

MINUTES OF MEETING OF THE CITY OF MOUNT GAMBIER HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT GAMBIER ON TUESDAY 16TH OF AUGUST, 2016 AT 6.00 P.M.

COUNCIL

PRESENT:

Mayor Andrew Lee

Cr Christian Greco
Cr Mark Lovett
Cr Josh Lynagh
Cr Frank Morello
Cr Des Mutton
Cr Hanna Persello
Cr Penny Richardson

APOLOGY/IES:

Cr Lovett moved the apologies received from Cr Sonya Mezinec Cr Steven Perryman and Cr Ian Von Stanke be accepted.

Cr Mutton seconded

Carried

COUNCIL OFFICERS:

Chief Executive Officer	- Mr M McShane
Director - Corporate Services	- Mr G Humphries
Engineering Manager	- Mr D Morgan
Manager Governance and Property	- Mr M McCarthy
Manager Community Services and Development	- Ms B Cernovskis
Administrative Officer Executive Support	- Mrs M Telford

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.

CONFIRMATION OF MINUTES:

Cr Mutton moved the minutes of the previous meeting held on 19th July, 2016 be taken as read and confirmed.

Cr Morello seconded

Carried

MAYORAL REPORT - Ref. AF11/881

- Meeting re RDALC 2017-2020 Regional Plan
- Corporate and Community Services Committee Meeting
- Operational Services Committee Meeting
- Welcome to Exchange Students from Japan and Italy

- Start and Presentations for Stage 1 of Tour of Great South Coast
- LCLGA Annual General Meeting
- Environmental Sustainability Meeting
- Welcome to Exchange Students from China

REPORTS FROM COUNCIL REPRESENTATIVES ON OUTSIDE ORGANISATIONS / ACTIVITIES - Ref. AF11/882

<u>Member</u>	<u>Organisation</u>
Cr Lynagh	GovHack Launch I Made It Sewing Project Launch, Migrant Resource Centre Pokemon Go Battle for the Library (YAG)
Cr Meziniec	I Made It Sewing Project Launch, Migrant Resource Centre Women in Business and Regional Development Gala Dinner
Cr Persello	Mayoral Welcome to Exchange Students from Japan and Italy 8 th Shared Learning in Clinical Practice, Uni SA Symposium Christmas Parade Meeting
Cr Richardson	HAC Meeting Drug Action Group Workshop Riddoch Art Gallery Inc. Meeting Riddoch Working Party Meeting LCLGA Meeting NDIS Implementation Committee Meeting

Cr Richardson moved the reports made by Council representatives on outside organisations / activities be received.

Cr Lovett seconded

Carried

QUESTIONS:

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

PETITIONS: Nil

NOTICE OF MOTION TO RESCIND: Nil

ELECTED MEMBERS WORKSHOPS - Ref. AF15/83

<i>Date</i>	<i>Topic for Discussion</i>
15/06/2016	Presentation by Tourism Mount Gambier
27/07/2016	Tourism Mount Gambier

Records for these Workshops are attached.

Cr Richardson moved that the Record of Proceedings for the two Presentations by Tourism Mount Gambier be received and the contents noted.

Cr Lovett seconded

Carried

ELECTED MEMBER TRAINING AND DEVELOPMENT – Governance – Ref. AF11/903

Nil submitted.

COUNCIL ACTION ITEMS - Corporate and Community Services Committee and Operational Services Committee referred to the Council Meeting held 19th July, 2016- Ref. AF11/1718, AF11/866

Cr Richardson moved that the Council Action Items for the Corporate and Community Services Committee and the Operational Services Committee referred to the Council Meeting held 19th July, 2016 be received and the contents noted.

Cr Greco seconded

Carried

CORPORATE AND COMMUNITY SERVICES - 8th August, 2016

Cr Persello moved that the minutes of the meeting held 8th August, 2016 be received.

Cr Morello seconded

Carried

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

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

Cr Lovett seconded

Carried

Cr Persello moved the recommendation of the Corporate and Community Services Committee as contained in item 1 be adopted.

Cr Greco seconded

Carried

2. ORGANISATIONS AND ASSOCIATIONS - Local Government Association - Annual General Meeting - Ref. AF11/933

Cr Meziniec moved it be recommended:

- (a) the Mayor be appointed as the delegate to represent Council at the 2016 LGA Conference and Annual General Meeting of the Local Government Association of South Australia to be held in Adelaide on Thursday 20th October, 2016 and Friday 21st October, 2016. The Chief Executive Officer and the Mayor will be registered to attend;
- (b) Cr Richardson be appointed proxy delegate to represent Council should the Mayor not be able to attend the General Meeting;
- (c) the Local Government Association be advised Council does not wish to submit any notice of motions;
- (d) other Councillors may wish to attend the LGA AGM and should express their interest to Lynne Dowling, Team Leader Executive Support by Wednesday 31st August, 2016.

