

## **MINUTES OF ORDINARY COUNCIL MEETING**

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

**PRESENT** Mayor Lynette Martin OAM

Cr Ben Hood  
Cr Steven Perryman  
Cr Sonya Mezinac  
Cr Kate Amoroso  
Cr Max Bruins  
Cr Christian Greco  
Cr Frank Morello  
Cr Paul Jenner

<b>COUNCIL OFFICERS</b>	Chief Executive Officer	-	Mr M McShane
	General Manager Community Wellbeing	-	Ms B Cernovskis
	General Manager Council Business Services	-	Mrs P Lee
	General Manager City Growth	-	Dr J Nagy
	General Manager City Infrastructure	-	Mr N Serle
	Manager Executive Administration	-	Mr M McCarthy
	Media and Communications Coordinator	-	Ms S McLean
	Media and Communications Officer	-	Mrs A Watson
	Executive Administration Officer	-	Mrs F McGregor

**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.**

Mayor Martin acknowledged the violent death of a local woman last Friday in our community allegedly by her domestic partner.

This highlights the issue of domestic violence not only nationally, but also locally as a priority within our community as identified in our Regional Health Plan.

Whilst this is a national conversation, this tragedy draws attention to the need for our community to work together to ensure that ongoing support is provided to those in need.

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

Nil



## 2. LEAVE OF ABSENCE

Nil

## 3. CONFIRMATION OF COUNCIL MINUTES

Ordinary Meeting held on 16 October 2018

Statutory Meeting held on 22 November 2018

Special Meeting held on 4 December 2018

That the minutes of the Ordinary Meeting held on 16 October 2018, Statutory Meeting held on 22 November 2018, Special Meeting held on 4 December 2018 be confirmed as an accurate record of the proceedings of that meeting.

Moved: Cr Perryman

Seconded: Cr Meziniec

Carried

## 4. DEPUTATIONS

Mayor Martin has granted permission for the following presentation:

6.00 p.m. Perri-Anne Rasmussen regarding Taxi Regulation

Cr Perryman left the Chamber at 6.08 p.m.

Cr Perryman returned to the Chamber at 6.09 p.m.

## 5. MAYORAL REPORT - Ref. AF11/881

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

- Official Opening of "Cheshire" – second home for Ryder-Cheshire Mount Gambier Home Foundation
- Mount Gambier North School – White Ribbon Day Loudest Shout Out
- Limestone Coast Family Violence Action Group – Launch for Clothesline Project and Family Safety Cards
- Rook Family Gathering
- Rook Walk Centenary Celebrations
- Grant High School Presentation Evening
- Men's Shed Mayor's Christmas Appeal
- 2018 Christmas Parade Presentation Evening
- LGA Mayor's and Chairperson's Forum in Adelaide
- Welcome at Blue Lake Y Swim Club Annual Carnival



- Lakes Rotary Blue Lake Fun Run – Receipt of Donation to Disadvantaged Youth Scholarship
- Sport and Recreation Centre Committee Meeting
- CEO Selection and Recruitment Committee Meeting
- Mount Gambier Chamber of Commerce Christmas Dinner
- Independent Learning Centre Graduation Ceremony
- Mulga Street Primary School – NAIDOC Medal of Excellence Presentation
- eNVles Awards Night
- Visit to Mount Gambier Children’s Centre and John Powell Reserve
- Strategic Standing Committee Meeting
- Operational Standing Committee Meeting
- Mount Gambier Library Volunteers Luncheon
- CEO Selection and Recruitment Committee Meeting
- Meeting with GM City Infrastructure – Members of SE NRM Board
- LCLGA General Meeting
- 2018 Blue Lake Carols

Moved: Mayor Martin

Seconded: Cr Jenner

Carried

## 6. REPORTS FROM COUNCILLORS - Ref. AF11/882

Cr Amoroso	ReUse Market opening, Opening of the garden at the Migrant Centre, Seniors Group, LED Lighting Working Party Presentation via videolink, bio energy 2 day seminar, field trip to Holla Fresh and Bio Energy
Cr Bruins	ReUse Centre Opening, Youth Opportunities Graduation
Cr Jenner	Rook Walk at Gambier Hotel, LGA talk on L.E.D. Lighting
Cr Hood	Rook Walk 100 Year Anniversary, Tenison Woods College Year 12 Graduation, eNVles Awards, ReUse Market opening
Cr Mezinec	Rook family gathering at Gambier Hotel, Middle School Awards Ceremony, Tenison Woods College – in lieu of Mayor, eNVles Limestone Coast Presentation night, LCLGA meeting representing Mayor, official opening of ReUse Market representing Mayor
Cr Morello	ReUse Market opening
Cr Perryman	Mount Gambier Junior Basketball tournament, South Australian Tourism Commission Strategic Planning Consultation 2030 Tourism Plan



That the reports made by Councillors on 18 December 2018 be received.

