

## **MINUTES OF ORDINARY COUNCIL MEETING**

Minutes of Meeting held at the Council Chamber, Civic Centre, 10 Watson Terrace, Mount Gambier  
on Tuesday, 18 September 2018 at 6.00 p.m.

### **PRESENT**

Mayor Andrew Lee  
Cr Christian Greco  
Cr Josh Lynagh  
Cr Sonya Meziniec  
Cr Frank Morello  
Cr Des Mutton  
Cr Steven Perryman  
Cr Hanna Persello  
Cr Penny Richardson  
Cr Ian Von Stanke

### **COUNCIL OFFICERS**

Chief Executive Officer	-	Mr M McShane
General Manager Community Wellbeing	-	Ms B Cernovskis
General Manager Council Business Services	-	Mrs P Lee
General Manager City Growth	-	Dr J Nagy
Manager Executive Administration	-	Mr M McCarthy
Media and Communications Coordinator	-	Ms S McLean
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.**

### **1. APOLOGY(IES)**

Apology(ies) received from Cr Lovett

That the apology from Cr Lovett be received.

Moved: Cr Morello

Seconded: Cr Richardson

Carried

### **2. LEAVE OF ABSENCE**

Nil

### **3. CONFIRMATION OF COUNCIL MINUTES**

Ordinary Meeting held on 21 August 2018

Special Meeting held on 30 August 2018



That the minutes of the Ordinary Council meeting held on 21 August 2018 and the Special Council meeting held on 30 August 2018 as previously circulated be confirmed as an accurate record of the proceedings of that meeting.

Moved: Cr Perryman

Seconded: Cr Mutton

Carried

#### **4. MAYORAL REPORT - Ref. AF11/881**

That the Mayoral report made on 18 September 2018 be received.

- 2018 Christmas Appeal Launch
- Caretaker Training - Kelledy Jones
- CRG and Sport and Rec Committee Meeting with Architects
- Attendance at presentation of Royal Australian College of Surgeons Outstanding Service to the Community Award to Associate Professor Mathias Wichman
- AusIndustry Meeting
- Special Meeting of Council
- Book Giving Ceremony - Mount Gambier Library
- Mount Gambier Netball Association - Senior Best and Fairest Count
- Lifeline Out of the Shadows Community Breakfast and Walk
- 2018 Christmas Appeal Barbecue
- Mount Gambier Choral Society Showcase Presentation Night
- Mount Gambier History Group - 150 Year Commemoration of Lake Terrace Cemetery
- Sport and Rec Centre Committee Meeting
- CRG and Sport and Rec Committee meeting with Architects
- ARC Linkage Project - Interview with Project Team
- Gov Hack Open Data Competition - Mount Gambier Library
- Mount Gambier City Concert Band Concert - Space, Spies and Superheroes
- Attendance at opening of 2018/2019 Bowling Season for Lower South East bowls Association
- Mount Gambier Netball Association Junior Presentations
- Presentation with CEO to DC Grant re Sports and Rec Centre
- Operational Standing Committee Meeting
- Meeting with visiting Dairy Delegation from India
- Mount Gambier Netball Association Grand Final Day
- Attendance at opening of RSL and District Bowling Club 2018/2019 Season
- Attendance at opening of Mount Gambier Bowls Club 2018/2019 Season
- Public Information Session - Vestas and Infigen Partnership at Tenison Woods College

Moved: Cr Von Stanke

Seconded: Cr Lynagh

Carried

#### **5. REPORTS FROM COUNCILLORS - Ref. AF11/882**

Nil



**6. QUESTIONS**

**6.1. With Notice**

Nil submitted.

**6.2. Without Notice**

Nil submitted.

**7. PETITIONS**

Nil

**8. DEPUTATIONS**

Nil

**9. NOTICE OF MOTION TO RESCIND**

Nil

**10. ELECTED MEMBERS WORKSHOPS (INFORMAL GATHERINGS) - Ref. AF15/83**

28/08/2018	Architects Meeting with Regional Sport and Recreation Centre Committee
28/08/2018	Architects Meeting with Community Reference Group
03/09/2018	Architects Meeting with Regional Sport and Recreation Centre Committee
03/09/2018	Architects Meeting with Community Reference Group

Records of Proceedings are attached.

