

MINUTES OF MEETING OF THE CITY OF MOUNT GAMBIER HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT GAMBIER ON TUESDAY 18TH OCTOBER, 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 Steven Perryman
Cr Hanna Persello
Cr Penny Richardson
Cr Ian Von Stanke

APOLOGY/IES: Cr Morello moved that the apology from Cr Meziniec be received.

Cr Lovett 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
Finance Manager	- Mr G Button
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 Greco moved the minutes of the previous meeting held on 20th September, 2016 be taken as read and confirmed.

Cr Mutton seconded Carried

MAYORAL REPORT - Ref. AF11/881

- Strategic Planning Sub-Committee Meeting
- Official Opening Red Cross Zone Conference
- Drift Challenge
- Limestone Coast Football Association Senior Presentation Night
- Finding My Place Graduation
- Limestone Coast National Police Remembrance Day Memorial Service
- Audit Committee Meeting
- Meeting with Abercrombie & Kent – re P&O Cruise Ships
- 100 Years of UFS Chemist
- Corporate and Community Services Committee Meeting
- Operational Services Committee Meeting
- Meeting with representatives from TAFE SA re Training Module

- Brand SA Limestone Coast Regional Awards Presentations
- LCLGA Meeting in Kingston SE
- International Soccer Club 2016 Trophy Presentation Night
- Launch of Community Mayor's Christmas Appeal
- Mount Gambier A & H Society Pre Show Launch

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

<u>Member</u>	<u>Organisation</u>
Cr Christian Greco	Brand SA Regional Awards
Cr Mark Lovett	2016 Drift Challenge Australia Event Leukaemia Foundation 'Light the Night' Leukaemia Foundation 'Cruizin for a Cause' Headspace Event and movie at the Oatmill
Cr Josh Lynagh	Mount Gambier Show Sponsors Night Youth Advisory Group Musically Speaking Workshop Out of the Blue Mental Health Forum 2016 Drift Challenge Australia Event 'King of the Hill' Motorsport Display - Commercial Street
Cr Hanna Persello	Limestone Coast Community Services Round Table Department of Natural Resources - Cubbies at the Lakes Event Meals on Wheels Annual General Meeting and Services Awards
Cr Penny Richardson	Limestone Coast Local Government Association Meeting Health Advisory Committee Meeting Mount Gambier Netball Presentations

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

Cr Morello 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

No Elected Members Workshops were held between 20th September, 2015 and 18th October, 2016.

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 20th September, 2016 - Ref. AF11/1718, AF11/866

Cr Greco moved that the Council Action Items for the Corporate and Community Services Committee and the Operational Services Committee referred to the Council Meeting held 20th September, 2016 be received and the contents noted.

Cr Mutton seconded

Carried

OPERATIONAL SERVICES – 11th October, 2016

Cr Morello moved that the minutes of the meeting held 11th October, 2016 be received.

Cr Richardson 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>
• Rail Trail - Pick Avenue to White Avenue	90%
• Carinya Gardens road extension	80%
• Gray Street (CBD renewal)	90%
• Harvie Street (concrete footpath construction)	15%
• Duigan Street (road reconstruction)	5%
• Footpath resurfacing program	70%

Railway Lands

• Major art piece tracks (paving works)/signalling change	90%
• Heritage elements (fence and stobie poles)	80%

Cr Von Stanke 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 Von Stanke seconded

Carried

- 2. CELEBRATIONS AND FESTIVITIES - 2016 Christmas Parade - Street Closure - Ref. AF15/566, AF11/1850**

The Presiding Member reported:

- (a) Since the introduction of the Australian Road Rules in late 1999, the power to close roads for special events is now contained within the Road Traffic Act 1961 (Section 33);
- (b) the Minister for Transport has delegated the powers of Section 33 to Council, and Council should make an appropriate order to close Commercial Street for the Christmas Parade on 19th November 2016;
- (c) the order should:
 - (i) close the required section of Commercial Street for the required period of the Christmas parade (including any adjacent or adjoining road); and
 - (ii) exempt the persons taking part in the parade on the closed portion of the road/s from a duty to observe an enactment, regulation or by-law prescribing a rule to be observed on roads by pedestrians or drivers of vehicles;

- (d) Police Officers are given wide ranging powers by the order (as set out in Section 33 of the Road Traffic Act 1961) to ensure orderly conduct;
- (e) a copy of the order is to be published in a local newspaper at least two (2) clear days prior to the event.

Cr Mutton moved it be recommended:

- (a) the report be received;
- (b) Council, being of the opinion that the 2016 Christmas Parade is an event to which Section 33 of the Road Traffic Act applies to, pass the following order in relation to road closures for the purpose of the 2016 Christmas Parade on Saturday, 19th November 2016.

ORDER

Council, pursuant to Section 33 of the Road Traffic Act 1961 and instrument of Delegation from the Minister of Transport makes the following order to close the following roads on Saturday, 19th November 2016:

- (a) (i) COMMERCIAL STREET EAST - between East side of Davison Street and Bay Road/Penola Road

Between the hours of 7.00am and 1:00pm.

With the exception of the Ferrers Street/Mitchell Street intersection, north/south traffic will be permitted to cross Commercial Street East until 8.30am.

The portion of Commercial Street East between Crouch Street and East side of Davison Street may remain open to 10:30am.

- (b) COMMERCIAL STREET WEST - between Bay Road/Penola Road and Wehl Street.

Between the hours of 8.30am and 1:00pm.

North/South bound vehicles will be permitted to access Commercial Street West intersection until 10:55am.

- (c) CROUCH STREET SOUTH - between Commercial Street East and Sturt Street
WEHL STREET NORTH - between Commercial Street West and Wyatt Street/Eglington Terrace.
COMMERCIAL STREET WEST - between Wehl Street and Bertha Street

Between the hours of 10:50am and 1.00pm.

- (d) WATSON TERRACE - north south leg adjacent to Jens Hotel/Cave Garden

Between the hours of 6:30am and 5:00pm.