Moved: Mayor Martin

Seconded: Cr Bruins

Carried

**7. QUESTIONS**

**7.1. With Notice**

Nil submitted

**7.2. Without Notice**

Nil recorded

**8. PETITIONS**

Nil

**9. NOTICE OF MOTION TO RESCIND**

Nil

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

4/12/2018	Strategic Planning Session Workshop
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Records of proceedings are attached.

That the Record of Proceedings for the Strategic Planning Session Workshop held 4 December 2018 be received and the contents noted.

Moved: Cr Perryman

Seconded: Cr Hood

Carried

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

Nil submitted.

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

Items referred to the Council Meeting held 16 October and 22 November and 4 December

That the Action Items referred to the Council Meeting held 16 October 2018 and 22 November and 4 December be received.

Moved: Cr Morello

Seconded: Cr Mezinec

Carried



### 13. COMMITTEE MINUTES AND RECOMMENDATIONS

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

That the minutes of the Strategic Standing Committee meeting held 10 December 2018 as attached be noted.

Moved: Mayor Martin

Seconded Cr Bruins

Carried

#### 13.2. Strategic Standing Committee Presiding Member - Report No. AR18/49385

- (a) That Strategic Standing Committee Report No. AR18/49385 titled '*Strategic Standing Committee Presiding Member*' as presented to the Strategic Standing Committee on 10 December 2018 be noted.
- (b) The term of office for the position of Strategic Standing Committee Presiding Member be one (1) year.
- (c) That Cr Morello be Presiding Member of the Strategic Standing Committee on and from 10 December 2018 subject to endorsement by Council.

Moved: Cr Morello

Seconded: Cr Greco

Carried

#### 13.3. Strategic Standing Committee - Ordinary Meeting Day and Time - Report No. AR18/49387

- (a) That Strategic Standing Committee Report No. AR18/49387 titled '*Strategic Standing Committee - Ordinary Meeting Day and Time*' as presented to the Strategic Standing Committee on 10 December 2018 be noted.
- (b) That the Strategic Standing Committee hold ordinary meetings on the Monday in the week preceding each monthly Council meeting commencing at 5:30pm in the Civic Centre, 10 Watson Terrace, Mount Gambier.
- (c) That ordinary meetings in accordance with resolution (b) commence in February 2019.

Moved: Cr Morello

Seconded: Cr Hood

Carried



**13.4. Strategic Standing Committee Terms of Reference - AR18/49386**

- (a) That Strategic Standing Committee Report No. AR18/49386 titled '*Strategic Standing Committee – Review of Terms of Reference*' as presented to the Strategic Standing Committee on 10 December 2018 be noted.
- (b) That the Strategic Standing Committee Terms of Reference be adopted as attached to Strategic Standing Committee Report No. AR18/49386.

Moved: Cr Morello

Seconded: Cr Hood

Carried

**13.5. Review of Confidentiality Order - Report No. AR18/49523**

- (a) That Strategic Standing Committee Report No. AR18/49523 titled '*Review of Confidentiality Orders*' as presented to the Strategic Standing Committee on 10 December 2018 be noted.
- (b) That the following Confidential Orders as specified in Attachment 1 to Report AR18/49523, having been reviewed by Council, remain in operation on the grounds provided:
  - i. Council 18/06/2013 - Corporate and Community Services Committee 11/06/2013 - Item 6 SOCIAL, CULTURAL AND COMMUNITY SERVICES - Committees - City of Mount Gambier Junior Sports Assistance Fund ( Section 41 ) Committee - Minutes of Meeting held 22nd May, 2013 - Ref. AF11/725.
  - ii. Council 17/12/2013 - Corporate and Community Service Committee - 10/12/2013 - Junior Sports Assistance Fund Committee - 20/11/2013 - Item 15 - ROTARY CLUB OF MOUNT GAMBIER LAKES - Donations to Financially Disadvantaged Junior Sportspersons.
  - iii. Council 17/12/2013 - Corporate and Community Service Committee - 10/12/2013 - Junior Sports Assistance Fund Committee - 20/11/2013 - Item 15 - COMMERCIAL CLUB INC. - Donation to exceptional junior sportsperson.
  - iv. Council 15/04/2014 - Corporate and Community Services Committee - 08/04/2014 - GOVERNANCE - Committees - City of Mount Gambier Junior Sports Assistance Fund (Section 41) - Minutes of Meeting held 2nd April, 2014 - Ref. AF11/725.



