

MINUTES OF ORDINARY COUNCIL MEETING

Meeting held at the Council Chamber, Civic Centre, 10 Watson Terrace, Mount Gambier
on Tuesday, 19 February 2019 at 6.00 p.m.

PRESENT

Mayor Lynette Martin OAM

Cr Ben Hood
Cr Steven Perryman (arrived at 6.03 p.m.)
Cr Sonya Mezinec
Cr Kate Amoroso
Cr Max Bruins
Cr Christian Greco
Cr Paul Jenner

COUNCIL OFFICERS

Chief Executive Officer	-	Mr G Maxwell
General Manager Community Wellbeing	-	Ms B Cernovskis
General Manager Council Business Services	-	Mrs P Lee
General Manager City Growth	-	Dr J Nagy
General Manager City Infrastructure	-	Mr N Serle
Manager Executive Administration	-	Mr M McCarthy
Manager Development Services	-	Mrs T Tzioutziouklaris
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

Apology received from Cr Frank Morello

That the apology from Cr Morello be received.

Moved: Mayor Martin

Seconded: Cr Bruins

Carried

2. LEAVE OF ABSENCE

Nil

Cr Perryman arrived at 6.03 pm

3. CONFIRMATION OF COUNCIL MINUTES

Ordinary Meeting held on 15 January 2019

Special Meeting held on 23 January 2019



That the minutes of the Ordinary Council meeting held on 15 January 2019 and the minutes of the Special Meeting held on 23 January 2019 as attached be confirmed as accurate records of the proceedings of the meetings.

Moved: Cr Meziniec

Seconded: Cr Greco

Carried

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

That the Mayoral report made on 19 February 2019 be received.

- Library Summer Reading Club - End of Club Party
- Australia Day Celebrations
- 2019 Naval Club Annual Dinner
- Liberty Church Combined Meeting - Heads of Public Services
- Council's Waste Tour
- Sport and Rec Centre Committee Meeting
- Guest Speaker - U3A AGM
- Official Opening MJ/Phoenix Dance Studio
- Meeting with State Leader and local representative Salvation Army
- Private Citizenship Ceremony
- Flinders University Rural Health SA 2019 Rural Placements Commencement Function
- Citizenship Ceremony
- LCLGA GM and AGM - Kingston SE
- Attendance at Park Run 9 Feb 2019
- With CEO meeting with representatives from Country Arts SA
- Strategic Standing Committee Meeting
- Meeting with Boandik Chief Executive Officer
- Operational Standing Committee Meeting
- Launch of Libraries SA App - Get Appy
- Farewell for Chief Executive Officer
- NF McDonnell and Sons 75 Year Celebration
- Visit to Hamilton Sport and Recreation Centre
- Greet and Welcome Interim Chief Executive Officer on arrival in Mount Gambier

Moved: Mayor Martin

Seconded: Cr Bruins

Carried

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

Member

Cr Amoroso Australia Day Breakfast Celebrations, Launch Library SA App, Tertiary Health Education Grant Launch

Cr Bruins Australia Day Breakfast Celebrations, Citizenship Ceremony, Visit to Hamilton Indoor Leisure and Aquatic Centre

Cr Greco Australia Day Celebrations



Cr Hood	N F McDonnell 75 th Anniversary, Visit to Hamilton Indoor Leisure and Aquatic Centre
Cr Jenner	Australia Day Breakfast Celebrations, Citizenship Ceremony, Public Lighting Working Group Meeting, LCLGA Waste Management Meeting, Announcement of State Government Funding of \$10 for Community and Recreation Hub, Mandatory Elected Member Training - Modules 3 and 4
Cr Mezinec	Announcement of State Government Funding of \$10m for Community and Recreation Hub, ABC Interview re State Government Funding for Community and Recreation Hub, Meeting with Minister David Ridgeway and Flinders University eNVles Visit, Tertiary Health Education Grant Launch, Australia Day Breakfast Celebrations, Country Arts SA Launch, Visit to Hamilton Indoor Leisure and Aquatic Centre, WIBRD 2019 Launch
Cr Perryman	Mandatory Elected Member Training - Modules 3 and 4

That the reports made by Councillors on 19 February 2019 be received.

Moved: Mayor Martin

Seconded: Cr Perryman

Carried

6. QUESTIONS WITH NOTICE

6.1. Cr Amoroso presented the following questions on notice:

- (i) Does the Local Government Act 1999 or any City of Mount Gambier Council Policy prevent Elected Members from speaking to media on any particular Council issue, as long as it is expressed to be their own personal point of view?

Answer:

No, noting that Elected Members also have other behavioural expectations that must be complied with as detailed further in Council Report No. AR19/6373 as contained within the agenda for this meeting.

