

MINUTES OF THE MEETING OF THE CITY OF MOUNT GAMBIER HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT GAMBIER ON TUESDAY, 17th MARCH, 2015 AT 6.00 P.M.

COUNCIL

PRESENT:

Mayor Andrew Lee

Cr Christian Greco
Cr Mark Lovett
Cr Josh Lynagh
Cr Sonya Meziniec
Cr Frank Morello
Cr Des Mutton
Cr Steve Perryman
Cr Hanna Persello
Cr Penny Richardson

APOLOGY/IES:

Cr Perryman moved the apology received from Cr Von Stanke be accepted.

Cr Meziniec seconded

Carried

COUNCIL OFFICERS:

Chief Executive Officer	- Mr M McShane
Director – Corporate Services	- Mr G Humphries
Director – Operational Services	- Mr D Sexton
Manager Community Services and Development	- Ms B Cernovskis
Manager Strategic Projects	- Mrs T Tzioutziouklaris
Manager Governance and Property	- Mr M McCarthy
Team Leader Executive Support	- Mrs L Dowling

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 17th February, 2015 be taken as read and confirmed.

Cr Greco seconded

Carried

MAYORAL REPORT - Ref. AF11/881

- Media Release re China Delegation
- Meeting with CEO and Member for Barker, Tony Pasin
- Members Workshop –SELGA Presentation, TOR Development and Federal Grant Funding
- City Development Framework Committee
- Meet and Greet Dinner, with Cr Persello – Women in Business
- Invitation from Premier – CLIPSAL in Adelaide
- Rotary Club Presentation
- Official Opening of James Morrison Academy of Music and Luncheon at Barn
- With CEO attended meeting with Minister Brock, at Robe
- Special meeting of SELGA at Robe – Subscriptions and Charter
- Regional Branding Forum – facilitated by LC Collaborative – at Lucindale
- CCS and OPS Meetings
- Civic Welcome – 64th Anniversary Reunion Boy Scouts Jamboree
- Regional Dinner with Prime Minister Hon Tony Abbott MP
- Barker Community Morning Tea with Prime Minister Hon Tony Abbott MP
- With CEO attending meeting in Kingston with the Treasurer Hon Tom Koutsantonis re State Tax Review
- Invitation from Premier – Official Opening Festival Centre West Building
- Presentation to Local Cancer Support Group

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

<u>Member</u>	<u>Organisation</u>
Cr Greco	LGA New Council Members' Residential Seminar. Speech at Grant High School to SRC representatives. Prime Minister's Dinner and Community Morning Tea. NPL Soccer Match at Casadio Park.
Cr Lovett	LGA New Council Members' Residential Seminar. NPL Soccer Match at Casadio Park. Close the Gap Day.
Cr Lynagh	LGA New Council Members' Residential Seminar. Harness Racing Gold Cup. Prime Minister's Dinner and Community Morning Tea.
Cr Meziniec	Mr John Bueti's Funeral. Official Opening of James Morrison Academy of Music. Prime Minister's Community Morning Tea.
Cr Morello	Official Opening of James Morrison Academy of Music. Prime Minister's Community Morning Tea. NPL Soccer Match at Casadio Park.
Cr Perryman	Official Opening of James Morrison Academy of Music. Prime Minister's Community Morning Tea. White Ribbon Day Debrief Meeting (White Ribbon Action Group).

Cr Persello Mental Health and Suicide Prevention Network Meeting. Close the Gap Day. Aboriginal Regional Authority Consultation. Women in Business Dinner. Mount Gambier and District Road Safety Group Meeting. Official Opening of James Morrison Academy of Music. With Cr Greco, Community Consultation Meeting with Dr Trevor Hodson re Labyrinth Proposal for Railway Lands.

Cr Richardson Women in Business Dinner. Riddoch Art Gallery Board Meeting. Official Opening of James Morrison Academy of Music. Prime Minister's Dinner. Biogas Seminar. NPL Soccer Match at Casadio Park. Close the Gap Day.

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

Cr Greco seconded

Carried

QUESTIONS:

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

PETITIONS: Nil

NOTICE OF MOTION TO RESCIND: Nil

ELECTED MEMBERS WORKSHOPS: Ref. AF11/2028

Three Elected Members Informal Workshops were conducted between 18th February, 2015 and 11th March, 2015.

Topics for discussion were:

<i>Date</i>	<i>Topic for Discussion</i>
18/02/2015	South East Local Government Association; Terms of Reference; Grant Funding
24/02/2015	South East Natural Resources Management; Regional Development Australia; Riddoch Art Gallery
11/03/2015	Railway Lands

Records of Proceedings from the Workshops are attached.

Cr Morello moved that the Record of Proceedings for the Elected Members Workshops on the SELGA, Terms of Reference, Grant Funding; South East Natural Resources Management, Regional Development Australia, Riddoch Art Gallery and the Railway Lands be received and the contents noted.

Cr Perryman seconded

Carried

COUNCIL ACTION ITEMS - Corporate and Community Services Committee 9th February, 2014 and Operational Services Committee 10th February, 2015: Ref. AF11/1718, AF11/866

Cr Meziniec moved that the Council Action Items for the Corporate and Community Services Committee held on 9th February, 2015 and the Operational Services Committee held on 10th February, 2015 be received and the contents noted.

Cr Perryman seconded

Carried

CORPORATE AND COMMUNITY SERVICES COMMITTEE – 10th March, 2015

Cr Perryman moved that the minutes of the meeting held 10th March, 2015 be received.

Cr Richardson seconded

Carried

1. FINANCIAL STATEMENT – as at 28th February, 2015

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance.

Cr Perryman moved it be recommended the financial statement as at 28th February, 2015 be received.

