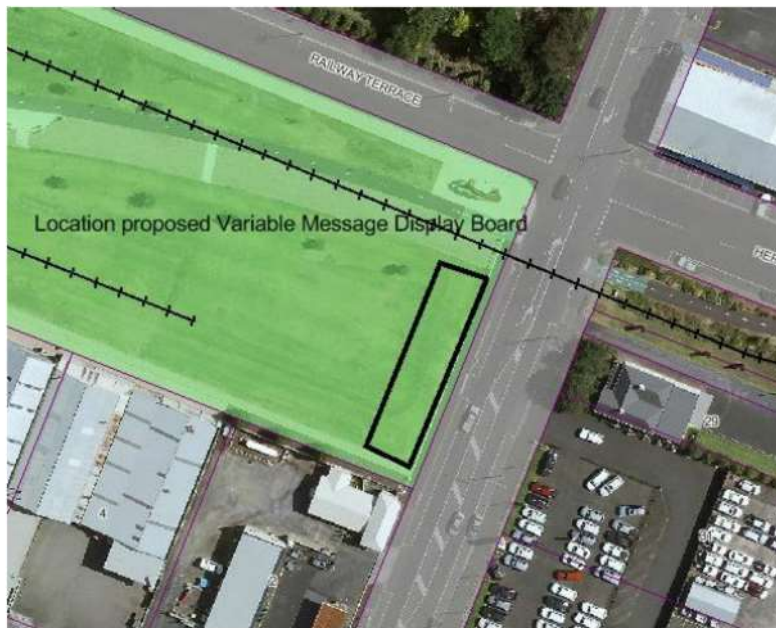
5. Crater Lakes – Round About



6. Information Bay – Jubilee Highway East (Adjacent Blue Lake Sports Park)



7. Railway land – Adjacent to Bay Road



8. Information Bay – Penola Road (Adjacent to Kalganyi Caravan Park)



**MINUTES OF CITY OF MOUNT GAMBIER
REGIONAL SPORT AND RECREATION CENTRE COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE,
MOUNT GAMBIER ON TUESDAY, 10 MARCH 2020 AT 5.30 P.M.**

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

OFFICERS IN ATTENDANCE: Chief Executive Officer - Mr A Meddle
Manager Executive Administration - Mr M McCarthy

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 Paul Jenner

Seconded: Cr Sonya Meziniec

Moved the apology from Cr Kate Amoroso be received.

CARRIED

3 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Mayor Lynette Martin

That the minutes of the Regional Sport and Recreation Centre Committee meeting held on 10 December 2019 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 QUESTIONS WITHOUT NOTICE

Nil

5 REPORTS

5.1 COMMUNITY AND RECREATION HUB DEVELOPMENT APPLICATION UPDATE

COMMITTEE RESOLUTION

Moved: Cr Steven Perryman

Seconded: Cr Sonya Mezinec

1. That Regional Sport and Recreation Centre Committee Report No. AR20/14297 titled 'Community and Recreation Hub Development Application Update' as presented on 10 March 2020 be noted.

CARRIED

5.2 COMMUNITY AND RECREATION HUB PROCUREMENT PROCESS

COMMITTEE RESOLUTION

Moved: Mayor Lynette Martin

Seconded: Cr Max Bruins

1. That Regional Sport and Recreation Centre Committee Report No. AR20/14298 titled 'Community and Recreation Hub Procurement Process' as presented on 10 March 2020 be noted.

CARRIED

5.3 COMMUNITY AND RECREATION HUB - TENANCIES UPDATE

COMMITTEE RESOLUTION

Moved: Mayor Lynette Martin

Seconded: Cr Sonya Mezinec

3. That Regional Sport and Recreation Centre Committee Report No. AR20/14510 titled 'Community and Recreation Hub - Tenancies Update' as presented on 10 March 2020 be noted.
4. Further advice will be provided to Council at the conclusion of the capital works component of the endorsed arrangements.

CARRIED

6 MOTIONS WITHOUT NOTICE

Nil

7 CONFIDENTIAL ITEMS

7.1 CONFIDENTIALITY, ACTIVITIES AND THE COMMUNITY AND RECREATION HUB – REPORT NO. AR20/15651

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Max Bruins

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Regional Sport and Recreation Centre Committee orders that all members of the public, except Mayor L Martin, Councillors B

Hood, M Bruins, C Greco, P Jenner, S Mezinec, F Morello and S Perryman and Council Officers A Meddle and M McCarthy be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.1 AR20/15651 Confidentiality, Activities and the Community and Recreation Hub.

The Regional Sport and Recreation Centre Committee is satisfied that, pursuant to section 90(3) (f) 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 prejudice the maintenance of law, including by affecting (or potentially affecting) the:
 - prevention, detection, or investigation of a criminal offence, or
 - the right to a fair trial
- 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 Regional Sport and Recreation Centre 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 of legislative provisions that prohibit the disclosure of information of the kind to be provided in a verbal report by the Chief Executive Officer.

CARRIED

COMMITTEE RESOLUTION

Moved: Cr Max Bruins
Seconded: Cr Sonya Mezinec

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 AR20/15651 Confidentiality, Activities and the Community and Recreation Hub 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) (f) and (g) be kept confidential and not available for public inspection until the end of this term of Council when the 2022 local government elections have concluded.
2. Further that Council delegates the power to review, revoke, but not extension 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 6.46 p.m.

The minutes of this meeting were confirmed at the Regional Sport and Recreation Centre Committee held on 14 April 2020.

.....
PRESIDING MEMBER

**17.2 COMMUNITY AND RECREATION HUB DEVELOPMENT APPLICATION UPDATE –
REPORT NO. AR20/14297**

Committee:	Regional Sport and Recreation Centre Committee
Meeting Date:	10 March 2020
Report No.:	AR20/14297
CM9 Reference:	AF18/175
Author:	Andrew Meddle, Chief Executive Officer
Authoriser:	Andrew Meddle, Chief Executive Officer
Summary:	A report providing an update on the development application lodged with the State Government.
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 Regional Sport and Recreation Centre Committee Report No. AR20/14297 titled 'Community and Recreation Hub Development Application Update' as presented on 10 March 2020 be noted.



BACKGROUND

The Council has lodged a Development Application with the State Government for the Community and Recreation Hub. Whilst the matter could technically have been dealt with by the Council Assessment Panel (CAP) there would have been issues with transparency, conflicts of interest and predetermination.

As such the State Government have handled the application, which is moving towards determination. As part of this process public notification was undertaken and it is believed two informal referrals were undertaken to State Government agencies (ODASA and State Heritage). There were four responses to the public notification, one of which was in support of the proposal. The others were from Mark Teakle (in his role a private person not as a member of the CAP), Nick Fletcher and Neville Moody (on behalf of the National Trust of South Australia).

Two responses were provided to the State Government. The first addressed the architectural matters raised by ODASA. The second addressed the responses to the public notification and also the State Heritage response. The ODAS representation and Design Inc's response (less the plans) can be found as **Attachment 1**. The other representations and the Council's response can be found as **Attachment 2**.

The case officers responsible for our application visited Mount Gambier on 28 February 2020. The Manager – Development Services and Chief Executive Officer hosted them and gave them a guided tour of the site and its environs. This has enabled the case officers to have a fully rounded context when preparing their report for consideration by the State Commission Assessment Panel (SCAP). The timeframe for this consideration was that the matter would be put before SCAP on 12 March 2020. However, due to a backlog in SCAP matters, the application will be considered on 19 March 2020. The week delay will not have any impact on the timeframes for completing the Community and Recreation Hub.

Whilst the case officers were positive about the matter, the final decision rests with the SCAP. The SCAP may approve (usually with conditions), approve with reserved matters (i.e. items which require further information to be provided prior to work commencing), they may defer the matter or they may refuse it. If the Council unhappy with decision (in whole or in part) it has the right to appeal the matter through the Environment, Resources and Development Court, just the same as any other applicant.

Risks still exist should the SCAP make some of these decisions, but at this stage there is little preparation that can be undertaken. Officers and Design Inc will attend the SCAP hearing and will have the opportunity to address any representors or other questions from the Panel.

The Council requested that the SCAP undertake a site visit and make their decision at a meeting held in Mount Gambier. A representor also requested to be heard in Mount Gambier. However, the SCAP have decided that the meeting will be held in Adelaide, as this is not expected to be the only item on the agenda.

DISCUSSION

Development Plan Consent is the first of a three stage process. The architects, project management team and head contractor will deal with much of the second stage pre-construction and during construction. The third stage is likely to be completed during the operationalisation phase of works.

The Council submitted a well-designed and locally supported project that was steeped in context and its locality in terms of design, but also its palette of materials. The objections to the project from individuals and from the State Government referrals have been addressed.

CONCLUSION

Elected Members will be advised by Memo of the SCAP decision as soon as possible after it is made, together with any advice as to implications for the project.

ATTACHMENTS

1. The ODAS representation and Design Inc's response [↓](#)



2. Other representations and Council response [↓](#)



**OFFICE FOR
DESIGN +
ARCHITECTURE SA**

File No:
2019/17843/01

14 January 2020

Ref No:
14904669

Janine Philbey
Planning Officer – Major Development
Planning and Land Use Services
Department of Planning, Transport and Infrastructure
Level 5, 50 Flinders Street
Adelaide SA 5000

janine.philbey@sa.gov.au

For the attention of the State Commission Assessment Panel

City of Mount Gambier Community & Recreation Hub

Further to the referral 381/E012/19 received 4 December 2019 and additional information received 20 December 2019 pertaining to the development application at the above address and in my capacity as a statutory referral in the State Commission Assessment Panel, I would like to offer the following comments for your consideration.

The project was not presented to the Design Review panel.

I support the City of Mount Gambier's aspiration to provide a new community and recreational facility that aims to improve wellbeing and support an increasing demand for opportunities for social and recreational activities for the local community and the surrounding regional areas. I also acknowledge the consultation and community engagement undertaken by the City of Mount Gambier regarding this proposal.

The subject site is located within 'Olympic Park', bounded by Margaret Street to the north and O'Halloran Terrace to the south, and includes the existing outdoor swimming pool to be retained. There are a number of buildings, outbuildings and structures as well as two netball courts that are proposed to be demolished as part of this development. Civic and commercial use properties are located to the north of the subject site, including the Mount Gambier Railway Station and Mount Gambier Central Shopping Centre. To the south of the subject site, the predominant built form character is single storey detached houses, including a number of Local heritage listed and Contributory places. To the east of the site, fronting Bay Road are the State heritage listed Old Courthouse and the SA Police buildings. Existing tennis and netball courts are located along the site's western boundary adjacent the Old Mount Gambier Gaol, a State heritage listed place. Other notable features within the subject site include a sink hole at the south west corner.

The proposed building is positioned parallel to Margaret Street and located to the south of the existing outdoor swimming pool. It includes a new indoor pool area with four separate pools and a multi-purpose facility that accommodates six indoor basketball courts. The existing car parking area at the north west corner of the site

Level 1
26-28 Leigh Street
Adelaide SA 5000

GPO Box 1533
Adelaide SA 5001

DX 171

T- +61(0)8 8402 1884
E- odasa@sa.gov.au



OFFICE FOR DESIGN + ARCHITECTURE SA

File No:
2019/17843/01

Ref No:
14904669

is proposed to be extended to increase capacity. The southern car parking area is also proposed to be extended. New landscaped areas are proposed to the north and south of the new building, including a playground and entry plaza. Along the eastern edge of the building, a service access lane connects the two street frontages. I acknowledge the complex site constraints, including the site topography and retention of the existing facilities such as the outdoor swimming pool. However in my opinion, the submitted documents are yet to demonstrate a convincing rationale for the proposed site organisation, including location of the approximately 140 metre wide built form on the southern half of the project site with an interface to the low scale residential area. I am also concerned by the proximity of the building to O'Halloran Street at the building's south east corner, where the building corner abuts the site boundary and the landscaping buffer is interrupted. In my opinion, thorough analysis of the site and the wider surrounding area is required to demonstrate the proposal presents a positive relationship between the development, the site and the existing context of the wider community. I also recommend review of the arrangement at the building's south east corner to mitigate the impact of a large built form on O'Halloran Terrace and the low scale residential properties to the south.

The proposed building is composed of three built form elements, including an 11.4 metre tall singular form to the south, a double storey tall indoor pool element at the north east corner and a single storey element at the north west corner. I acknowledge the built form composition is informed by the internal functional layouts, including accommodation of six basketball courts in a linear arrangement. However, I am concerned by the resultant impact of the extensive building width, which in my view has the potential to pose as a barrier between the residential neighbourhood to the south and the civic and community assets. In my opinion, an opportunity exists to increase breakdown of the southern built form and improve visual connections through the building, with the view to maximise the opportunity for the building to engage with the surrounding lower scale streetscape along the southern elevation.

The main entry to the new building is proposed centrally on the northern side of the building. A large entry forecourt, playground and landscape area are proposed on the Margaret Street frontage between the extended car parking area and the existing outdoor swimming pool. To the south of the building, a pedestrian path from O'Halloran Terrace is located between the extended car parking area to the west and a triangular landscaped area to the east. Along the eastern edge of the building, a service lane is proposed to provide access for the plant and refuse store areas. In principle, I support the provision of substantial landscaped areas along the street frontages. However, the submitted documents do not include any design details of the open and landscaped areas. I recommend provision of further information, including planting selections and sizes, material palette, confirmation of design elements, and maintenance strategies, to ensure delivery of the envisaged integrated outcome. I support the location of the back of house and services functions away from the street frontages. Acknowledging the existing open condition to the east of the service access path, I note potential Crime Prevention through Environmental Design (CPTED) issues along the inactive eastern elevation. I recommend review of the eastern elevation with the view to maximise opportunities for passive surveillance, balanced with the functional requirements such as glare control.

I strongly support the civic architectural expression of the proposed building, supported by high quality pre finished materials. To that end, I support the inclusion of the lime stone facade treatment. However I am yet to be convinced by the raised

Level 1
26-28 Leigh Street
Adelaide SA 5000

GPO Box 1533
Adelaide SA 5001

DX 171

T- +61(0)8 8402 1884
E- odasa@sa.gov.au



Government
of South Australia

OFFICE FOR DESIGN + ARCHITECTURE SA

File No:
2019/17843/01

Ref No:
14904669

positioning of the masonry elements away from the ground. I recommend review of the facade composition, with the view to strengthening the solidity of the stone clad sections and anchoring the masonry sections to the ground plane. I also recommend further information be provided regarding the stone facade element, including the size of stone segments, bond pattern and joint details. In principle I support the architectural expression of the southern elevation, which includes a curved bottom edge to the metal clad wall to reveal the increased height of the glazed wall section below. However in my opinion, the relationship of the facade feature with the internal function and external landscaped area has not yet been demonstrated. I am also of the view that the feature element is limited to a small section of the elevation and the facade treatment of the majority of the southern elevation remains an extensive linear element with minimal articulation. In my opinion, an opportunity exists to review the composition of the southern elevation, with the view to mitigating the visual impact of the extensive elevation and providing further articulation that is consistent with the original design intent for the architectural expression of the southern facade.