- (ii) When an Elected Member is speaking to the media and expressing their own personal point of view about a Council matter and not speaking on behalf of the Council, under the Local Government Act 1999, is the Mayor able to stop an Elected Member from speaking to the media?

Answer:

No, again noting further commentary in Council Report No. AR19/6373 as contained within the agenda for this meeting.



- (iii) How much would it cost the City of Mount Gambier Council to livestream Council Meetings through the Council's facebook page?

Answer:

Without knowing the scope and parameters of this question we are unable to provide a cost to live stream Council meetings.

To provide a cost estimate we require the scope and an understanding of the outcomes being sought, for example the streaming quality expected, hardware and software requirements, captioning, achieving, staff or professionals time to do so etc.

Once we have further guidance from Council regarding the scope and desired outcomes, we can consider this as part of the Media and Communications strategy and undertake further research into offering this service including an estimate of costing.

6.2. Cr Bruins presented the following question on notice:

- (i) Have Council previously investigated the "My Local Services" app and passed a motion not to make the app available for use by residents of the City of Mount Gambier?

Answer:

No record has been found of Council passing a motion to not make the LGA's 'My Local Services' App available to residents of the City of Mount Gambier.

The LGA App uses a different web platform (Unity) to Council's website platform (Simple). There are a number of apps available for members of the public to notify local Councils, utilities or other authorities of any issues that needs addressing. An example is the 'Snap Send Solve' app. Some apps like the LGA App requires Council to actively maintain information and data accessed on the App.

The type of information and opportunity to raise a request for service via the LGA's My Local Services App is also available on Council's council websites.

6.3. Cr Bruins presented the following question on notice:

- (i) Can the Presiding Member of the Chief Executive Officer Selection and Recruitment Committee provide an update to Council as to the Committee's progress in relation to the recruitment of a replacement Chief Executive Officer for the City of Mount Gambier?



Answer:

McArthur, the company engaged for the recruitment of Council's new CEO have had a good response and have conducted initial interviews with candidates and presented a long/short list to Council's CEO Replacement Committee for consideration and discussion will take place this week to create a short list of candidates for interview next week.

6.4. Cr Perryman asked Questions of the Chief Executive Officer at the December Council Meeting and followed these questions up at the January Council Meeting.

Answer:

Three memos containing information have been provided via the Friday Edition in response to Cr Perryman's questions. The memos were:

- 21/12/2018 - Non-Elected Committee Member Record Keeping Requirements (Friday Edition 21/2/2018)
- 24/12/2018 - Records Management Obligations (Friday Edition 25/1/2019)
- 25/01/2019 - Confidential Information - Communications and Contractors, Subcontractors and Developers Friday Edition 8/2/2019).

The questions and answers are contained within the 3 attached memos.

7. QUESTION WITHOUT NOTICE

Nil

8. PETITIONS

Nil

9. DEPUTATIONS

Nil

10. NOTICE OF MOTION TO RESCIND OR AMEND

10.1 Strategic Management - Council and Committee Policies Review and Development - AF18/56

To provide a process and timeline for the review of Council Policies C305, M240 and M405, and taking into consideration the other strategic priorities of Elected Members, I Mayor Martin, give notice of the following motions to rescind and replace Resolutions passed at the 15 January Council meeting:

- (a) That the resolutions associated with Items 15.1, 15.2 and 15.3 as passed at the 15 January 2019 Council Meeting be amended as follows:



- 15.1 *Review of Council Policy C305*
- (a) *Resolution (a) be deleted*
- (b) *The matter be referred to the March meeting of the Strategic Standing Committee for further consideration.*
- 15.2 *Review of Council Policy M240*
- (a) *The Strategic Standing Committee undertake a review of Council Policy M240 Members Access to Information at the March meeting and submit recommendations on any proposed amendment to Council.*
- 15.3 *Review of Council Policy M405*
- (a) *The Strategic Standing Committee undertake a review of Council Policy M405 Members Allowances and Benefits at the March meeting and submit recommendations on any proposed amendment to Council.*

Moved: Mayor Martin

Seconded: Cr Greco

Carried

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

17/01/2019	Community and Recreation Hub Survey Outcome
31/01/2019	Community and Recreation Hub Next Steps

Records of proceedings are attached.

That the Record of Proceedings for the Community and Recreation Hub Survey Outcome and the Community and Recreation Hub Next Steps Workshops held 17 January 2019 and 31 January 2019 be received and the contents noted.

Moved: Cr Hood

Seconded: Cr Jenner

Carried

12. ELECTED MEMBER TRAINING AND DEVELOPMENT - Ref. AF11/903

Nil submitted.