That the Record of Proceedings be received and the contents noted.

Moved: Cr Greco

Seconded: Cr Persello

Carried

**11. ELECTED MEMBER TRAINING AND DEVELOPMENT - Ref. AF11/903**

Nil submitted.

**12. COUNCIL ACTION ITEMS - Ref. AF17/225, AF17/228**

Items referred to the Council Meeting held 21 August 2018.

That the Action Items referred to the Council Meeting held 21 August 2018 be received.

Moved: Cr Mezinec

Seconded: Cr Von Stanke

Carried



### 13. COMMITTEE MINUTES AND RECOMMENDATIONS

#### 13.1. Minutes of Strategic Standing Committee - 10 September 2018

That the minutes of the Strategic Standing Committee meeting held 10 September 2018 as previously circulated be noted.

Moved: Cr Morello

Seconded: Cr Greco

Carried

#### 13.2. Member Allowance, Re-imbursements, Benefits and Facilities - Report No. AR18/36005

- (a) That Council Report No. AR18/36005 titled '*Member Allowance, Re-imbursements, Facilities and Benefits*' as presented to the Strategic Standing Committee on 10 September 2018 be noted.
- (b) That Members give thought to the benefits and facilities that they consider would be beneficial for presentation to the incoming Council, for discussion at an Elected Member Workshop to be held on Monday 15 October 2018.

Moved: Cr Morello

Seconded: Cr Mezinec

Carried

#### 13.3. Elected Member's Planning Day - Report No. AR18/33042

- (a) That Strategic Standing Committee Report No. AR18/33042 titled '*Elected Member's Planning Day*' as presented to the Strategic Standing Committee on 10 September 2018 be noted.
- (b) That a workshop be held early in the new term of Council to receive this report and discuss the reports that were generated at the Elected Member Planning Day.

Moved: Cr Morello

Seconded: Cr Mezinec

Carried



**13.4. Minutes of Operational Standing Committee - 11 September 2018**

That the minutes of the Operational Standing Committee meeting held 11 September 2018 as previously circulated be noted.

Moved: Cr Von Stanke                      Seconded: Cr Mutton                      Carried

**13.5. Minutes of Heritage Sub-Committee - 22 August 2018**

That the minutes of the Heritage Sub-Committee meeting held 22 August 2018 as previously circulated be noted.

Moved: Cr Von Stanke                      Seconded: Cr Lynagh                      Carried

**13.6. Heritage Adviser Report - July 2018 - Report No. AR18/32564**

- (a) That Heritage Sub-Committee Report No. AR18/32564 titled '*Heritage Adviser Report - July 2018*' as presented to the Heritage Sub-Committee on 22 August 2018 be noted.

Moved: Cr Von Stanke                      Seconded: Cr Greco                      Carried

**13.7. Use of City of Mount Gambier Coat of Arms - Published Paper Marchant Family Arms - Report No. AR18/30504**

- (a) That Heritage Sub-Committee Report No. AR18/30504 titled '*Use of City of Mount Gambier Coat of Arms - Published Paper Marchant Family Arms*' as presented to the Heritage Sub-Committee on 22 August 2018 be noted.

Moved: Cr Von Stanke                      Seconded: Cr Lynagh                      Carried

**13.8. LGA Heritage Inquiry - Report No. AR18/32940**

- (a) That Heritage Sub-Committee Report No. AR18/32940 titled '*LGA Heritage Inquiry*' as presented to the Heritage Sub-Committee on 22 August 2018 be noted.

Moved: Cr Von Stanke                      Seconded: Cr Mutton                      Carried



**13.9. Lake Terrace Cemetery 150 Year Celebration Update - Report No. AR18/32761**

- (a) That Heritage Sub-Committee Report No. AR18/32761 titled '*Lake Terrace Cemetery 150 Year Celebration Update*' as presented to the Heritage Sub-Committee on 22 August 2018 be noted.