The proposal includes substantial landscaped areas to the north and south of the new building. In my opinion, the delivery of high quality soft landscaping areas is critical to the success of the development overall. This is particularly important given the open and natural character of the site in its current condition. I urge the project team to continue the design development of the public open spaces as the critical and defining feature of this development as a community asset. I also recommend exploration of Water Sensitive Urban Design (WSUD) principles to inform the landscape strategy.

The submitted drawings indicate installation of solar photovoltaic panels on the majority the southern roof. While I welcome the inclusion of solar panels, the visual impact of the installed panels is not yet demonstrated on the elevations or rendered perspective images. I recommend testing of long view perspective images to ensure effective and integrated management of services and plant elements. Other Ecologically Sustainable Development (ESD) measures, such as pool shell insulation, heat pumps and rainwater harvesting are indicated in the supporting documentation prepared by the City of Mount Gambier. In my view, this significant development has a rare opportunity to demonstrate a visible and overt response to sustainable built environment principles and deliver a leading sustainability precedent for the community. I support the project's ambition to significantly reduce water and energy consumption, however the project is yet to commit to a measurable benchmark for sustainability performance. I strongly recommend the project team explore opportunities for integrated ESD measures and set a defined goal for sustainability performance. I also recommend careful exploration of the glazing selections to balance environmental performance with visual impact on architectural expression, including transparency, colour and reflectivity of the glazing system.

Level 1
26-28 Leigh Street
Adelaide SA 5000

GPO Box 1533
Adelaide SA 5001

DX 171

T- +61(0)8 8402 1884
E- odasa@sa.gov.au

The Transport Impact Assessment report indicates the provision of 20 covered bicycle parking spaces in lieu of 53 spaces as envisaged by the Development Plan. While some bicycle racks are indicated on the site plan, some do not appear to be located under cover and others are proposed in front of doorways. I am not yet convinced by the rationale for providing a reduced number of bicycle parking spaces. I am also concerned that the consideration for convenience and safety of the cyclists is yet to be successfully demonstrated. I recommend review of the bicycle parking numbers and locations to encourage and support a sustainable transport infrastructure through convenient and safe access for cyclists.



OFFICE FOR DESIGN + ARCHITECTURE SA

File No:
2019/17843/01

Ref No:
14904669

To ensure the most successful design outcome is achieved, the State Commission Assessment Panel may like to consider particular aspects of the project, which benefit from protection as part of the planning permission, such as:

- Provision of further design details of the landscaped areas, including planting selections and sizes, material palette, confirmation of design elements, and maintenance strategies.
- Review of the eastern elevation with the view to maximise opportunities for passive surveillance.
- Review of the northern facade composition, with the view to strengthening the solidity of the stone clad sections and anchoring the masonry sections to the ground plane.
- Provision of additional information regarding the stone facade element, including the size of stone segments, bond pattern and joint details.
- Refinement of the southern facade composition, with the view to mitigating the visual impact of the extensive elevation.
- Provision of all building elevations.
- Integration of WSUD elements to the landscaped areas.
- Demonstration of effective and integrated management of services and plant elements, such as roof mounted solar panels.
- Development of the integrated ESD strategies, including a set defined goal for sustainability performance.
- Confirmation of glazing system, including transparency, colour and reflectivity of the glazing panels.
- Review of the sustainable transport infrastructure strategy, including bicycle parking numbers and locations.

Yours sincerely



Belinda Chan
Team Leader, Design

cc Kirsteen Mackay SA Government Architect kirsteen.mackay@sa.gov.au
Aya Shirai-Doull ODASA aya.shirai-doull@sa.gov.au

Level 1
26-28 Leigh Street
Adelaide SA 5000

GPO Box 1533
Adelaide SA 5001

DX 171

T- +61(0)8 8402 1884
E- odasa@sa.gov.au



DesignInc

Architecture
Urban Design
Interiors
designinc.com.au

DesignInc Adelaide Pty Ltd
Level 5, 351 Pirie Street
Adelaide SA 5000
+61 8 8233 2888
respon@adelaide.designinc.com.au

29 Jan 2020

Mr Andrew Meddle

City of Mount Gambier
Civic Centre
10 Watson Tce
Mount Gambier SA 5290

Dear Andrew,

**Re: City of Mount Gambier - Community & Recreation Hub
Design Team responses to ODASA Commentary**

Having reviewed the commentary received from the Office for Design & Architecture SA, we provide the following responses to provide further information where requested, and also additional background into the context to the items raised, as follows;

Provision of further design details of the landscaped areas, including planting selections and sizes, material palette, confirmation of design elements, and maintenance strategies.

- Please find attached landscaping documentation, including selections as requested.

Review of the eastern elevation with the view to maximise opportunities for passive surveillance.

- The general planning arrangement of the facility consolidates the service areas and plant to the eastern aspect to create a single area for back of house and plant access, to minimise the impact of these service activities to the rest of the Olympic Park site. Given the nature of the plant zones (both aquatic and building services (including mechanical, electrical and fire services) there is limited opportunity to create additional open façade elements to facilitate passive surveillance from within the centre. The adjacent scouts hall and meals on wheels building will continue to be actively used at alternate times of day, and additional security measures from CCTV cameras will provide additional security and deterrent measures.

Review of the northern facade composition, with the view to strengthening the solidity of the stone clad sections and anchoring the masonry sections to the ground plane.

- The northern façade features the use of local limestone, a material that has historical ties with the region. The proportions and locations of the limestone are reserved and sympathetic to the limitations of the properties inherent of locally sourced limestone. The porosity of the local limestone make it susceptible to damage from weather exposure or human interaction. To be able to use the locally sourced material and maintain its integrity for whole of life, its use has been restricted to sheltered locations out of prevailing weather, and away from opportunity for interaction with the ground plane and people. The detailing and arrangement of the stone has been considered to be able to be installed by local stonemasons, using the local construction techniques and supply. The material is not suitable for the use suggested by ODASA.

A18-0050_AD02_Planing Response

We are an association of independent practices
with offices in Adelaide, Melbourne, Perth & Sydney.
DesignInc Adelaide Pty Ltd ABN 77 007 805 692 | 1 of 3



DesignInc

Architecture
Urban Design
Interiors
designinc.com.au

Provision of additional information regarding the stone facade element, including the size of stone segments, bond pattern and joint details.

- Please find attached stone facade specification as requested.

Refinement of the southern facade composition, with the view to mitigating the visual impact of the extensive elevation.

- The proportions of the facade are dictated by the functions within. Where it is possible and suitable to increase the glazed areas to reduce the visual mass, this has been included, and carefully considered with respect to glare from outside, and restricting acoustic and light transmission from within. The western end of the facade is adjacent the community hall, which can host events including amplified music, and as such the glazing elements have been restricted to low and high level, to allow sufficient mass for sound absorption, and to minimise light spill during these events.

The layering of the facade treatment to minimise the mass of the elevation, feature both transitions of cladding materials as well as the facade depth, to provide reduce the single large mass, into 6 separate elements. These elements undulate across the facade, as a representation of the rolling natural landscapes of the Mount Gambier region. The movement in the facade is amplified as it becomes closer to the street interface. The intent was to draw the eye vertically across the facade, so to reduce the impact of the building height, which is set out by the functions with.

In relation to the proximity of the south eastern corner to O'Halloran Tce, while not ideal, the siting of the building was determined through both key adjacent functional relationships, uniting interior and exterior functions, as well as the topography of the site. For efficiencies and security, the aquatic zones are grouped together, with the new indoor aquatic facilities located adjacent the existing outdoor pool. Similarly, the new court halls align on the axis of the existing outdoor courts, to preserve the existing relationship and connection of the courts.

The East – West siting of the building cannot be moved further west away from O'Halloran Tce due to the sporting regulation court run-off zone requirements of both the indoor and outdoor courts. The siting on the North-south axis is governed by the topography of the site. At it currents siting, the siteworks require approx. 70% cut and 30% fill, moving further North dramatically increases this, as the aquatic excavation moves further into the higher zone on the site. Changes in the building level will also have a negative impact on the stormwater system, as, at the current level, the majority of the discharge is able to be treated and drained into the aquifer via the existing sink hole (approved by local authorities as common local practice), rather than having to be captured and the discharge controlled to be managed back into an artificial bore on the northern half of the site.

Provision of all building elevations.

- Please find attached more detailed elevations as requested.

Integration of WSUD elements to the landscaped areas

- Council has standard practice of WSUD elements with a commitment to include these features on council sites.

Demonstration of effective and integrated management of services and plant elements, such as roof mounted solar panels.

Development of the integrated ESD strategies, including a set defined goal for sustainability performance.

- Please find attached ESD summary outlining the ESD provisions specific to the proposed development.

Confirmation of glazing system, including transparency, colour and reflectivity of the glazing panels.

- Please find attached specification of glazing elements as requested.



DesignInc

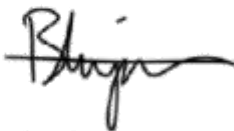
Architecture
Urban Design
Interiors
designinc.com.au

Review of the sustainable transport infrastructure strategy, including bicycle parking numbers and locations

- Council have committed to increasing the number of bike parking to 50 in total, and are in consultation with local public transport operators to alter existing services to serve the new facility. Provisions for large bus drop off zones are also provided to cater for large groups.

Yours Sincerely

DesignInc Adelaide Pty Ltd



Ben Luppino

Senior Associate



ESD Summary

		Distribution
Project #	A18-0050	Contractor
Project Name	Mount Gambier Community & Recreation Hub	X Client
Project Leader	Ben Luppino	Consultant
		Other
Date	30 January 2020	X File

This report outlines the sustainable design concepts proposed for the Mount Gambier Community and Recreation Hub which features community facilities, indoor multiuse stadium and aquatic centre.

The design intent of the development is to aim for significant cuts in both water and energy use and to improve the sustainability credentials compared with the existing facilities. The existing facilities present both constraints and opportunities for responsible and leading sustainable design.

The summary presents the proposed sustainability initiatives incorporated into each part of the development.

DAYLIGHTING

Daylighting is a crucial part of healthy indoor environments. Effective natural lighting improves light quality and lowers or even eliminates lighting energy requirements. Where artificial lighting is required, the use of high efficiency LED lighting and light sensor controllers minimise the energy usage. External views help to create a better visual connection to the outdoor spaces. Strategies to assure effective natural lighting proposed for this development are:

Efficient glazing and façade design to maximise internal daylight levels;

External shading design that reduces heat loads due to direct solar radiation while maximising internal daylight level;

External shading design that reduces or eliminates glare. Glare can be a significant problem for life guards;

Installation of skylights or light tubes for spaces that have limited access to façade glazing.

It is important to coordinate daylighting with any obstructions to light such as roof structure or ductwork

Design of both the multipurpose spaces and the aquatic centre reduces full height glazing in preference for both ground level glazing and high level glazing. This balances visual connection and views across the precinct and good internal light quality with reductions in heat gain and heat loss.

POOL SHELL INSULATION

While the majority of heat from the pools are lost through the water surface, a considerable amount of heat loss also occurs through the pool shell. The ground adjacent to the shell typically has a constant temperature of approximately 17°C and continues to draw heat out of the pool irrespective of the ambient conditions. Consideration will be made to ensure as high levels of pool shell insulation as possible to make significant savings in energy loss.

Rigid closed-cell foam board or polystyrene board insulation with an R-rating of 1.0 is recommended for the pool walls as well as the base slab. And is planned for this development.



MECHANICAL SYSTEMS & HEAT PUMPS

The design of the centre allows for areas to be shut down when not in use, while other areas remain conditioned. Large openable doors to the pool halls can be used to ventilate the space when outdoor conditions are suitable. This would be particularly beneficial on hot summer days to release excess heat from the pool hall.

The mechanical systems used in the facility will use a heat pump system for the development. A heat pump works like a refrigerator or air conditioner. Refrigerant is used to remove heat from one area and to transfer this heat to another area. In the case of a pool heat pump, the very cold refrigerant absorbs heat from the air and transfers this heat to the pool water. If the air temperature is very warm more heat is absorbed and more heat is transferred to the pool water.

Heat pumps should be rated at an average air temperature of 15°C and a pool temperature of 27°C. This is most indicative of pool heating needs in Australia at the time of the year when pool heating is really needed. At these temperatures, heat pumps can produce over 4 times more heating than the power that is consumed. The integration of the aquatic and mechanical systems re-uses heat energy that would otherwise be lost, reducing the demand for additional energy use. By using all electric systems (mechanical and water heating, not a traditional gas boiler) for heating, all of the energy demands for the building are available to be sourced from renewable energy supplies, of which is largely offset by the roof mounted photovoltaic array.

SOLAR PHOTOVOLTAIC (PV)

With the large availability of roof space, solar panels have been reviewed and included into the design of the facility. The large array, with a peak capacity of 600kWp with an estimated annual generation of 700 MWh, which will offset approx. 357 tonnes of green house gasses. In conjunction with the electric heating and cooling and integrated heat exchange between aquatic and mechanical systems, these systems will enable the centre to produce the majority of the energy it consumes.

The effectiveness of PV's will be further enhanced as used on such a large area they will effectively be used as shade structures over the buildings roof reducing heat gain from the roof surface. They have been design to sit parallel with the roof.

SOLAR HOT WATER

Solar hot water heaters are widely used throughout Australia in domestic and commercial applications. For this technology to be effective the panels generally need to be orientated towards the north at a pitch of approximately 30° (for southern states) to ensure maximum exposure to solar radiation. Depending on system size and technology the solar contribution for hot water can be between 30% and 85%.

In this project solar hot water heaters are intended to be utilized in combination with PV and standalone units for showers only.

WATER SAVING INITIATIVES – POOL

Water is a precious and high-demand resource, essential for all living beings. Reducing water consumption is a critical part of alleviating pressure on water sources and maintaining water availability.

Public pools by nature have a very high water usage. Most of the water is lost through evaporation, spillage and filter backwash. There are a number of initiatives that can reduce the water usage, methods that do not consume additional energy are preferred over those that do.