Cr Persello seconded

Carried

Cr Persello moved the recommendation of the Corporate and Community Services Committee as contained in item 2 be adopted.

Cr Greco seconded

Carried

**3. ORGANISATIONS AND ASSOCIATIONS - Local Government Finance Authority
Notice of Meeting - Ref. AF11/726**

Mayor Lee moved it be recommended:

- (a) the Mayor or his delegate (Deputy Mayor Cr Penny Richardson) be appointed as the delegate to represent Council at the 2016 Annual General Meeting of the Local Government Finance Authority to be held in Adelaide on Friday, 21st October 2016;
- (b) the Local Government Finance Authority be advised Council does not wish to:
 - (i) make a nomination for a Board Member;
 - (ii) submit any Notice of Motion to the above meeting.

Cr Persello seconded

Carried

Cr Persello moved the recommendation of the Corporate and Community Services Committee as contained in item 3 be adopted.

Cr Morello seconded

Carried

4. GOVERNANCE – Committees – Lifelong Learning Sub-Committee – Minutes of Meeting held 15th July, 2016 – Ref. AF15/501

Cr Meziniec moved it be recommended:

- (a) the Minutes of the Lifelong Learning Sub-Committee Meeting held on 15th July, 2016 be received;
- (b) the following recommendations of the Lifelong Learning Sub-Committee be adopted by Council:
 - 1. KEY FOCUS AREA – Wellbeing and Resilience
 - (a) The progress report on the Regional Wellbeing and Resilience Collaboration provided by the Manager Community Services and Development be received.
 - 2. KEY FOCUS AREA – Wellbeing and Resilience
 - (a) The progress report on a Wellbeing Workforce/Positive Organisation project provided by the Manager Community Services and Development report be received.
 - 3. KEY FOCUS AREA – South East Strategy and Action Plan 2015 – 2018
 - (a) Adam Box be invited to present to Council and the Lifelong Learning Sub-Committee on the STEM South East Strategy and Action Plan 2015 - 2018.

Cr Persello seconded

Carried

Cr Persello moved the recommendation of the Corporate and Community Services Committee as contained in item 4 be adopted.

Cr Richardson seconded

Carried

5. GOVERNANCE – Committees – Audit Committee – Minutes of Meeting held 2nd August, 2016 – Ref. AF11/863

Cr Mezinec moved it be recommended:

- (a) the minutes of the City of Mount Gambier Audit Committee meeting held on 2nd August, 2016 be received;
- (b) the following recommendations of the Audit Committee meeting held on Tuesday, 2nd August, 2016 be adopted by Council:
 1. REPORTS FOR INFORMATION
 - (a) it be recommended that the report be received.
 2. AUDIT WORK PROGRAM 2014 - 2018 - Ref. AF11/863
 - (a) it be recommended the report be received.
 3. EXTERNAL AUDITOR - Ref. AF12/227
 - (a) it be recommended the report be received;
 - (b) the Senior Management Team report on the review of Council's Risk Register including the ongoing review approach, treating the document as a living and evolving document, be endorsed by the Audit Committee.
 4. EXTERNAL AUDITOR - Financial Controls Review - Ref. AF11/714
 - (a) it be recommended the report be received.
 5. CORPORATE & COMMUNITY SERVICES REPORT NO. 54/2016 - External Audit Services - Ref. AF16/207
 - (a) it be recommended Corporate and Community Services report No 54/2016 be received;
 - (b) Council accept the tender proposal from Galpins, for appointment as External Auditor to the City of Mount Gambier for the 2016/2017, up to and including the 2020/2021 financial years.

6. FINANCIAL INTERNAL CONTROLS - Internal Audit Program - Ref. AF16/164
 - (a) it be recommended the report be received;
 - (b) Financial Internal Controls Report No. 3/2016 be endorsed by Council.
7. AUDIT COMMITTEE SELF ASSESSMENT OF PERFORMANCE - AF11/863
 - (a) it be recommended the report be received;
 - (b) the Audit Committee record that it is satisfied that its performance is meeting Council and other relevant Authority's standards and expectations
8. AUDIT COMMITTEE TERMS OF REFERENCE - Ref. AF11/863
 - (a) it be recommended the report be received;
 - (b) the Audit Committee Terms of Reference (as reviewed) be endorsed by Council.
9. AUDIT COMMITTEE WORK PROGRAM 2014-2018 - Ref. AF11/863
 - (a) it be recommended the report be received;
 - (b) the revised Work Program 2014-2018 (Version 9) be adopted.
10. CORPORATE AND COMMUNITY SERVICES REPORT NO. 55/2016 - Audit Committee Annual Report to Council - AF11/863
 - (a) it be recommended that Corporate and Community Services Report No. 55/2016 be received;
 - (b) that the Audit Committee adopt the 2015/2016 City of Mount Gambier Audit Committee Annual Report, as presented in Corporate and Community Services Report No. 55/2016.
11. GOVERNANCE - Audit Committee - Resignation, Mr Donald Currie – Ref. AF11/863
 - (a) it be recommended the report be received;
 - (b) Mr Currie's resignation be received with regret and he be formally thanked via letter for his services to the Audit Committee over the past five (5) years.