Council further orders that persons attending and taking part in the event are exempted from the following Road Rules when on roads (or section of road) closed pursuant to this Order:

1. Rule 221 Using hazard warning lights
2. Rule 230 Crossing a road – general

3. Rule 231 Crossing a road at pedestrian lights
4. Rule 232 Crossing a road at traffic lights
5. Rule 234 Crossing a road on or near a crossing for pedestrians
6. Rule 237 Getting on or into a moving vehicle
7. Rule 238 Pedestrians travelling along a road (except in or on a wheeled recreational device or toy)
8. Rule 250 Riding on a footpath or shared path
9. Rule 264 Wearing of seat belts by drivers
10. Rule 265 Wearing of seat belts by passengers 16 years old or older
11. Rule 266 Wearing of seat belts by passengers under 16 years old
12. Rule 268 How persons must travel in or on a motor vehicle
13. Rule 269 Opening doors and getting out of a vehicle etc
14. Rule 298 Driving with a person in a trailer

Conditions on Exemptions from Australian Road Rules

1. Rule 237 Getting on or into a moving vehicle – provided the speed of the vehicle does not exceed 5km/h
2. Rule 264 Wearing of seat belts by drivers – provided the speed of the vehicle does not exceed 25km/h
3. Rule 265 Wearing of seat belts by passengers 16 years old or older – provided the speed of the vehicle does not exceed 25km/h
4. Rule 266 Wearing of seat belts by passengers under 16 years old – provided the speed of the vehicle does not exceed 25km/h
5. Rule 268 How persons must travel in or on a motor vehicle – provided the speed of the vehicle does not exceed 25km/h
6. Rule 269 Opening doors and getting out of a vehicle etc – provided the speed of the vehicle does not exceed 5km/h
7. Rule 298 Driving with a person in a trailer – provided the speed of the vehicle does not exceed 25km/h

Cr Von Stanke seconded

Carried

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

Cr Greco seconded

Carried

3. ENVIRONMENTAL MANAGEMENT - Enquiries - Establishment of Paintback Collection Point at Waste Transfer Centre - Ref. AF11/392

The Presiding Member reported:

- (a) Council has been approached by an organisation called “Paintback”. Paintback is a product stewardship scheme whereby participating paint companies charge a levy of 15c per litre on their paint products. This money is then used to fund the recycling of unwanted paints;
- (b) Paintback would like to establish a collection point at Council’s Waste Transfer Centre. This would involve keeping 12 small stillages at the Waste Transfer Centre at a time. When 10 are full they would be collected and replaced with 10 empty stillages. The public could drop off paint tins into the stillages for free. The stillages measure 1.1 m w x 1.1m l x 1.1m h, and have a lid, so can be stored outside;
- (c) in order to formalise any arrangement with Paintback they require Council to sign a Site Services Agreement (SSA) - copy attached to the Operational Services Committee agenda. The SSA has been reviewed by the Governance Manager and his feedback incorporated into the document;

- (d) further information about Paintback can be found on their website: <http://paintback.com.au/>.

Cr Mutton moved it be recommended:

- (a) The report be received;
- (b) Council approve the Site Services Agreement with Paintback, and establish a Paintback collection point at Council's Waste Transfer Centre.

Cr Von Stanke seconded

Carried

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

Cr Von Stanke seconded

Carried

4. ENVIRONMENTAL MANAGEMENT - Reporting - Orchard Road Landfills - Groundwater Monitoring - Ref. AF11/498

The Presiding Member reported:

- (a) Council has received the "Final Report, Orchard Road Landfills, Biennial Groundwater Monitoring Event 2015" (prepared by URS), dated 9th September 2016;
- (b) The complete report was attached to the Operational Services Committee agenda for Members perusal and a direct link provided to the following sections:
- Executive Summary
 - Section 6 - Discussions, Recommendations and Limitations

Cr Mutton moved it be recommended:

- (a) The report be received;
- (b) Council receive the report entitled "Final Report, Orchard Road Landfills, Biennial Groundwater Monitoring Event 2015" (prepared by URS), dated 9th September 2016, and accept the proposed actions detailed in Section 6 of the report;
- (c) a copy of the report referenced in part (b) be referred to the EPA for their records;
- (d) Council continue with biennial monitoring as per the recommendations in the "Final Report, Orchard Road Landfills, Biennial Groundwater Monitoring Event 2015", with the next report due in 2017.

Cr Von Stanke seconded

Carried

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

Cr Greco seconded

Carried

Pursuant to Division 3 - Conflict of Interest, Section 74 of the Local Government Act 1999, Cr Christian Greco disclosed a perceived conflict of interest in Item 5: *"I live in the street included in the program."*

Cr Greco dealt with the perceived conflict of interest in the following transparent and following way: *"I propose the vote and participate in a non bias community based way."*

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

5. INFRASTRUCTURE - Street Tree Planting Program 2017 - Ref. AF15/431

The Presiding Member reported:

- (a) Council at its meeting held on Thursday 18th August 2016 resolved to adopt the 2017 Street Tree Program;
- (b) As per Council's Public Consultation Policy, Council notified SA Power Networks, SA Water, Telstra Corporation and the APA Group of the proposed 2017 Street Tree Program, with all comments relating to the program being received up to and including Friday, 23rd September 2016;
- (c) Council did not receive any correspondence from any of the above mentioned utilities in regards to the program, and therefore it can be reasonably assumed that there are no objections by these authorities for the proposed species of trees selected for planting;
- (d) it is also Council's policy to give notification of a tree planting program to all property owners affected by the proposal, with all comments to be received up to three weeks from the date of issue. The responses received are summarised below (copies attached to the Operational Services Committee agenda);
- (e) from the correspondence sent out to all residents affected by the proposed tree plantings, there were a total of 22 residents who made comment upon;
- (f) it should firstly be noted that of the 22 respondents, 3 residents responded to Council expressing their support for the upcoming Street Tree Program. This response was from 28 Lake Terrace East and 11 West Street. The residents from 5 Ridgeview Court do support the program but would prefer a native species planted emphasizing a Eucalypt species;
- (g) 14 of the remaining 22 residents that made comment upon wrote to Council specifically asking that a tree not be planted adjacent to their property for various reasons. These properties include 2 Longmire Terrace, 9 Silverbrook Avenue, 9 and 10 Ridgeview Court (who also do not support the program for the whole of the street), 2, 3, 4, 5, 12 and 13 Mahoney Avenue, 16 Pearce Crescent, 24 West Street, 77 Shepherdson Road and 12 Grange Place. It is therefore recommended that a tree not be planted adjacent to the above listed properties;
- (h) the residents located at 6 and 12 Skyline place, although specifically did not ask for no trees, do not support the Street Tree Program throughout the whole of the street, so it is recommended that Council not plant adjacent to their property but still continue with the plantings for the remainder of the street;
- (i) finally, the residents from 23 Max Young Drive, 16 Warrick Drive and 3 Silverbrook Avenue were enquiring about the positioning of the trees which Council is happy to accommodate at the time of the plantings;
- (j) Council has not received any other correspondence in regards to the program from any other residencies as set out in the 2017 Street Tree Program proposal; hence it can be reasonably assumed that there are no objections by the remainder of residents in regards to the program.