Moved: Cr Von Stanke

Seconded: Cr Persello

Carried

**13.10. Rook Walk 100 Year Celebration Update - Report No. AR18/32893**

- (a) That Heritage Sub-Committee Report No. AR18/32893 titled '*Rook Walk 100 Year Celebration Update*' as presented to the Heritage Sub-Committee on 22 August 2018 be noted.

Moved: Cr Von Stanke

Seconded: Cr Lynagh

Carried

**13.11. Solar System Performance 2017/2018 - Report No. AR18/32733**

- (a) That Environmental Sustainability Sub-Committee Report No. AR18/32733 titled '*Solar System Performance 2017-2018*' as presented to the Operational Standing Committee on 11 September 2018 be noted.
- (b) That Council endorse staff to continue investigating opportunities for solar power at Council facilities.

Moved: Cr Von Stanke

Seconded: Cr Greco

Carried

**13.12. ReUse Market Update - August 2018 - Report No. AR18/27187**

- (a) That Environmental Sustainability Sub-Committee Report No. AR18/27187 titled '*ReUse Market Update - August 2018*' as presented to the Operational Standing Committee on 11 September 2018 be noted.

Moved: Cr Von Stanke

Seconded: Cr Mutton

Carried



**13.13. City of Mount Gambier Recycling and Waste Management Update August 2018 - Report No. AR18/26915**

- (a) That Environmental Sustainability Sub-Committee Report No. AR18/26915 titled '*City of Mount Gambier Recycling and Waste Management Update August 2018*' as presented to the Operational Standing Committee on 11 September 2018 be noted.

Moved: Cr Von Stanke

Seconded: Cr Meziniec

Carried

**13.14. Works in Progress - City Infrastructure - Report No. AR18/34896**

- (a) That Operational Standing Committee Report No. AR18/34896 titled '*Works in Progress - City Infrastructure*' as presented to the Operational Standing Committee on 11 September 2018

Moved: Cr Von Stanke

Seconded: Cr Mutton

Carried

**13.15. Capital Work in Progress Budget Carry Overs from 2017/2018 - Report No. AR18/32331**

- (a) That Operational Standing Committee Report No. AR18/32331 titled '*Capital Work in Progress Budget Carry Overs from 2017/2018*' as presented to the Operational Standing Committee on 11 September 2018 be noted.
- (b) That the capital work in progress budget carry overs from 2017/2018 of \$1,108,500 be adopted and reflected in the 2018/2019 budget.

Moved: Cr Von Stanke

Seconded: Cr Mutton

Carried

**13.16. 2019 Street Tree Program - Report No. AR18/34059**

- (a) That Operational Standing Committee Report No. AR18/34059 titled '*2019 Street Tree Program*' as presented to the Operational Standing Committee on 11 September 2017 be noted.
- (b) That Council approves the proposed schedule of trees that have been selected for removal to allow for uniformity in the 2019 Street Tree Program as outlined in policy T120 (Tree Policy).



- (c) That Council notifies all residents and utilities affected by the plantings, and invite comment on same (in accordance with Councils Public Consultation Policy).
- (d) That Council adopts the 2019 Street Tree Program as outlined in the discussion so that the proposed species of trees selected may be pre-ordered.

Moved: Cr Von Stanke

Seconded: Cr Mutton

Carried

**13.17. On Street Parking - Commercial Street West - Gambier West Deli - Report No. AR18/35303**

- (a) That Operational Standing Committee Report No. AR18/35303 titled '*Parking at Gambier West Deli*' as presented to the Operational Standing Committee on 11 September 2018 be noted.
- (b) The Traffic Impact Statement attached to the Operational Standing Committee Report be endorsed by Council;
- (c) The City of Mount Gambier, pursuant to Ministerial delegation resolves the following:
 

Prohibited Area	15 Minute Parking
3.5.100	

COMMERCIAL STREET WEST MOUNT GAMBIER (Northern Side) - From 80.20 Metres east of the intersection with Graham road to 98.00 metres east of the said intersection, to apply at all times

To be effective on the installation of appropriate signage

Moved: Cr Von Stanke

Seconded: Cr Richardson

Carried

**13.18. Limestone Coast Opera - Update to Request for Increased Sponsorship - Report No. AR18/33960**

- (a) That Operational Standing Committee Report No. AR18/33960 titled '*Limestone Coast Opera - Update to Request for Increased Sponsorship*' as presented to the Operational Standing Committee on 11 September 2018 be noted.