Cr Lynagh seconded

Carried

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

Cr Morello seconded

Carried

2. STRATEGIC MANAGEMENT – Council Fees and Charges Review 2015/2016 - Ref: AF11/2289

Goal: Governance

Strategic Objective: Evaluate the effectiveness of all service delivery initiatives against the returns and/or benefits to the community

The Director – Corporate Services reported that:

(a) Council on 17th February, 2015 resolved:

(a) *Corporate and Community Services Report No. 8/2015 be received;*

(b) *Council adopt all recommended fees and charges identified in the “Schedule of Fees and Charges” – with the exception of Reidy Park Oval (Page 3 of attachment “Council Fees and Charges 2015/2016”), Info charges (Page 12 of attachment “Council Fees and Charges 2015/2016”), Outdoor Display, Outdoor Dining Furniture, Mobile Vendors (Page 16 of attachment “Council Fees and Charges 2015/2016”);*

(c) *the excluded matters in (b) above be subject to further discussion at the March meeting of the Corporate and Community Services Committee meeting;*

(d) *The Director of Community Services be asked to provide a report to the March meeting of the committee on the status of Reidy Park oval as Council or Crown owned land, whether a formal lease exists and the commercial rental value of the land, and any other matters relevant to the use of the land by the Education Department.*

- (b) the relevant extracts from the fees/charges Report, which have been excluded, are attached for the consideration of Council;
- (c) In terms of the further information in relation to the Licence for the Reidy Park Oval with the Minister for Education the following is provided, again for the consideration of Council:
- Reidy Park Oval is Crown Land dedicated for "Recreation" purposes pursuant to the Crown Lands Act.
 - The City of Mount Gambier is the "Custodian" of the Crown Land that incorporates the Reidy Park Oval.
 - No formal lease arrangements exist for the Reidy Park Oval (would require Ministerial approval) however non-exclusive Licence arrangements exist between Council, the Minister for Education and the Mount Gambier District Cricket Association for the non-exclusive use of Reidy Park Oval exist (these do not require Ministerial approval).
 - Being Crown Land dedicated for "Recreational" purposes only there is no commercial rental value of the land.
 - The Licence to the Minister of Education is for a five (5) year term, concluding 31st December, 2015.
 - Fee – currently \$9,377 (adjusted annually in line with the Council gross rate revenue increase).
 - The Mount Gambier and District Cricket Association are also licensed for cricket season use (annual maintenance cost of \$1,200).
 - Annual maintenance costs for the Reidy Park Oval are \$10,000 - \$11,000 per annum (\$10,113.92 in 2013/2014; \$5,793 to date in 2014/2015).

Cr Perryman moved it be recommended:

- (a) the report be received;
- (b) Council adopt the recommended fees and charges identified in the "Schedule of Fees and Charges - 2015/2016 Financial Year" as presented in Corporate and Community Services Report No. 8/2015 in relation to:
- Mobile Vendors
 - Outdoor Dining
 - Outdoor Displays
 - Reidy Park Oval
- (c) Council Documents be amended to read "the first 10 pages of any document be provided free of charge".

Cr Persello seconded

Carried

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

Cr Meziniec seconded

Carried

3. **CORPORATE AND COMMUNITY SERVICES REPORT NO. 15/2015 – Sport and Recreation Major Capital Work Program – Review of Program Guidelines - Ref: AF14/54**

Goal: *Building Communities*

Strategic Objective: *Encourage the empowerment of the community to lead and self manage their respective desires and aspirations.
Recognise and support our volunteers, community organisations and their sustainability as they continue to be the foundation of the community.*

Cr Meziniec moved it be recommended:

- (a) Corporate and Community Services Report No. 15/2015 be received.
- (b) the key criteria in the Sport and Recreation Major Capital Works Program Guidelines relating to 'self help' be strengthened to include a 25% minimum contribution, in the form of matching funding or in-kind contribution, for any project application submitted for funding under the Program.

Cr Persello seconded

Carried

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

Cr Greco seconded

Carried

4. **CORPORATE AND COMMUNITY SERVICES REPORT NO. 16/2015 - Recording of Council Meetings, Draft Policy C410 Conduct of Meetings - Ref. AF11/1950**

Goal: *Governance*

Strategic Objective: *Evaluate the effectiveness of all service delivery initiatives against the returns and/or benefits to the community.*

Demonstrate innovative and responsive organizational governance.

Cr Persello moved it be recommended:

- (a) Corporate and Community Services Report No. 16/2015 be received;
- (b) Council maintain its current minute taking practice that involves the agenda item and recommendation/resolution being projected on screen at the Council and Standing Committee meetings with the minutes being typed at the meeting. Council does not implement audio recording of Council and Committee meetings for minute taking purposes;

- (c) The research indicates minimum benefits to audio and/or visual recording of Council and Committee meetings with Council currently utilizing a range of techniques to inform and communicate with the community;
- (d) Section 5.1 FILMING AND AUDIO RECORDING DEVICES of Council Policy C410 Conduct of Meetings (s92 Code of Practice) be amended to read as follows:

“It is the policy of this Council that no person, other than authorized representatives from recognized media industry organizations and who subscribe to the Press Council Code of Ethics shall photograph, film, televise or record by any devices any Committee or Council Meeting. When authorized media representatives wish to video or film Council or Committee Meetings, prior permission is to be sought from the Mayor and/or the Presiding Member. Permission will be granted except where, on the view of the Mayor and/or the Presiding Member that such videoing and/or photographing will be disruptive and interfere with the conduct of the meeting.

For the purpose of this policy provision “No Person” shall include Members of Council, Members of Committees, general public and officers of Council, other than authorized representatives from recognized media industry organisations and who subscribe to the Press Council Code of Ethics.

Any Member or Council Officer present at the meeting may request any person found to be in breach of this policy to cease forthwith, and that person may be requested to leave the meeting if they continue to breach this policy provision.”

Cr Lynagh seconded

Carried

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

The Motion lapsed for want of a seconder.

5. CORPORATE AND COMMUNITY SERVICES REPORT NO. 17/2015 – Review of Valuation and Rating System - Ref: AF11/2290

Goal: Governance

Strategic Objective: Evaluate the effectiveness of all service delivery initiatives against the returns and/or benefits to the community.

Cr Meziniec moved it be recommended:

- (a) Corporate and Community Services Report No. 17/2015 be received;
- (b) Rating assumptions and directions referred to in this Report be used to prepare Council’s draft Annual Business Plan and draft Budget, for Council’s future consideration.