Cr Mutton moved it be recommended:

- (a) The report be received;
- (b) Council, having considered all submissions in relation to the proposed Street Tree Program for 2017 hereby adopts the following tree planting schedule with the exception of 2 Longmire Terrace, 9 Silverbrook Avenue, 9 and 10 Ridgeview Court, 2, 3, 4, 5, 12 & 13 Mahoney Avenue, 16 Pearce Crescent, 24 West Street and 77 Shepherdson Road, 6 and 12 Skyline Place and 12 Grange Place;

COMMON NAME	BOTANICAL NAME	STREET NAME	TREES BEING RETAINED	PROPOSED REMOVALS	PROPOSED PLANTINGS	NET GAIN
Blackwood	<i>Acacia melanoxylon</i>	Pearce Crescent (South Side)	0	1	14	13
Blackwood	<i>Acacia melanoxylon</i>	Paull Street (East Side)	0	0	3	3
Blackwood	<i>Acacia melanoxylon</i>	Mugford Street (North Side)	0	0	5	5
Capital Pear	<i>Pyrus calleryana 'Capital'</i>	Ayers Street (East Side)	0	0	12	12
Designer Cherry	<i>Prunus fruticosa 'Globasa'</i>	Ayers Street (West Side)	0	0	10	10
Designer Cherry	<i>Prunus fruticosa 'Globasa'</i>	West Street	0	0	32	32
Edgewood Pear	<i>Pyrus calleryana x betulaefolia 'Edgewood'</i>	Grange Place	0	0	18	18
Edgewood Pear	<i>Pyrus calleryana x betulaefolia 'Edgewood'</i>	Skyline Place	0	0	14	14
Edgewood Pear	<i>Pyrus calleryana x betulaefolia 'Edgewood'</i>	Ridgeview Court	0	0	14	14
Gawler Hybrid Bottlebrush	<i>Callistemon viminalis 'Harkness'</i>	Pearce Crescent (North Side)	0	0	18	18
Gawler Hybrid Bottlebrush	<i>Callistemon viminalis 'Harkness'</i>	Paull Street (West Side)	0	0	3	3
Gawler Hybrid Bottlebrush	<i>Callistemon viminalis 'Harkness'</i>	Mugford Street (South Side)	0	1	6	5
Korean Sun	<i>Pyrus fauriei 'Westwood'</i>	Mahoney Street (East Side)	0	1	7	6
Callery Pear	<i>Pyrus calleryana 'Glensform' Chanticleer</i>	Emerald Drive	0	0	52	52
Callery Pear	<i>Pyrus calleryana 'Glensform' Chanticleer</i>	Silverbrook Drive	0	0	24	24
Southworth Dancer Pear	<i>Pyrus betulaefolia 'Southworth' Dancer</i>	Longmire Terrace	0	0	24	24
Southworth Dancer Pear	<i>Pyrus betulaefolia 'Southworth' Dancer</i>	Mahoney Street (West Side)	0	2	12	10
Southworth Dancer Pear	<i>Pyrus betulaefolia 'Southworth' Dancer</i>	Somerset Close	0	4	21	17
Japanese Zelkova	<i>Zelkova Serrata 'Greenvase'</i>	St Martins Drive	0	5	19	14
			0	14	308	294

- (c) Council acknowledge and receive additional correspondence from the residents of 7 Emerald Drive and 16 Ridgeview Court, requesting that a tree not be planted adjacent to their property, and exclude these two properties in the tree planting schedule for the 2017 Street Tree Program.

Cr Richardson seconded

Carried

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

Cr Von Stanke seconded

Carried

Cr Greco voted in favour of the motion.

6. PROPERTY MANAGEMENT - Railway Lands Redevelopment Project - Construction of Margaret Street Walkway - Ref. AF13/439

The Presiding Member reported:

- (a) Following a report presented in February this year, Council resolved in March 2016 that: "an amount of \$300,000 (already provided for in the draft Budget) be now formally allocated to the Margaret Street (Rail Lands) Walkway/Facilities project as per the report received at Council on 16th February, 2016";
- (b) the works listed were to construct a north-south walkway on land owned at 24 Margaret Street. This allotment currently contains an industrial shed that is listed as a contributory place in the Mount Gambier Heritage Survey. The proposed walkway will connect the Railway Lands Plaza area with Margaret Street and the Olympic Park precinct;

- (c) the existing shed is approximately 170m² (3 bays) with timber wall frames, trusses and an elevated timber floor with galvanised iron external cladding and roof. The roof has a unique curved ventilated ridge. Four original sliding doors also still remain. The overall condition of the shed is quite good other than the external cladding and gutters which have failed or been subject to vandalism in recent years. The roof and wall failures have lead to some minor deterioration of the floor in parts;
- (d) the concept plan (presented in February) was to retain the building by removing the middle section to create the walkway and utilise the bays of the shed either side of the walkway as storage and simple toilet facilities;
- (e) feedback resulting from the numerous events held at the Railway Lands indicates the community's strong desire to have significant toilet facilities, a water point and three phase power for events and activities adjacent to eastern lawn and southern edge of the site;
- (f) a more detailed plan has been developed (attached to the Operational Services Committee agenda) that better reflects the community needs of the site. The revised concept retains the shed by converting it into consolidated toilet facilities (including a cleaners room) on the western side, one large storage room on the eastern side and clearing out the centre bay walls and floor to enable the walkway through the building (as per the original concept);
- (g) the increased number of toilets will provide a much better facility (similar to the James Street facilities) to the site and reduce the number of toilets required to be hired by event managers. This toilet facility will complement the toilets that exist in the Railway Station building (earmarked for further restoration) and the new dual disabled toilets located at the western end of the site in the former Signal Box;
- (h) the proposed cost to refurbish this shed including toilets, a new electrical system, lighting, security, water points, removal of asbestos and ramps for access was estimated at approximately \$152,000. The urban realm works to complete the walkway as per the attached concept was estimated at approximately \$148,000. Council Officers believe the revised concept is a much more practical design solution and does not significantly alter the original scope of works so therefore the original cost estimate is still relevant.