13. COUNCIL ACTION ITEMS - Ref. AF17/225, AF17/228

Items referred to the Council Meeting held 15 January 2019 and 23 January 2019

That the Action Items referred to the Council Meeting held 15 January 2019 and 23 January 2019 be received.

Moved: Cr Meziniec

Seconded: Cr Bruins

Carried



14. COMMITTEE MINUTES AND RECOMMENDATIONS

14.1. Minutes of Strategic Standing Committee - 11 February 2019

That the minutes of the Strategic Standing Committee meeting held 11 February 2019 as attached be noted.

Moved: Cr Hood

Seconded: Cr Mezinec

Carried

14.2. ARC Project: Local Government and Housing in the 21st Century - Report No. AR19/4141

- (a) That Strategic Standing Committee Report No. AR19/4141 titled '*ARC Project: Local Government and Housing in the 21st Century*' as attached be noted.
- (b) Council record of note of thanks to Jessica Porter for her work on her PHD to date.

Moved: Cr Hood

Seconded: Cr Jenner

Carried

14.3. Policy Review - D140 - Development Act - Delegations - Report No. AR19/4146

- (a) That Strategic Standing Committee Report No. AR19/4146 titled '*Policy Review - D140 - Development Act - Delegations*' as attached be noted.
- (b) That *Council Policy D140 - Development Act - Delegations* be reviewed upon the implementation and activation of the relevant parts of the Planning, Development and Infrastructure Act 2016.

Moved: Cr Hood

Seconded: Cr Mezinec

Carried

14.4. Policy Review - D160 - Development Act - Inspection and Copying of Documents - Report No. AR19/4152

- (a) That Strategic Standing Committee Report No. AR19/4152 titled '*Policy Review D160 - Development Act - Inspection and Copying of Documents*' as attached be noted.
- (b) That Council Policy *D160 - Planning - Development Act - Inspection and Copying of Documents* be reviewed upon the implementation and activation of the relevant parts of the Planning, Development and Infrastructure Act 2016.



- (c) That an additional dot point be added to part 3.5 of Council Policy D160 - Development Act - Inspection and Copying of Documents to include photographed.

Moved: Cr Hood

Seconded: Cr Meziniec

Carried

14.5. Minutes of Operational Standing Committee - 12 February 2019

That the minutes of the Operational Standing Committee meeting held 12 February 2019 as attached be noted.

Moved: Cr Greco

Seconded: Cr Jenner

Carried

14.6. Registration of Easement - Development Lot 702, Attamurra Estate - Report No. AR19/2314

- (a) That Operational Standing Committee Report No. AR19/2314 titled '*Registration of Easement - Development Lot 702 Attamurra Estate, Kooyonga Court*' as presented to the Operational Standing Committee on 19 February 2019 be noted.
- (b) That consent be granted to register an easement on Lot 702 (Development Lot) in Certificate of Title Volume 6116 Folio 196 for drainage purposes in favour of the City of Mount Gambier.
- (c) The Mayor and the Chief Executive Officer be authorised to execute and affix the common seal of the City of Mount Gambier to any necessary documentation associated with resolution (b) of Operational Standing Committee Report No. AR19/2314.

Moved: Cr Greco

Seconded: Cr Amoroso

Carried

14.7. Mount Gambier Bowls Club - Vansittart Park - Proposed Canopy over 'B Green' Report No. AR19/4505

- (a) That Operational Standing Committee Report No. AR19/4505 titled '*Mount Gambier Bowls Club - Vansittart Park - Proposed Canopy over 'B Green'*' as presented to the Operational Standing Committee on 12 February 2019 be noted.
- (b) That Council receive and note the deputation of 12/02/2019.



- (c) That Greenline design no 8 is Council's preferred option due to complementing the character of the area.
- (d) The Mount Gambier Bowls Club provide a formal costed submission for the Greenline design no 8 option and alternative options be referred to the 2019/20 budget workshops for discussion.

Moved: Cr Greco

Seconded: Cr Jenner

Carried

14.8. WIN TV John Watson Drive - Grant of Easement - Report No. AR19/4503

- (a) That Operational Standing Committee Report No. AR19/4503 titled '*WINTV John Watson Drive - Grant of Easement*' as presented to the Operational Standing Committee on 12 February 2019 be noted.
- (b) That an independent valuation be obtained to determine an appropriate market value for the consideration value of the grant of easement referred to Operational Standing Report AR18/49656 in recommendation (b) and the cost be charged to WIN TV.

Moved: Cr Greco

Seconded: Cr Jenner

Amendment:

- (a) That Operational Standing Committee Report No. AR19/4503 titled '*WINTV John Watson Drive - Grant of Easement*' as presented to the Operational Standing Committee on 12 February 2019 be noted.
- (b) That WIN TV be advised that Council requires an independent valuation of the subject land to be undertaken at the cost of WIN TV by an independent licensed valuer to be appointed by Council.