Evaporation

The proposed pool installations have a relatively large water surface to volume ratio due in part to the shallow splash pool. Evaporation of pool water is therefore a significant cause of water loss. The following initiatives are intended to reduce evaporation losses:

Appropriately shaded pool areas

Control of air flow over the pools through careful design of the ventilation systems

Control of wind ingress around the pool areas during times when the facility is opened up for natural ventilation



ACOUSTIC ENVIRONMENT

Noise from public facilities is a common complaint, the main noise sources being large events, pool plant and vocal noise generated by some patrons. This can impact on surrounding buildings and/or disrupt other patrons within the precinct.

Acoustic control is achieved through:

Locating pool equipment away from neighbouring buildings.

Provide noise reducing architectural features such as perforated acoustic panels, noise barriers, enclosures and wall treatments.

The design ensures that pools are orientated away from the residential interface of the facility with the multipurpose spaces facing the residential interface instead. Glazing has also been reduced to the residential interface of the facility with internal spaces to be treated to provide a high level of acoustic performance and reduce noise transmission.

SUSTAINABLE TRANSPORT

Provision of secure cyclists facilities at the site will enhance the ability of occupants to ride to the centre thereby offsetting the use of cars in the vicinity. Facilities include racks for locking both the frame and wheels and with good passive surveillance and/or cameras.

MATERIALS

Where achievable, the use of low embodied energy materials such as locally sourced renewable timber has been considered to reduce the environmental impact of the centre. The use of local materials reduced energy wastage in transportation, and renewable materials require less energy to manufacture. These selections will be balanced with whole of life assessments, to minimise the need for materials to be replaced during the life of the building.

RECYCLING

Where existing environmental technologies had been integrated into the existing facilities, these have been identified to be removed and reinstated at other council operated sites. These technologies include the existing PV array and energy inverters, and the woodchip boiler that currently heats the existing pools. This technology is not best suited to be used as a water heater for the pools, however is being decommissioned and handed back to the council, for use as an electrical generator to run off the by products of the local timber industry.





South Australian DEVELOPMENT ACT, 1993 REPRESENTATION ON APPLICATION – CATEGORY 3

Applicant: City of Mount Gambier
Development Number: 381/E012/19
Nature of Development: Construction of an integrated multi-purpose community sport, events/function and recreation hub
Development Type: Merit
Zone / Policy Area: Recreation Zone
Subject Land: 10 – 18 O'Halloran Terrace, Mount Gambier (Olympic Park)
Contact Officer: Janine Philbey
Phone Number: 08 7109 7062
Close Date: 17 January 2020

My Name: ROBERT WILLIAM SHORR My phone number: 0499 336087

Primary method(s) of contact: Email: blueflake1008@gmail.com
Postal Address: 13 O'Halloran Tce Mt Gambier Postcode: 5290

You may be contacted via your nominated PRIMARY METHOD(S) OF CONTACT if you indicate below that you wish to be heard by the State Commission Assessment Panel in support of your submission.

- My interests are: (please tick one)
[checked] owner of local property
[] occupier of local property
[] a representative of a company/other organisation affected by the proposal
[] a private citizen

The address of the property affected is: 13 O'HALLORAN TCE MT GAMBIER Postcode 5290

- My interests are: (please tick one)
[checked] I support the development
[] I support the development with some concerns
[] I oppose the development

The specific aspects of the application to which I make comment on are:

- I: (please tick one)
[] wish to be heard in support of my submission
[checked] do not wish to be heard in support of my submission (Please tick one)

- By: (please tick one)
[] appearing personally
[] being represented by the following person (Please tick one)

Signature: [Handwritten Signature]
Date: 3/1/2020

Return Address: The Secretary, State Commission Assessment Panel, GPO Box 1815, Adelaide, SA 5001 /or Email: scapreps@sa.gov.au

**South Australian
DEVELOPMENT ACT, 1993
REPRESENTATION ON APPLICATION – CATEGORY 3**

Applicant: City of Mount Gambier
Development Number: 381/E012/19
Nature of Development: Construction of an integrated multi-purpose community sport, events/function and recreation hub
Development Type: Merit
Zone / Policy Area: Recreation Zone
Subject Land: 10 – 18 O'Halloran Terrace, Mount Gambier (Olympic Park)
Contact Officer: Janine Philbey
Phone Number: 08 7109 7062
Close Date: 17 January 2020

My Name: MARK TEAKLE **My phone number:** 0418 854 103

Primary method(s) of contact: **Email:** mteakle@alexander.com.au
Postal Address: _____ **Postcode:** _____

You may be contacted via your nominated PRIMARY METHOD(S) OF CONTACT if you indicate below that you wish to be heard by the State Commission Assessment Panel in support of your submission.

- My interests are:** (please tick one)
- owner of local property
 - occupier of local property
 - a representative of a company/other organisation affected by the proposal
 - a private citizen

The address of the property affected is: _____ **Postcode:** _____

- My interests are:** (please tick one)
- I support the development
 - I support the development with some concerns
 - I oppose the development

The specific aspects of the application to which I make comment on are: SEE FOLLOWING
SABOT

- I:** (please tick one)
- wish to be heard in support of my submission
 - do not wish to be heard in support of my submission (Please tick one)

- By:** (please tick one)
- appearing personally
 - being represented by the following person (Please tick one)

Signature: M Teakle
Date: 15/1/20

Return Address: The Secretary, State Commission Assessment Panel, GPO Box 1815, Adelaide, SA 5001 /or
Email: scapreps@sa.gov.au

Comments on Hub application

1. Service road to go past Scout hall will this create any safety issues with the through traffic. The roadway will need upgrading to allow bigger vehicles to access the site Will road be one-way
2. The larger vehicles on O`Halloran Terrace will add noise along the road as I notice access is only from the west. Why not from the east maybe it will not work due to the trucks coming up the hill. I find it hard to believe that the trucks will be able to turn in the new carpark given the layout. Access should be only from Margaret street and use the identified bus route. Once concerts are over packing up of equipment usually takes place straight after. This will mean the houses on O`Halloran will be subject to noise late at night.
3. Refuse should be collected on Margaret street not O`Halloran Terrace to lessen the heavy vehicles along O`Halloran terrace
4. For national/state matches courts are only line marked for the sport that is due to be played on them so at least 3 courts will only be available for basketball/tennis/netball and what else is played on them, hence we go from 6 to 3 before we start.



Jessie Surace
Acting Secretary
State Commission Assessment Panel
GPO Box 1815
Adelaide SA 5001
Email: scapreps@sa.gov.au

Re: Development Number – 381/E012/19

Dear Acting Secretary,

I oppose the Application For Consent To Development for the proposed Mt Gambier Recreation Hub, Dev No. - 381/E012/19, as advertised in The Border Watch on Friday 3rd January 2020.

I also apply to appear before the SCAP to explain the complex nature of my opposition and submission, and request that any such SCAP hearing would be held here in Mt Gambier.

I only became aware of this Application mid-week, and several people I have spoken to are completely unawares that this Application is pending. The short submission period and timing of the announcement during the New Years/school holidays period is less than ideal.

Like myself, people assume that any required Development Approvals would have been finalised before Mt Gambier City Council conducted extensive and costly 'Consultations' and their hugely expensive 'MGCC Public Vote', or commissioned multiple Architects designs and/or reports, used hundreds of hours of Council staff time on information Booths, massive advertising and promotional campaigns, or applied for (and were granted) Federal and State funding, etc.

I have been through the entire 153 page Application as available on the SA Planning Portal website, and have many concerns about;

- 1) the vagueness or absence of information on critical issues, eg, design specifications;
- 2) the deliberate misinformation and carefully constructed deceptions that MGCC have included in that Application, eg, issues of funding, alleged levels of public support;
- 3) and critical problems with several of the planning/design specifications.

This is just what I have discerned in one read-through, but I also have pre-existing concerns.

I have started a detailed submission, but it will take several days to condense and collate and to retrieve the associated documentation that I have.

I request that the Commission accept this letter as my official submission and I will forward my completed submission and associated documentation as an addendum by Friday 24th January 2020.

Yours,

Nick Fletcher
11/16 Kooringa St
Mt Gambier SA 5290
0419 823 996
Email: nf.fletcher@bigpond.com

Thursday 16th January 2020



South Australian DEVELOPMENT ACT, 1993 REPRESENTATION ON APPLICATION - CATEGORY 3

Applicant: City of Mount Gambier
Development Number: 381/E012/19
Nature of Development: Construction of an integrated multi-purpose community sport, events/function and recreation hub
Development Type: Merit
Zone / Policy Area: Recreation Zone
Subject Land: 10 - 18 O'Halloran Terrace, Mount Gambier (Olympic Park)
Contact Officer: Janine Philbey
Phone Number: 08 7109 7062
Close Date: 17 January 2020

My Name: NEVILLE MOOBY My phone number: 0421 989 667
Handwritten note: REPRESENTING THE MOUNT GAMBIER BAHNH NATIONAL TRUST OF SOUTH AUSTRALIA

Primary method(s) of contact: Email: ntsamountgambier42@gmail.com
Postal Address: 42a BAY Rd M7 GAMBIER S.A. Postcode: 5290

You may be contacted via your nominated PRIMARY METHOD(S) OF CONTACT if you indicate below that you wish to be heard by the State Commission Assessment Panel in support of your submission.

- My interests are: (please tick one)
owner of local property
occupier of local property
a representative of a company/other organisation affected by the proposal
a private citizen

The address of the property affected is: 42a BAY Rd M7 GAMBIER S.A. Postcode 5290

- My interests are: (please tick one)
I support the development
I support the development with some concerns
I oppose the development

The specific aspects of the application to which I make comment on are: PLEASE SEE ATTACHED SUBMISSION

- I: (please tick one)
wish to be heard in support of my submission
do not wish to be heard in support of my submission
By: (please tick one)
appearing personally
being represented by the following person

Signature: [Handwritten Signature]
Date: 17/1/2020

WE ACTUALLY WOULD LIKE TO BE HEARD IN SUPPORT OF OUR SUBMISSION BUT TRAVELLING TO ADELAIDE IS NOT AN OPTION FOR US. PERHAPS MEETINGS SHOULD BE HEARD IN THE PLACE THE DEVELOPMENT IS TO OCCUR

Return Address: The Secretary, State Commission Assessment Panel, GPO Box 1815, Adelaide, SA 5001 /or Email: scapreps@sa.gov.au

Development No. 381/E012/19

Construction of an integrated multi-purpose community sport, events/function and recreation hub.

Applicant: City of Mount Gambier

**Submission by: Neville Moody representing
The Mount Gambier Branch of The National Trust of South Australia.**

We are not in support of this Development.

We have listed our comments as they relate to the different sections of the City of Mount Gambier Development Plan

Design and Appearance

We do not think this development is sympathetic to the character and scale of other developments in this locality as it has a very large footprint and is much larger and higher than other buildings in the vicinity.

Hazard Minimisation

We draw your attention to Principals of Development Control (PDC) item 2

"Where recreational development is proposed on land which has previously been used for non residential purposes no development should be undertaken until site contamination clearances have been obtained."

We have not seen in the application where such clearances have been obtained.

Heritage Conservation Area

We realise that the land on which this development is situated is not part of the heritage conservation area but it adjoins it. We feel that no consideration has been given to the heritage value of buildings and trees etc. that will be demolished.

We draw your attention to Objective 4 in the Development Plan

"The retention and conservation of places such as land, buildings structures and landscape elements that contribute positively to the historic character of the area."

Of particular concern are the building currently used as a Church which was originally built in 1933 as the Show Society Luncheon hall showing great faith in the future of Mt. Gambier at the height of the Depression, as well as the building which we believe is locally known as the Pigeon Loft and is currently used as a storage shed by the Scouts, this was one of the original Show Society buildings.



With the removal of these buildings there will be nothing remaining of the original Show Society infrastructure which utilised this area from 1859 until the mid 50's.

Also the removal of nearly all the trees on the O'Halloran Tce side of the development, of particular note a large mature and healthy London Plane tree and a nearby mature Ash.

Interface between land uses

Noise

"Development should be consistent with the relevant provisions in the current environment protection (noise) policies."

We note with concern that this development will only comply with the intent of the noise policy and some residences may experience noise levels slightly in excess of the requirements.

Since the adjoining area is a residential area we feel this is quite unreasonable and using the excuse that open air concerts have been held in the vicinity to support exceeding the noise requirements is not acceptable.

Natural Resources

Ref. Dev. Plan Objective 13

We have concerns that this development will detract from the scenic qualities of the "Blowhole" by placing such a large structure so close

Transport & Access

PDC cycling and walking 19 c

We believe bicycle parking should be provided as detailed in Table MtG(C)/3

This council is promoting "Park and Stride" as well as cycling to encourage walking and cycling so we find it unacceptable that they would only provide 20 spaces and not provide the 56 bicycle parking spaces as are required by their own Development plan.

Dev. Plan Objective 2c "Provide off street parking"

PDC Vehicle Parking 32



“Development should provide off-street vehicle parking and specifically marked disabled car parking places to meet anticipated demand in accordance with Table MtG(C)/3 car and bicycle parking requirements.”

It is quite unacceptable that the proposed development will only provide an additional 29 car parking spaces when it only removes 3 Netball courts from the original facilities and introduces 6 new Basketball courts as well as function rooms, gym facilities and community meeting rooms etc. The calculations provided in the application take no account of any spectators that would be attending weekly Basketball games and there is no provision for what is understood to be a 1000 seat show court or the western court area used for functions with 600 seats as shown on the plans.

There is no expectation that the on-site car parking should cater for the quite rare proposal of a 2500 spectator music event or similar.

The table MtG(C)3 does not specifically show car parking requirements for a Indoor Recreation Centre but we would have thought the requirements listed under Cinema, Community Centre, Concert Hall, Exhibition Hall or Stadium would have provided guidance for the requirements for this development

Not having adequate on-site parking would also increase the noise disturbance to the residential areas on O'Halloran Tce.

Recreation Zone

The points we note from Councils Development Plan under Recreation Zone are that it should primarily be open space and uses should preserve and enhance the open character and amenity of the land and buildings and structures should be of low profile and screened by native vegetation.

A building of this footprint and approximately 11.5 m in height definitely does not preserve or enhance the open character of this zone as it covers a very large proportion of the land, could hardly be considered low profile as it is higher than any other building on the block and not possible to screen so as to preserve the open nature of the area.

Public transport

We note there is no current public transport to the proposed facility and the nearest bus stop is 500m away this is unacceptable as this distance is too far for the elderly and handicapped that often only have public transport as a means of accessing such facilities.