Moved: Cr Von Stanke

Seconded: Cr Greco

Carried





**13.19. Update to South East Animal Welfare League Request for Additional Funding - Report No. AR18/33958**

- (a) That Operational Standing Committee Report No. AR18/33958 titled '*Update to South East Animal Welfare League Request for Additional Funding*' as presented to the Operational Standing Committee on 11 September 2018 be noted.
- (b) That the South East Animal Welfare League be advised that the matter of a request for an increase in funding outside the parameters of the existing agreement will be referred to the incoming Council for deliberation following the November 2018 elections.

Moved: Cr Von Stanke

Seconded: Cr Greco

Carried

Pursuant to Division 3 - Conflict of Interest, Section 75A of the Local Government Act 1999, Cr Perryman informed the meeting of a *perceived* conflict of interest in Item 13.20:

*"I am a Board Member of Basketball Mount Gambier Inc. who are involved in the community consultation process as a member of the reference group".*

Cr Perryman informed the meeting of the manner in which they intend to deal with the perceived conflict of interest as follows:

*"I intend to remain in the Chamber, debate and vote."*

In accordance with section 75A Cr Perryman participated in the meeting in relation to the matter.

**13.20. Minutes of Mount Gambier Regional Sport and Recreation Committee - 3 September 2018**

That the minutes of the Mount Gambier Regional Sport and Recreation Committee meeting held 3 September 2018 as previously circulated be noted.

Moved: Cr Von Stanke

Seconded: Morello

Carried

Having participated in the meeting in relation to the matter Cr Perryman voted in favour the motion.



Pursuant to Division 3 - Conflict of Interest, Section 75A of the Local Government Act 1999, Cr Perryman informed the meeting of a *perceived* conflict of interest in Item 13.21:

*"I am a Board Member of Basketball Mount Gambier Inc. who are involved in the community consultation process as a member of the reference group".*

Cr Perryman informed the meeting of the manner in which they intend to deal with the perceived conflict of interest as follows:

*"I intend to remain in the Chamber, debate and vote."*

In accordance with section 75A Cr Perryman participated in the meeting in relation to the matter.

**13.21. Mount Gambier Regional Sport and Recreation Centre Update - Report No. AR18/33873**

- (a) That Regional Sport and Recreation Centre Committee Report No. AR18/33873 titled '*Mount Gambier Regional Sport and Recreation Centre Update*' as presented to the Regional Sport and Recreation Centre Committee on 3 September 2018 be noted.

Moved: Cr Von Stanke

Seconded: Cr Mutton

Carried

Having participated in the meeting in relation to the matter Cr Perryman voted in favour the motion.

Pursuant to Division 3 - Conflict of Interest, Section 75A of the Local Government Act 1999, Cr Perryman informed the meeting of a *perceived* conflict of interest in Item 13.22:

*"I am a Board Member of Basketball Mount Gambier Inc. who are involved in the community consultation process as a member of the reference group".*

Cr Perryman informed the meeting of the manner in which they intend to deal with the perceived conflict of interest as follows:

*"I intend to remain in the Chamber, debate and vote."*

In accordance with section 75A Cr Perryman participated in the meeting in relation to the matter.

**13.22. Community Engagement and Media Update - Report No. AR18/33874**

- (a) That Regional Sport and Recreation Centre Committee Report No. AR18/33874 titled '*Community Engagement and Media Update*' as presented to the Regional Sport and Recreation Centre Committee on 3 September 2018 be noted.



Moved: Cr Von Stanke

Seconded: Cr Meziniec

Carried

Having participated in the meeting in relation to the matter Cr Perryman voted in favour the motion.