Moved: Cr Perryman

Seconded: Cr Meziniec

The amendment was put and

Carried

And as the motion was put and

Lost

Pursuant to Division 3 - Conflict of Interest, Section 75A of the Local Government Act 1999, Cr Ben Hood informed the meeting of a perceived conflict of interest in Item 14.9:

"A company of which I am a Director, Hello Friday is a long term sponsor of the Pioneers Basketball Club".

Cr Hood 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 and vote in relation to the matter."



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

Pursuant to Division 3 - Conflict of Interest, Section 75A of the Local Government Act 1999, Cr Steven Perryman informed the meeting of a perceived conflict of interest in Item 14.9:

"The same as Cr Hood except I am not a sponsor."

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 and vote in relation to the matter."

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

14.9. Pioneers Basketball Inc. - Update Report and Request for Assistance - Report No. AR19/4376

- (a) That Operational Standing Committee Report No. AR19/4376 titled 'Pioneers Basketball Inc. - Update Report and Request for Assistance' as attached be noted.
- (b) Council support the \$15,000 Platinum Sponsorship option.
- (c) Council give delegation to the Chief Executive Officer in consultation with the Mayor for distribution of the tickets.

Moved: Cr Greco

Seconded: Cr Amoroso

Carried

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

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

14.10. Schedule of Fees and Charges - 2019/2020 - Report No. AR19/4412

- (a) That Operational Standing Committee Report No. AR19/4412 titled 'Schedule of Fees and Charges - 2019/2020' as presented to the Operational Standing Committee on 12 February 2019 be noted.
- (b) That Council adopt all recommended of fees and charges identified in the "Schedule of Fees and Charges - 2019/2020" as presented in Operational Standing Committee Report AR19/4412 noting that:
 - (i) Other than those fees and charges that are identified as having specific commencement or review dates, all fees and charges in the "Schedule of Fees and Charges - 2019/2020" will come into effect on 1 July 2019.
 - (ii) Council may see fit to amend any fee or charge as circumstances arise or change.



(iii) Council Administration are authorised to update the “Schedule of Fees and Charges - 2019/2020” with any statutory fees and charges updates as referenced in the relevant Acts, without needing to return to Council for approval.

Moved: Cr Greco

Seconded: Cr Mezinec

Carried

14.11. Community Plan - Quarterly Summary KPI Report - December 2018 - Report No. AR19/4282

- (a) Operational Standing Committee Report No. AR18/4282 titled ‘*Community Plan - Quarterly Summary KPI Report - December, 2018*’ as presented to the Operational Standing Committee on 12 February 2019 be noted.
- (b) The Community Plan Quarterly Summary KPI Report December 2018 be received and endorsed by Council.
- (c) Noting that a staff cultural survey has not been carried out for some time a staff cultural survey be referred to the 2019/2020 budget.

Moved: Cr Greco

Seconded: Cr Jenner

Carried



14.12. Works in Progress - City Infrastructure Report No. AR19/2979

- (a) That Council Report No. AR19/2979 titled '*Works in Progress - City Infrastructure*' as presented to the Operational Standing Committee on 12 February 2019 be noted.

Moved: Cr Greco

Seconded: Cr Jenner

Carried

14.13. On Street Parking - Jubilee Hwy East - Attamurra Rd - Implementation of No Stopping Zones

- (a) That Operational Standing Committee Report No. AR19/2976 titled 'On street parking - Jubilee Hwy East - Attamurra Rd - Installation of no stopping zones' as presented to the Operational Standing Committee on 12 February 2019 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
NO STOPPING
1.1.504

JUBILEE HIGHWAY EAST (NORTHERN HALF)-78 metres west of the intersection with Attamurra Road

Prohibited Area
NO STOPPING
1.1.505

JUBILEE HIGHWAY EAST (NORTHERN HALF)-66 metres east of the intersection with Attamurra Road

To be effective on the installation of appropriate signage

Moved: Cr Greco

Seconded: Cr Hood

Carried



14.14. Infrastructure - Liaison - SA Power Networks (formerly ETSA) Utilities Liaison Ref. AF11/2545

- (a) Council notes the extensive damage done to street trees as a result of recent pruning undertaken by SA Power Networks.
- (b) Council write to SA Power networks expressing its disappointment in the contractors performance and the severe pruning which has diminished the amenity and visual appearance of Mount Gambier streets.
- (c) Mrs Alexandra Lewis, Stakeholder Engagement Lead from SA Power Networks, be invited to attend a future meeting of the Operational Standing Committee of the Corporation of the City of Mount Gambier to discuss how street tree pruning can be better managed in future rounds of their pruning program.
- (d) The General Manager of Infrastructure prepare a presentation (including photos) for the meeting with Mrs Lewis.