CITY OF MOUNT GAMBIER RESPONSES TO THE REPRESENTATIONS RECEIVED

General Context

Of the four respondents, three have been critical of the idea of the scheme and the Council's participation. The representation made by Heritage SA is also made by someone who has been publicly unsupportive of the scheme, well before a development application was lodged. Their representations follow through on their consistent position of opposition, which is contrary to the position of the community and Council as evidenced by the plebiscite in 2018. In responding to the points raised the Council's response focuses on whether the matters raised are even material planning consideration and, where they are, an explanation of the Council's position is given.

REPRESENTOR	REPRESENTOR'S COMMENTS	COUNCIL RESPONSE
Robert Smith	Supportive of the proposal.	The Council thanks Mr Smith, the only person impacted directly by the proposal who has responded to the public notification, for his statement of support.
Mark Teakle	1. Service road to go past Scout hall will this create any safety issues with the through traffic. The roadway will need upgrading to allow bigger vehicles to access the site. Will road be one way?	The service road is not a thoroughfare. The road is truncated by bollards protecting the rear of the facility. Access through the road requires the manual lowering of sets of bollards. The Council does not agree with Mr Teakle's comments.
	2. The larger vehicles on O'Halloran Terrace will add noise along the road as I notice access is only from the west. Why not from the east maybe it will not work due to the trucks coming up the hill. I find it hard to believe that the trucks will be able to turn in the new carpark given the layout. Access should be only from Margaret street and use the identified bus route. Once concerts are over packing up of equipment usually takes place straight after. This will mean the houses on O'Halloran will be subject to noise late at night.	For concerts, expos, etc. at the centre the car park from O'Halloran Terrace is intended to be closed off. This will become the dedicated service area for support activities. Access to this part of the site is from both the east and west, hence the deflection on both access/ egress points on O'Halloran Terrace. This reduces the potential for conflict between vehicles and pedestrians and increases safety. The frequency of events and the impact on residential amenity is not considered to have a significant impact. The location is within the city centre and so the background level of disturbance is already higher than for suburban areas. No objections have been received from surrounding residents, who have been visited and individually letter dropped about the proposals. The Council does not agree with Mr Teakle's comments.

City of Mount Gambier response to representations and referrals

1



REPRESENTOR	REPRESENTOR'S COMMENTS	COUNCIL RESPONSE
	3. Refuse should be collected on Margaret Street not O'Halloran Terrace to lessen the heavy vehicles along O'Halloran Terrace.	Access will be possible from either O'Halloran Terrace or Margaret Street. Refuse from the café and catering will be collected via the store close to the Margaret Street car park and would not be accessible from the service road. Other refuse will be collected from the store on the eastern side of the building close to the service road. The level of waste collection traffic is considered only a very small amount of the traffic using the road and not a significant change. The Council does not agree with Mr Teakle's comments.
	4. For national/state matches courts are only line marked for the sport that is due to be played on them so at least 3 courts will only be available for basketball/tennis/netball and what else is played on them, hence we go from 6 to 3 before we start.	<p>This assertion is incorrect. Consultation was undertaken with the relevant state sporting bodies to ensure that the design maximised community use while addressing required competition compliance standards.</p> <p>The development includes six courts in total comprising of three timber courts and three multipurpose courts enabling a flexibility of use and provision of both recreational and competition sports and activities.</p> <p>The court markings across the six courts provides provision for the following court configurations:</p> <ul style="list-style-type: none"> 6 x Basketball 6 x Netball 4 x Futsal 5 x Volleyball 6 x Junior Volleyball 20 x Badminton 3 x Tennis <p>The Council does not agree with Mr Teakle's comments.</p>



REPRESENTOR	REPRESENTOR'S COMMENTS	COUNCIL RESPONSE
Nick Fletcher	1. Like myself, people assume that any required Development Approvals would have been finalised before Mt Gambier City Council conducted extensive and costly 'Consultations' and their hugely expensive 'MGCC Public Vote', or commissioned multiple Architects designs and/or reports, used hundreds of hours of Council staff time on information Booths, massive advertising and promotional campaigns, or applied for (and were granted) Federal and State funding, etc.	This stance is symptomatic of Mr Fletcher's approach and opposition. The timing of approvals following a common-sense pragmatic approach undertaken by most major developments. In any event this is not a material planning consideration. The Council does not agree with Mr Fletcher's comments.
	2. The vagueness or absence of information on critical issues, eg, design specifications.	This is an application for Development Approval. The relevant level of information for this type of approval has been provided. The Council does not agree with Mr Fletcher's comment.
	3. The deliberate misinformation and carefully constructed deceits that MGCC have included in that Application, eg, issues of funding, alleged levels of public support.	It is difficult to understand what Mr Fletcher is stating in this comment. The Council does not agree with Mr Fletcher's allegation, nor is it considered a material planning consideration.
	4. Critical problems with several of the planning/design specifications.	It is difficult to understand what Mr Fletcher is stating in this comment as no examples are provided. If Mr Fletcher asserts in his second point that there is an absence of critical information (e.g. design specifications) how can he sure that there are critical problems with something he has not seen? The Council does not agree with Mr Fletcher's comments.
Neville Moody on behalf of the National Trust of South Australia	1. Design and Appearance We do not think this development is sympathetic to the character and scale of other developments in this locality as it has a very large footprint and is much larger and higher than other buildings in the vicinity.	The design and appearance of the building are significant as befitting a high regional standard community and recreational facility and a significant civic building. There are already large structures on Olympic Park, including a 50m outdoor swimming pool, a number of sports courts and a number of other structures. Given the existing sporting and community uses of the site, the historic development for this purpose and the existing structures on the site, the size and

City of Mount Gambier response to representations and referrals

3



REPRESENTOR	REPRESENTOR'S COMMENTS	COUNCIL RESPONSE
		<p>scale are in proportion with the significance of the community investment and facility.</p> <p>It is interesting to think too, that the Gaol would have been significantly out of scale and considered unsympathetically located when it was constructed and when the poor-quality surrounding buildings were built and now is considered of heritage value.</p> <p>The Council does not agree with Mr Moody's comments.</p>
	<p>2. Hazard Minimisation We draw your attention to Principals of Development Control (PDC) item 2</p> <p>"Where recreational development is proposed on land which has previously been used for non-residential purposes no development should be undertaken until site contamination clearances have been obtained."</p> <p>We have not seen in the application where such clearances have been obtained.</p>	<p>The site is already used for recreational purposes and as there is no change in the proposed land use. There is no Council concern relating to this policy provision on this particular site.</p> <p>No incidents or issues with contaminated land have been identified through the current or historic uses of the site. Consultation with the EPA has not raised any concerns around contaminated land.</p> <p>The Geotechnical survey undertaken found a small pocket of contamination, which will be dealt with by the contractor through their construction methodology. The Council is currently undertaking the final stages of the tender processes.</p> <p>The Council does not agree with Mr Moody's comments.</p>
	<p>3. Heritage Conservation Area We realise that the land on which this development is situated is not part of the heritage conservation area but it adjoins it. We feel that no consideration has been given to the heritage value of buildings and trees etc. that will be demolished.</p> <p>We draw your attention to Objective 4 in the Development Plan</p>	<p>The development site lies outside any heritage designation and the development is not intended to have any adverse impact on heritage. The contemporary design is not a poor-quality pastiche mimicking some heritage reference. It is distinctive and different, but drawing local character (in terms of materials and features).</p> <p>The buffering interface between the heritage area (the Old Gaol) and Olympic Park remains unchanged. All the</p>



REPRESENTOR	REPRESENTOR'S COMMENTS	COUNCIL RESPONSE
	<p>"The retention and conservation of places such as land, buildings structures and landscape elements that contribute positively to the historic character of the area."</p> <p>Of particular concern are the building currently used as a Church which was originally built in 1933 as the Show Society Luncheon hall showing great faith in the future of Mt. Gambier at the height of the Depression, as well as the building which We believe is locally known as the Pigeon Loft and is currently used as a storage shed by the Scouts, this was one of the original Show Society buildings.</p> <p>With the removal of these buildings there will be nothing remaining of the original Show Society infrastructure which utilised this area from 1859 until the mid 50's.</p> <p>Also the removal of nearly all the trees on the O'Halloran Tce side of the development, of particular note a large mature and healthy London Plane tree and a nearby mature Ash.</p>	<p>screening between the two sites sits outwith the boundary of the development.</p> <p>The buffering is also increased because of the significant spatial separation from the existing netball and tennis courts, Langlois Place – the road between the development the adjacent property – and the partial vegetative screening.</p> <p>Regrettably, the buildings referred to do not retain much heritage interest due to the changes made to them over time. The architectural merit of the two buildings is also somewhat questionable.</p> <p>As part of the work the Council has undertaken on this site, the Scouts, Guides and the Open Door Baptist Church have all been found suitable alternative arrangements. The Scouts will have a temporary storage solution provided, which will be superseded during the construction of the Community and Recreation Hub with a permanent storage facility.</p> <p>Trees on the O'Halloran Terrace frontage are not affected by this development. Some trees within the park will be removed, but the clear intent through the landscaping proposals will be to increase the number of trees on the site.</p> <p>The Council has been delivering a plan to deliver an additional 300 street trees per annum and has almost delivered a net increase of 10,000 trees through this longstanding initiative, which helps reinforce the green character of the City of Mount Gambier.</p> <p>The Council does not agree with Mr Moody's comments.</p>
	<p>4. Interface between land uses – Noise "Development should be consistent with the relevant provisions in the current environment protection (noise) policies."</p>	<p>The heritage area adjacent to the site and the nearby Railway Lands have also been used for events. The site is in the city centre and uses within the city centre are often subject to impacts which may be considered bad neighbour uses elsewhere.</p>

City of Mount Gambier response to representations and referrals

5



REPRESENTOR	REPRESENTOR'S COMMENTS	COUNCIL RESPONSE
	<p>We note with concern that this development will only comply with the intent of the noise policy and some residences may experience noise levels slightly in excess of the requirements.</p> <p>Since the adjoining area is a residential area we feel this is quite unreasonable and using the excuse that open air concerts have been held in the vicinity to support exceeding the noise requirements is not acceptable.</p>	<p>In this particular case, there are no new noise issues which are expected to emanate beyond the site boundary. The development is not expected to have any significant noise impact following design improvement delivered through the engagement of an acoustic engineer and the feedback from the EPA during the design refinement.</p> <p>The Council does not agree with Mr Moody's comments.</p>
	<p>5. Natural Resources Ref. Dev. Plan Objective 13</p> <p>We have concerns that this development will detract from the scenic qualities of the "Blowhole" by placing such a large structure so close</p>	<p>The Council has sited the facility in the best location on the site from a geotechnical perspective and from a functional perspective. The cenote will be used as part of the sustainable urban drainage solution that has been agreed with the EPA.</p> <p>Separately Council have considered a request to enhance the cenote and this will form part of future budget deliberations.</p> <p>The Council does not agree with Mr Moody's comments.</p>
	<p>6. Transport & Access PDC cycling and walking 19 c</p> <p>We believe bicycle parking should be provided as detailed in Table MtG(C)/3</p> <p>This council is promoting "Park and Stride" as well as cycling to encourage walking and cycling so we find it unacceptable that they would only provide 20 spaces and not provide the 56 bicycle parking spaces as are required by their own Development plan.</p> <p>Dev. Plan Objective 2c "Provide off street parking" PDC Vehicle Parking 32</p> <p>"Development should provide off-street vehicle parking and specifically marked disabled car parking places to meet</p>	<p>The site is already in use for significant sport and recreation purposes. This expected to be some intensification and elongation of that use, but it will not be a new use requiring a complete new level of provision.</p> <p>The low level of bicycle parking is accepted and the Council is happy to increase the level of provision to 50 across the site.</p> <p>Car parking needs are based on a community centre as this has been called the Community and Recreation Hub. The standard for this use is 1 space per 10m². The level of car parking provision cannot meet that standard on this site, nor does it intend to given the city centre location, the accessibility of the site by foot, cycle and public transport.</p> <p>Additional parking spaces are being provided, together with the significant level of provision close by in the CBD.</p>



REPRESENTOR	REPRESENTOR'S COMMENTS	COUNCIL RESPONSE
	<p>anticipated demand in accordance with Table MtG(C)3 car and bicycle parking requirements."</p> <p>It is quite unacceptable that the proposed development will only provide an additional 29 car parking spaces when it only removes 3 Netball courts from the original facilities and introduces 6 new Basketball courts as well as function rooms, gym facilities and community meeting rooms etc. The calculations provided in the application take no account of any spectators that would be attending weekly Basketball games and there is no provision for what is understood to be a 1000 seat show court or the western court area used for functions with 600 seats as shown on the plans.</p> <p>There is no expectation that the on-site car parking should cater for the quite rare proposal of a 2500 spectator music event or similar.</p> <p>The table MtG(C)3 does not specifically show car parking requirements for a Indoor Recreation Centre but we would have thought the requirements listed under Cinema, Community Centre, Concert Hall, Exhibition Hall or Stadium would have provided guidance for the requirements for this development</p> <p>Not having adequate on-site parking would also increase the noise disturbance to the residential areas on O'Halloran Tce.</p>	<p>Connectivity to the CBD, rail trail and Railway Lands by non-motorised means is reducing reliance on the private car.</p> <p>The level of parking provision is both a demand management tool and part of the Council's <i>park and stride</i> approach, giving sustainable transport a preference. The level of parking provision is considered adequate for most activities at the site, but it is acknowledged that for major events there will be periods of parking stress. This is the same as for the Old Gaol and their concerts and for major activities in the Railway Lands.</p> <p>The Council accepts the criticism of bicycle parking, but does not agree with remainder of Mr Moody's comments.</p>
	<p>7. Recreation Zone</p> <p>The points we note from Councils Development Plan under Recreation Zone are that it should primarily be open space and uses should preserve and enhance the open character and amenity of the land and buildings and structures should be of low profile and screened by native vegetation.</p> <p>A building of this footprint and approximately 11.5 m in height definitely does not preserve or enhance the open character of this zone as it covers a very large proportion of the land, could</p>	<p>The key word is 'should' and whilst this is obviously desirable. The word used was not 'must' and so there is a significant differentiation.</p> <p>Near this site there is significant open space, which does maintain an open character, which can be seen in the Railway Lands and from Reidy Park School playing fields, which are open to the public.</p> <p>Whilst the new building is significant and will not increase the open character of the zone, the building occupies only a small</p>