- v. Council 18/08/2015 - Railway Lands Development and Management Committee - 11/08/2015 - Item 8 - PROPERTY MANAGEMENT - Railway Lands - Expression of Interest - Occupation and Use Of Old Railway Station Building - Ref. AF15/262.
  - vi. Council 18/08/2015 - Railway Lands Development and Management Committee - 11/08/2015 - Item 7 - PROPERTY MANAGEMENT - Railway Lands - Expression of Interest - Management of Community Markets - Ref. AF15/261.
  - vii. Council 16/02/2016 - Corporate and Community Services Committee - 08/02/2016 - Item 11 - CORPORATE AND COMMUNITY SERVICES REPORT NO. 14/2016 - Frew Park (Ambulance Station) Development - Ref. AF16/11, AF13/65.
  - viii. Council 21/02/2017 - Operational Services Committee - 14/02/2017 - Item 13 - DEVELOPMENT CONTROL - Illegal Development - Operation of a Storage Yard - Ref. AF11/304.
  - ix. Council 18/04/2017 - Item 1 - CEO REPORT ON CONFIDENTIAL MATTERS - Ref. AF11/1894.
- (c) That the following Confidential Orders as specified in Attachment 1 to Report AR18/49523, having been reviewed by Council, be amended to alter the duration and release conditions:
- Nil
- (d) That the following Confidential Orders as specified in Attachment 1 to Report AR18/49523, having been reviewed by Council, be released immediately following the Council meeting on 18 December 2018:
- Nil
- (e) That a more detailed report be presented to Council in confidence at the next periodic review.
- (f) That future reviews be presented directly to Council.

Moved: Cr Morello

Seconded: Cr Mezinec

Carried



**13.6. Minutes of Operational Standing Committee - 11 December 2018**

That the minutes of the Operational Standing Committee meeting held 11 December 2018 as attached be noted.

Moved: Cr Greco

Seconded Cr Amoroso

Carried

**13.7. Operational Standing Committee Presiding Member - Report No. AR18/49396**

- (a) That Operational Standing Committee Report No. AR18/49396 titled '*Operational Standing Committee Presiding Member*' as presented to the Operational Standing Committee on 11 December 2018 be noted.
- (b) The term of office for the position of Operational Standing Committee Presiding Member be 2 year(s).
- (c) That Cr Greco be the Presiding Member of the Operational Standing Committee on and from 11 December 2018 subject to endorsement by Council.

Moved: Cr Greco

Seconded: Cr Jenner

Carried

**13.8. Operational Standing Committee Ordinary Meeting Day and Time - Report No. AR18/49394**

- (a) That Operational Standing Committee Report No. AR18/49394 titled '*Operational Standing Committee Ordinary Meeting Day/Time*' as presented to the Strategic Standing Committee on 11 December 2018 be noted.
- (b) That the Operational Standing Committee hold ordinary meetings on the Tuesday in the week preceding each monthly Council meeting commencing at 5:45 pm in the Civic Centre, 10 Watson Terrace, Mount Gambier.
- (c) That ordinary meetings in accordance with resolution (b) commence in February 2019.

Moved: Cr Greco

Seconded: Cr Jenner

Carried





**13.9. Operational Standing Committee Review of Terms of Reference - Report No. AR18/49395**

- (a) That Operational Standing Committee Report No. AR18/49395 titled '*Operational Standing Committee – Review of Terms of Reference*' as presented to the Operational Standing Committee on 11 December 2018 be noted.
- (b) That the Operational Standing Committee Terms of Reference be adopted as attached to Operational Standing Committee Report No. AR18/49395 with the following alterations:
- That presiding member appointment be for a 2 year term.

Moved: Cr Greco

Seconded: Cr Amoroso

Carried

**13.10. Works in Progress - City Infrastructure - Report No. AR18/44529**

- (a) That Operational Standing Committee Report No. AR18/44529 titled '*Works in Progress - City Infrastructure*' as presented to the Operational Standing Committee on 11 December 2018 be noted.