Cr Lynagh seconded

Carried

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

Cr Meziniec seconded

Carried

6. CORPORATE AND COMMUNITY SERVICES REPORT NO. 18/2015 – Memorial Flame at Vansittart Park – Ref. AF11/213

Goal: Building Communities

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

Cr Perryman moved it be recommended:

- (a) Corporate and Community Services Report No. 18/2015 be received.
- (b) Council is willing to consider the Mount Gambier Community RSL proposal to place a Memorial Flame at Vansittart Park to honour the 100th Anniversary of Gallipoli subject to further information being provided in relation to design and location of the Memorial Flame;
- (c) The Mount Gambier Community RSL will be responsible for all associated costs and for obtaining all required development approvals in relation to the Memorial Flame and to liaise with the Council as necessary to progress the proposal;
- (d) In accordance with the Community Land Management Plan for Vansittart Park Council will assume ongoing maintenance responsibilities associated with the Memorial Flame structure whilst the Mount Gambier Community RSL will remain responsible for the gas supply, ignition system and any other componentry associated with the operation of the flame, which responsibilities shall only be performed with prior approval and arrangement with Council's Operational Services Department and any requirements thereof;
- (e) A letter be sent to the Mount Gambier Community RSL requesting further information in relation to the design and location of the Memorial Flame.

Cr Persello seconded

Carried

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

Cr Lovett seconded

Carried

7. CORPORATE AND COMMUNITY SERVICES REPORT NO. 19/2015 - Frew Park State Emergency Services (SES) Shed - Ref. AF11/2366

Goal: Building Communities
Strategic Objective: Recognise and support our volunteers, community organisations and their sustainability as they continue to be the foundation of the community.

Goal: Governance
Strategic Objective: Demonstrate innovative and responsive organisational governance.

Cr Perryman moved it be recommended:

- (a) Corporate and Community Services Report No. 19/2015 be received;
- (b) The SES be granted a local government facilities licence to occupy the SES Shed at Frew Park for a term of 1 year.

Cr Persello seconded Carried

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

Cr Persello seconded Carried

8. CORPORATE AND COMMUNITY SERVICES REPORT NO. 20/2015 - Council Representatives to Committees Outside of Council - Ref: AF11/854

Goal: Governance
Strategic Objective: Engage with national, state, regional and local forums and partnerships to provide solutions and options to continually improve Councils service delivery and performance.

Cr Meziniec moved it be recommended:

- (a) Corporate and Community Services Report No. 20/2015 be received.
- (b) The Chief Executive Officer and Cr Steven Perryman are both endorsed as Council's representatives on the South East Local Government Association Limestone Coast Economic Diversification Group.

Mayor Lee seconded Carried

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

Cr Mutton seconded Carried

OPERATIONAL SERVICES COMMITTEE MINUTES – 10th March, 2015

Cr Mutton moved that the minutes of the meeting held 10th March, 2015 be received.

Cr Morello 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:

Commenced Tasks

% Completed

- | | |
|---|-----|
| • Railway Lands Paving Works | 15% |
| • Commerce Place Redevelopment stage | 25% |
| • Wehl Street North (Commercial Street to Jane Street) reconstruction | 25% |
| • Wandaree Court drainage construction | 80% |
| • Caroline Landfill Cell 1 & 2 capping | 15% |

Completed Tasks

- Pram Ramp Program
- Road Reseal Program

Cr Richardson moved the report be received.

Cr Morello seconded

Carried

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

Cr Greco seconded

Carried

2. ENVIRONMENTAL MANAGEMENT - Backyard Burning within City - Ref. AF11/356

Goal:

Environment

Strategic Objective:

- (i) Plan and implement infrastructure to protect and enhance the natural and built environment, including in response to climate change influences*
- (ii) Support initiatives that value and preserve our unique environment and contribute to environmental sustainability*

The Presiding Member reported:

- (a) Backyard burning of greenwaste and/or rubbish is an ongoing issue within the City area. This is a particular problem for the fire service and the Environment Protection Authority (EPA) have quite often raised their concerns about air quality due to burning (not necessarily just backyard burning);
- (b) backyard burning during the declared fire danger season is very common and causes concerns to neighbours, the Metropolitan Fire Service (MFS) and Police (SAPOL). In the absence of any clear Council policy prohibiting this practice SAPOL have difficulty with enforcement;
- (c) in November 2014 Council Officers met with EPA, MFS and SAPOL for a round table discussion on this issue. The clear consensus from the attendees was for Council to consider a total, city wide ban on backyard burning all year;
- (d) Council has appropriate waste management facilities and services in place (including greenwaste) and there is no reason for anyone to burn rubbish in their backyard;
- (e) attached to the Operational Services Committee agenda was correspondence received from the EPA and also a list of the call outs by the MFS from 2012 to 2014 for backyard burning. There is a significant cost to the community for MFS call outs;
- (f) a proposal to completely ban backyard burning may be contentious to some people and applauded by others and Council may wish to seek community input before deciding on a course of action.

Cr Morello moved it be recommended:

- (a) the report be received;
- (b) Council undertake City wide community consultation (in accordance with its public consultation policy) regarding the proposition to ban backyard burning in all areas of the City, year round, and a further report be prepared for Council's consideration following such consultation.

Cr Richardson seconded

Carried

Cr Mutton moved;

- (a) the report be received;**
- (b) Council undertake City wide community consultation (in accordance with its public consultation policy) regarding the proposition to ban domestic burning in all areas of the City, year round, and a further report be prepared for Council's consideration following such consultation.**

Cr Richardson seconded

Carried

3. **COMMITTEES - Environmental Sustainability Sub-Committee - Minutes of Meeting held 24th February 2015 - Ref. AF12/377**

Goal: Governance

Strategic Objective: (i) Demonstrate innovative and responsible organisational governance

Cr Richardson moved it be recommended:

(a) The minutes of the Environmental Sustainability Sub-Committee held on Tuesday, 24th February 2015 be received;

(b) the following recommendations (number 1 to 13) of the Environmental Sustainability Sub-Committee be adopted by Council:

1. ELECTION OF PRESIDING MEMBER

- The report be received;
- the above process to appoint the Presiding Member for the Environmental Sustainability Sub-Committee be adopted.

2. CALL FOR NOMINATIONS OF PRESIDING MEMBER

- The Returning Officer declared Cr Richardson be elected to the position of Presiding Member for the Environmental Sustainability Sub-Committee.