Moved: Cr Jenner

Seconded: Cr Greco

Carried

14.15. Financial Management - Budgeting - Annual Budget Preparation - 2018/2019 Financial Year Ref. AF18/108

- (a) Council notes that the total budget for employees in the 2018/19 budget shows an increase of approximately \$1,000,000.00 (one million dollars) more than the 2017/18 actual figures.
- (b) Council notes that the total budget for contracts (and other associated items) in the 2018/19 budget shows an increase of approximately \$1,000,000.00 (one million dollars) more than the 2017/18 actual figures.
- (c) The Chief Executive Officer prepare a detailed and itemised report of spending in the last four years of these budget line items in order to show
 - i. Where council employee costs have altered and why;
 - ii. Where contractor costs have altered and why;
 - iii. Which additional positions have been created or made redundant;
 - iv. Any other relevant matters

Moved: Cr Jenner

Seconded: Cr Greco

Carried



14.16. Infrastructure - Advice - Power Line Environment Committee (PLEC) Circulars and Advice Ref. AF/1196

- (a) The General Manager of Infrastructure prepare a report for the Operational Standing Committee of the City of Mount Gambier for a five stage plan within the City of Mount Gambier for the Power Line Environment Committee 'PLEC' Scheme.
- (b) The 5 stage plan to be costed and presented to the Operational Standing Committee at its March meeting so that it can be considered as part of the 2019/20 budget process.
- (c) The PLEC Committee be invited to meet with the Operational Standing Committee, and undertake an inspection of proposed stages identified in the said report.

Moved: Cr Jenner

Seconded: Cr Perryman

Carried

14.17. GOVERNANCE - Committees - Standing Committee - Operational Committee Ref. AF11/867

- (a) The General Manager of Infrastructure prepare a report for the Operational Standing Committee of the City of Mount Gambier outlining:
 - i. Personnel deficits within the Infrastructure Department of Council;
 - ii. Areas where costs may be reduced by having work undertaken by Council work crews rather than by contractors;
 - iii. Areas where operations may be made more streamlined, efficient or practical by reallocating resources from other departments to the Infrastructure Department.

Moved: Cr Jenner

Seconded: Cr Greco

Carried

14.18. Economic Development - Liaison - Regional Development Australia Limestone Coast RDALC Liaison Ref. AF11/343

- (a) Notes the announcement of a study commissioned by the Commonwealth Scientific and Industry Research Organisation (CSIRO) and Regional Development Australia Limestone Coast (RDALC) into the merit of re-activating freight rail services on the Mount Gambier to Heywood and Mount Gambier to Woolsley lines.



- (b) Adopt a position that a “Northern Rail Bypass” be established prior to the resumption of rail freight services in the Limestone Coast.
- (c) Obtain and distribute to Councillors a copy of the ‘Lander Report’ on freight rail in the South East of South Australia, commissioned by RDALC or it’s processor circa 2005 - 2009.
- (d) Write to the CSIRO and RDALC:
 - i) informing of the significant investment in and development of community infrastructure of the rail corridor in recent years; and
 - ii) raising concern about the impact of a return of freight rail through Mount Gambier; and
 - iii) asking what, if any, consideration is given in the project brief for use of the existing railway easement through the boundaries of the City of Mount Gambier and the effect of freight rail on the community; and
 - iv) asking what, if any, consideration is given in the project brief to the establishment of rail loading facilities/service yards to the north and east of the City as has been the subject of previous discussions between the Corporation of the City of Mount Gambier and the South Australian Department of Transport, and also as part of previous studies into freight rail services in the Limestone Coast Region.
 - v) Suggesting the study consider establishment of a new rail easement to the north-east of the city.
- (e) Council urgently seek a briefing with RDA and other stakeholders regarding the parameters of their study to gain an understanding of the scope and practicalities of this investigation.

Moved: Cr Greco

Seconded: Cr Perryman

Carried

14.19. Minutes of Council Assessment Panel - 17 January 2019

That the minutes of the Council Assessment Panel meeting held 17 January 2019 as attached be noted.