Cr Persello moved the recommendation of the Corporate and Community Services Committee as contained in item 5 be adopted.

Cr Lovett seconded

Carried

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

Mr Peter Smith of Place Governance Partners conducted a series of workshops with Council in August 2015 to provide guidance and deepen the Council's level of knowledge and appreciation of place making principles as an effective strategy for place/space activation.

In response to these workshops Council identified the Railway Lands as the pilot site to test the application of place making principles within our community and appointed the Railway Lands Activation Team; a cross-divisional, multidisciplinary team of staff given the mandate to work with a range of stakeholders to initiate a program of activities to explore, test and trial how the Railway Lands site could be used and encourage community ownership of the Railway Lands as a dynamic and intergenerational public space.

For the above to work effectively Council endorsed the following principles to enable the Railway Lands Activation Team to be nimble with administrative processes for activating the site:

- Allow for activation of the Railway Lands site
- Encourage innovation and social entrepreneurial partnerships
- Allow for quick implementation and small scale activation to test concepts for larger scale implementation
- Allow for broader stakeholder engagement in suggesting projects, partnering in project implementation and experiencing the effects of projects
- Create an image of Council as government enabling citizens to test and inform Council policies

The Chief Executive Officer was also authorised to negotiate with and approve:

- a. adjoining landowners to integrate with the site, on a non permanent basis, informal commercial activities that are low impact and associated with their core business, and
- b. short term occupants with start up initiatives to be trialled at the Railway Building to test and determine the long term use of the site.

Community and Stakeholder engagement

The activation team identified and grouped a broad section of the community and adopted a staged approach to community engagement to seek co-contributors to activate the site. The initial response was incredibly positive for the future of the site and a trend of interest in the space emerged:

- Commercial/Community integration

- Health & Fitness
- Arts/Cultural/Music activities
- Food & wine beverage
- Passive play activities

This trend was confirmed by the community at the opening of the Railway Lands on the 15th November 2015 where the opportunity to seek further community feedback on their expectations/aspirations for the site was undertaken. The feedback remained extremely positive and strengthened Council's understanding of community expectations for the site.

Key Outcomes

Creation of an activation team to test the place making principles at the Railway Lands has been a successful model that has opened a new and positive dialogue with our community. This model has achieved a number of meaningful outcomes:

- It has demonstrated the value of putting our community at the beginning of any conversation be it planning/designing infrastructure, developing a concept or delivering an event
- It has confirmed the strength of a grassroots approach to engaging with our community that has delivered results
- It has inspired a community to take risks and to work collaboratively with Council to achieve mutual outcomes
- It has built community capacity in community led event delivery, for example fundraising activities led by the Royal Flying Doctor Service, Leukaemia Foundation and local service clubs
- Passive activation of the site is contributing to the health and wellbeing of our community
- Cultural activation is building community pride in the site
- Economic benefit has extended beyond direct commercial integration with the site
- The team has maintained an [online 'hub'](#) that provides information about delivering events at the site, application forms, feedback boards and online Q & A
- Internally the activation team model has re-engaged employees and presents as an effective cultural change/professional development program for staff

The activation team initiated the following activation programs to encourage activities on the site:

- Events
- Pop up food & Beverage @the Rail
- Fitness @ the Rail
- First Stop @ the Rail – Cultural Development
- Summer activity @ the Rail
- Winter activity @ the Rail

Below is a summarised calendar of events that have been, and are scheduled to be, hosted on the site.

Sep 15	Oct 15	Nov 15	Dec 15
Edible Cities	Seniors Month Walk Together	Launch Pop Up Restaurant	Carols by Candlelight
Jan 16	Feb 16	Mar 16	Apr 16
Australia Day Sprint Car Display Classic Car Display Pop Up Food & Wine Australia Day Breakfast Auto Fest Display	Fit Feb Health Plan Karaoke@TheRail Ford Mustang Photo shoot Barry Maney Ford SUV Drive Days City Band Teddy Bears Picnic	Louise Adams Community Concert – South East X South West (<i>Fundraiser for Leukaemia Foundation</i>) Harmony Day Ford Mustang Launch	RFDS 20 th Anniversary HPV Pedal Prix Scrutineering LimeFM Family Day
May 16	Jun 16	Jul 16	Aug 16
STEMfun day	Winter @ the Rail Pt 1 Leaders Event	Winter @the Rail Pt 2	Connecting Community with Homelessness Winter @the Rail Pt 3
Sep 16	Oct 16	Nov 16	Dec 16
	AFL Grand Final @ the Rail Leukaemia Foundation Light the Night	Leukaemia Foundation Talent Showcase Craft Beer Festival/Christmas @ the Rail Christmas Countdown Markets/Deckchair Cinema	Christmas @ the Rail
Jan 17	Feb 17		
Koonara Wines Australia Day on the Green	Leukaemia Foundation Rockin' the Rail		

Stakeholder Evaluation

A number of evaluations (attachment 1) have been undertaken for events, health providers, stall holders, surrounding site owners, surrounding business owners, general community seeking evidence regarding commercial return, lifestyle and cultural influence of the railway lands. Stakeholders were asked to rate the site on a scale of 1-10 in the following areas:

Commercial or economic development perspective – 78% rated above 7

Cultural perspective – 79% rated above 7

Lifestyle perspective – 84 % rated above 7

In other comments access to toilets still remains a strong feature in the feedback that was received.