Cr Mutton moved it be recommended:

- (a) The report be received;
- (b) Council proceed with the Margaret Street Walkway project in accordance with the revised concept to the amount of \$300,000 as per the 2016/2017 budget allocation.

Cr Richardson seconded

Carried

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

Cr Richardson seconded

Carried

7. PROPERTY MANAGEMENT - 18 Ferrers Street (Former Red Cross) - Demolition of Building - Ref. AF16/288

The Presiding Member reported:

- (a) Council resolved on the 16th August 2016 to ‘*proceed with the demolition of the former Red Cross building located at 18 Ferrers Street, with costs to be debited to Account 7900.3999*’;
- (b) tenders were advertised on 6th September 2016 and closed on 30th September 2016. Two (2) tenders were received for the demolition of the building at 18 Ferrers Street and these are summarised in the following table:

Tenderer	Cost (ex. GST)	Notes
GT Bobcat	\$25,550	<ul style="list-style-type: none"> • 28 years with demolition experience documented; • Demolition risk assessment provided – but not specific to this project; • Commitment to timeframe included in quotation; • Project management plan template provided; • Traffic management policy provided but no traffic management plan; • Subcontracting asbestos removal to South East Asbestos (local).
SMB Civil	\$20,230	<ul style="list-style-type: none"> • 9 years with desired experience documented; • Only blank generic risk assessment provided; • No firm commitment to timeframe; • Site set-up details not provided; • Traffic management plan not provided; • Subcontracting asbestos removal to AAA Asbestos Solutions (local).

- (c) as per Council’s P420 Procurement and Disposal of Lands and Assets Policy, each tender submission was assessed against a pre-determined and documented set of criteria and was undertaken individually by a panel comprising three Council Officers of which one was not involved in the development of the Tender specification or will be involved in the management of the Tender Contract;
- (d) the following is the summary of these assessments:

Name of Tenderer	Evaluator 1	Evaluator 2	Evaluator 3	Average Score	Ranking
SMB Civil	65	69	60	65	2
GT Bobcat	61	71	69	67	1

- (e) although the average score of the tender assessments ranked GT Bobcat higher than SMB, the result of the analysis was very close. On this ranking alone it is difficult to justify the 25% cost difference between the two tenders.

Cr Mutton moved it be recommended:

- (a) The report be received;
- (b) Council accept the tender of SMB Civil for the demolition and removal of the building at 18 Ferrers Street (former Red Cross building) in accordance with the requirements of tender documents AF16/288 at a price of \$20,230 (excluding GST) and confirm in writing their commitment to meeting the project completion deadline of 25th November 2016.

Cr Von Stanke seconded

Carried

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

Cr Von Stanke seconded

Carried

8. PROPERTY MANAGEMENT - Advisory Group - Report of the Aquatic Centre Management Advisory Group meeting held Wednesday, 28th September 2016 - Ref. AF11/1370

The Presiding Member reported:

(a) The Aquatic Centre Management Advisory Group met on Wednesday, 28th September 2016 at 7:00 a.m. This meeting was attended by:

- Cr Mark Lovett, City of Mount Gambier
- Daryl Sexton, Director Operational Services
- Peter Collins, Manager Aquatic Centre

(b) the matters discussed were as follows:

Pre Season Works

1. Pool

- New inflatable now on site.
- New roller covers now in place.
- Wet deck gutter sealing - epoxy to seal gutters has not had the coverage anticipated.
- Shade covers back on the pools and shade area.
- Manual vacuuming as commenced.

2. Heat Exchanger

- Needs to be replaced, source a new one.

3. Auto Vac

- To be sent away for servicing.

4. Boiler Maintenance

- Maintenance repairs due 9th - 15th October, 2016.

5. Wood Chips

- Delivery to start next week.

6. Solar Panels

- Still waiting on the anti-islanding device.

7. Staffing

- Very stable this year.

8 Swim School

- Enrolments now online - significant change in operational procedures but a good investment (UDIO).

9. Painting

- Still a couple of ceilings to be painted.

Cr Mutton moved it be recommended:

(a) The report be received and contents noted.

Cr Von Stanke seconded

Carried

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

Cr Von Stanke seconded

Carried

CORPORATE AND COMMUNITY SERVICES

1. FINANCIAL STATEMENT – as at 30th September, 2016

Cr Persello moved the amended financial statement as at 30th September, 2016 be received.

Cr Greco seconded

Carried

Pursuant to Division 3 - Conflict of Interest, Section 74 of the Local Government Act 1999, Cr Steve Perryman disclosed a perceived conflict of interest in Item 2: *“I and persons related to me are members and participants for the following Clubs/Organisations which are Members of the Fund: Basketball Mount Gambier, East Gambier Football Club, East Gambier Netball Club. Persons related to me were members and participants of the Mount Gambier and District Little Athletics during the period referenced in the report, however, no person related to me is named personally or has been a nominee to, or recipient of the fund ever.”*

Cr Perryman dealt with the perceived conflict of interest in the following transparent and following way: *“As this is a case of 'potential' perceived interest I will remain in the Chamber for the debate and voting.”*

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

2. FINANCIAL MANAGEMENT - Committees - City of Mount Gambier Junior Sports Assistance Fund - Minutes of Thirty First Annual General Meeting held 14th September, 2016 - Ref. AF11/725

Cr Persello moved:

(a) the minutes of the City of Mount Gambier Junior Sports Assistance Fund Thirty First Annual General Meeting held on 14th September, 2016 be received;

(b) the recommendations of the Junior Sports Assistance Fund be adopted by Council:

1. STATEMENT OF INCOME AND EXPENDITURE - for period ended 30th June, 2016

(a) The Statement of Income and Expenditure for the period ended 30th June, 2016 detailing payments to or payments from the Fund with a 30th June, 2016 audited cash balance of \$69,135.30 be received and adopted

2. GENERAL DEVELOPMENTS SINCE THIRTIETH ANNUAL MEETING

(a) The reports be received.