City of Mount Gambier response to representations and referrals

7



REPRESENTOR	REPRESENTOR'S COMMENTS	COUNCIL RESPONSE
	hardly be considered low profile as it is higher than any other building on the block and not possible to screen so as to preserve the open nature of the area.	<p>minority of the site. The eastern part of the site is not open in character currently and so the openness of the site is largely retained.</p> <p>Screening would further reduce the open nature of the site and be contrary to the National Trust's thoughts, but would be conflicting with their expectations in terms of their point 1 on heritage.</p> <p>The Council does not agree with Mr Moody's comments.</p>
	<p>8. Public transport</p> <p>We note there is no current public transport to the proposed facility and the nearest bus stop is 500m away this is unacceptable as this distance is too far for the elderly and handicapped that often only have public transport as a means of accessing such facilities.</p>	<p>The Council is in discussions with the local public transport operator to ensure services are altered to provide improved access to this site. There will be a significantly increased financial rationale for this approach.</p> <p>Public transport includes taxi services and these are available across the city and able to provide a door to door service.</p> <p>The Mount Gambier Community Passenger Network also provides services which can access this facility, again on a door to door basis.</p> <p>The Council does not agree with Mr Moody's comments.</p>

INFORMAL REFERRAL RESPONSES

AGENCY	AGENCY COMMENTS	COUNCIL RESPONSE
ODASA	1. Numerous, as provided in an email from Janine Philbey dated 17 th January 2020.	<p>Email sent to Janine Philbey on 6th February 2020 providing:</p> <ul style="list-style-type: none"> • Letter from the Council's architects (DesignInc) • ESD Summary • Link to further design documentation



AGENCY	AGENCY COMMENTS	COUNCIL RESPONSE
Heritage SA	General heritage points	<p>Whilst the Police Reserve may have been established as such, the land has been used for community focussed activities for most of its existence and the locality is known within the community for these purposes rather than as a precinct associated with Law and Order. The changed perception and use of this land were further reinforced when:</p> <ul style="list-style-type: none"> • a new court house was constructed opposite the original court house, on the eastern side of Bay Road; and • the gaol adaptively re-used for community activities when a new facility was built outside of city. <p>The land use has been continually changing and for the most of last century, with various buildings constructed to supplement the range of community activities occurring on the land:</p> <ul style="list-style-type: none"> • the construction of Reidy Park primary School and its significant range of buildings; • The junior Primary School which is now occupied by community groups; • The original swimming pool now used by the Naval Cadets; • Ancillary buildings to support the show grounds activities; • Girl Guide Hall and more recently, the Scout Hall; • Buildings to support Netball and Tennis; and • Buildings to support the existing outdoor Swimming Pool. <p>Many of these buildings are not set well back from street frontages as has been suggested. In particular:</p> <ul style="list-style-type: none"> • Reidy Park Primary School (particularly at its entry point); • The Guide Hall (to a lesser extent); • The original Court House (southern and eastern facades); • The new Police complex is also built up to the O'Halloran Terrace boundary; and



AGENCY	AGENCY COMMENTS	COUNCIL RESPONSE
		<ul style="list-style-type: none"> • Residential buildings associated with the Old Gaol. <p>The construction of this community building continues the century old tradition of the land being built on for community purposes – it is just of a form and scale that matches required to meet a community in the 21st century. Whilst the new building is large, it is purely a community facility and is positioned in the centre of the City appropriately, rather than being situated in an industrial area on the city fringes.</p> <p>The proposed scheme is careful to remove all buildings from the land that will become redundant so that wherever possible, open space is returned to the precinct. An example of this is consolidating all pool plant within the new building (at considerable expense) so that all existing pool structures can be removed and this space used to create public amenity via landscape and nature play areas.</p> <p>There are no sight lines remaining between the original courthouse and old gaol. These are already blocked by:</p> <ul style="list-style-type: none"> • The new police complex • The guide hall • Toilets and shelter sheds adjacent to the netball courts <p>Views from the gaol land tend to be to the west and south. There is also a high, solid, perimeter security wall in the gaol that faces east towards the new building. The Council argues that the gaol turns its back to the east and the proposed new building.</p>
	1. Heritage context	<p>The heritage context provided by State Heritage paints a rather rosy picture of the site and its context, which also happens to fail to mention the adverse impacts on that context which exist on Margaret Street, O'Halloran Terrace, Bay Road, Wehl Street South and Langlois Place.</p>



AGENCY	AGENCY COMMENTS	COUNCIL RESPONSE
		<p>The reference to the 1864 Mount Gambier Courthouse and views from this to the gaol are somewhat undermined by the presence of a very large, relatively modern structure which interrupts the context physically, visually and introduces a modern design into the precinct. This structure is the current SAPOL building.</p> <p>Whilst the open space character exists and would not be significantly undermined by this proposal, it is not the openness or former police reserve use <i>per se</i> that is the important issue, but rather the fact that the use reflects the community and that it has changed in step with the community needs over time.</p> <p>When the site was used by the Show Society, this reflected the needs of the community at that time. The representation from the National Trust refer to remaining buildings from this time. These are two examples of a multiplicity of buildings and structures which has also existed in this precinct and which have engendered the community use, just as the Reidy Park Centre, the Meals on Wheels, the Naval Cadet and Scout buildings do today, together with the dominance of the existing sporting facilities comprising hard surfaces and buildings and a 50m pool and associated facilities.</p> <p>The heritage context also ignores other more modern buildings already close to the gaol and the significant, transformative changes in land use within 200m of the site in the Railway Lands. The character of Mount Gambier is changing gradually over time and this precinct has not existed in perpetuity nor has it been preserved in aspic.</p> <p>The views to and from the gaol are already restricted by existing screen planting and the statement that there are long views to the gaol is contested, unless this means that you can see the site from the Crater Lakes precinct some 650m away up a significant hill and across rooftops.</p>

City of Mount Gambier response to representations and referrals



AGENCY	AGENCY COMMENTS	COUNCIL RESPONSE
		<p>The Community and Recreation Centre is located away from the gaol, protecting its setting. The Council has also sited the facility in the best location on the site from a geotechnical perspective and from a functional perspective. The cenote will be used as part of the sustainable urban drainage solution that has been agreed with the EPA.</p> <p>Separately Council have considered a request to enhance the cenote and this will form part of future budget deliberations.</p> <p>Appendix 2 demonstrates, through aerial photography from 2019, a clear change in character of the site and surroundings. The old gaol already has development almost up to its boundary on the eastern side. The other boundaries are not impacted by this development.</p> <p>The Council's view is that the heritage context for this area is much more related to community use and that this community use has evolved over time. The precinct is now further evolving with the development of the Community and Recreation Centre.</p> <p>The Council would also reiterate its comments made to Mr Moody (item 7) in this regard.</p> <p>The Council does not agree with the comments made by State Heritage.</p>
	<p>2. Heritage impact</p>	<p>Photographs of the Old Court House can be found in appendix 3 and an aerial photograph from 2019 in appendix 2.</p> <p>From the photographs it is clear that functional historical link between the gaol and court house has been lost. The old court house is enveloped by the modern police station and the court house is now on the opposite side of the road from the police precinct. The gaol is no longer within the city boundaries, let alone the precinct boundaries.</p>



AGENCY	AGENCY COMMENTS	COUNCIL RESPONSE
		<p>Appendix 2 demonstrates that there is no visual link between the properties from within or close to the precinct.</p> <p>The dominant buildings in the precinct have changed over time. The old gaol would have been the dominant building for some time, Reidy Park School, the existing swimming pool and the new police station have all altered the dominant built form in the precinct and changed the historical context. The development of the next round of community driven change will again affect the dominance.</p> <p>The proposed location of the Community and Recreation Centre has no impact on the Old Court House because of the envelopment of the police station, the development is well away from the old gaol and the state heritage buildings on O'Halloran Terrace.</p> <p>The new building is similar in location close to O'Halloran Terrace and neither building is effectively screened at the relevant pinch point. However, the Community and Recreation does provide landscaping to the south and retains screening between the police station and itself.</p> <p>Considering the above and the site context and topography, which also reduce the already limited heritage impact, the Council does not agree with State Heritage.</p>
	3. Recommendation	<p>The Council does not agree with the recommendation. The information provided in response to the heritage context and heritage impact indicate that such a request would be overly onerous on a development which is broadly consistent with provisions of the Development Plan and which is supported by the community, the Council, the State and the Federal Governments.</p>
	4. General notes	<p>The Council accepts all the general notes.</p>



Appendix 1

DesignInc

Architecture
Urban Design
Interiors
designinc.com.au

Sports Court Compliance

Project Number	A18-0050
Project Title	Community and Recreation Hub
Client	City of Mount Gambier
Number of Courts	3 off Sprung Timber Floor 3 off 'Rebound Ace'
Clear Height	8.3 m
Date	07 February 2020

Sporting Regulatory Bodies:

- International Basketball Federation (FIBA)
- Football Federation Australia (FFA)
- International Volleyball Federation (FIVB)
- Australian Indoor Biased Bowls Council (AIBBC)
- Tennis Australia

Sprung Timber Indoor Court Facility

SPORT TYPE	QTY.	COURT DIMENSIONS	MIN.CLEAR RUN-OFF	MIN.CLEAR HEIGHT	COMPLIANCE	NOTES
BASKETBALL	3	28m x 15m	2m	7m	FIBA	1x competition show court 2x competition standard courts
NETBALL	3	30.5m x 15.25m	3.05m	8.3m	Netball Australia	1x competition show court 2x competition standard courts
FUTSAL	1	40m x 20m	2m	4m	FFA	Compliant with all grades
VOLLEYBALL	2	18m x 9m	5m side 8m rear	7m	Competition	'Min. clear run-off' is required for FIVB competition use
JUNIOR VOLLEYBALL	6	Approximately 15.25m x 10m	N/A	-	Practice and Junior	3 per court - utilising netball court thirds
BADMINTON	8	13.4m x 6.1m	1.5m	6.7-9m	Recreation	6.7m minimum height for recreation use
INDOOR BOWLS	-	Approximately 9.14m x 1.83m	200mm 'Ditch'	-	AIBBC	Regulation Size 30 ft x 6 ft

'Rebound Ace' Multi-use Court Facility

SPORT TYPE	QTY.	COURT DIMENSIONS	MIN.CLEAR RUN-OFF	MIN CLEAR HEIGHT	COMPLIANCE	NOTES
BASKETBALL	3	28m x 15m	2m	7m	Recreation	Does not meet FIBA flooring requirements.
NETBALL	3	30.5m x 15.25m	3.05m	8.3m	State	Does not meet flooring requirements for National and League competition.
FUTSAL	3	32m x 18m	2m	4m	FFA	10s-14s competition
VOLLEYBALL	3	18m x 9m	3m	7m	Recreation	Does not meet FIVB flooring requirements.
JUNIOR VOLLEYBALL	9	Approximately 15.25m x 10m	N/A	-	Practice and Junior	3 per court - utilising netball court thirds
BADMINTON	12	13.4m x 6.1m	1.5m	6.7-9m	Recreation	6.7m minimum height for recreation use
INDOOR BOWLS	TBC	Approximately 9.14m x 1.83m	200mm 'Ditch'	-	AIBBC	Regulation Size 30 ft x 6 ft. Compliant Carpet required.
TENNIS	3	23.77m x 10.97m	3.66m side 5.48m rear	9.14m	Recreation	Does not meet Tennis Australia's minimum flooring/height requirements

DesignInc Adelaide Pty Ltd
ABN 77 007 805 692

Level 1, 151 Pirie Street
Adelaide SA 5000

+61 8 8223 2888
reception@adelaide.designinc.com.au

We are an association of independent practices with offices in Adelaide, Melbourne, Perth & Sydney.



Appendix 2



Appendix 2 Map



Map Zoom: 1340 m
Plot Date: Thursday, 6 February 2020



Appendix 3



Vision dominance of the new Police Station (from Bay Road)



Appendix 3



Envelopment of the Old Court House, with the angular new Police Station behind (from O'Halloran Terrace)



Appendix 3



Disconnected view from the Old Court House (from O'Halloran Terrace)



17.3 COMMUNITY AND RECREATION HUB PROCUREMENT PROCESS – REPORT NO. AR20/14298

Committee:	Regional Sport and Recreation Centre Committee
Meeting Date:	10 March 2020
Report No.:	AR20/14298
CM9 Reference:	AF18/175
Author:	Andrew Meddle, Chief Executive Officer
Authoriser:	Andrew Meddle, Chief Executive Officer
Summary:	A report providing detail as to the procurement process being undertaken for the Community and Recreation Hub and an update as to progress.
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 Regional Sport and Recreation Centre Committee Report No. AR20/14298 titled 'Community and Recreation Hub Procurement Process' as presented on 10 March 2020 be noted.



BACKGROUND

The procurement for the Community and Recreation Hub is the largest single procurement activity that the Council has undertaken. However, the processes and procedures are part of our standard approach, which is consistent and scaleable. In order to ensure all Elected Members have the same level of knowledge, the following sets out answers to some questions regarding procurement, this project and the detail around the processes, whilst also providing an update as the current and future stages.

RECENT QUESTIONS

In recent correspondence, it has become clear that there are a number of questions regarding:

- Procurement;
- The role of Elected Members in procurement generally; and
- The tender process for the Community and Recreation Hub.

These are answered in the sections that follow.

PROCUREMENT

The Council carries out thousands of procurement activities throughout each year. These vary in scope and scale and the Council's Policy P420 (*Procurement and Disposal of Land and Assets Policy*), which sets out the approach to be taken. The flesh on the bones of this policy is provided by the Council's *Procurement Framework and Administrative Procedure*. Elected Members will understand that procurement varies in complexity from the purchase of a bag of nails through to the purchase of a Community and Recreation Hub. It may be for the provision of something physical requiring construction or for the delivery of goods or a service.

Tenders are the most sophisticated and complex of the tools available for the Council. They are complex because of the need to have processes and structures around probity and integrity. As such they follow a clear and consistent path and Elected Members need to be clear that this process is scaleable, i.e. the Community and Recreation Hub is just a bigger version of the projects undertaken regularly by the Council. As such there is no difference in the approach; indeed any difference in approach would need to be clearly justified.

One of the key principles behind this approach is consistency and maintaining the integrity of the tender process. Deviations, other than those at the request of those participating in the process to enable the best outcome for the Council, are not entertained. Extensions of time are commonplace, particularly with more complex projects.