Event Evaluation	
Attendance Expectation	75% - Greater than expected
Council support	Application process, Council advice, Council support with both logistics and equipment were all given a high rating
Rating Experience of site	The question <i>Facilities available on site were suitable for my event?</i> Rated the lowest of all questions with the consistent feedback referencing a need for increased provision and permanent access to the following: <ul style="list-style-type: none"> • Toilets • Power • Storage • Water • Lighting
Future Events	75% of the feedback received confirmed consideration would be given to hosting another event at the Railway Lands

Site Management/Integration

Since inception the activation team has worked closely with the Operations team to ensure the integrity of the site does not become compromised and community feedback regarding infrastructure on the site is collaboratively addressed to ensure the site is well equipped to provide sustainable support for ongoing community led events.

It is fair to say that in the design phase of the site it could never have been expected that the community would have embraced this space with such enthusiasm.

The ongoing maintenance of the site and the equipment management will be the function of the Operations team.

Administrative processes that have been developed for the site will be absorbed into the daily activities of the Community Events and Operations team.

The commercial integration with a community space has highlighted a need to ensure that Council comply with the National Competition Policy when administering community space. A separate report has been prepared for Council's consideration.

Summary

The Railway Lands as the pilot site to test the application of place making principles within our community and appointment of the Railway Lands Activation Team has proven to be a success. Whilst the test phase has now concluded, the site activation and the learning from the application of place making principles within our community will prove to be beneficial as Council progress to work collaboratively with the community to deliver in the areas of Economic Development, Cultural Development and Tourism identified in the Community Plan and encourage an extension of community ownership beyond the Railway Lands to build civic pride in Mount Gambier as a dynamic, innovative and inclusive place.

Cr Meziniec moved it be recommended:

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

Cr Persello seconded

Carried

Cr Persello moved the recommendation of the Corporate and Community Services Committee as contained in item 6 be adopted.

Cr Greco seconded

Carried

7. CORPORATE AND COMMUNITY SERVICES REPORT NO. 56/2016 - Inquiry into Local Government Rate Capping Policies - Ref. AF11/708

Mayor Lee moved it be recommended:

- (a) Corporate and Community Services Report No. 56/2016 be received;
- (b) Council provide the following response in the LGA template format:

<i>Recommendation 1: Local Councils retain full authority to set their own rates and that no rate cap be introduced.</i>
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(Support)

<i>Recommendation 2: Local Councils continue to set rates after full consultation with their communities.</i>

(Support)

<i>Recommendation 3: Councils be subject to a thorough auditing process under</i>

<i>the auspices of the Auditor-General, consistent with section 36 of the Public Finance and Audit Act 1987.</i>
(Not Support)
<i>Recommendation 4: Councils be required to publish, on an annual basis, these audits.</i>
(Not Support)
<i>Minority Report Recommendation: That a local government rate capping regime be introduced in South Australia to reduce cost pressures on households.</i>
(Not Support)

Cr Lovett seconded

Carried

Cr Persello moved the recommendation of the Corporate and Community Services Committee as contained in item 7 be adopted.

Cr Lovett seconded

Carried

8. CORPORATE AND COMMUNITY SERVICES REPORT NO. 57/2016 - Strategic Plan / Achievement of Key Performance Indicators Quarterly Report, June 2016 - Ref. AF11/790

Cr Meziniec moved it be recommended:

- (a) Corporate and Community Services Report No. 57/2016 and the June, 2016 Quarterly Summary KPI report be received and endorsed by Council.

Cr Lynagh seconded

Carried

Cr Persello moved the recommendation of the Corporate and Community Services Committee as contained in item 8 be adopted.

Cr Lovett seconded

Carried

9. CORPORATE AND COMMUNITY SERVICES REPORT NO. 58/2016 - Economic Development - Tourism Plan Implementation - Ref. AF15/400, AF16/188

Cr Meziniec moved it be recommended:

- (a) Corporate and Community Services Report No. 58/2016 be received;

(b) Council :

- 1) Endorses the “*Changing the Tourism Culture*” – an industry plan to grow Mount Gambier’s Tourism Economy” tourism plan.
- 2) Endorses the joint partnership of Council and Tourism Mount Gambier to deliver the tourism plan.
- 3) Council’s 2016/2017 Tourism budget of \$160,000 (GL Code 6350.0815) is applied in partnership with Tourism Mount Gambier to achieve actions and outcomes as detailed in the Industry Plan. It is recommended that similar partnership funding be provided in the next 2 financial years.
- 4) Acknowledge that within the allocated budget engagement of a tourism specialist to deliver the tourism plan and the position to be engaged and supported by Council including the provision of in kind support for a three year period.
- 5) Request Tourism Mount Gambier establish Key Performance Indicators as agreed between Tourism Mount Gambier and the City of Mount Gambier to provide quarterly reports to Council on tourism plan performance and financial reporting.
- 6) Provide Councillor representation on the Tourism Mount Gambier Board.