Moved: Cr Jenner

Seconded: Cr Greco

Carried



15. COUNCIL REPORTS

15.1. Attendance at 2019 LGA Showcase and Ordinary General Meeting - Report No. AR19/2917

COUNCIL RESOLUTION

- (a) That Council Report No. AR19/2917 titled '*Attendance at 2019 LGA Showcase and Annual General Meeting*' as presented to the Council on 19 February 2019 be noted.
- (b) That the Mayor be appointed as the delegate to represent Council at the 2019 LGA Showcase and Ordinary General Meeting to be held in Adelaide on Thursday 11 April 2019 and Friday 12 April 2019 at the Adelaide Entertainment Centre, 98 Port Road, Hindmarsh, accompanied by the CEO, with all associated costs to be met by Council.
- (c) Deputy Mayor Cr Sonya Meziniec be appointed proxy delegate to represent Council should the Mayor not be able to attend.
- (d) The Local Government Association be advised Council does not wish to submit any notice of motions.
- (e) Councillors Paul Jenner and Cr Kate Amoroso be registered to attend the 2019 LGA Showcase and Ordinary General Meeting, with all associated costs to be met by Council.

Cr Greco vacated the meeting at 7.42 pm.

Cr Greco resumed the meeting at 7.43 pm.

Cr Bruins vacated the meeting at 7.44 pm

Cr Bruins resumed the meeting at 7.45 pm

Cr Hood vacated the meeting at 7.45 pm

Moved: Mayor Martin

Seconded: Cr Perryman

Carried

15.2. Elected Members Comments to Media - Report No. AR19/6373

COUNCIL RESOLUTION

- (a) That Council Report No. AR19/6373 titled '*Elected Members Comments to the Media*' as presented to the Council on 19 February 2019 be noted.



(b) That Council Members refer to the resources published on the Local Government Association website and provided by the Administration in relation to the Member Code of Conduct.

Cr Hood resumed the meeting at 7.47 pm.

Moved: Cr Perryman

Seconded: Cr Greco

Carried

16. MOTION(S) - With Notice

16.1. Strategic Management - Council and Committee Policies - Review and Development - AF18/56

COUNCIL RESOLUTION

(a) Council supports the concept of livestreaming Council Meetings and calls for a report from staff on the cost and Policy implications surrounding livestreaming for presentation at the next meeting of Council.

Cr Perryman vacated the meeting at 8.02 p.m.

Cr Perryman resumed the meeting at 8.03 p.m.

Moved: Cr Amoroso

Seconded: Cr Greco

The Mayor sought the approval of at least two-thirds of the members present at the meeting to suspend meeting procedures:

Purpose of the Suspension: To discuss the concept of livestreaming Council Meetings in Item 16.1.

Carried by more than two-thirds of the members present at the meeting.

Meeting Procedures were suspended at 8.20 p.m.

The Mayor determined that the period of suspension should be brought to an end.

Carried by more than two-thirds of the members present at the meeting.

The Period of Suspension came to an end and Meeting Procedures resumed at 8.30 p.m.

Carried



16.2. Property Management - Enquiries - AF11/2421

COUNCIL RESOLUTION

- (a) That a report be prepared listing all non-community land and buildings that are owned and not currently utilised by the City of Mount Gambier for operational purposes.
- (b) That the report detail the following information on each property:
 - Address
 - Current/past use
 - Zoning
 - Current lease / licence / occupation arrangements to external parties (if applicable)
 - Current Valuer-General Capital Value
 - any other information the Administration considers relevant
 - any public facing walls
- (c) the report be presented to the March meeting of the Strategic Standing Committee to identify properties that may be surplus to Council's operational requirements and potentially suitable for sale or alternate use.

Moved: Cr Bruins

Seconded: Cr Jenner

Carried

16.3. Health Management - Advocating - Rehabilitation Services - Ref. AF15/362

COUNCIL RESOLUTION

- (a) the City of Mount Gambier Council write to the Federal Minister for Health the Hon. Greg Hunt in support of the actions taken by our Local Member for Barker, Tony Pasin MP calling on them to open up the \$20 million Federal grant funding for assisting with drug rehabilitation services to ensure Mount Gambier has the opportunity to apply and benefit from this funding.
- (b) Council request a meeting with the Federal Minister for Health when he visits the region arriving 27th February 2019.

Moved: Cr Amoroso

Seconded: Cr Hood

Carried



16.4. Animal Management - South East Animal Welfare League - Ref. AF11/134

COUNCIL RESOLUTION

- (a) Council request a tour of the South East Animal Welfare League facilities, to be held prior to the March meeting of the Operational Committee of the City of Mount Gambier;
- (b) Council invite the President (or their representative) to attend the March meeting of the Operational Services Committee of the City of Mount Gambier to discuss the management of their operations;
- (c) Copies of any reports, discussion papers, power point presentations or any other information relating to the existing South East AWL funding agreement and management of Council's responsibilities under the Dog and Cat Management Act be distributed to Councillors.