3. GENERAL MATTERS

(a) The reports be received.

4. SUB COMMITTEE APPOINTMENTS – authority to make decisions on applications

(a) The reports be received.

5. **APPLICATIONS FOR FINANCIAL ASSISTANCE** - Discretionary Assistance
 - (a) The reports be received.
6. **APPLICATIONS FOR ASSISTANCE** – Denied
 - (a) The reports be received.
7. **MEMBER ORGANISATION CONTRIBUTIONS 2016/2017**
 - (a) The report be received;
 - (b) The Member Organisation contributions for the 2016/2017 financial year continue to be based on the funding formula as adopted at the Annual Meeting of Members held on 2nd August 2005 and as attached to this agenda (in respect of the required 2016/2017 contributions);
 - (c) The “previous five (5) year annual average” be interpreted and calculated on a rolling basis i.e. the previous five (5) year annual average include the then financial year just ended so that the Member Organisation contributions reflect the most current figures and the minimum payment of \$400 and the maximum payment of \$800 apply for the 2016/2017 financial year

(Committee to consider and make final decision re 7(c)).
8. **COMMERCIAL CLUB EXCEPTIONAL JUNIOR AWARD** - Annual Grant Initiative
 - (a) The reports be received.
9. **FINANCIAL SUPPORT TO JUNIORS - NOT ABLE TO ATTEND THE NATIONAL EVENT DUE TO INJURY OR ILLNESS**
 - (a) The reports be received.

Cr Richardson seconded

Carried

Cr Perryman voted in favour of the motion.

Pursuant to Division 3 - Conflict of Interest, Section 74 of the Local Government Act 1999, Mark McShane disclosed a perceived conflict of interest in Item 3: *“My daughter is a Member of the Blue Lake Y Swim Club and my wife is Treasurer.”*

Mark McShane dealt with the perceived conflict of interest in the following transparent and following way: *“The Junior Sports Assistance Fund has made the decision under declaration so no decision now to be made.”*

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

Pursuant to Division 3 - Conflict of Interest, Section 74 of the Local Government Act 1999, Cr Steve Perryman disclosed a perceived conflict of interest in Item 3: *“I and persons related to me are members and participants for the following Clubs/Organisations which are Members of the Fund: Basketball Mount Gambier, East Gambier Football Club, East Gambier Netball Club. Persons related to me were members and participants of the Mount Gambier and District Little Athletics during the period referenced in the report, however, no person related to me is named personally or has been a nominee to, or recipient of the fund ever.”*

Cr Perryman dealt with the perceived conflict of interest in the following transparent and following way: "As this is a case of 'potential' perceived interest I will remain in the Chamber for the debate and voting."

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

3. GOVERNANCE – Committees – City of Mount Gambier Junior Sports Assistance Fund (Section 41) – Minutes of Meeting held 14th September, 2016 – Ref. AF11/725

Cr Persello moved:

- (a) the minutes of the City of Mount Gambier Junior Sports Assistance Fund Meeting held on 14th September, 2015 be received;**
- (b) the recommendations of the Junior Sports Assistance Fund be adopted by Council;**

1. FINANCIAL STATEMENT AS AT 31ST AUGUST, 2016

- (a) The financial statement as at 31st August, 2016 be received noting a cash balance of \$76,290.00**

2. APPLICATIONS FOR FINANCIAL ASSISTANCE FOR JUNIORS FROM 4TH JUNE, 2016 TO 31ST AUGUST, 2016

- (a) The actions in making the above payments from the Fund be confirmed and ratified.**

3. APPRECIATIONS - letters received/forwarded

- (a) The report be received.**

4. GENERAL INFORMATION - Since 1st July 2015

- (a) The reports be received.**

5. OTHER APPLICATIONS

- (a) The report be received.**

6. MEMBER CONTRIBUTIONS - Unpaid Membership 2015/2016

- (a) The report be received.**

7. NEW MEMBER - MOUNT GAMBIER SWIMMING CLUB

- (a) The report be received.**

8. COACHING CLINICS APPLICATIONS - Annual Call for 2016

- (a) The report be received;**
- (b) The following application(s)/funding be made available in 2016 to the Member Organisation named below to assist in the conduct of specialised coaching clinics in accordance with the guidelines for**

such Clinics and funded by the Mount Gambier and District Bendigo Community Bank:

- (i) Blue Lake Y Swim Club
 - (ii) Limestone Coast Football Association
 - (iii) Mount Gambier And Districts Pony Club
 - (iv) Mount Gambier Swimming Club
 - (v) Mount Gambier & District Baseball League
- (c) the successful Member Organisations to be reminded of their obligations to the Bendigo Community Bank as detailed at (d) above.

Cr Lovett seconded

Carried

Cr Perryman voted in favour of the motion.

4. **GOVERNANCE – Committees – Strategic Planning Sub-Committee – Minutes of Meeting held 21st September, 2016 – Ref. AF15/366**

Cr Persello moved:

- (a) the Minutes of the Strategic Planning Sub-Committee Meeting held on 21st September, 2016 be received;
- (b) the following recommendations of the Strategic Planning Sub-Committee be adopted by Council:
 - 1. **BEST PEOPLE BEST COMMUNITY – Service Review – Draft Service Register, Ref. AF16/185**
 - (a) The report and the Draft Service Register be received and provided to all Council Members and staff for information and perusal.
 - 2. **BEST PEOPLE BEST COMMUNITY – Service Review – update – Ref. AF16/185**
 - (a) The report be received and the contents noted.
 - 3. **STRATEGIC PLANNING SUB COMMITTEE – Next Meeting, Ref. AF15/266**
 - (a) The report be received and the next meeting of the Strategic Planning Sub-Committee be noted.