3. SCHEDULING OF MEETINGS

- The report be received;
- The Environmental Sustainability Sub-Committee to meet at 7:30 a.m. on the first Tuesday of each month.

4. TERMS OF REFERENCE

- The report be received;
- the Terms of Reference for the Environmental Sustainability Sub-Committee be reviewed by Council or the Operational Services Committee prior to 31st August 2015.

5. ORGANIC WASTE MODELLING AND ADVICE - FUTURE OPTIONS

- The report be received;
- starting in 2015, undertake an ongoing educational campaign to let residents know that they can put food scraps in their organics bin, and can also process it through on-site solutions like home compost or worm farms. A "bulk buy" arrangement for compost bins and worm farms should also be explored;
- also in 2015, conduct a survey of Mount Gambier residents on attitudes and practices in relation to how they manage organic waste;

- in the 2015/2016 financial year, offer free kitchen caddies and bio-bags to the first 2,000 subscribers to the Organics kerbside service who want them, in line with Scenario 2 of the Blue Environment modelling. The approximate cost of \$15,300 to be referred to the 2015/2016 budget. This should be followed up with a survey of users, as well as random anonymous organics bin audits in October 2015 to assess the performance of the system;
- review the results of the above roll out of kitchen caddies and bio-bags, with a view to establishing a universal organics system, in line with Scenario 5 of the Blue Environment modelling. A possible interim step could be giving kitchen caddies to the remaining organics subscribers in in the 2016/2017 financial year. If the roll out progresses, an Implementation Plan should be formulated.

6. CAROLINE LANDFILL - INCOMING WASTE AUDIT

- The report be received and contents noted.

7. ENVIRONMENTAL SUSTAINABILITY PROGRAM

- The report be received;
- Council endorse the high priority environmental sustainability projects for 2015, as follows:
 1. further development of the next steps from the 2014 Blue Environment report;
 2. establishment of a Materials Recovery Facility in Eucalypt Drive;
 3. Caroline Landfill waste mapping.

8. BIOGAS BASICS SEMINAR

- The report be received;
- the Presiding Member of the Environmental Sustainability Committee and the Environmental Sustainability Officer attend the 6th March 2015 Biogas Basics seminar on behalf of Council.

9. SOLAR POWER ON OTHER COUNCIL SITES

- The meeting determined as Cr Mutton had disclosed a Conflict of Interest in Item 9 that there would no longer be a quorum to continue discussion on the Item; therefore Item 9 was not considered and the matter is now referred to the Operational Services Committee.

10. FRUIT AND NUT TREE EXPRESSIONS OF INTEREST

- The report be received;
- Council release a competitive Expression of Interest to the community for the planting of \$500 worth of edible plants in a Council reserve, at least 10

metres away from utilities infrastructure and houses, in line with the program as contained in this report.

11. PARTICIPATION IN EARTH HOUR 2015

- The report be received;
- Council participate in Earth Hour 2015 by switching off the external lights at Main Corner, City Hall, Vansittart Park, the Library, the Centenary Tower and the Lady Nelson Brig between 8:30 p.m. and 9:30 p.m. on Saturday, 28th March 2015.

12. MOUNT GAMBIER: EDIBLE CITY

- The report be received;
- Council endorse using the \$5,000 transferred from Opal to Council for the Mount Gambier: Edible City program. Any funds not spent in the 2014-2015 financial are to be carried over to the 2015-2016 financial year.

13. REPORTS FOR INFORMATION

- (a) Clean Up Australia Day
 - (b) Park & Stride
 - (c) Bin Tagging
 - (d) Aquatic Centre Energy Audit
 - (e) Environmental Sustainability program 2015 - Project Progress
- The report be received;
 - items (a) to (e) as above be received and noted for information.

Cr Morello seconded

Carried

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

Cr Greco seconded

Carried

4. **ENVIRONMENTAL MANAGEMENT - Project Management - Assessment of Viability for Solar Power on Other Council Sites - Ref. AF14/95**

Goal: Environment

Strategic Objective: (i) Systematically build Council as an environmentally sustainable organisation

The Director - Operational Services reported:

- (a) At its meeting of Tuesday, 24th February 2015 the Environmental Sustainability Sub-Committee referred this item to the Operational Services Committee for resolution (as the Committee did not have a quorum to enable discussion to continue for this item);

- (b) following on from the Renewable Energy Options Investigation conducted in 2014, and the successful installation of a solar system on the roof of the Library, Council has the opportunity to conduct an assessment of its other major facilities for their suitability for solar power;
- (c) the aims of this project are to reduce long term electricity costs for Council, reduce susceptibility to rising electricity prices, reduce Council's greenhouse gas emissions, increase Council's support for and uptake of local renewable energy, and set an example to the local community;
- (d) reducing Council's greenhouse gas emissions, and increasing Council's support for and uptake of local renewable energy is in line with Council's commitment to the Natural Step Framework;
- (e) Council has received three quotes for the assessment of five major sites for their potential for solar power. The prices of the quotes are listed below:
 - Quark Consulting \$10,233
 - Intero Energy Systems \$15,000
 - Sunwiz \$2,500
- (f) the quote from Quark Consulting at \$10,233 is able to be funded from the 2014-2015 Environmental Sustainability budget. It is noted that the Sunwiz proposal is cheaper but did not include site visits or other elements such as costing structures, compliance analysis and onsite reporting. Also, Quark Consulting can provide project management services should any of the sites progress to the installation stage.

moved it be recommended:

- (a) The report be received;
- (b) Council commission Quark Consulting to undertake an assessment of Council's other major facilities for their suitability for solar power.

seconded

Pursuant to Division 3 - Conflict of Interest, Sections 73 and 74 Part 4 of the Local Government Act 1999, Cr Mutton disclosed an interest in Item 9 (due to his grandson working for Quark Consulting) and did not:

- (a) *propose or second a motion relating to the matter; or*
- (b) *take part in discussion by the Committee relating tot hat matter; or*
- (c) *while such discussion is taking place, be in, or in the close vicinity of, the room in which or other place at which that matter is being discussed; or*
- (d) *vote in relation to that matter.*

Cr Mutton vacated the meeting at 7:51 a.m.