Moved: Cr Greco

Seconded: Cr Jenner

Carried

**13.11. Caroline Landfill leachate disposal - Vetiver grass trial - Report No. AR18/44529**

- (a) That Operational Standing Committee Report No. AR18/49403 titled '*Caroline Landfill leachate disposal – Vetiver grass trial*' as presented to the Operational Standing Committee on 11 December 2018 be noted.
- (b) Council Officers continue to regularly report to Council on the progress and outcomes of the trial.

Moved: Cr Greco

Seconded: Cr Jenner

Carried



**13.12. Sport and Recreation Major Capital Works Program 2018/2019 - Report No. AR18/50206**

- (a) That Operational Standing Committee Report No. AR18/50206 titled '*Sport and Recreation Major Capital Works Program 2018/19*' as presented to the Operational Standing Committee on 11 December 2018 be noted.
- (b) That \$70,000 be endorsed for distribution for the 2018/2019 Sport and Recreation Major Capital Works Program as follows:

<u>Applicant</u>	<u>Priority (Score)</u>	<u>Requested</u>	<u>Approved</u>
South Gambier Netball Club Association	1	\$30,000	\$27,000
Blue Lake Sports Club Incorporated	2	\$20,625	\$17,000
South Gambier Football Club	3	\$50,000	\$15,500
Mount Gambier and Districts Baseball League	4	\$10,980	\$10,500
		\$111,605	\$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.

Moved: Cr Greco

Seconded: Cr Mezinac

Carried

**13.13. Heritage Advisor role in Development Applications - Report No. AR18/41818**

- (a) That Operational Standing Committee Report No. AR18/41818 titled '*Heritage Advisor role in Development Applications*' as presented to the Operational Standing Committee on 11 December 2018 be noted.
- (b) That a copy of this report be provided to all members of the Council Assessment Panel.

Moved: Cr Greco

Seconded: Cr Jenner

Carried



Pursuant to Division 3 - Conflict of Interest, Section 75A of the Local Government Act 1999, Cr Meziniec informed the meeting of a *perceived* conflict of interest in Item 13.14:

*"I am friends with 2 recipients of grants Kathryn Zvirgzdins and Margaret Kaethner"*.

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

*"I intend to stay in the meeting and vote"*

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

**13.14. 2018/2019 Local Heritage Restoration Fund - Report No. AR18/49881**

- (a) That Operational Standing Committee Report titled '2018/2019 Heritage Restoration Fund' as presented be noted.
- (b) That the Heritage Restoration Fund Grants for 2018/2019 be endorsed as follows:

APPLICANT	RECOMMENDED VALUE OF GRANT
Adrian & Tracy Koop	\$1,500
Darren & Tanya Coxon	\$1,500
Ryan & Kirsty Turner	\$2,000
Mount Gambier Club Inc.	\$2,000
Kiri Fleming	\$2,000
Georgina Jones	\$700
Jo & David Glover	\$500
Darren & Yvette Sims	\$2,500
Kathryn Zvirgzdins	\$800
John & Wendy Pocock	\$500
John William Ancell & Raspati Suciati Louis	\$2,000
George Haskas	\$800
Fiona Smith	\$500
Margaret Kaethner	\$2,000
Joe & Sue Clements	\$700
TOTAL	\$20,000

Moved: Cr Greco

Seconded: Cr Bruins

Carried

Having participated in the meeting in relation to Item 13.14 Cr Meziniec voted in favour of the motion.



**13.15. Quarter One Budget Review for the financial year ending 30 June 2019 - Report No. AR18/48619**

- (a) That Operational Standing Committee Report No. AR18/48619 titled '*Quarter One Budget Review for Financial Year Ending 30 June 2019*' as presented to the Operational Standing Committee on 11 December 2018 be noted.
- (b) That the Quarter One Budget Review (BR1) be adopted for the financial year 1 July 2018 to 30 June 2019 as detailed in Attachment 1 of the report titled '*Quarter One Budget Review for the Financial Year Ending 30 June 2019*' which reflects a \$328,000 forecast operating surplus representing no net change from the Original Budget forecast operating surplus.

Moved: Cr Greco

Seconded: Cr Jenner

Carried

**13.16. Great Victorian Bike Ride 2019 - Report No. AR18/49986**

- (a) That Operational Standing Committee Report No. AR18/49986 titled '*Great Victorian Bike Ride 2019*' as presented to the Operational Standing Committee on 11 December 2018 be noted.
- (b) That Council approve the allocation of \$12,000 cash sponsorship and up to the value of \$5,000 in kind for the 2019 Great Victorian Bike Ride, conditional upon the proponents obtaining all necessary funds and approvals from the relevant authority.
- (c) Funding to be allocated to account number 6350.0038.70 in the 2019/20 budget.