Cr Lynagh seconded

Carried

Cr Persello moved the recommendation of the Corporate and Community Services Committee as contained in item 9 be adopted.

Cr Mutton seconded

Carried

10. CORPORATE AND COMMUNITY SERVICES REPORT NO. 59/2016 - Governance - Review of Confidentiality Orders - Ref. AF13/64

Cr Meziniec moved it be recommended:

- (a) Corporate and Community Services Report No. 59/2016 be received;
- (b) The following Confidential Orders, having been reviewed by Council, continue in operation on the grounds provided within Attachment 1 to Report 59/2016.
 - (i) Council 18/8/2015 – Railway Lands Development and Management Committee 7/8/2015 - Item 7 PROPERTY MANAGEMENT - Railway Lands - Expression of Interest - Management of Community Markets
 - (ii) Council 18/8/2015 – Railway Lands Development and Management Committee 7/8/2015 - Item 8 - PROPERTY MANAGEMENT - Railway Lands - Expression of Interest - Occupation and Use of Old Railway Station Building

Cr Lovett seconded

Carried

Cr Persello moved the recommendation of the Corporate and Community Services Committee as contained in item 10 be adopted.

Cr Morello seconded

Carried

11. CORPORATE AND COMMUNITY SERVICES REPORT NO. 60/2016 - Internal Review of Council Actions - Ref. AF11/1749

Cr Lovett moved it be recommended:

- (a) Corporate and Community Services Report No. 60/2016 be received;
- (b) The content of Corporate and Community Services Report No. 60/2016 be material that is to be included in Council's 2015/16 Annual Report.

Cr Persello seconded

Carried

Cr Persello moved the recommendation of the Corporate and Community Services Committee as contained in item 11 be adopted.

Cr Lynagh seconded

Carried

12. CORPORATE AND COMMUNITY SERVICES REPORT NO. 61/2016 - Frew Park (Ambulance Station) Development - Ref. AF11/1426

Cr Mezinec moved it be recommended:

- (a) Corporate and Community Services Report No. 61/2016 be received.

Cr Persello seconded

Carried

Cr Persello moved the recommendation of the Corporate and Community Services Committee as contained in item 12 be adopted.

Cr Lynagh seconded

Carried

OPERATIONAL SERVICES - 9th August, 2016

Cr Morello moved that the minutes of the meeting held 9th August, 2016 be received.

Cr Persello seconded

Carried

- 1. COMMITTEES - Internal - Operational Services Committee - re Projects to be undertaken by the Operational Services Department, Engineering Division, during month - Ref. AF11/866**

The Presiding Member reported the following works are to be undertaken/are currently being undertaken by the Operational Services Department, Engineering Division, during the month:

<u>Commenced Tasks</u>	<u>% Completed</u>
• Davison Street - retention basin (fencing)	60%
• Rail Trail - Pick Avenue to White Avenue	80%
• Pine Tree removal - selective thinning	90%
• CBD Renewal - Percy Street paving works	10%
• Carinya Gardens road extension	5%

Railway Lands

• Major art piece tracks (paving works)/signalling change	90%
• Heritage elements (fence and stobie poles)	50%

Completed Tasks

- Old Hospital landscaping works (paths and culdesac)
- Holloway Crescent - concrete footpath construction
- Street Tree Program

Cr Richardson moved the report be received.

Cr Greco seconded

Carried

Cr Mutton moved the recommendation of the Operational Services Committee as contained in item 1 be adopted.

Cr Richardson seconded

Carried

- 2. INFRASTRUCTURE - Maintenance - Request for Removal of Street Trees - Duigan Street and Swan Street, Mount Gambier - Ref. AF15/546**

The Presiding Member reported:

As part of Council's 2016/2017 Road Works Schedule, the full length of Duigan Street and Swan Street will be reconstructed (photographs attached to the Operational Services Committee agenda). It should be noted that there are 13 large Desert Ash trees (*Fraxinus angustifolia*), planted along Duigan Street that are causing damage to both the kerbing and road adjacent to a number of properties. The trees in question are located on both sides of the road. The 26 large Eucalypt trees located on the northern side of Swan Street are causing significant damage to the kerbing and road also. The trees location is one of the reasons both road assets have failed and require reconstruction;