Cr Lovett seconded

Carried

5. **GOVERNANCE – Committees – Community Engagement and Social Inclusion Sub-Committee – Minutes of Meeting held 26th September, 2016 – Ref. AF15/500**

Cr Persello moved:

- (a) the Minutes of the Community Engagement and Social Inclusion Sub-Committee Meeting held on 26th September, 2016 be received;

(b) the following recommendations of the Community Engagement and Social Inclusion Sub-Committee be adopted by Council:

1. **GUEST SPEAKER** – Mr Glenn Ahern, Mount Gambier Prison

Due to a late apology this presentation is to be rescheduled.

2. **RECONCILIATION ACTION PLAN** – Reconciliation Action Plan Progress Table

(a) The Reconciliation Action Plan progress table be received.

3. **KEY FOCUS AREAS** – Key Focus Area Progress Table

(a) The Community Engagement & Social Inclusion Key Focus Area progress table be received and noted for information.

4. **LIMESTONE COAST COMMUNITY SERVICES ROUNDTABLE** – Update

(a) the report on the Limestone Coast Community Services Roundtable be received.

Cr Lovett seconded

Carried

6. **CORPORATE AND COMMUNITY SERVICES REPORT NO. 66/2016** - Interim Budget (Introduction of Work In Progress Allocations 2015/2016 to 2016/2017) – Ref. AF14/427

Cr Persello moved:

(a) Corporate and Community Services Report No. 66/2016 be received;

(b) the Interim Budget Update (introduction of Work in Progress allocations from 2015/2016 to 2016/2017) as presented with this Report be adopted by Council with all amendments to be made to the 2016/2017 Council Budget.

Cr Richardson seconded

Carried

7. **CORPORATE AND COMMUNITY SERVICES REPORT NO. 67/2016** - Investment Review – Yearly Report - 1st July 2015 - 30th June 2016 – Ref. AF11/684

Cr Persello moved:

(a) Corporate and Community Services Report No. 67/2016 detailing the Yearly Investment Review Report for 2015/2016 be received.

Cr Lynagh seconded

Carried

Pursuant to Division 3 - Conflict of Interest, Section 74 of the Local Government Act 1999, Mark McShane disclosed a material conflict of interest in Item 8: *“My daughter is a Member of the Blue Lake Y Swim Club and my wife is Treasurer”*.

I intend to deal with the perceived conflict of interest in the following transparent and accountable way: *“Will not participate.”*

Mark McShane did not participate in the meeting and left the room at 6.22 p.m.

8. **CORPORATE AND COMMUNITY SERVICES REPORT NO. 68/2016** - Sport And Recreation Major Capital Works Program 2016/17 – Ref. AF15/251

Cr Persello moved:

- (a) Corporate and Community Services Report No. 68/2016 be received;
- (b) the \$70,000 allocated for distribution to the 2016/2017 Sport and Recreation Major Capital Works Program, be distributed as follows:

<u>Applicant</u>	<u>Priority</u> (Score)	<u>Requested</u>	<u>Approved</u>
West Gambier Football Club	1	40,904	40,000
South Gambier Football Club	2	12,000	9,000
Mount Gambier & District Baseball League	3	18,800	14,000
Blue Lake Soccer Club	4	9,400	7,000
Mount Gambier Tennis Club	5	17,292	0
Blue Lake Y Swim Club	6	4,400	0
		\$85,504	\$70,000

- (c) All applicants be notified accordingly, advising that the provision and acquittal of these grant funds will always be subject to:

- all necessary land holder and development approvals being obtained; and
- all works being completed in accordance with all relevant legislative and compliance standards

Cr Greco seconded

Carried

Mark McShane returned to the meeting at 6.24 p.m.

9. **CORPORATE AND COMMUNITY SERVICES REPORT NO. 69/2016** - China Engagement – Update – Ref. AF13/306

Cr Persello moved:

- (a) Corporate and Community Services Report No. 69/2016 be received.

Cr Richardson seconded

Carried

10. **CORPORATE AND COMMUNITY SERVICES REPORT NO 70/2016** - Policy Review – T150 Treasury Management Policy; A130 Investment Policy – Ref. AF11/1950; AF11/1742

Cr Persello moved:

- (a) Corporate and Community Services Report No. 70/2016 be received;
- (b) Council hereby:
 - (i) Adopts new Council Policy T150 – Treasury Management, as attached to this Report;
 - (ii) Deletes former Council Policy (now merged) A130 – Investment Policy;

- (iii) **As a result, makes the necessary amendments to Council's Policy Manual / Index.**
- (c) **Refer the reviewed Policy to Council's Audit Committee for further review.**

Cr Mutton seconded

Carried

COUNCIL ITEMS

1. **GOVERNANCE – Committees – Audit Committee – Minutes of Meeting held 4th October, 2016 – Ref. AF11/863**

Cr Persello moved:

- (a) the minutes of the City of Mount Gambier Audit Committee meeting held on 4th October, 2016 be received;
- (b) the following recommendations of the Audit Committee meeting held on Tuesday, 4th October, 2016 be adopted by Council:

1. **REPORTS FOR INFORMATION**

The report be received.

2. **AUDIT WORK PROGRAM 2014 - 2018 - Ref. AF11/863**

The report be received.

3. **COUNCIL ANNUAL REPORT**

(a) the report be received;

(b) the draft Audit Committee, Annual Report entry be endorsed.

4. **S A GRANTS COMMISSION - COMPARATIVE REPORTS - Ref. AF13/458**

The S A Grants Commission database reports for the 2014/2015 financial year be received for information.

5. **ADOPTION OF AUDITED FINANCIAL STATEMENTS - Ref. AF12/227**

(a) the report be received;

(b) In accordance with Section 126(4)(a) of the Local Government Act 1999 the Audit Committee advises that it has reviewed the annual financial statements of the Council for the year ended 30 June 2016 and is satisfied they present fairly the state of affairs of Council (subject to Final Audit clearance);

(c) The Chief Executive Officer and Presiding Member of the City of Mount Gambier Audit Committee sign the statement to certify the independence of the Council Auditor, Galpins.

6. **FINANCIAL INTERNAL CONTROLS - Internal Audit Program - Ref. AF16/164**

(a) the report be received;

(b) Financial Internal Controls Report No. 05/2016 be endorsed by Council.