Moved: Cr Greco

Seconded: Cr Perryman

Carried



Pursuant to Division 3 - Conflict of Interest, Section 75A of the Local Government Act 1999, Cr Perryman informed the meeting of a *perceived* conflict of interest in Item 13.17:13.23:

*"I am a Board Member of Basketball Mount Gambier a stakeholder group in the Community Council process".*

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

*"State the nature of position on BMG Board at the meeting, stay in meeting for debate and vote."*

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

### **13.17. Regional Sport and Recreation Centre Committee - 3 December 2018**

That the minutes of the Regional Sport and Recreation Centre Committee meeting held 3 December 2018 as attached be noted.

Moved: Mayor Martin

Seconded Cr Hood

Carried

Having participated in the meeting in relation to Item 13.17 Cr Perryman voted in favour of the motion.

Pursuant to Division 3 - Conflict of Interest, Section 75A of the Local Government Act 1999, Cr Perryman informed the meeting of a *perceived* conflict of interest in Item 13.17:13.23:

*"I am a Board Member of Basketball Mount Gambier a stakeholder group in the Community Council process".*

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

*"State the nature of position on BMG Board at the meeting, stay in meeting for debate and vote."*

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



**13.18. Regional Sport and Recreation Centre Committee Selection of Presiding Member - Report No. AR18/49978**

- (a) That Regional Sport and Recreation Centre Committee Report No. AR18/49978 titled '*Regional Sport and Recreation Centre Committee Selection of Presiding Member*' as presented to the Regional Sport and Recreation Centre Committee on 3 December 2018 be noted.
- (b) The term of office for the position of Regional Sport and Recreation Centre Committee Presiding Member be 2 years.
- (c) That Cr Ben Hood be endorsed as Presiding Member of the Regional Sport and Recreation Centre Committee.

Moved: Cr Hood

Seconded: Cr Bruins

Carried

Having participated in the meeting in relation to Item 13.18 Cr Perryman voted in favour of the motion.

Pursuant to Division 3 - Conflict of Interest, Section 75A of the Local Government Act 1999, Cr Perryman informed the meeting of a *perceived* conflict of interest in Item 13.17:13.23:

*"I am a Board Member of Basketball Mount Gambier a stakeholder group in the Community Council process".*

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

*"State the nature of position on BMG Board at the meeting, stay in meeting for debate and vote."*

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

**13.19. Regional Sport and Recreation Centre Committee Ordinary Meeting Day/Time - Report No. AR18/49977**

- (a) That Regional Sport and Recreation Centre Committee Report No. AR18/49977 titled '*Regional Sport and Recreation Centre Committee - Ordinary Meeting Day/Time*' as presented to the Regional Sport and Recreation Centre Committee on 3 December 2018 be noted.



- (b) That the Regional Sport and Recreation Centre Committee hold ordinary meetings on the first Monday of each month commencing at 5:30 pm.
- (c) That ordinary meetings in accordance with resolution (b) commence from mid-January 2019.

Moved: Cr Hood

Seconded: Cr Morello

Carried

Having participated in the meeting in relation to Item 13.19 Cr Perryman voted in favour of the motion.

Pursuant to Division 3 - Conflict of Interest, Section 75A of the Local Government Act 1999, Cr Perryman informed the meeting of a *perceived* conflict of interest in Item 13.17:13.23:

*"I am a Board Member of Basketball Mount Gambier a stakeholder group in the Community Council process".*

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

*"State the nature of position on BMG Board at the meeting, stay in meeting for debate and vote."*

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

**13.20. Regional Sport and Recreation Centre Committee - Review of Terms of Reference - Report No. AR18/49975**

- (a) That Regional Sport and Recreation Centre Committee Report No. AR18/49975 titled '*Regional Sport and Recreation Centre Committee - Review of Terms of Reference*' as presented to the Regional Sport and Recreation Centre Committee on 3 December 2018 be noted.
- (b) That the Regional Sport and Recreation Centre Committee Terms of Reference be adopted as attached to Regional Sport and Recreation Centre Committee Report No. AR18/49975.

Moved: Cr Hood

Seconded: Cr Mezinec

Carried

Having participated in the meeting in relation to Item 13.20 Cr Perryman voted in favour of the motion.