- (a) the trees located on the eastern side of Duigan Street are all located under powerlines and are being severely topped on a regular basis by SA Power Networks. Topping is the cutting of tree branches to stubs or lateral branches and is normally carried out to reduce the size or height of the crown of a tree. This method of pruning is not recommended as it can harm the structure and eventually health of the tree;
- (b) upon inspection it was evident that the subject trees are poor in health as indicated by their exposure to disease. Their structure is also poor as indicated by structural flaws in their canopy due to topping. Examples of these structural flaws include crossing branches, re-shoots, pruning wounds and co-dominant stems. As a result the natural branching structure has become disfigured and will never recover to their original natural form. The trees are unbalanced and also offer minimal aesthetic value;
- (c) the Desert Ash trees on the western side of the road as well as the Eucalypt trees along Swan Street have grown so large that the root systems have grown to a point where they are damaging the kerbing and growing under the road. Without removing these roots there is no way of repairing the damage to the kerbing and road. The option of re-directing the kerbing around these main roots is not possible due to the extent of the root systems that have formed across the width of the road;
- (d) the tree roots that have grown around the kerbing are large structural roots which begin at the base of the tree and prevent it from falling. Removing these roots will compromise the stability of the trees which can lead to the trees falling in high winds or heavy rain. A number of feeder roots which are small fibrous roots that are responsible for taking up water and nutrients will also be damaged due to the road works. The more of these that are cut, the more the trees ability to feed itself becomes impaired which in turn leads to the demise of the tree over time. It should be noted that cutting roots creates entryways for harmful insects and diseases that can harm or kill the tree in the long term. When trees become stressed they become more vulnerable to these infections including root systems;
- (e) it should be noted that the likelihood of these trees impacting a target such as a house or pedestrian should they fail is high with the consequence of the impact being severe. It is recommended that all the Desert Ash trees be replaced with a more suitable species of tree such as the Designer Flowering Ash (*Fraxinus ornus* 'Meczek) or Gawler Hybrid Bottlebrush (*Callistemon viminalis* 'Harkness'), depending on availability of trees at the time of their replacement. It should also be noted that 14 Eucalypt trees (*Angophora costata*), were planted approximately 5 years ago on the reserve adjacent to the existing trees to help soften the removal of the existing trees once the road was scheduled to be reconstructed.

Cr Mutton moved it be recommended

- (a) The report be received;
- (b) Council notifies all residents affected by the plantings and invite comment on same (in accordance with Council's Public Consultation Policy).

Cr Von Stanke seconded

Carried

Cr Mutton moved the recommendation of the Operational Services Committee as contained in item 2 be adopted.

Cr Morello seconded

Carried

3. ENVIRONMENTAL MANAGEMENT - Advice - Solid Waste Levy - Proposed Fees effective 1st September 2016 - Ref. AF11/2159

The Presiding Member reported:

- (a) Council's 2016/2017 Budget was prepared on the understanding that the State Government imposed solid waste levy (i.e. a levy on waste going to Caroline Landfill) would be \$31.00 per tonne. Account 6410.0892 shows this to be estimated at \$600,000 for 2016/2017;
- (b) correspondence from the Environment Protection Authority (EPA) dated 27th June 2013 (as attached to the Operational Services Committee agenda) shows the proposed levies for the period 2013 to 2017. The last three years levy has been as indicated in this advice;
- (c) the LGA informal advice (as attached to the Operational Services Committee agenda) on 5th July 2016 advises that the solid waste levy for the period 1st September 2016 to 30th June 2017 would be \$38.00 per tonne - a substantial and unfunded increase. Whilst Council does not appear to have received any official notification of this increase, a search of the EPA website shows the higher charges become effective from 1st September 2016 (as attached to the Operational Services Committee agenda);
- (d) the impact of this unexpected increase is substantial. Council's kerbside waste collection accounts for approximately 6,500 tonnes per annum and the unbudgeted levy increase will add approximately \$45,000 to the cost of this service;
- (e) Council's landfill customers will also need to pay the additional levy.

Cr Richardson moved it be recommended:

- (a) The report be received;
- (b) Council increase its waste disposal fees as indicated in the following table, noting that all fees are GST inclusive, with the increased fees to be effective from 1st September 2016:

General Public	1 st July 2016	1 st September 2016 (GST inclusive)
Single garbage bag	\$5.00 per bag	\$5.00 per bag
Minimum Fee (small loads, e.g. car boot)	\$22.00 per load	\$23.00 per load
Small trailer or utility	\$38.00 per standard load \$48.00 per heaped load \$51.00 per caged load	\$40.00 per standard load \$50.00 per heaped load \$52.00 per caged load
Tandem Trailer	\$64.00 per standard load \$79.00 per heaped load \$86.00 per caged load	\$65.00 per standard load \$81.00 per heaped load \$88.00 per caged load
Truck or large trailer	\$125.00 per tonne	\$132.00 per tonne
Mattresses (regardless of size)	\$26.00 each	\$26.00 each
Inspection fee - empty pesticide container	\$7.00 each	\$7.00 each
Degassing of appliances	\$22.00 per unit	\$22.00 per unit
Senior's Card/Aged Pensioners Card/Health Card		
On production of Seniors Card/Aged Pensioners Card/Health Card		
Single garbage bag	\$4.00 per bag	\$4.00 per bag
Limit car boot load only	\$15.00 per load	\$16.00 per load
Private Contractors		
Charge per tonne at Waste Transfer Centre	\$125.00 per tonne	\$132.00 per tonne
Charge per tonne via Waste Transfer Centre	\$116.00 per tonne	\$123.00 per tonne
Disposal by arrangement (direct to landfill)	\$188.00 per tonne	\$195.00 per tonne
Minimum Charge	\$125.00	\$132.00
Minimum charge for roll on roll off bin (based on volume of bin)	\$59.00 per m ³	\$61.00 per m ³
Minimum charge for Account Customers	\$62.00 per visit	\$65.00 per visit
Organic (Greenwaste) Collection		
Fortnightly Service (Applied on Pro-Rata Basis from 1 st July 2016)	\$81.90 (applied pro-rata)	\$81.90 (applied pro-rata)

- (c) Council advise all of its landfill customers of this increase and include the renewed fee schedule for the period 1st September 2016 to 30th June 2017.

Mayor Lee seconded

Carried

Cr Mutton moved the recommendation of the Operational Services Committee as contained in item 3 be adopted.

Cr Morello seconded

Carried

4. COMMITTEES - Council Development Assessment Panel - Minutes of Meeting held 21st July 2016 - Ref. AF15/554

Cr Greco moved it be recommended:

- (a) Minutes of the Council Development Assessment Panel meeting held on Thursday, 21st July 2016 be received;

(b) the decisions made by the Council Development Assessment Panel be noted.

Mayor Lee seconded

Carried

Cr Mutton moved the recommendation of the Operational Services Committee as contained in item 4 be adopted.

Cr Lovett seconded

Carried

5. COMMITTEES - Environmental Sustainability Sub-Committee - Minutes of Meeting held 2nd August 2016 - Ref. AF12/377

Cr Mutton moved it be recommended:

(a) Minutes of the Environmental Sustainability Sub-Committee held on Tuesday, 2nd August 2016 be received;

(b) the following recommendations (number 1 to 7) of the Environmental Sustainability Sub-Committee be adopted by Council:

1. SOLAR SYSTEMS AT COUNCIL FACILITIES

- The report be received.

2. EDIBLE PLANTS (FRUIT TREES) - HASTINGS CUNNINGHAM RESERVE

- The report be received.
- Plant five fruit trees on the northern boundary of Hastings Cunningham Reserve, in order for fruit to be accessible to users of the Rail Trail.

3. KITCHEN CADDY ROLL OUT PROGRAM

- The report be received.

4. RECYCLE RIGHT BIN TAGGING PROGRAM

- Environmental Sustainability Report No. 4/2016 be received.
- Council continue the Bin Tagging Program and provide incentives for improving the recycling behaviour of participating households; including 10 gift vouchers worth \$20.00 each.
- Council continue to enhance the waste and recycling education strategy through continued promotional material and increased local media activity.

5. EDUCATION PROGRAM - OATMILL CINEMA ADVERTISING

- The report be received and contents noted.

6. SUSTAINABILITY INNOVATION FUND

- The report be received.
- Council endorse the activation of the Environmental Sustainability Innovation Fund and in accordance with the recommendation actions in the report.

7. REPORTS FOR INFORMATION

- The current table outlining projects for 2016 (as attached to the Environmental Sustainability Sub-Committee agenda) be received and noted for information.

Cr Von Stanke seconded

Carried

Cr Mutton moved the recommendation of the Operational Services Committee as contained in item 5 be adopted.

Cr Richardson seconded

Carried

6. OPERATIONAL SERVICES REPORT NO. 5/2016 - Property Management - 18 Ferrers Street (Former Red Cross) - Lease and Demolition of Building - Ref. AF11/1466

Cr Mutton moved it be recommended:

- Operational Services Report No. 5/2016 be received;
- Council proceed with the demolition of the former Red Cross building located at 18 Ferrers Street, with costs to be debited to Account 7900.3999;
- Council refer an amount of \$58,000 to the 2017/2018 budget for consideration of the construction of an off street carpark on the site referred to in part (b);
- the family of Mr & Mrs E Krull be thanked for their interest in obtaining the memorial plaque at 18 Ferrers Street and Council advise that it intends to maintain the plaque and other commemorative items on site as historical records of the past community contribution and use.

Cr Richardson seconded

Carried

Cr Mutton moved the recommendation of the Operational Services Committee as contained in item 6 be adopted.