During this term of Council, there have been 58 significant procurement activities undertaken (see **Attachment 1**). Most of those fell within existing budget allocations and did not require a Council resolution. Few of them involved Elected Members before the decision-making stage and the reason for that is explained in the following section. Given the significant amount of procurement activity, this process is considered to be a day to day operation for the purposes of S99 of the Local Government Act and is undertaken as such across South Australia.

THE ROLE OF ELECTED MEMBERS IN PROCUREMENT GENERALLY

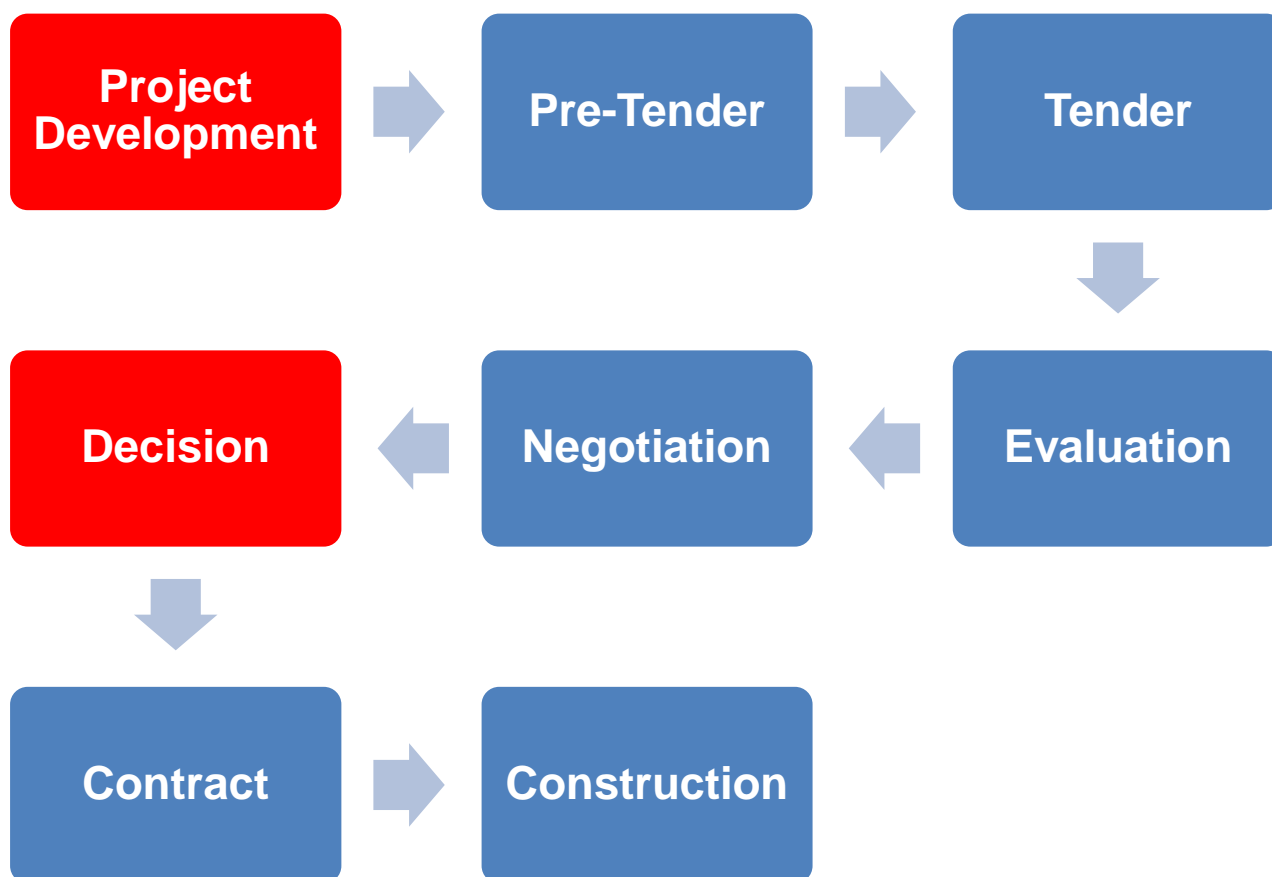
Elected Members are not normally involved in tenders once (if needed) they have resolved to procure goods or a service, most commonly through the budget process. Having resolved to do so, the Council's Policy and Administrative Procedure are then implemented. Council are then involved in the decision-making, where required as per Policy P420.

Quite clearly any Elected Member in the evaluation process would mean that they could not be involved in the decision-making in the Council Chamber, as they would have demonstrated predetermination or bias. The tender process also protects Elected Members from and those of the parties bidding for work their conflicts of interest in the decision-making arena, particularly when like at the City of Mount Gambier such decisions are usually made with anonymity.



THE TENDER PROCESS FOR THE COMMUNITY AND RECREATION HUB

The tender process for the Community and Recreation Hub is set out the following sections. It is shown diagrammatically below, with the areas for Elected Members involvement in red. The Council signed off the project over a period of time, including procurement sign off in November 2019.



PROJECT DEVELOPMENT

The project has been developed over a short space of time considering the complexity of the project. This work has been collaborative between Design Inc, the Council, the Community Reference Group and key stakeholders. This resulted in Council signing off the design and specification and the procurement process at the November Council Meeting.

Part of the project development work was to call for Expressions of Interest so that the Council could assess potential head contractors in terms of their capability and capacity to deliver a project of this scope and scale. The project was completed and enabled the current potential head contractors to be progressed to the current select tender process.

PRE-TENDER

Design Inc led the process of preparing the tender documentation, which required input from a number of specialists, the Council and the Council's lawyers. The tender documents sets out not only the details of the item being sought (i.e. a Community and Recreation Hub), but also the process, who will do what and the rules governing the process, known as the *Conditions of Tendering*. The Council's Procurement Officer was allocated as the single point of contact for the tender.

The Tender Evaluation Team (TET) membership was specified in the tender documentation, as part of the Tender Probity and Evaluation Plan. The TET comprises Nick Argyros (Project Manager), Mark Booth (operating model), Andrew Meddle (CEO), Sam Paddick (quantity surveyor), Nick Serle (General Manager – City Infrastructure) and Richard Stafford (architect), plus specialists as required. These people represent the specialist skills the Council has engaged as it has progressed this project. The Tender Evaluation Criteria were also specified at this time, although the weighting applied to the

criteria was not, as per our standard practice. A copy of the draft contract between the Council and the eventual head contractor was also part of this documentation.

The tender documentation has split the project into four key elements (separable portions), which are:

1. The Community and Recreation Hub buildings;
2. The landscaping and parking;
3. The improvements to the existing pool; and
4. The tennis improvements (to be Tennis SA funded).

Any or all of these separable portions can be removed or carried out by the Council as it sees fit, although not undertaking '1' would not be realistic and sharing the work is not possible due to the site control necessary during the construction phase.

TENDER PERIOD

Between 6 December 2019 and 14 February 2020, the tender was open for those selected to prepare their submissions. During this period the head contractors had access to all the information outlined in the pre-tender stage. As they examined the documentation provided, they often had queries. These queries are referred to as Requests for Information (RFIs). Each of the potential head contractors lodged RFIs with the Council's Procurement Officer. These were then collated and sent to the relevant specialists to provide a response. As a result, all potential head contractors were given ten tender addenda providing responses to all of the RFIs, to maintain a level playing field.

At the end of the tender period, the potential head contractors submitted their formal response to council comprising the details behind their bid, their final project team and sub-contractors. They also provided ideas for innovation, for alternative solutions and for value management.

TENDER EVALUATION

Having received the information, the Council's Procurement Officer required confidentiality agreements to be signed by all of the TET before access to the tender responses was provided. At this time advice as to probity issues was realised and the tender evaluation process put on hold, whilst advice was taken. The TET were told not to proceed with assessment until further notice. Having taken advice, work recommenced on the tender evaluations a week later than anticipated.

The tender evaluation commenced with an individual assessment of each of the submissions by the members of the TET. Some areas were the purview of technical specialists, others were responded to by all. Each of the TET then provided their scoring to the Council's Procurement Officer, who provided an overall scoring sheet to the TET when they met on 25 February 2020.

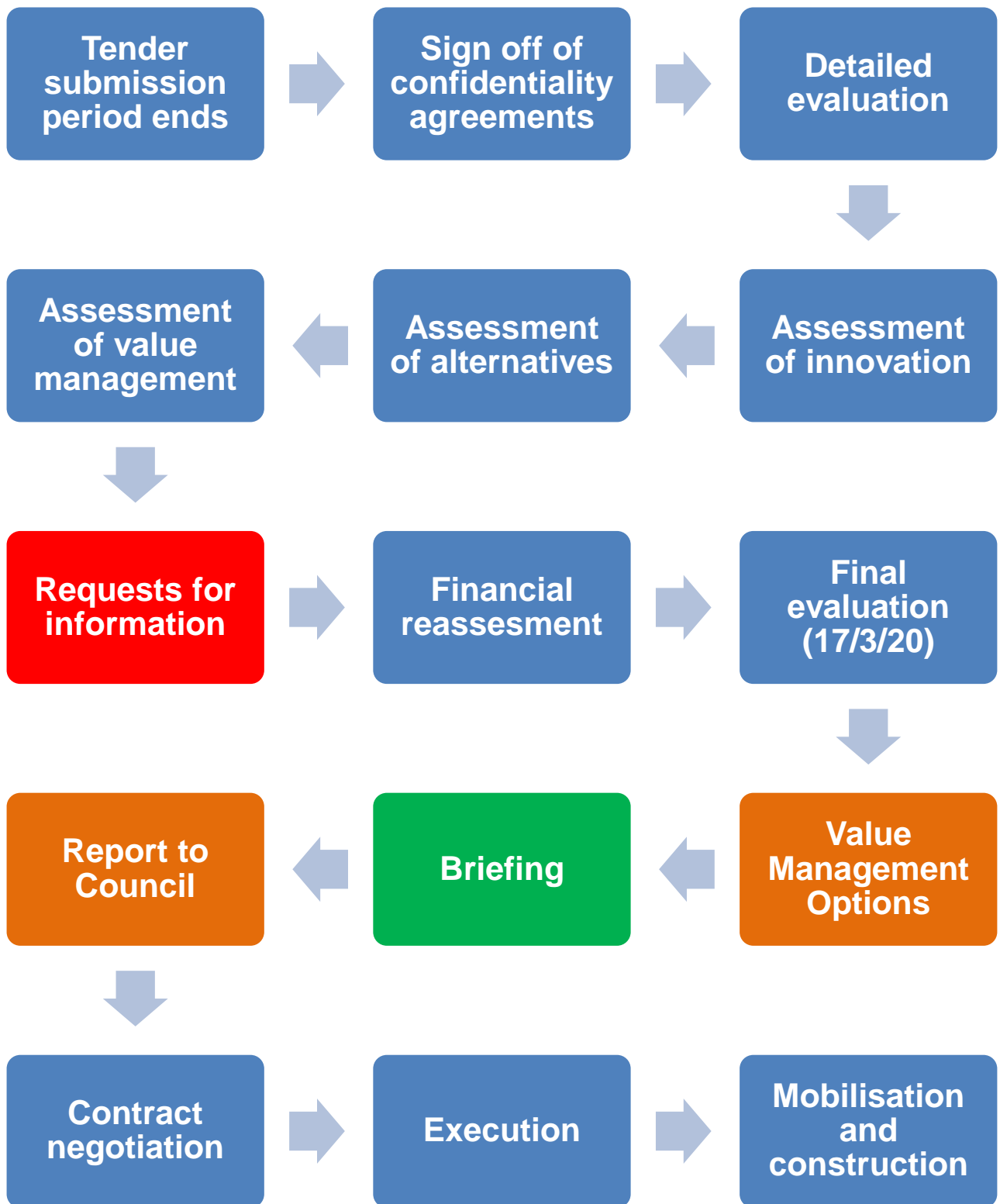
The TET met to carry out a peer review of the scoring and a discussion to come to a single position on the submissions. This was then followed by an assessment of the innovation, the alternative solutions and value management options put forward. As a result of this work, the Council's Procurement Officer has gone back to each of the potential head contractors with the Council's requests for information relating to the innovation, alternative solutions and value management options put forward. The potential head contractors now have some time to prepare their responses to the Council's post-tender RFIs. The TET is due to meet again on 17 March 2020, to consider their responses. As a result of this further shortlisting will occur and the element of clear competition will come out as we come down to the wire in terms of seeking a best and final price for lump sum contract.

Separate to the tender evaluation up to date financial information as to the financial risks associated with each potential head contractor has been sourced from Equifax Australia Credit Ratings Pty Ltd.

CURRENT POSITION

The following diagram indicates the current sphere of activity, where the red box indicates the current position, orange boxes indicate potential Special Council meetings and the green box indicates the expected position by the end of March 2020:





NEXT STEPS

The TET will continue negotiating to secure best value for the project. Having had the competitive negotiations, a briefing and then a report will be brought before Council seeking a resolution to enter into a contract, as per the decision of Council in November 2019.

ROLE AND FUNCTION OF ELECTED MEMBERS

Council endorsed the CEO to manage the tender process at its meeting in November 2019. That report made it clear that once the process was started, there was no role in the detail for Elected Members. The report is clear that the role of Council was to make a decision on the tender process to enable it to be concluded. The time to ask questions on process was then, not midway through.

The detailed tender information was and is, as requested by Councillors, available for inspection via the CEO throughout the tender process. The reason for inspection is because this is not only a confidential process, but also because the volume of documentation is significant and hard copies of all documents are not held on site.

Elected Members will note that as part of the agreement between the potential head contractors and the Council, the TET and the Council's Procurement Officer were the only persons to be provided with the tender responses. All of these people have signed a confidentiality agreement. Breaching the confidentiality agreement is a breach of the tender process, which would lead to it needing to be re-run. Elected Members must be clear on the significance of this impact both reputationally and financially.

The provision of information mid-tender to parties outside of the process does not form part of the Council's standard approach. Moreover, it is not consistent with the provisions of the Local Government Act. Section 61 of the Act provides for situations where material may be requested "*...in connection with the performance or discharge of the functions or duties of the member...*".

Section 61, must therefore be read in conjunction with Section 59 of the Act, which in turn refers to Section 8 of the Act. No provisions in the Act support the release of information supplied by a potential head contractor during a live tender process. Indeed Section 99 provides clarity that it is not the role of an Elected Member, but rather the Chief Executive Officer, with regard to this day to day activity.

It is not best practice to share details mid-process, but this may have been possible under limited confidential circumstances, had the issues facing the Council not occurred.