Cr Mutton, having disclosed an interest in Item 4 and a quorum not being present at the meeting, the item was not considered. The matter is now referred to Council.

Cr Mutton returned to the meeting at 7:52 a.m.

THIS ITEM IS NOW CONTAINED WITHIN THESE MINUTES AS A MOTION WITH NOTICE

5. PROPERTY MANAGEMENT - Committees - Report of the Aquatic Centre Management Advisory Group meeting held at 7:00 a.m. Wednesday, 18th February 2015 - Ref. AF11/1370

Goal: Building Communities

Strategic Objective: (i) Encourage the development of community facilities and infrastructure, community events, and active and safe community spaces through direct support, seeking funding, facilitation etc.

The Presiding Member reported:

(a) The Aquatic Centre Management Advisory Group met on Wednesday, 18th February 2015 at 7:00 a.m. This meeting was attended by:

- Daryl Sexton, Director - Operational Services
- Peter Collins, Manager - Aquatic Centre

(b) the matters discussed were as follows:

1. Boiler

- Fuel quality still an issue.
- Issues with dirt/dust etc.
- Really necessary to have very clean fuel of consistent chip size.
- Council still to give Innovative Leisure Management final invoice.

2. Contract

- Contract due 30th June 2015.
- 5 x 5 option.
- Innovative Leisure Management to notify intentions by 31st March 2015.
- 2015/2016 Business Plan - due for consideration say May 2015.

3. Chlorinator

- Has been de-calcified.
- Still not working correctly.
- Further research required.

4. Attendances

- January down about 15%, income down 20%.
- December - average.
- February - attendances up (due to Schools), should offset January shortfalls.
- Overall: recreational services slightly down.

5. Speaker Cabling

- Five (5) speakers to be re-wired with above ground cabling (\$1,000 - \$1,500).
- Inflatable - patched to a very large extent
- time to replace.

6. Aqua Aerobics

- Substantial increase in interest with aqua aerobics.
- Quadrupled in last two (2) years with varying demographics.

Mayor Lee moved it be recommended:

- (a) The report be received and contents noted.

Cr Morello seconded

Carried

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

Cr Lovett seconded

Carried

6. **GOVERNANCE - Council Development Assessment Panel - Minutes of Meeting held 19th February 2015 - Ref. AF14/354**

Goal: Governance

Strategic Objective: (i) Demonstrate innovative and responsible organisational governance

Cr Richardson moved it be recommended:

- (a) Minutes of the Council Development Assessment Panel meeting held on Thursday, 19th February 2015 be received;
- (b) the decisions made by the Council Development Assessment Panel be noted.

Cr Morello seconded

Carried

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

Cr Greco seconded

Carried

7. **OPERATIONAL SERVICES REPORT NO. 10/2015 - Animal Management - Project Management - Enclosed Off-Leash Dog Park - Ref. AF11/138**

Goal: *Building Communities*

Strategic Objective: (i) *Strive for an increase in services and facilities to ensure the community has equitable access and that the identified needs of the community are met.*
(ii) *Encourage the development of community facilities and infrastructure, community events, and active and safe community spaces through direct support, seeking funding, facilitation etc.*

Cr Morello moved it be recommended:

- (a) Operational Services Report No. 10/2015 be received;
- (b) Council endorse a 'community build' to assist with internal works at the enclosed off-leash dog park at Hastings Cunningham Reserve;
- (c) Council approve for works to commence for the enclosed off-leash dog park at Hastings Cunningham Reserve.

Mayor Lee seconded

Carried

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

Cr Greco seconded

Carried

RAILWAY LANDS DEVELOPMENT AND MANAGEMENT COMMITTEE MINUTES – 27th February, 2015

Cr Morello moved that the minutes of the meeting held 27th February, 2015 be received.

Cr Meziniec seconded

Carried

1. PROPERTY MANAGEMENT - Railway Lands - Update on Progress of Development Works- Ref. AF13/439

Goal: Building Communities

- Strategic Objective:*
- (i) *Strive for an increase in services and facilities to ensure the community has equitable access and that the identified needs of the community are met*
 - (ii) *The identified needs of the community are met, through implementing Long Term Asset Management Plans and Infrastructure Plans*

The Presiding Member reported:

- (a) The following update on the progress of works is provided below:

TASK / ACTIVITY DESCRIPTION	TIMEFRAME
Approval to accept Department of Planning, Transport and Infrastructure's offer	Completed
Advertisement for Demolition and Remediation	Completed
Consider tenders for Demolition and Remediation and award contracts	Completed
Site demolition	Completed
Site remediation works	Completed
Construction of WSUD ponds and creek	Completed
Construct rail easement shared path	Completed
Irrigation bore and irrigation system	Completed
Rejuvenation of soil and planting of turf	Completed
Paths, sandpit, concrete plinths and mulch for nature play area	Completed
Refurbishment of railway heritage items including telegraph poles, fencing and construction of foot bridges by Rotary	In Progress

Reconstruct/extend platform and provide access ramps, stairs and balustrading	In Progress, 90% complete
Artistic Balustrade panels	In Progress
Tree Planting	Completed
Construct Sunken Amphitheatre	In Progress, 90% complete
Resurfacing existing platform	Not commenced
Fencing to pond area	In Progress, 30% complete
Supply & Install Solar Path and Plaza Lights	In Progress, 50% complete
Supply & Install feature lighting	Not commenced
Install footpath pavers	In Progress, 10% complete
Install Plaza pavers and street furniture	Not commenced
Signal Box redevelopment as public toilets	In Progress, 30% complete
Major Art Commission concept design	In Progress

(b) a verbal update on the development works was provided by the Engineering Manager at the meeting.

Cr Greco moved it be recommended:

(a) The report be received and contents noted.

Cr Mezinac seconded

Carried

Cr Greco moved the recommendation of the Railway Lands Development and Management Committee as contained in item 1 be adopted.