Cr Morello seconded

Carried

Pursuant to Division 3 - Conflict of Interest, Section 74 of the Local Government Act 1999, Cr Mutton disclosed a perceived conflict of interest in Item 7: *“My son owns a restaurant which could conceivably wish to apply to use a community space. I could be considered to have a conflict of interest in setting fees, to recover Council’s costs in managing such applications.”*

Cr Mutton dealt with the perceived conflict of interest in the following transparent and following way: *“I do not consider the above fact would influence my decision to agree with the*

recommendations in this report, that Council recover the costs of assessing such applications to use community land.”

In accordance with section 75A(2)(b) Cr Mutton participated in the meeting in relation to the matter.

7. OPERATIONAL SERVICES REPORT NO. 6/2016 - Property Management - Enquiries - Approvals for use of Community Spaces - Ref. AF11/2421

Cr Richardson moved it be recommended:

- (a) Operational Services Report No. 6/2016 be received;
- (b) Council impose a \$150 application fee (non refundable) on all applications by commercial operators or for events designed to generate a commercial profit for the organiser and as assessed by the Chief Executive Officer or Director Operational Services;
- (c) Council authorise the Chief Executive Officer, Director Operational Services, Director Corporate Services and Manager Community Services & Development to impose a bond up to the value of \$500 on any commercial application to use a community space, which may be refunded in full or part, or if required it may be retained by Council to repair any damage, site clean up or the like in the event the applicant does not fulfill their obligations as part of the application approved.

Mayor Lee seconded

Carried

Cr Mutton moved the recommendation of the Operational Services Committee as contained in item 7 be adopted.

Cr Richardson seconded

Carried

Cr Mutton voted in favour of the motion.

8. PROPERTY MANAGEMENT - Enquiries - Aquatic Centre - Ref. AF11/2252

Cr Greco moved it be recommended:

- (a) Mr Barney McCusker be invited to speak at a Member's Informal Workshop to discuss his views on the Aquatic Centre;
- (b) Mr Peter Collins, Manager of the Mount Gambier Aquatic Centre, be invited to attend a Member's Informal Workshop to discuss the costs involved to extend the swimming season at the Aquatic Centre.

Cr Morello seconded

Carried

Cr Greco moved the recommendation of the Operational Services Committee as contained in item 8 be adopted.

Cr Morello seconded

Carried

Pursuant to Division 3 - Conflict of Interest, Section 74 of the Local Government Act 1999, Cr Morello disclosed a perceived conflict of interest in Item 9 (Motion Without Notice): *"I manage the Sir Robert Helpmann Theatre and Varcoe Foundry through my employment with Country Arts SA, co-owner of the Civic Centre building City buses routinely park across the backstage driveway"*.

Cr Morello dealt with the perceived conflict of interest in the following transparent and following way: *"The issue is about public safety and road rules. There is no material gain to me or my place of employment. I intend to participate in the discussion and vote"*.

In accordance with section 75A(2)(b) Cr Morello participated in the meeting in relation to the matter.

9. TRAFFIC MANAGEMENT - Regulating - Parking On-Street - Ferrers Street - Buslink SA - Ref. AF11/1880

Cr Morello reported:

- (a) Buslink SA buses park across the Varcoe Foundry driveway for several minutes each day, blocking access to the Ferrers Street parking bay.

Cr Morello moved it be recommended:

- (a) The verbal report from Cr Morello be received;
- (b) Council contact Buslink SA Manager, Mr Michael Suto, to determine bus parking procedures at the Ferrers Street bus stop;
- (c) undertake a safety review of the Ferrers Street bus stop and table the report at the October Operational Services Committee meeting.

Cr Richardson seconded

Carried

Cr Mutton moved the recommendation of the Operational Services Committee as contained in item 9 be adopted.

Cr Lovett seconded

Carried

Cr Morello voted in favour of the motion.

MOTIONS WITH NOTICE - Nil

MOTION(S) WITHOUT NOTICE - Nil

CONSIDERATION FOR EXCLUSION OF PUBLIC

Cr Richardson moved that the following items be received, discussed and considered in confidence by excluding the public pursuant to Section 90 (2) of the Local Government Act 1999, and an order be made that the public (with the exception of other Council Members and Council Officers now present) be excluded from the meeting in order for the item to be considered in confidence as the Council is satisfied that the item is a matter that can be considered in confidence pursuant to the grounds referenced in Section 90 (3) of the said Act as follows:

- S.90(3)(d) - commercial information of a confidential nature (not being a trade secret) the disclosure of which:
 - (i) 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; and
 - (ii) would, on balance, be contrary to the public interest.
- S.90(3)(k) - tenders for the supply of goods, the provision of services or the carrying out of works.

The Council is satisfied that the information to be received, discussed or considered in relation to this item is information that the author has given to Council of a Commercial in Confidence nature.

<u>Item No.</u>	<u>Subject Matter</u>	<u>S90 (3) Grounds</u>
Operational Services Committee		
11.	<u>FINANCIAL MANAGEMENT</u> - Contract - Design and Construction of Civic Centre Flytower Façade System - Ref. AF15/133	(d)(i)(ii)(k)

Cr Lovett seconded

Carried