DISCUSSION

Having outlined the steps and constraints in the tender process, it will hopefully be clear to Council why no information can be shared at this time. As the tenderers are clear as to who their information will be provided to as part of the tender information, given the Tender Evaluation Team have all signed confidentiality agreements. Our standard practice does not lead to Council sharing information with anyone mid-process. However, this is further complicated by the advice to Elected Members elsewhere on this agenda.

Tender integrity is clear in this process, which has the propensity to be forensically examined for probity as a result of its State and Federal grant funding and any aggrieved party through the procurement process. The release of tender information in the current procurement state would lead to an immediate termination of the tender process. A new tender process would then be required necessitating a renegotiation of State and Federal grants as the project could not be completed on time. The likelihood of the current selected tenderers re-engaging in a future process and delivering best value for the community is not considered realistic.

CONCLUSION

The tender process for the Community and Recreation Hub has not been without its challenges. However, the approach taken with a scaleable process using the Council's standard procedures and appropriate support and advice from the project team is leading to a robust outcome.

ATTACHMENTS

1. Procurement Table [↓](#)





NUMBER AND TITLE OF PROCUREMENT	PORTFOLIO	BRIEF DESCRIPTION	PROCUREMENT METHOD UNDERTAKEN	COUNCIL RESOLUTION Y/N
1. Supply and Delivery of Street Sweeper (Unit 62)	City Infrastructure	Plant Replacement Program	Request for Tender	N
2. Supply and Delivery of Tip Truck (Unit 142)	City Infrastructure	Plant Replacement Program	Request for Tender	N
3. Community Survey Design, Market Implementation and Analysis	City Growth	To design, conduct and report outcomes for an independent survey - feedback for a proposed Mount Gambier Regional Sport and Recreation Centre	Request for Tender	Y - Report
4. Supply, Delivery and Installation of Playground Cover	City Infrastructure	Long Term Infrastructure and Asset Management Plan	Request for Tender	N
5. Supply, Delivery and Installation of Playground at Camoustie Court/Pinehurst Drive	City Infrastructure	Long Term Infrastructure and Asset Management Plan	Request for Tender	N
6. Polystyrene Denisifier/Compactor	Community Wellbeing	For the purpose of reducing the volume of expanded polystyrene (EPS) and polystyrene paper (PSP)	Request for Quotation	N
7. Architectural Services: James Street Toilet (Changing Places Facility)	City Infrastructure	Provision of architectural services for the James Street Toilet (Changing Places Facility) design	Request for Quotation	N
8. Local Area Network Computer Replacement	Council Business Services	Purchase/installation of hardware and software requirements for Council's Local Area Network (LAN) and preparing existing hardware for asset return.	Request for Tender	N
9. Hay Drive Bridge Demolition, Fill Placement and Compaction	City Infrastructure	Provision of bridge demolition at Hay Drive, fill placement and compaction.	Request for Tender	N
10. Supply and Delivery of Forklift (Unit 65)	City Infrastructure	Plant Replacement Program	Request for Tender	N
11. Supply and Delivery of Kerbing Machine/Trailer (Unit 92)	City Infrastructure	Plant Replacement Program	Request for Tender	N
12. Supply and Delivery of Mower (Unit 71)	City Infrastructure	Plant Replacement Program	Request for Tender	N
13. Supply and Delivery of Mower (Unit 73)	City Infrastructure	Plant Replacement Program	Request for Tender	N
14. Management Consulting and Recruiting Services	Office of the CEO	Provision of management consulting and recruitment services to assist the Council in the selection and recruitment of a replacement Chief Executive Officer.	Request for Quotation	CEO Recruitment Committee
15. Supply, Emptying and Maintenance of Roll On, Roll Off Bins: Waste Transfer Centre (01/04/2019 - 31/03/2021)	City Infrastructure	To supply, empty and maintain sufficient roll on, roll off bins to successfully operate the Waste Transfer Centre	Request for Tender	N
16. Sir Robert Helpmann Theatre and Civic Centre: Fire Detection and Emergency System Upgrade	City Growth	Upgrade of existing Civic Centre fire detection and emergency management system	Request for Tender	Y
17. Supply and Delivery of Premixed Concrete (01/07/2019 - 30/06/2021)	City Infrastructure	Supply and delivery of premixed concrete	Request for Tender	Y
18. Supply and Delivery of Mobile Bins (01/07/2019 - 30/06/2022)	City Infrastructure	Supply and delivery of new mobile bins and associated parts/accessories.	Request for Tender	N
19. Routine Maintenance of Fire Protection Systems and Equipment (01/07/2019 - 30/06/2021)	City Infrastructure	Routine service/maintenance of fire protection systems and equipment	Request for Tender	N
20. Supply and Delivery of Crushed Rock (01/07/2019 - 30/06/2021)	City Infrastructure	Supply and delivery of approximately 20,000 cubic metres of road making materials suitable for road pavements.	Request for Tender	Y
21. Opening/Closing of Council Properties (15/07/2019 - 14/07/2020)	City Infrastructure	Opening and nightly closing/patrol of Council properties.	Request for Tender	N
22. Maintenance of Automatic Doors 01/07/2019 - 30/06/2021)	City Infrastructure	Routine maintenance of Council's automatic doors - three times per annum	Request for Tender	N
23. Supply and Delivery of Bulk Fuel (01/07/2019 - 30/06/2021)	City Infrastructure	Supply and delivery of bulk fuel.	Request for Tender	Y
24. Supply, Delivery and Placement of Ashphalt (Hotmix) (01/07/2019 - 30/06/2021)	City Infrastructure	Supply, delivery and placement of Asphalt (Hotmix)	Request for Tender	Y
25. Linemarking Services (01/07/2019 - 30/06/2021)	City Infrastructure	To provide line and pavement markings within Council areas.	Request for Tender	Y



NUMBER AND TITLE OF PROCUREMENT	PORTFOLIO	BRIEF DESCRIPTION	PROCUREMENT METHOD UNDERTAKEN	COUNCIL RESOLUTION Y/N
26. Supply of New Tyres, Retreading and Repairs to Existing Tyres (01/08/2019 - 31/07/2021)	City Infrastructure	Supply of new tyres and tubes for Council's vehicle fleet and for the recapping, retreading and repair of existing tyres on Council operated plant.	Request for Tender	N
27. In-Service Safety Inspection and Testing of Electrical Equipment (01/07/2019 - 30/06/2021)	City Infrastructure	In-service safety inspection and testing of electrical equipment for all Council sites	Request for Tender	N
28. Supply and Placement of Bitumen Surfacing (01/07/2019 - 30/06/2021)	City Infrastructure	Supply and Placement of bitumen surfacings	Request for Tender	Y
29. Annual Maintenance of Air Conditioning Plant and Equipment (01/07/2019 - 30/06/2021)	City Infrastructure	Annual maintenance of air conditioning plant and equipment in Council owned buildings and includes capital upgrades as identified.	Request for Tender	N
30. Supply and Delivery of Graded Limestone Rubble (01/07/2019 - 30/06/2021)	City Infrastructure	Supply and delivery of graded limestone rubble	Request for Tender	Y
31. Construction of Changing Places Toilet Facility: James Street Amenities Mount Gambier	City Infrastructure	To engage a builder to construct a changing places toilet facility at the existing James Street Amenities	Request for Tender	N
32. Supply and Delivery of 4WD Dual Cab Utility (Unit 106)	City Infrastructure	To supply and deliver replacement 4WD Utility - Works Manager	Request for Tender	N
33. Supply and Delivery of 4WD Dual Cab Utility (Unit 107)	City Infrastructure	To supply and deliver replacement 4WD Utility - Building Maintenance Manager	Request for Tender	N
34. Supply and Delivery of (New Tourism) Vehicle	City Growth	To supply and deliver new tourism van	Request for Tender	N
35. Supply and Delivery of Motor Vehicle (Unit 120)	Office of the CEO	To supply and deliver a high specification safety vehicle for long trips	Request for Tender	N
36. Supply and Delivery of Caddy Maxi Van (Unit 103)	City Infrastructure	To supply and deliver a van suitable for general inspectors requirements	Request for Tender	N
37. Supply and Delivery of SUV (Unit 128)	City Infrastructure	To supply and deliver a SUV for civic centre fleet requirements	Request for Tender	N
38. Supply and Delivery of SUV (Unit 129)	City Infrastructure	To supply and deliver a SUV for civic centre fleet requirements	Request for Tender	N
39. Supply and Delivery of SUV (Unit 127)	Office of the CEO	To supply and deliver a SUV for Mayoral Vehicle	Request for Tender	N
40. Supply and Delivery of Utility (Unit 119)	Community Wellbeing	To supply and deliver a Utility for civic centre fleet requirements	Request for Tender	N
41. Supply and Delivery of Tip Truck (Unit 13)	City Infrastructure	To supply and deliver a tip truck for parks & gardens requirements	Request for Tender	N
42. Supply and Delivery of 4WD UTV/ATV (Unit 75)	City Infrastructure	To supply and deliver a 4WD UTV/ATV for parks & gardens spraying requirements in the Lakes Area	Request for Tender	N
43. Desktop Refresh	Council Business Services	The purchase (financed by Council's lease facility) and installation of hardware/software requirements for Council's desktop refresh and also to prepare existing leased hardware for asset return.	Request for Tender	N
44. Demolition and Construction Works for the new Community and Recreation Hub	City Infrastructure	To establish a short-list of suitably qualified and experienced building contractors from which Council will invite selective tenders for the construction of the new Community and Recreation Hub.	Expression of Interest	Y - Report
45. Supply and Delivery of Two Tip Trucks (Unit 7 and Unit 21)	City Infrastructure	To supply and deliver two new tip trucks to replace current units 7 and 21 as per Council's plant replacement program.	Request for Tender	N
46. Supply and Delivery of Two Tip Trucks (Unit 7 and Unit 21)	City Infrastructure	To supply and deliver two new tip trucks to replace current units 7 and 21 as per Council's plant replacement program.	Request for Tender	N
47. Buildings and Structures Asset Valuations	Council Business Services	To complete a full review of Council's building and structure assets meeting the AASB requirements.	Request for Quotation	N
48. Supply and Delivery of 4WD Wide Area Mower	City Infrastructure	To supply and deliver one new wide area mower to replace current Unit 144 as per Council's plant replacement program.	Request for Tender	N
49. Supply and Delivery of Truck with Crane (Unit 11)	City Infrastructure	To supply and deliver one new truck with crane to replace current Unit 11 as per Council's plant replacement program.	Request for Tender	N
50. Supply and Delivery of 4WD Dual Cab Utility (Unit 113)	City Infrastructure	To supply and deliver one new 4WD Dual Cab Utility to replace current Unit 113 as per Council's plant replacement program.	Request for Tender	N



NUMBER AND TITLE OF PROCUREMENT	PORTFOLIO	BRIEF DESCRIPTION	PROCUREMENT METHOD UNDERTAKEN	COUNCIL RESOLUTION Y/N
51. Supply and Delivery of Refuse Truck/Compactor (Unit 32)	City Infrastructure	To supply and deliver one new refuse truck/compactor to replace current Unit 32 as per Council's Plant Replacement Program	Request for Tender	N
52. Supply and Delivery of Tip Truck (Unit 3)	City Infrastructure	To supply and deliver one only new Tip Truck to replace current Unit 3 as per Council's Plant Replacement Program	Request for Tender	N
53. Vansittart Park Grandstand Upgrade Works	City Infrastructure	To undertake repair and refurbishment / upgrade works to the existing grandstand seating area located at Vansittart Park.	Request for Tender	N
54. Supply and Delivery of Out Front, Deck Mower (Unit 72)	City Infrastructure	To supply and deliver one only new Out Front Deck Mower to replace current Unit 72 as per Council's Plant Replacement Program	Request for Tender	N
55. Project Management Services	Office of the CEO	Project Management Services for the construction, demolition, and associated site works of the new Community and Recreation Hub	Request for Tender	N - Report
56. Supply and Delivery of Wheel Loader (Unit 45)	City Infrastructure	To supply and delivery one only new Wheel Loader to replace current Unit 45 as per Council's Plant Replacement Program.	Request for Tender	N
57. Debt Collection Services	Council Business Services	Securing early and full recovery where possible of outstanding Council rates, charges and debtors.	Request for Tender	N
58. Waste, Recycling & Resources Education Campaign	Community Wellbeing	To develop and partially deliver a waste, recycling & resources campaign (three year campaign, undertake first year actions, produce educational resources)	Request for Tender	N



17.4 COMMUNITY AND RECREATION HUB - TENANCIES UPDATE – REPORT NO. AR20/14510

Committee:	Regional Sport and Recreation Centre Committee
Meeting Date:	10 March 2020
Report No.:	AR20/14510
CM9 Reference:	AF18/175
Author:	Heidi Gajic, Community Development and Engagement Officer
Authoriser:	Barbara Cernovskis, General Manager Community Wellbeing
Summary:	This report provides an update on the implementation of arrangements for displaced tenants impacted by the Community and Recreation Hub development.
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 Regional Sport and Recreation Centre Committee Report No. AR20/14510 titled 'Community and Recreation Hub - Tenancies Update' as presented on 10 March 2020 be noted.



BACKGROUND

In readiness for the construction of the Community and Recreation Hub, Council Officers have undertaken an intense stakeholder engagement process with displaced tenants that had occupancy on the proposed site.

Regular updates have been provided to Elected Members during the negotiation phase advising of the sensitivities, progress and possible recommendations to be presented formally to Council for consideration.

At the December 2019 meeting of Council a number of recommendations for displaced tenants were presented and endorsed for action.

DISCUSSION

To implement the resolutions and meet agreed timelines the projects have been undertaken concurrently, during a reduced activity period for the building trades and using a combination of depot staff and contractors. The following summarises work to date that has been undertaken to progress securing and implementing tenancy solutions.

1st Mount Gambier Scout Group

The provision of a temporary storage solution is in place in preparation for the removal of their existing shed. Scouts SA have granted written agreement to the erection of fencing to secure the Community and Recreation Hub construction site. The lease area amendment will occur when construction of the Community and Recreation Hub is nearing completion.

Meals On Wheels

Meals on Wheels SA have granted written agreement to the erection of fencing to secure the Community and Recreation Hub construction site. The lease area amendment will occur when construction of the Community and Recreation Hub is nearing completion.

Girl Guides

Guides SA have surrendered the O'Halloran Terrace Hall and a new lease has been executed by both parties for premises at Hastings Cunningham Reserve.

The relocation has been completed, with the Girl Guides first meeting on 4 February 2020 being at the premises at Hastings Cunningham Reserve. The internal fit out works are nearing completion with the final works scheduled to be finished in the coming weeks.