Cr Mutton seconded

Carried

2. PROPERTY MANAGEMENT - Railway Lands - Community Markets - Discussion with Market Operators- Ref. AF14/166

Goal:

Building Communities

Strategic Objective:

(i) *Strive for an increase in services and facilities to ensure the community has equitable access and that the identified needs of the community are met*

- (ii) *Recognise and support our volunteers, community organisations and their sustainability as they continue to be the foundation of the community*

The Presiding Member reported:

- (a) In response to Item 7 of the previous meeting of the Committee an invitation was extended to the operators of the four (4) local markets to meet with the Committee;
- (b) the following invitations were extended:
- 12:30 p.m. Library Market
 - 1:00 p.m. Farmers Market
 - 1:30 p.m. Moloney's Market
 - 2:00 p.m. Rotary Market
- (c) format for the discussions is to be determined. These meetings were arranged to allow the Committee to "gauge" the level of interest for market operators relocating their activity to the Railway Lands and/or any other activity that the invited group might envisage for the area.

Cr Greco moved it be recommended:

- (a) The report be received;
- (b) discussions to be held with local market operators, as indicated above, as part of this meeting;
- (c) available Members be authorised to continue and hold informal discussions should a quorum not be met at any stage during these discussions.

Cr Morello seconded

Carried

Cr Greco moved the recommendation of the Railway Lands Development and Management Committee as contained in item 2 be adopted.

Cr Perryman seconded

Carried

3. PROPERTY MANAGEMENT - Railway Lands - Members Workshop- Ref. AF13/439

Goal: Building Communities

Strategic Objective: (i) *Strive for an increase in services and facilities to ensure the community has equitable access and that the identified needs of the community are met*

The Presiding Member reported:

- (a) The Committees attention is drawn to the amended resolution of Council at its meeting held on Tuesday, 17th February 2015:

“(a) The report be received;

(b) the Committee notes the resolution of Council of Tuesday, 21st January 2015 as follows:

“(e) The Committee convene a Members Workshop to discuss ideas to activate the railway lands as an intergenerational public space that is attractive to residents and visitors;

(f) The Committee be asked to conduct a public consultation and community engagement process on the matters in (e) above.”

(c) the letter from Mr Steve Toope (dated 29th January 2015) be received and contents noted;

(d) at the March 11 workshop, we have a discussion about an expression of interest for possible uses for the Railway Station.”

(b) the Committee may wish to consider the format and content of the workshop, for discussion.

Cr Greco moved it be recommended:

(a) The report be received;

(b) in accordance with Council’s amended resolution of 17th February 2015 the workshop scheduled for 11th March 2015 to include discussions about an expression of interest for possible uses for the Railway Station;

(c) Council Officers make contact with Newcastle Council to seek information on their recent workshop/community consultation held on public space activation, with such enquiries to include:

- workshop structure
- costs involved
- target audiences
- community consultation process
- desired outcomes
- community response

(d) Council Officers seek costs associated with running two (2) separate workshops, with attendance from experts in the field of public space activation, for:

- Council Members
- Community Members

(e) the workshop to be held on 11th March 2015 be an informal ‘brainstorming’ session to consider possible options as detailed in part (c) above (including possible questions for the experts).

Cr Morello seconded

Carried

Cr Greco moved the recommendation of the Railway Lands Development and Management Committee as contained in item 3 be adopted.

Cr Morello seconded

Carried

4. PROPERTY MANAGEMENT- Railway Lands Development and Management Committee - Railway Corridor - Ref. AF15/37

Goal: Building Communities

Strategic Objective:

- (i) Strive for an increase in services and facilities to ensure the community has equitable access and that the identified needs of the community are met*
- (ii) Encourage the development of community facilities and infrastructure, community events, and active and safe community spaces through direct support, seeking funding, facilitation etc.*

The Presiding Member reported:

- (a) Council has long recognised the strategic location of the rail corridor through the City which provides a continuous link from the east to the west. The 2005 Strategic Bicycle Plan proposed that this location be a future bicycle lane and/or a shared pedestrian/bicycle path;
- (b) the Local Member for Mount Gambier, Mr Troy Bell MP has been working on this project at Ministerial level and has indicated that it would be an appropriate time for both him and Council to approach The Hon Stephen Mullighan, Minister for Transport and Infrastructure to commence detailed discussions on the possible access to the corridor for some form of pathway;
- (c) Council staff have also submitted funding applications to advance this project (in anticipation that Council is able to negotiate some satisfactory access arrangement to the corridor). The draft budget which will shortly be provided to Council for consideration will also have an allocation of funding to advance this project;
- (d) the creation of the Railway Lands Development and Management Committee provides a good means by which Council can advance this project and accordingly the following recommendation is put forward for consideration.

Cr Greco moved it be recommended:

- (a) The report be received;
- (b) Council resolve its in principle support for the proposal to consider a shared pedestrian/bicycle facility on the unused railway corridor/s in Mount Gambier and write to the Minister of Transport and Infrastructure, The Hon Stephen Mullighan

advising of this in principle support and seeking to advance discussions on possible access rights and funding to realise the project;

- (c) Council thank Local Member for Mount Gambier, Mr Troy Bell MP for his support and request Mr Bell to facilitate discussions between Council, Mr Bell and the State Government on this project;
- (d) Council authorise the Mayor and the Presiding Member of the Railway Lands Development and Management Committee, with key Council staff, to participate in and advance the discussions with regard to this project.

Cr Meziniec seconded

Carried

Cr Greco moved the recommendation of the Railway Lands Development and Management Committee as contained in item 4 be adopted.