Moved: Cr Jenner

Seconded: Cr Greco

Carried

16.5. Schools, TAFE and University - Ref. AF11/1599

COUNCIL RESOLUTION

- (a) That Council note Member for Mount Gambier Troy Bell MP's call for the implementation of a regional TAFE SA board;
- (b) That the Mayor, on behalf of Council, write to the Minister for Education, Mr John Gardner MP and Department for Education Chief Executive, Mr Rick Perse outlining:
 - i. A call for the investigation into the implementation of a regional TAFE SA Board for the Limestone Coast.
 - ii. That through a regional board, vocational funding and infrastructure decisions would be made at a grassroots level and focused on training needs and courses that best suit the region's industries.
 - iii. That a regional board would ensure better training outcomes for local people.

Moved: Cr Hood

Seconded: Cr Bruins

Carried



17. MOTION(S) - Without Notice

17.1. WIN TV John Watson Drive - Grant of Easement - Report No. AR19/4503

Mayor sought the approval of at least two-thirds of the members present at the meeting to suspend meeting procedures:

Purpose of the Suspension: To discuss the WIN TV Grant of Easement in Item 17.1.

Carried by more than two-thirds of the members present at the meeting.

Meeting Procedures were suspended at 8.54 p.m.

The Mayor determined that the period of suspension should be brought to an end.

Carried by more than two-thirds of the members present at the meeting.

The Period of Suspension came to an end and Meeting Procedures resumed at 9.06 p.m.

COUNCIL RESOLUTION
(a) That Operational Standing Committee Report No. AR19/4503 titled 'WINTV John Watson Drive - Grant of Easement' as presented to the Operational Standing Committee on 12 February 2019 be noted.
(b) That Council respectfully decline the request for grant of easement to WIN TV.

Moved: Cr Perryman

Seconded: Cr Bruins

Carried

17.2. On Street Parking - Jubilee Hwy East - Attamurra Rd - Implementation of No Stopping Zones

COUNCIL RESOLUTION
(a) Council write to DPTI and request they maintain the section of road to the east of Jubilee Highway East - Attamurra Road that has been damaged due to trucks parking.

Moved: Cr Hood

Seconded: Cr Meziniec

Carried



18. CONFIDENTIAL ITEMS

18.1. Consideration for Exclusion of the Public

Item No. 18.2

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 Mayor L Martin, Councillors – K Amoroso, M Bruins, C Greco, B Hood, P Jenner, S Meziniec, S Perryman and Council Staff B Cernovskis, P Lee, J Nagy, N Serle, M McCarthy, T Tzioutziouklaris, S McLean and M Telford) be excluded from the meeting in order for the Agenda Item “Sale of Land for non-payment of Rates – Report No AR19/2015” to be considered in confidence.

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

Information the disclosure of which would involve the unreasonable disclosure of Information concerning the personal affairs of any person (living or dead), being information regarding the property of a ratepayer that Council is proposing to commence a sale process in accordance with Section 184 of the Act for the non-payment of rates.

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 by the need to keep the personal financial information and discussion confidential whilst the matter is being settled.

Item No.	Subject Matter	S90(3) Grounds
18.2.	Sale of land for non-payment of Rates - Report No. AR19/2015	(a)

Moved: Cr Greco

Seconded: Cr Meziniec

Carried



18.3. Consideration for Keeping Items Confidential

That an order be made pursuant to Section 91(7) and recorded in the publicly released version of the minutes in accordance with Section 91(9) of the Local Government Act, 1999 that the document in relation to Item 18.2 which has been considered by the Council on a confidential basis pursuant to Section 90(3) be kept confidential.

Item No.	Subject Matter	S90(3) Grounds	Element To Be Kept Confidential	Duration
18.2	Sale of land for non-payment of Rates - Report No. AR19/2015	(a)	All details	Until the later of:- 12 months, or the matter being settled

Moved: Cr Greco

Seconded: Cr Amoroso

Carried



18.4. Consideration for Exclusion of the Public

Item No. 18.5

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 Mayor L Martin, Councillors – K Amoroso, M Bruins, C Greco, B Hood, P Jenner, S Meziniec, S Perryman and Council Staff B Cernovskis, P Lee, J Nagy, N Serle, M McCarthy, T Tzioutziouklaris, S McLean and M Telford) be excluded from the meeting in order for the Agenda Item “Sale of Land for non-payment of Rates – Report No AR19/2005” to be considered in confidence.

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

Information the disclosure of which would involve the unreasonable disclosure of Information concerning the personal affairs of any person (living or dead), being information regarding the property of a ratepayer that Council is proposing to commence a sale process in accordance with Section 184 of the Act for the non-payment of rates.

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 by the need to keep the personal financial information and discussion confidential whilst the matter is being settled.