Mount Gambier & District Netball

The existing Netball Court lease has been terminated and a new lease executed by both parties.

The development application has been approved with the demolition of the former netball clubrooms and court reconfiguration works scheduled to commence in the first weeks of March 2020. The relocation of lighting and shelters will be carried out at a later date.

Senior Citizens

The internal fit out works on the 42 James Street building commenced in January 2020 with the first stage now nearing completion. Stage one works along with the building fire safety upgrades and DDA compliance works will be finalised in the coming weeks.

A new 5 year lease consistent with other sporting and community leases and licences has been drafted and presented for consideration by their management committee.

Open Door Baptist Church

The Open Door Baptist Church have reached an agreement with Senior Citizens for interim co-location at the 42 James Street facility beginning on 1 March 2020.

The Open Door Baptist Church have completed salvage and surrendered the O'Halloran Terrace building. Salvaged items will be temporarily stored (for a period of 12 months) in a container at the Council Depot.



CONCLUSION

Communication between with all parties has remained positive. Officers have been responsive to the needs and concerns of all affected parties and it is expected that they will remain engaged with all displaced tenants as required to ensure successful transition and settlement into the new arrangements.

Further advice will be provided to Council at the conclusion of the capital works component of the endorsed arrangements.

ATTACHMENTS

Nil



**MINUTES OF CITY OF MOUNT GAMBIER
CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MEETING
HELD AT THE MAYOR'S OFFICE, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON TUESDAY, 3 MARCH 2020 AT 5.00 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Sonya Meziniec, Cr Christian Greco, Cr Frank Morello

OFFICERS IN ATTENDANCE: Manager Executive Administration - Mr M McCarthy

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

N/A

4 QUESTIONS WITHOUT NOTICE

Nil

5 REPORTS

5.1 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE TERMS OF REFERENCE

COMMITTEE RESOLUTION

Moved: Cr Sonya Meziniec

Seconded: Cr Christian Greco

1. That Chief Executive Officer Performance Review Committee Report No. AR20/9108 titled 'Chief Executive Officer Performance Review Committee Terms of Reference' as presented on 03 March 2020 be noted.
2. That the Chief Executive Officer Performance Review Committee endorse the Terms of Reference.

CARRIED

6 MOTIONS WITHOUT NOTICE

Nil

7 CONFIDENTIAL ITEMS**7.1 SELECTION OF PROFESSIONAL SUPPORT FOR THE CHIEF EXECUTIVE OFFICER'S PERFORMANCE REVIEW – REPORT NO. AR20/9109****COMMITTEE RESOLUTION**

Moved: Cr Christian Greco

Seconded: Cr Frank Morello

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Chief Executive Officer Performance Review Committee orders that all members of the public, except Mayor L Martin, Councillors S Mezinac, C Greco and F Morello and Council Officer M McCarthy be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.1 AR20/9109 Selection of professional support for the Chief Executive Officer's Performance Review.

The Chief Executive Officer Performance Review Committee is satisfied that, pursuant to section 90(3) (b) and (k) 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
- tenders for the:
 - supply of goods, or
 - the provision of services, or
 - the carrying out of works

The Chief Executive Officer Performance Review 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 offers for the supply of services, the disclosure of which prior to the making of a procurement decision could reasonably be expected to confer an advantage on a third part or prejudice the commercial position of the Council negotiations.

CARRIED**COMMITTEE RESOLUTION**

Moved: Cr Christian Greco

Seconded: Cr Frank Morello

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 AR20/9109 Selection of professional support for the Chief Executive Officer's Performance Review 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) and (k) be kept confidential and not available for public inspection until 2 years have elapsed. The name and contract value of the selected service provider be released immediately upon execution of a service contract.
2. Further that Council delegates the power to review, revoke, but not extension 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 5.15 p.m

The minutes of this meeting were confirmed at the Chief Executive Officer Performance Review Committee held on .

.....
PRESIDING MEMBER

21.2 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE TERMS OF REFERENCE – REPORT NO. AR20/9108

Committee:	Chief Executive Officer Performance Review Committee
Meeting Date:	3 March 2020
Report No.:	AR20/9108
CM9 Reference:	AF12/36
Author:	Andrew Meddle, Chief Executive Officer
Authoriser:	Michael McCarthy, Manager Executive Administration
Summary:	A report seeking endorsement of Terms of Reference for the newly established Chief Executive Officer Performance Review Committee.
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 Chief Executive Officer Performance Review Committee Report No. AR20/9108 titled 'Chief Executive Officer Performance Review Committee Terms of Reference' as presented on 03 March 2020 be noted.
2. That the Chief Executive Officer Performance Review Committee endorse the Terms of Reference.



BACKGROUND

The Chief Executive Officer Performance Review Committee was established by resolution of Council on 3 December 2019. As a new committee, it requires Terms of Reference to give clarity to its role. A draft Terms of Reference can be found as **Attachment 1**.

DISCUSSION

The Terms of Reference are based upon those for a previous similar committee and they have been updated to reflect the current contractual obligations of the City of Mount Gambier to the Chief Executive Officer and vice versa.

CONCLUSION

That the Chief Executive Officer Performance Review Committee endorse the attached draft Terms of Reference.

ATTACHMENTS

1. Chief Executive Officer Performance Review Committee Terms of Reference [↓](#)





Chief Executive Officer Performance Review Committee

TERMS OF REFERENCE

A Committee of Council
established pursuant to the provisions of
Section 41
of the Local Government Act 1999

The Chief Executive Officer Performance Review Committee was established by Council resolution dated 3rd December 2019.

Terms of Reference for the conduct of the business of the Chief Executive Officer Performance Review Committee were approved and adopted by the City of Mount Gambier at its meeting held on [insert date].



Chief Executive Officer Performance Review Committee**CONTENTS**

1.	Name	3
2.	Interpretation	3
3.	Establishment	3
4.	Purpose	3
5.	Role and Responsibilities	3
6.	Delegated Powers	4
7.	Membership	4
8.	Presiding Member	4
9.	Reporting Responsibilities	4
10.	Meeting Procedures	4
11.	Frequency of Meetings	5
12.	Notice of Meetings	5
13.	Public Access to Meetings and Documents	5
14.	Minutes of Meetings	5
15.	Conduct and Disclosure of Interests	5
16.	Liability of the Committee	5
17.	Amendments to Terms of Reference	5
18.	Interpretation of Terms of Reference	5
19.	Other Matters	5
20.	Notices	6



- 1. NAME**
- 1.1 The name of the Council Committee shall be the Chief Executive Officer (CEO) Performance Review Committee (in these Terms of Reference referred to as “the Committee”).
- 2. INTERPRETATION**
- 2.1 For the purpose of these Terms of Reference, unless inconsistent with the subject matter or context:
 - 2.1.1 “Act” means the Local Government Act 1999 and includes all Regulations and Schedules and successor legislation.
 - 2.1.2 “Committee” means the Committee of Council established pursuant to clause 3.
 - 2.1.3 “Committee Member” means the persons appointed by the Council to the Committee pursuant to clause 7.
 - 2.1.4 “Council” means the City of Mount Gambier that established the Committee and to which the Committee reports.
 - 2.1.5 “Employment Agreement” means the employment agreement between the City of Mount Gambier and the Chief Executive Officer, which came into effect on 27th May 2019 or any successor agreement.
 - 2.1.6 “Presiding Member of the Committee of Council” means the person appointed to that position pursuant to clause 8.
 - 2.1.7 “Observers” means those persons attending any meeting of the Committee of Council, but not having a vote on any matter to be determined by the Committee and not having been appointed as Committee Members.
 - 2.1.8 “Regulations” means the Local Government (Procedures at Meetings) Regulations 2013
- 2.2 Any words, phrases or terms used in these Terms of Reference that are defined in the Act shall have the same meaning as are given in the Act.
- 2.3 A reference in these Terms of Reference to a “singular” includes a reference to the “plural” and a reference to a “plural” includes a reference to the “singular”.
- 2.4 These Terms of Reference shall be interpreted in line with the provisions of the Act.
- 3. ESTABLISHMENT**
- 3.1 The Chief Executive Officer Performance Review Committee is established under Section 41 of the Local Government Act 1999.
- 3.2 The Committee became operative from 3rd December 2019.
- 4. PURPOSE**
- 4.1 The Committee’s primary purpose, in conjunction with the CEO, is to establish relevant performance objectives for the CEO and for the Committee to undertake the annual formal review of the performance of the CEO against those performance criteria, including as specified within the Employment Agreement.
- 4.2 The Committee’s secondary purpose is, upon the completion of the performance review process, to undertake an annual review of the CEO’s remuneration in accordance with the Employment Agreement.
- 5. ROLE AND RESPONSIBILITIES**
- 5.1 To provide advice to Council on the CEO’s performance and development, including the following matters:



- 5.1.1 Reviewing the CEO's performance over the preceding 12 month performance period, in particular the performance against the agreed performance targets, Employment Agreement and position description requirements.
 - 5.1.2 Monitoring the progress on the CEO's agreed performance targets for the current 12 month performance period.
 - 5.1.3 Determining performance targets for the forthcoming 12 month performance period.
 - 5.1.4 Identifying development opportunities for the CEO.
 - 5.1.5 Reviewing the remuneration and conditions of employment of the CEO.
 - 5.1.6 Making any recommendations to Council on any review of the CEO Employment Agreement.
- 5.2 In support of the Committee's role, the Council will appoint an independent human resource specialist to assist with the undertaking of performance reviews and to provide advice as required.
- 6. DELEGATED POWERS**
- 6.1 The Committee has no power or authority to make delegated decisions on Council's behalf. The Committee is an advisory committee.
- 7. MEMBERSHIP**
- 7.1 Membership of the Committee will comprise the Mayor (Presiding Member), Deputy Mayor and the Presiding Members of the Economic & Environment and the People & Place Committees.
- 8. PRESIDING MEMBER**
- 8.1 The Mayor will be the Presiding Member of the Committee.
- 8.2 If the Presiding Member of the Committee is absent from a meeting, then a member of the Committee chosen from those present will preside at the meeting until the Presiding Member is present.
- 8.3 The role of the Presiding Member includes:
- 8.3.1 overseeing and facilitating the conduct of meetings in accordance with the Act; and the Regulations.
 - 8.3.2 Ensuring all Committee members have an opportunity to participate in discussions in an open and encouraging manner.
- 9. REPORTING RESPONSIBILITIES**
- 9.1 The minutes of each Committee meeting will be included in the agenda papers of the next ordinary meeting of the Council.
- 9.2 The Committee shall make whatever recommendations to the Council it deems appropriate on any area within its terms of reference where in its view action or improvement is needed.
- 10. MEETING PROCEDURES**
- 10.1 Meeting procedure for the Committee is as set out in the Act and Regulations.
- 10.2 A quorum for the Committee shall constitute half the membership, ignoring any fraction from the division, plus one.
- 10.3 All decisions of the Committee shall be made on the basis of a majority decision of the members present.



11. FREQUENCY OF MEETINGS

- 11.1 The Committee shall meet at appropriate times and places as determined by the Committee and, at least, annually. A special meeting of the Committee may be called in accordance with the Act.
- 11.2 Actions undertaken in calling meetings and their frequency will be consistent with the Act and the Employment Agreement.

12. NOTICE OF MEETINGS

- 12.1 Notice of the meetings of the Committee will be given in accordance with the Act and with the Employment Agreement.

13. PUBLIC ACCESS TO MEETINGS & DOCUMENTS

- 13.1 Members of the public are able to attend all meetings of the Committee, unless excluded by order of the Committee, under the confidentiality provisions of the Act.
- 13.2 Members of the public have access to all documents relating to the Committee unless withheld by order of the Committee or Council under the confidentiality provisions of the Act.

14. MINUTES OF MEETINGS

- 14.1 Minutes shall be kept of all meetings of the Committee in accordance with the Act.

15. CONDUCT AND DISCLOSURE OF INTERESTS

- 15.1 Members of the Committee must comply with the conflict of interest provisions of the Act.
- 15.2 Members of the Committee must comply with the Code of Conduct for Council Members and Chapter 5 Part 4 of the Act relating to Conduct and Disclosure of Interests.

16. LIABILITY OF THE COMMITTEE

- 16.1 A liability incurred by the Committee rests against Council.
- 16.2 No liability attaches to a Member of the Committee for an honest act or omission by that Member of the Committee in the performance or discharge, or purported performance or discharge, of the Member's or the Committee's functions or duties.
- 16.3 All members of the committee are bound by the Council Member Code of Conduct as published in accordance with Section 63 of the Act.

17. AMENDMENTS TO TERMS OF REFERENCE

- 17.1 It will be lawful for the Council by resolution to revoke, vary or add to any of the provisions of these Terms of Reference at its own discretion within the parameters of the Act, the Employment Agreement and any other relevant legislation.
- 17.2 Notwithstanding 17.1 hereof before the Council resolves to revoke, vary or add to any of the provisions of these Terms of Reference it may, but will be under no obligation, to obtain the opinion of the Committee and the CEO.

18. INTERPRETATION OF TERMS OF REFERENCE

- 18.1 Should there be any dispute as to the definition and/or interpretation of these Terms of Reference, or any part thereof or any irregularities whatsoever that are unable to be resolved by the Presiding Member then the Council shall determine the dispute and the decision of the Council shall be final and binding.

19. OTHER MATTERS

- 19.1 The Committee shall:
- 19.1.1 Have access to reasonable resources in order to carry out its duties, recognising the constraints within the Council's Budget.
 - 19.1.2 Give due consideration to laws and regulations, including the Act and relevant employment law.
 - 19.1.3 Seek independent human resource support and advice to enable it to comply with its responsibilities set out in the Employment Agreement.
 - 19.1.4 Where the Committee is required to act jointly with or to obtain the concurrence of the CEO in the performance of its functions, the Council expects that both parties will negotiate and consult in good faith to achieve the necessary objectives.
- 19.2 The CEO will provide administrative support for the purposes of co-ordination and preparation of agendas and reports for and minutes of Committee meetings and as a point of contact for all Committee members.
- 19.3 The Council may cease the operation of the Committee and the Committee may, in conjunction with the CEO, make such recommendation to the Council on the completion of its function.

20. NOTICES

- 20.1 All communication to be given to the Committee shall be addressed to:

City of Mount Gambier Chief Executive Officer Performance Review Committee
PO Box 56
MOUNT GAMBIER SA 5290
Email: city@mountgambier.sa.gov.au

[INSERT DATE ENDORSED]