Pursuant to Division 3 - Conflict of Interest, Section 75A of the Local Government Act 1999, Cr Perryman informed the meeting of a *perceived* conflict of interest in Item 13.17:13.23:

*"I am a Board Member of Basketball Mount Gambier a stakeholder group in the Community Council process".*

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

*"State the nature of position on BMG Board at the meeting, stay in meeting for debate and vote."*

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

**13.21. Financial Modelling and Sensitivity Analysis - Report No. AR18/48937**

(a) That Regional Sport and Recreation Centre Committee Report No. AR18/48937 titled '*Financial Modelling and Sensitivity Analysis*' as presented to the Regional Sport and Recreation Centre Committee on 3 December 2018 be noted.

Moved: Cr Hood

Seconded: Cr Bruins

Carried

Having participated in the meeting in relation to Item 13.21 Cr Perryman voted in favour of the motion.

Pursuant to Division 3 - Conflict of Interest, Section 75A of the Local Government Act 1999, Cr Perryman informed the meeting of a *perceived* conflict of interest in Item 13.17:13.23

*"I am a Board Member of Basketball Mount Gambier a stakeholder group in the Community Council process".*

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

*"State the nature of position on BMG Board at the meeting, stay in meeting for debate and vote."*

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





**13.22. Community Engagement Program - Report No. AR18/48934**

(a) That Regional Sport and Recreation Centre Committee Report No. AR18/48934 titled '*Community Engagement Program*' as presented to the Regional Sport and Recreation Centre Committee on 3 December 2018 be received and noted.

Moved: Cr Hood

Seconded: Cr Meziniec

Carried

Having participated in the meeting in relation to Item 13.22 Cr Perryman voted in favour of the motion.

Pursuant to Division 3 - Conflict of Interest, Section 75A of the Local Government Act 1999, Cr Perryman informed the meeting of a *perceived* conflict of interest in Item 13.17:13.23:

*"I am a Board Member of Basketball Mount Gambier a stakeholder group in the Community Council process".*

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

*"State the nature of position on BMG Board at the meeting, stay in meeting for debate and vote."*

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

**13.23. Elector Survey Update - Report No. AR18/48941**

(a) That Regional Sport and Recreation Centre Committee Report No. AR18/48941 titled '*Elector Survey Update*' as presented to the Regional Sport and Recreation Centre Committee on 3 December 2018 be received and noted.

Moved: Cr Hood

Seconded: Cr Morello

Carried

Having participated in the meeting in relation to Item 13.23 Cr Perryman voted in favour of the motion.





- (b) The term of office for the position of Junior Sports Assistance Fund Presiding Member be 2 years.
- (c) That Cr Greco be Presiding Member of the Junior Sports Assistance Fund Committee on and from 18 December, 2018.

Moved: Cr Greco

Seconded: Cr Amoroso

Carried

Having participated in the meeting in relation to Item 13.25 Cr Perryman voted in favour of the motion.

Pursuant to Division 3 - Conflict of Interest, Section 75A of the Local Government Act 1999, Cr Perryman informed the meeting of a *perceived* conflict of interest in Item 13.24:13.27:

*"I am a Board Member of Basketball Mount Gambier which is a member of the Fund"*

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

*"State the nature of my position on BMG Board at the meeting, stay in meeting for debate and vote."*

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

**13.26. Junior Sports Assistance Fund - Review of Terms of Reference - Report No. AR18/49763**

- (a) That Junior Sports Assistance Fund Committee Report No. AR18/49763 titled '*Junior Sports Assistance Fund Committee - Review of Terms of Reference*' as presented to the Junior Sports Assistance Fund Committee on 5 December 2018 be noted.
- (b) That the Junior Sports Assistance Fund Terms of Reference be presented to the next ordinary meeting of the Junior Sports Assistance Fund Committee for consideration and adoption.

Moved: Cr Greco

Seconded: Cr Jenner

Carried

Having participated in the meeting in relation to Item 13.26 Cr Perryman voted in favour of the motion.



Pursuant to Division 3 - Conflict of Interest, Section 75A of the Local Government Act 1999, Cr Perryman informed the meeting of a *perceived* conflict of interest in Item 13.24:13.27:

*"I am a Board Member of Basketball Mount Gambier which is a member of the Fund"*

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

*"State the nature of my position on BMG Board at the meeting, stay in meeting for debate and vote."*

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

**13.27. Meetings of the Junior Sports Assistance Fund Committee - Report No. AR18/49776**

- |   |
|---|
| <p>(a) That Junior Sports Assistance Fund Committee Report No. AR18/49776 titled '<i>Meetings of the Junior Sports Assistance Fund</i>' as presented to the Junior Sports Assistance Fund Committee on 5 December 2018 be noted.</p> <p>(b) That the Junior Sports Assistance Fund Committee hold three or more ordinary meetings in the financial year or as and when determined by the Presiding Member, as well as the Annual Meeting of Member Organisations.</p> |
|---|

Moved: Cr Greco

Seconded: Cr Mezinec

Carried

Having participated in the meeting in relation to Item 13.27 Cr Perryman voted in favour of the motion.