Item No.	Subject Matter	S90(3) Grounds
18.5	Sale of land for non-payment of Rates - Report No. AR19/2005	(a)

Moved: Cr Greco

Seconded: Cr Meziniec

Carried



18.6. Consideration for Keeping Items Confidential

That an order be made pursuant to Section 91(7) and recorded in the publicly released version of the minutes in accordance with Section 91(9) of the Local Government Act, 1999 that the document in relation to Item 18.5 which has been considered by the Council on a confidential basis pursuant to Section 90(3) be kept confidential.

Item No.	Subject Matter	S90(3) Grounds	Element To Be Kept Confidential	Duration
18.5	Sale of land for non-payment of Rates - Report No. AR19/2005	(a)	All details	Until the later of:- 12 months, or the matter being settled

Moved: Cr Greco

Seconded: Cr Meziniec

Carried



18.7. Consideration for Exclusion of the Public

Item No. 18.8

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 Mayor L Martin, Councillors - K Amoroso, M Bruins, C Greco, B Hood, P Jenner, S Mezinec, S Perryman and Council Staff B Cernovskis, P Lee, J Nagy, N Serle, M McCarthy, T Tzioutziouklaris, S McLean and M Telford) be excluded from the meeting in order for the Agenda Item (Illegal development - Mr RKH Pearson (Amberich Pty Ltd)) to be considered in confidence.

The Council is satisfied that, pursuant to section 90(3)(a) of the Act the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of:

Information concerning the personal affairs of any person (living or dead), which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence or the right to a fair trial.

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 the occupier of the property.

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 personal to the occupier of the property.

Item No.	Subject Matter	S90(3) Grounds
18.8	Illegal Development - Mr RKH Pearson (Amberich Pty Ltd) - Report No. AR19/4134	(a)(f)

Moved: Cr Greco

Seconded: Cr Bruins

Carried



18.9. Consideration for Keeping Items Confidential

That an order be made pursuant to Section 91(7) and recorded in the publicly released version of the minutes in accordance with Section 91(9) of the Local Government Act, 1999 that the document in relation to Item 18.8 which has been considered by the Council on a confidential basis pursuant to Section 90(3) be kept confidential.

Item No.	Subject Matter	S90(3) Grounds	Element To Be Kept Confidential	Duration
18.8	Illegal Development - Mr RKH Pearson (Amberich Pty Ltd) - Report No. AR19/4134	(a)and (f)	All details	Until the matter has been resolved. Where duration exceeds 12 months To be reviewed at least once every 12 months.

Moved: Cr Greco

Seconded: Cr Mezinec

Carried



19. CONFIDENTIAL QUESTION WITHOUT NOTICE

Consideration for Exclusion of the Public

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 Mayor L Martin, Councillors - K Amoroso, M Bruins, C Greco, B Hood, P Jenner, S Mezinec, S Perryman and Council Staff B Cernovskis, P Lee, J Nagy, N Serle, M McCarthy, T Tzioutziouklaris, S McLean and M Telford) be excluded from the meeting in order for the Agenda Item (Queen Elizabeth Park Trust matters) to be considered in confidence.

The Council is satisfied that, pursuant to section 90(3)(b)(i) 90(3)(d)(i) of the Act the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which would involve the unreasonable disclosure of:

- (b) Information the disclosure of which
 - could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting or proposing to conduct, business or to prejudice the commercial position of the Council.
 - would on balance, be contrary to the public interest.

- (d) Could reasonably be expected to prejudice the commercial position of the party who supplied the information, or to confer a commercial advantage on a third party, and
 - Would on balance, be contrary to public interest

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 personal by the need to keep the Queen Elizabeth Park Trust matters in confidence.

Item No.	Subject Matter	S90(3) Grounds
19.	Queen Elizabeth Park Trust matters	(b) and (d)

Moved: Cr Perryman

Seconded: Cr Greco

Carried

Pursuant to Division 3 - Conflict of Interest, Section 74 of the Local Government Act 1999, Mayor Martin disclosed a material conflict of interest in Item 19"

"A family member is involved in the business being presented".

In accordance with Section 74(1)(b) of the Local Government Act 1999 Mayor Martin did not participate in the meeting and left the room at 9.34 p.m.

The Deputy Mayor, Cr Mezinec took the chair for the following item.



The Deputy Mayor sought the approval of at least two-thirds of the members present at the meeting to suspend meeting procedures:

Purpose of the Suspension: To put forward a Question Without Notice in relation the Queen Elizabeth Park Trust Matters.

Carried by more than two-thirds of the members present at the meeting.

Meeting Procedures were suspended at 9.36 p.m.

Cr Perryman left the meeting at 9.36 p.m.

The Deputy Mayor determined that the period of suspension should be brought to an end.

Carried by more than two-thirds of the members present at the meeting.

The Period of Suspension came to an end and Meeting Procedures resumed at 9.37 p.m.

Meeting closed at 9.38 p.m.

AR19/7818