Cr Lovett seconded

Carried

5. PROPERTY MANAGEMENT - Railway Lands Redevelopment Project - Selection of Artist for Major Art Commission - AF14/484

Goal: Building Communities

Strategic Objective: (i) Strive for an increase in services and facilities to ensure the community has equitable access and that the identified needs of the community are met

The Presiding Member reported:

- (a) On the 27th January 2015 Council resolved that *“The project advisory panel to review the concept designs of each short listed artist and refer its preferred submission to Council for further consideration and final approval;*
- (b) concept designs by the three (3) shortlisted artists were presented to the Project Advisory Panel on the 23rd and 24th of February 2015;
- (c) the Project Advisory Panel consisted of Cr Lovett, Mr Simon Klose (Riddoch Art Gallery), Ms Jacqui Porter (Riddoch Art Gallery) Mr Michael Silvy (Chair, Manager - Regulatory Services) and Ms Alison Brash (Community Development Officer);
- (d) concepts presented by all three (3) artists were of a high quality and demonstrated the application of their designs as a major public art feature on the corner of Bay Road and Railway Terrace;
- (e) the Project Advisory Panel followed a set agenda for the day where each artist was given thirty (30) minutes to present their concepts and ten (10) minutes of question time from the Panel. Each member of the Panel completed an evaluation form which covered the following elements:
 - 1. Clear conceptual response to the site and brief - 20%
 - 2. High quality artistic and aesthetic concept design - 20%

3. Response to the physical specifications of the brief - 10%
 4. Capacity to meet the proposed budget and timeline - 10%
 5. Response to stakeholder information - 10%
 6. Consideration of public safety, risk management and maintenance - 20%
 7. Capacity to project manage the fabrication and installation of the proposed work - 10%
- (f) the Project Advisory Panel discussed each of the artists conceptual presentations and selected Greg Johns' concept as the preferred piece. His sculpture is a large scale corten steel abstract symbol entitled "end of the line". The piece depicts two sets of parallel lines (representing rail tracks) set at 90 degrees to each other and is joined by a curved element which is cleverly concealed between the two 'tracks'. Greg's piece was well presented via a scaled marquet which offered a clear understanding of the three dimensional richness of the concept. Whilst the piece was conceived in 1987 and has been exhibited numerous times in a much smaller scale, it has a timeless quality and fits the site well standing at approximately 5 metres high. Greg is a well respected SA based artist with significant works all over the world. From a cultural point of view to own one of his pieces would be a massive coup for the Mount Gambier community;
- (g) in accordance with the Project Brief, the selected artist's design will need to go through a 'refinement' phase in order to convert the design concept into an 'engineered' solution ready for construction. This process will include design development, project management, fabrication and installation of the final piece at an agreed cost of \$100,000.

Cr Greco moved it be recommended:

- (a) The report be received;
- (b) due to the short notice and complexity this matter be referred to the next meeting of the Railway Lands Development and Management Committee for discussion;
- (c) an informal presentation be provided to Members at the workshop scheduled for 11th March 2015.

The Motion lapsed for want of a seconder

Cr Morello moved it be recommended:

- (a) The report be received;
- (b) Council proceed with the Major Arts project to a budget of \$100,000 (plus GST);
- (c) Council release all three (3) artist submissions received for the project on public consultation for a minimum three (3) week period to assist Council in making a final selection;

- (d) the Manager - Regulatory Services be authorised to submit a funding application to Arts SA for a further contribution (towards an additional art piece) of \$100,000.

Cr Greco seconded

Carried

Cr Meziniec moved the recommendation of the Railway Lands Development and Management Committee as contained in item 5 be adopted.

Cr Morello seconded

Carried

Cr Greco requested a Division

The declaration of the result of the vote was set aside

Voting by Division being:

Members voting for the Motion

Members voting against the Motion

Cr Richardson

Cr Greco

Cr Morello

Cr Mutton

Cr Meziniec

Cr Lovett

Cr Persello

Cr Perryman

Cr Lynagh

8 for the Motion

1 against the Motion

The Mayor declared the Motion

Carried

6. PROPERTY MANAGEMENT- Railway Lands - Community Markets - Discussion with Market Operators- Ref. AF14/166

Goal:

Building Communities

Strategic Objective:

- (i) *Strive for an increase in services and facilities to ensure the community has equitable access and that the identified needs of the community are met*
- (ii) *Recognise and support our volunteers, community organisations and their sustainability as they continue to be the foundation of the community*

The Presiding Member reported:

- (a) The following representations for local market operators attended and met with the Committee:

- Library Market
(12:50 p.m.)

Vicki Hutchinson
Susie Hill

- Farmers Market (1:05 p.m.) David Geddes
Glenys Hughes
- Moloney's Market (1:38 p.m.) Pauline Mulraney
Karen Wright
- Rotary Market (2:02 p.m.) Bruce Ridland
Alan Richardson
Allen Smith
Julian Mattay

Cr Greco moved it be recommended:

- (a) The report be received;
- (b) a summary report of the discussions held be taken to Council for further consideration for local markets (including management of such markets) to be held at the Railway Lands.

Cr Morello seconded

Carried

Cr Greco moved the recommendation of the Railway Lands Development and Management Committee as contained in item 6 be adopted.

Cr Morello seconded

Carried

MOTION WITH NOTICE

Pursuant to Division 3 - Conflict of Interest, Sections 73 and 74 Part 4 of the Local Government Act 1999, Cr Mutton disclosed an interest in Item 1 (due to his grandson working for Quark Consulting) and did not:

- (a) propose or second a motion relating to the matter; or
- (b) take part in discussion by the Committee relating to that matter; or
- (c) while such discussion is taking place, be in, or in the close vicinity of, the room in which or other place at which that matter is being discussed; or
- (d) vote in relation to that matter.

Cr Mutton vacated the meeting at 7.03 p.m.

1. **ENVIRONMENTAL MANAGEMENT - Project Management - Assessment of Viability for Solar Power on Other Council Sites - Ref. AF14/95**

Goal: Environment

Strategic Objective: (i) Systematically build Council as an environmentally sustainable organisation

The Director - Operational Services reported:

- (a) At its meeting of Tuesday, 24th February 2015 the Environmental Sustainability Sub-Committee referred this item to the Operational Services Committee for resolution (as the Committee did not have a quorum to enable discussion to continue for this item);
- (b) following on from the Renewable Energy Options Investigation conducted in 2014, and the successful installation of a solar system on the roof of the Library, Council has the opportunity to conduct an assessment of its other major facilities for their suitability for solar power;
- (c) the aims of this project are to reduce long term electricity costs for Council, reduce susceptibility to rising electricity prices, reduce Council's greenhouse gas emissions, increase Council's support for and uptake of local renewable energy, and set an example to the local community;
- (d) reducing Council's greenhouse gas emissions, and increasing Council's support for and uptake of local renewable energy is in line with Council's commitment to the Natural Step Framework;
- (e) Council has received three quotes for the assessment of five major sites for their potential for solar power. The prices of the quotes are listed below:
 - Quark Consulting \$10,233
 - Intero Energy Systems \$15,000
 - Sunwiz \$2,500
- (f) the quote from Quark Consulting at \$10,233 is able to be funded from the 2014-2015 Environmental Sustainability budget. It is noted that the Sunwiz proposal is cheaper but did not include site visits or other elements such as costing structures, compliance analysis and onsite reporting. Also, Quark Consulting can provide project management services should any of the sites progress to the installation stage.