Pursuant to Division 3 - Conflict of Interest, Section 75A of the Local Government Act 1999, Cr Perryman informed the meeting of an *actual* conflict of interest in Item 13.28:

*"I am a Board Member of Basketball Mount Gambier who nominated 2 recipients of the fund in this item"*

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

*"I will leave the meeting for the debate and the vote."*



In accordance with section 75A Cr Perryman left the room at 7.05 p.m.

**13.28. Rotary Club of Mount Gambier Lakes - Donations to Financially Disadvantaged Sportspersons - Second Call 2018 - Report No. AR18/40839**

- |      |   |
|------|---|
| (a)  | That Junior Sports Assistance Fund Committee Report No. AR18/40839 titled ' <i>Rotary Club of Mount Gambier Lakes - Donations to Financially Disadvantaged Juniors - Second Call 2018</i> ' dated 30 November 2018 as presented to the Junior Sports Assistance Fund Committee on 5 December 2018 be noted.   |
| (b)  | the following application(s)/funding be made available to the Member Organisations named below to assist the identified junior(s) to achieve their fullest participation with the specific purpose donation from the Rotary Club of Mount Gambier Lakes - Donations to Financially Disadvantaged Junior Sportspersons initiative (funded from some of the proceeds from the 2017 Blue Lake Fun Run) and to be used strictly in accordance with their respective confidential application: |
| (i)  | Limestone Coast Football Association (1 nominee) \$300  |
| (ii) | Basketball Mount Gambier (2 nominees) \$600   |

Moved: Cr Greco

Seconded: Cr Jenner

Carried

Cr Perryman returned to the meeting at 7.06 p.m.

Pursuant to Division 3 - Conflict of Interest, Section 75A of the Local Government Act 1999, Cr Perryman informed the meeting of a *perceived* conflict of interest in Item 13.29:13.30:

*"I am a Board Member of Basketball Mount Gambier which is a member of the Fund"*

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

*"State the nature of my position on BMG Board at the meeting, stay in meeting for debate and vote."*

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



**13.29. Coaching Clinic Applications - Annual Call - Report No. AR18/45702**

- (a) That Junior Sports Assistance Fund Committee Report No. AR18/45702 titled '*Coaching Clinic Applications - Annual Call*' dated 1 December 2018 as presented to the Junior Sports Assistance Fund Committee on 5 December 2018 be noted.
- (b) The following funding be made available to the Member Organisation named below to assist in the conduct of specialised coaching clinics in accordance with the guidelines for such Clinics:
- |   |         |
|---|---------|
| (i) Blue Lake Y Swim Club and Mount Gambier Swimming Club | \$1,600 |
| (ii) South East Women's Football Association              | \$2,000 |
| (iii) Limestone Coast Football Association                | \$1,400 |
- (c) the successful Member Organisations to be reminded of their obligations as detailed in the report.

Moved: Cr Greco

Seconded: Cr Mezinec

Carried

Having participated in the meeting in relation to Item 13.29 Cr Perryman voted in favour of the motion.

Pursuant to Division 3 - Conflict of Interest, Section 75A of the Local Government Act 1999, Cr Perryman informed the meeting of a *perceived* conflict of interest in Item 13.29:13.30:

*"I am a Board Member of Basketball Mount Gambier which is a member of the Fund"*

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

*"State the nature of my position on BMG Board at the meeting, stay in meeting for debate and vote."*

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



**13.30. Letter of Thanks and Appreciation to Hanna Persello for her contributions to the Junior Sports Assistance Fund - Ref. AF18/888, AF11/725**

- (a) the report be received;
- (b) a letter of thanks be sent to Hanna Persello for her contributions to the City of Mount Gambier Junior Sports Assistance Fund.

Moved: Cr Greco

Seconded: Cr Amoroso

Carried

Having participated in the meeting in relation to Item 13.30 Cr Perryman voted in favour of the motion.

**13.31. CEO Selection and Recruitment Committee Special Meeting Minutes – 14 December 2018**

That the minutes of the CEO Selection and Recruitment Committee meeting held 14 December 2018 as attached be noted.