7. **FINANCIAL INTERNAL CONTROLS - Internal Audit Program - Ref. AF16/164**

(a) the report be received;

(b) Financial Internal Controls Report No. 06/2016 be endorsed by Council.

Cr Richardson seconded

Carried

Pursuant to Division 3 - Conflict of Interest, Section 74 of the Local Government Act 1999, Cr Josh Lynagh disclosed a material conflict of interest in Item 1: *"I was recently approached as a performer to possibly perform as part of the Fringe Events in 2017. There may be the opportunity for me to earn money and the opportunity to perform at such a highly regarded event"*.

I intend to deal with the perceived conflict of interest in the following transparent and accountable way: *"Will not participate."*

Cr Josh Lynagh did not participate in the meeting and left the room at 6.28 p.m.

Pursuant to Division 3 - Conflict of Interest, Section 74 of the Local Government Act 1999, Cr Frank Morello disclosed a perceived conflict of interest in Item 2: *"Country Arts SA, of which I am an employee, has partnered with the Adelaide Fringe for the Mount Gambier Fringe event. For this reason, there may be a perception that I have a conflict of interest. However, there is no personal gain from the Fringe occurring in Mount Gambier."*

Cr Morello dealt with the perceived conflict of interest in the following transparent and following way: *"I intend to take part in the discussion and vote."*

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

2. FINANCIAL MANAGEMENT - Sponsorship - Major Events - 2017 Fringe in Mount Gambier - Ref. AF16/181

Background

Adelaide Fringe has commenced planning for a regional Fringe event in Mount Gambier at the request of Minister Leon Bignell with seed funding secured from the South Australian Tourism Authority.

The inaugural Fringe in Mount Gambier 2017 will feature two separate weekend events of free and ticketed shows, outdoor activations complimented by month long digital projects. The weekend will deliver a true "Fringe" experience providing the opportunity for audiences to see not just one show, but several interspersed with free outdoor entertainment and food and drink offerings. The presentation of the event will be a wonderful and enriching collaboration between the Mount Gambier community, its venues and businesses, Adelaide Fringe and Country Arts SA and artists from the region, Australia and the world.

Council has received a Major Events Application from Adelaide Fringe seeking a contribution of \$30,000 and in-kind logistics to support the 2017 regional Fringe event in Mount Gambier.

Proposal

The first presentation of 'Fringe in Mount Gambier' will set the foundation for the future growth of the event. Year one in 2017 requires a level of curation from Adelaide Fringe and Country Arts SA to illustrate and inspire independent venue operators, local and interstate artists the opportunities that the umbrella of an open-access can provide.

Once this foundation is set Adelaide Fringe in future years will work closely with independent venues and artists in the hosting of the presentation of Fringe events. A similar model to the City of Adelaide can be developed. Offering venue planning workshops/forums, artist talks and an open registration model for both Artists and Venues.

As the reputation of Mount Gambier as a regional festival location increases, the level of interest from interstate and international artists to perform in the City will also increase, allowing financially sustainable arrangements to occur between venues and artists directly.

Economic Impact

The economic rationale presented in the application has been conservatively estimated at approximately \$401,544 return to the community calculated using the interstate, intrastate and overseas component.

The Adelaide Fringe and Country Arts SA are contributing \$26,800 and the State Government; through the SATC is contributing \$44,000 towards marketing activities, coordination, performers fees and guarantees, event infrastructure, sound & lighting, travel and accommodation.

As an inaugural event it is difficult to predict the economic impact. However the impact will be felt in increased numbers of bed nights by visiting artists and audience member, together with an increase in patronage to local eateries, cultural facilities, and tourist experiences. In addition, local traders involved directly with the feature weekends will have increased revenue streams.

At the conclusion of the event Adelaide Fringe will send out a survey to gauge the economic impact. Survey results will be assessed and analysed by Professor of Economics – Bond University who currently provide economic impact figures for Adelaide Fringe.

The request is seeking an amount of \$30,000 for sponsorship that would need to be a consideration for the 2016/2017 budget allocations against the Cultural Grant Program account.

Extract from the Cultural Fund Guidelines

The Cultural Fund Program will encourage projects and provide opportunities that make a positive contribution to the City and demonstrate consistency with outcomes from Council's Community Plan including the following key strategies:

- *City streets and open spaces alive with arts and culture*
- *a stimulating place that inspires artists*
- *greater appreciation of Boandik art, culture and heritage*
- *cultural events and festivals make the City an attractive destination*

Creative Spaces Supports projects with priorities to:

- *Activate public spaces and key Council priority areas to encourage creative and social interaction;*
- *Partner with local businesses to create a vibrant street culture;*
- *Develop stimulating spaces that attract visitors and create a sense of community attachment;*
- *Add to the City's profile as a vibrant and culturally diverse destination.*

Initiatives may include, but are not limited to, installations, urban art, sculptures, projection, screen art, multi-artform, performance, live art, new media.

Creative City Supports projects with priorities to:

- *Stimulate cultural and artistic exchange;*
- *Link with professional artists to build cultural community capacity;*
- *Add to the City's profile as a vibrant and culturally diverse destination;*
- *Contribute to social well-being through artistic and cultural participation;*
- *Produce high quality artistic and cultural works that celebrate Mount Gambier's distinct arts, culture and heritage;*
- *Increase access for the community to an artistic, cultural or multi cultural experience.*

Projects may focus on, but are not limited to, performing and visual arts, literature, film, design, multi-media, history and heritage and their expression through public debate, festivals, exhibitions, performances and public celebrations.

Appointment of local Fringe Ambassadors Adam Page and Louise Adams will ensure that the proposed Fringe in Mount Gambier event presents a strong cultural development opportunity that provides our local artists a forum to engage and learn from visiting artists in a supported environment.

Further discussion regarding logistics and in kind support for the event are pending Council's decision.

A copy of the request for funding has been attached for information.