Pursuant to Division 3 - Conflict of Interest, Section 75A of the Local Government Act 1999, Cr Perryman informed the meeting of a *perceived* conflict of interest in Item 13.23:

*"I am a Board Member of Basketball Mount Gambier Inc. who are involved in the community consultation process as a member of the reference group".*

Cr Perryman informed the meeting of the manner in which they intend to deal with the perceived conflict of interest as follows:

*"I intend to remain in the Chamber, debate and vote."*

In accordance with section 75A Cr Perryman participated in the meeting in relation to the matter.

### **13.23. Engagement of Quantity Surveyor - Report No. AR18/33889**

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| (a) That Regional Sport and Recreation Centre Committee Report No. AR18/33889 titled ' <i>Engagement of Quantity Surveyor</i> ' as presented to the Regional Sport and Recreation Centre Committee on 3 September 2018 be noted. |
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Moved: Cr Von Stanke

Seconded: Cr Persello

Carried

Having participated in the meeting in relation to the matter Cr Perryman voted in favour the motion.

Pursuant to Division 3 - Conflict of Interest, Section 75A of the Local Government Act 1999, Cr Perryman informed the meeting of a *perceived* conflict of interest in Item 13.24:

*"I am a Board Member of Basketball Mount Gambier Inc. who are involved in the community consultation process as a member of the reference group".*

Cr Perryman informed the meeting of the manner in which they intend to deal with the perceived conflict of interest as follows:

*"I intend to remain in the Chamber, debate and vote."*

In accordance with section 75A Cr Perryman participated in the meeting in relation to the matter.



#### **13.24. Community Survey - Report No. AR18/35139**

- (a) That Regional Sport and Recreation Centre Committee Report No. AR18/35139 titled '*Community Survey*' as presented to the Regional Sport and Recreation Centre Committee on 3 September 2018 be noted.

Moved: Cr Von Stanke

Seconded: Cr Mezinec

Carried

Having participated in the meeting in relation to the matter Cr Perryman voted in favour the motion.

#### **14. COUNCIL REPORTS**

##### **14.1. Election of LGA President - Report No. AR18/36765**

- (a) That Council Report No. AR18/36765 titled '*Election of LGA President*' as presented to the Council on 18 September 2018 be noted.

(b) That the City of Mount Gambier vote for Mayor Erika Vickery for LGA President and that the Ballot Paper be marked accordingly.

Moved: Cr Richardson

Seconded: Cr Greco

Carried

##### **14.2. Election of LGFA Board Members- Report No. AR18/38203**

- (a) That Council Report No. AR18/38203 titled '*Election of LGFA Board Members*' as presented to the Council on 18 September 2018 be noted.

(b) That the City of Mount Gambier vote for Annette Martin and Karen Hockley for Local Government Finance Authority Board Member positions and that the Ballot Paper be marked accordingly.

Moved: Cr Mezinec

Seconded: Cr Mutton

Carried



**15. MOTION(S) - With Notice**

**15.1. Regulation of Taxi's - By-Laws - AF16/305**

- (a) Council notes that for a number of years the City of Mount Gambier has been the only Council in the State to have By-Laws in place to regulate taxi services in its Council area. On 1<sup>st</sup> January 2019 Council's Taxi By-Law will expire and previous changes to State legislation prevent its replacement. From 1 January 2019 the City of Mount Gambier will no longer have the power to regulate taxis giving effect to the legislative changes.
- (b) A letter be sent to the Minister for Transport advising that Council acknowledges the legislative changes that removed its power to regulate taxis and that when Council's Taxi By-Law expires on 1 January 2019 it will come into line with the rest of the State.
- (c) Council no longer wishes to regulate taxis following the expiry of the Taxi By-Law on 1 January 2019 and no further action be taken to pursue any legislative amendments to re-instate taxi By-law or taxi regulating powers to the Council.

Moved: Cr Perryman

Seconded: Cr Mutton

Carried

**16. MOTION(S) - Without Notice**

Nil.

Meeting closed at 6.30 p.m.

AR18/36723