Moved: Mayor Martin

Seconded Cr Hood

Carried

**13.32. HUMAN RESOURCE MANAGEMENT - Appointment of Interim Chief Executive Officer AF18/584**

- (a) The information from Mr Graeme Maxwell outlining his terms and conditions to act as Interim CEO be noted.
- (b) Committee agreed on the appointment of Mr Graeme Maxwell to fill the role of Interim CEO to commence Monday 18 February 2019 and through to Friday 17 May 2019.

Moved: Mayor Martin

Seconded: Cr Meziniec

Carried

**13.33. Minutes of Council Assessment Panel – 15 November 2018**

That the minutes of the Council Assessment Panel meeting held 15 November 2018 as attached be noted.

Moved: Cr Jenner

Seconded: Cr Greco

Carried



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

Council Reports commence in the In Confidence Section.

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

**15.1.** Nil Submitted

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

**16.1** Nil Submitted

Pursuant to Division 3 - Conflict of Interest, Section 74 of the Local Government Act 1999, Mayor Martin informed the meeting of a *material* conflict of interest in Item 17.1:

*"I am declaring a material conflict of interest as a member of my family is a board member of the body to which this matter relates".*

Mayor Martin informed the meeting of the manner in which they intend to deal with the *perceived* conflict of interest as follows:

*"In accordance with section 74 (1)(b) I will be leaving the meeting room while that matter is being discussed and voted on."*

In accordance with section 74 Mayor Martin left the room at 7.12 p.m.

Deputy Mayor Sonya Meziniec took the chair for Item 17.1





## 17. CONFIDENTIAL ITEMS

### 17.1. Consideration for Exclusion of the Public

#### Item No. 17.2

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 Councillors – K Amoroso, M Bruins, C Greco, P Jenner, S Mezinac, F Morello, S Perryman and Council Officers - M McShane, B Cernovskis, P Lee, J Nagy, M McCarthy, S McLean and F McGregor) be excluded from the meeting in order for the Agenda Item 17.2 Property Management to be considered in confidence.

The Council is satisfied that, pursuant to section 90(3)(b)(d)&(g) of the Act the information to be received, discussed or considered in relation to the Agenda Item is information the disclosure of which are:

- (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 who supplied the information, or to confer a commercial advantage on a third party, and
  - would on balance, be contrary to the public interest
- (g) matters that must be considered in confidence in order to ensure that the Council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.

The correspondence received by the City of Mount Gambier states that documents are provided in-confidence and contain financial information that is contained in the Discussion Paper that is confidential and cannot be released without prior consent.

Item No.	Subject Matter	S90(3) Grounds
17.2	Property Management - Report No. AR18/51248 - File Ref: AF11/1372	(b)(d)&(g)

Moved: Cr Greco

Seconded: Cr Morello

Carried



Mayor Martin returned to the meeting at 7.31 p.m.

### 17.3. 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 17.2 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
17.2	Property Management	(b)(d)(g)	All details	Until Council has agreed on a course of action with regard to the matter, to be reviewed once every twelve months in accordance with the Local Government Act.

Moved: Cr Morello

Seconded: Cr Greco

Carried



#### 17.4. Consideration for Exclusion of the Public

##### Item No. 17.5

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, P Jenner, S Meziniec, F Morello, S Perryman and Council Officers - M McShane, B Cernovskis, P Lee, J Nagy, M McCarthy, S McLean and F McGregor) be excluded from the meeting in order for the Agenda Item 17.5 Request for Quote – CEO Selection and Recruitment to be considered in confidence.

The Council is satisfied that, pursuant to section 90(3)(k) of the Act the information to be received, discussed or considered in relation to the Agenda Item is information associated with:

(k) tender for the provision of services.

The tenders being considered contain pricing information and other competitive service information, the release of which would prejudice the position of the provider(s) and Council in negotiation and use of the services.

Item No.	Subject Matter	S90(3) Grounds
17.5	Request for Quote – CEO Selection and Recruitment – AR18/51627 File Ref: AF18/584	(k)

Moved: Cr Greco

Seconded: Cr Meziniec

Carried



### 17.6. 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 1 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
17.5	Request for Quote – CEO Selection and Recruitment	(k)	All details including tabled attachments.	Until a replacement CEO has commenced employment.
			Resolution a & b to be released on execution of a service agreement.	

Moved: Cr Perryman

Seconded: Cr Morello

Carried

Meeting closed at 7.37 p.m.

AR18/53456