Cr Perryman moved:

- (a) Major Events – 2017 Fringe in Mount Gambier report be received;**
- (b) Council commend the Minister of Tourism Mr Leon Bignell and Minister Jack Snelling for their initiative;**
- (c) Council approve the allocation of \$30,000 sponsorship for the 2017 plus an estimated \$5,000 in kind support, provision for this non budgeted item is to be made by adjustment to the Council's 2016/17 Budget via the next Budget Review;**
- (d) Funding for the Fringe in Mount Gambier 2017 is conditional upon the proponents obtaining funding from all identified sources and any required approvals from relevant authorities;**
- (e) A committee be established that includes representation from Adelaide Fringe, Country Arts SA, local Fringe Ambassadors and a nominee of the City of Mount Gambier to oversee the implementation of the proposal. Such committee to be established under the auspices of Adelaide Fringe, to meet at least monthly and to provide copies of its meeting minutes, budget updates and programming to funding partners;**
- (f) Council be provided with a copy of the final event evaluation;**
- (g) Subject to evaluation of outcomes of the initial 2017 event, Council seek to negotiate a further 3 year funding commitment with identified funding parties.**

Cr Mutton seconded

Carried

Cr Morello voted in favour of the motion.

Cr Josh Lynagh resumed the meeting at 6.43 p.m.

MOTION WITH NOTICE - Nil

MOTION(S) WITHOUT NOTICE -

1. **SOCIAL, CULTURAL AND COMMUNITY SERVICES** - Domestic Violence - Violence Against Women Collaboration - Ref. AF11/2284

Cr Greco moved:

- (a) Council invite Susie Smith, Limestone Coast Domestic Violence Service Manager to a Members Informal Workshop to discuss the Violence Against Women Collaboration and what role Council can play in an advocacy role.

Cr Von Stanke seconded

Carried

2. **GOVERNANCE** – Appointment of Members on Committees and Other Bodies & Organisations - Ref. AF11/854

Cr Richardson moved:

- (a) Mr Daryl Sexton, Director - Operational Services be endorsed as Council's nominee for the Limestone Coast Local Government Associations Limestone Coast Climate Adaptation Committee.

Cr Mutton seconded

Carried

3. **LETTERS OF APPRECIATION** - Ref. AF15/635

Cr Perryman moved:

- (a) Superintendent Twilley be thanked for his outstanding service to the community, his involvement with community initiatives and his support and communication with the City of Mount Gambier.

- (b) Council extend it best wishes to Superintendent Twilley for the future.

Cr Persello seconded

Carried

CONSIDERATION FOR EXCLUSION OF PUBLIC

Cr Morello moved that the following Agenda 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 Councillors - Mayor A Lee, Cr Christian Greco, Cr Mark Lovett, Cr Josh Lynagh, Cr Frank Morello, Cr Des Mutton, Cr Steven Perryman, Cr Hanna Persello, Cr Penny Richardson and Cr Ian Von Stanke and Council Officers - M McShane, G Humphries, D Sexton, B Cernovskis, G Button and M Telford) be excluded from the meeting in order for the Agenda Item (Financial Management - Caroline Landfill - Economic Analysis - Ref. AF16/159) to be considered in confidence.

The Committee is satisfied that, pursuant to section 90(3)(b) of the Act the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which could reasonably be expected:

- would prejudice the commercial position of the Council.

In forming the abovementioned position the Council has considered that the operations to be considered relate to a business unit of Council with commercial clientele and, if the information contained in the item were disclosed prior to the making of an informed decision, it would be anticipated that such clientele would lobby and attempt to influence deliberations and decision making to the detriment of the commercial business position of Council in relation to the matter.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information. The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the communities interests (particularly current and future ratepayers who will effectively underwrite any loss/risk associated with the business operations) must be considered ahead of any others commercial operators that may benefit from the business operations and any financial decisions.

<u>Item No.</u>	<u>Subject Matter</u>	<u>S90 (3) Grounds</u>
10.	<u>FINANCIAL MANAGEMENT</u> - Caroline Landfill - Economic Analysis - Ref. AF16/159	(b)

Cr Von Stanke seconded

Carried

Cr Perryman left the meeting at 6.50 p.m. and did not return.

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Cr Lovett that the following Agenda 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 Councillors - Mayor A Lee, Cr Christian Greco, Cr Mark Lovett, Cr Josh Lynagh, Cr Frank Morello, Cr Des Mutton, Cr Hanna Persello, Cr Penny Richardson and Cr Ian Von Stanke and Council Officers - M McShane, G Humphries, D Sexton, B Cernovskis, G Button and M Telford) be excluded from the meeting in order for the Agenda Item (Operational Services Report No. 7/2016 - Tender AF16/277 - Caroline Landfill Development (Stage 3), Construction of Cell 3 (B & C) and Leachate Pond 4 - Ref. AF16/277) to be considered in confidence.

The Committee is satisfied that, pursuant to section 90(3)(k) of the Act the information to be received, discussed or considered in relation to this Agenda Item are tenders for:

- the carrying out of works.

The tender relates to the construction of sub cells 3B and 3C as well as an additional leachate pond at the Caroline Landfill.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information to be considered contains tender pricing from local contractors including for separate staged (unfunded future) works that may be the subject of further negotiations before a final decision is made and a contract entered into for the future works.

<u>Item No.</u>	<u>Subject Matter</u>	<u>S90 (3) Grounds</u>
13.	<u>OPERATIONAL SERVICES REPORT NO. 7/2016 - Tender AF16/277 - Caroline Landfill Development (Stage 3) Construction of Cell 3 (B & C) and Leachate Pond 4</u>	(k)

Cr Mutton seconded

Carried

13. OPERATIONAL SERVICES REPORT NO. 7/2016 - Tender AF16/277 - Caroline Landfill Development (Stage 3), Construction of Cell 3 (B & C) and Leachate Pond 4 - Ref. AF16/277

Cr Richardson moved it be recommended

- (a) Operational Services Report No. 7/2016 be received;
- (b) Council accept the tender of Gambier Earth Movers for the construction of Cell 3B at the Caroline Landfill for a tender price of \$905,929.50 as per their tender submission (Tender AF16/277).

Cr Von Stanke seconded

Carried

Cr Mutton moved the recommendation of the Operational Services Committee as contained in item 13 be adopted.

Cr Greco seconded

Carried

Item 13 was considered In Confidence. A decision was made by Council and the item no longer remains In Confidence.

Meeting closed at 6.56 p.m.

MJT