Cr Richardson moved:

- (a) The report be received;**
- (b) Council commission Quark Consulting to undertake an assessment of Council's other major facilities for their suitability for solar power.**

Cr Perryman seconded

Carried

Cr Mutton resumed the meeting at 7.05 p.m.

MOTIONS WITHOUT NOTICE

TEMPORARY SUSPENSION OF COUNCIL MEETING

Cr Perryman moved that Council adjourn the meeting to allow time for the Minute Taker to prepare the Motion for inclusion in the Minutes.

Cr Lovett seconded

Carried

The Meeting adjourned at 7.08 p.m.

The Meeting resumed at 7.16 p.m.

1. **CORPORATE AND COMMUNITY SERVICES REPORT NO. 16/2015 - Recording of Council Meetings, Draft Policy C410 Conduct of Meetings - Ref. AF11/1950**

Goal: Governance

Strategic Objective: Evaluate the effectiveness of all service delivery initiatives against the returns and/or benefits to the community.

Demonstrate innovative and responsive organizational governance.

Cr Morello moved;

- (a) Corporate and Community Services Report No. 16/2015 be received;**
- (b) Council maintain its current minute taking practice that involves the agenda item and recommendation/resolution being projected on screen at the Council and Standing Committee meetings with the minutes being typed at the meeting. Council does not implement audio recording of Council and Committee meetings for minute taking purposes;**
- (c) It is the policy of this Council that authorised representatives from recognised media industry organisations who subscribe to a media industry code of ethics, such as the Press Council Code of Ethics, the Media Entertainment & Arts Alliance Journalists' Code of Ethics, the Australian Broadcast Corporation Code of Conduct and the Australian Communications Media Authority Code of Practice, shall be granted standing approval to photograph, film, televise or audio record any Committee or Council Meeting.**

Council has the right to revoke the standing approval if the authorised media representative fails to adhere to the recording policy.

“No other person” shall record, by any means, any committee or council meeting.

Authorised media representatives are required to sign a once-off council-issued standing approval prior to recording a Council Meeting or Committee.

When authorised media representatives wish to video or film Council or Committee Meetings, prior permission is to be sought from the Mayor and/or the Presiding Member. Permission will be granted except where, on the view of the Mayor and/or the Presiding Member that such videoing and/or photographing will be disruptive and interfere with the conduct of the meeting.

For the purpose of this policy provision “No Other Person” shall include Members of Council, Members of Committees, general public and officers of Council.

Any Member or Council Officer present at the meeting may request any person found to be in breach of this policy to cease forthwith, and that person may be requested to leave the meeting if they continue to breach this policy provision.

- (d) Council to create a standing approval document that incorporates a copy of the recording policy and provisions for the signature and details of authorised media representatives seeking permission to record council and standing committee meetings. The document will be filed for future reference.**
- (e) A report be prepared on the legal and administrative requirements associated with council recording council and committee meetings. The report be referred to council by August for consideration.**

Cr Greco seconded

LOST

Cr Perryman moved;

- (a) Corporate and Community Services Report No. 16/2015 be received;**
- (b) Any consideration of council recording meetings (either audio or video) for live web feed or to be available for downloading by members of the public be deferred until the next term of Council.**
- (c) Council adopt the following policy in regard to video and audio recording of Council meetings, committee meetings and sub-committee meetings:
 - i. Council maintain its current minute taking practice that involves the agenda item and recommendation/resolution being projected on screen at the Council and Standing Committee meetings with the minutes being typed at the meeting.****

- ii. Any person may record audio of Council, committee and sub-committee meetings provided that such recording does not interfere with the orderly conduct of such a meeting.

Audio devices used for such purposes are to be held by the operator of such a device and are not to be placed on the meeting table being used by the members of that Council, committee or sub-committee meeting unless otherwise resolved by the members at that particular meeting.

The Presiding Member may at any time during the course of any meeting direct the audio recording of such meeting to cease, should the Presiding Members be of the view that the audio recording of the meeting is interfering with the orderly conduct of the meeting.

Audio recording of items considered 'In-Confidence' under the provisions of the Local Government Act 1999 is prohibited.

- iii. Any person wishing to take photographs or video recordings of any Council, committee or sub-committee meeting must request the permission of the Presiding Member.

Such request must be made in writing and be received by the Presiding Member at least 48 hours in advance of the meeting. In considering such a request the Presiding Member shall not unreasonably refuse permission however they may place restrictions and conditions on such recording and photography as they see fit so as to ensure such recording does not interfere with the orderly conduct of the meeting.

Where such permission has been granted, should at any time during the course of the meeting the Presiding Member be of the view that the video recording or photography of the meeting is interfering with the orderly conduct of the meeting, the Presiding Member may direct the video recording or photography of the meeting to cease.

Video recording and photography of items considered 'In-confidence' under the provisions of the Local Government Act 1999 is prohibited.

Cr Lovett seconded

Carried

CONSIDERATION FOR EXCLUSION OF PUBLIC

Cr Mutton moved that the following item be received, discussed and considered in confidence by excluding the public pursuant to Section 90 (2) of the Local Government Act 1999, and an order be made that the public (with the exception of 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)(a) - information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and
- S.90(3)(i) - information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council.

The Council is satisfied that the information to be received, discussed or considered in relation to this item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person. The information that is to be received, discussed or considered in relation to this item relates to the commencement of prosecution proceedings pursuant to the Development Act 1993.

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 as the matter is of a personal nature.

<u>Item No.</u>	<u>Subject Matter</u>	<u>S90 (3) Grounds</u>
<u>OPERATIONAL SERVICES COMMITTEE</u>– 10th February, 2015		
9.	<u>DEVELOPMENT CONTROL</u> - Illegal Development - Demolition of a Contributory Place - Ref. AF11/304	(a) (i)

Cr Greco seconded

Carried