

**MINUTES OF CITY OF MOUNT GAMBIER
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE,
MOUNT GAMBIER ON TUESDAY, 21 MAY 2019 AT 6.00 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Kate Amoroso, Cr Max Bruins, Cr Ben Hood, Cr Paul Jenner, Cr Christian Greco, Cr Frank Morello, Cr Steven Perryman

IN ATTENDANCE:

Acting Chief Executive Officer	-	Dr J Nagy
General Manager Community Wellbeing	-	Ms B Cernovskis
General Manager Council Business Services	-	Mrs P Lee
General Manager City Infrastructure	-	Mr N Serle
Manager Development Services	-	Mrs T Tzioutziouklaris
Manager Executive Administration	-	Mr M McCarthy
Media and Communications Coordinator	-	Ms S McLean
Executive Administration Officer	-	Mrs F McGregor

1 ACKNOWLEDGEMENT OF COUNTRY

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.

Cr Perryman entered at 6.01 p.m.

2 APOLOGIES

RESOLUTION 2019/85

Moved: Mayor Lynette Martin
Seconded: Cr Paul Jenner

That the apology from Cr Sonya Mezinec be received.

CARRIED

3 LEAVE OF ABSENCE

Nil

4 CONFIRMATION OF COUNCIL MINUTES

RESOLUTION 2019/86

Moved: Cr Frank Morello
Seconded: Cr Max Bruins

That the minutes of the Ordinary Council meeting held on 16 April 2019 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED



4 CONFIRMATION OF COUNCIL MINUTES

RESOLUTION 2019/87

Moved: Cr Max Bruins

Seconded: Cr Ben Hood

The Special Council meeting held on 1 May 2019 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 CONFIRMATION OF COUNCIL MINUTES

RESOLUTION 2019/88

Moved: Cr Ben Hood

Seconded: Cr Frank Morello

The Special Council meeting held on 13 May 2019 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

5 MAYORAL REPORT

- Filming with RDALC Migration Specialist – Skilled Migration into the Limestone Coast
- Anzac Accolade, Salvation Army (Wreath laying)
- Presentation of Prizes – Easter Showjumping Festival
- Meeting with Grant King – Chair South East Local Health Network
- Anzac Day Dawn Service and Street March (Wreath laying)
- Anglican Church Remembrance Ceremony, Sri Lankan Terrorist Attack
- Rook Walk Time Capsule Placement
- Sod Turning – Sport and Recreation Centre
- Special Meeting of Council – Budget
- Citizenship Ceremony
- LCLGA Mayor's Teleconference
- Meeting with Laurie Hein
- Volunteer for Red Cross Badge Day
- Generations in Jazz
- Launch of History Month in Library
- Sport and Rec Centre Committee Meeting
- Meeting with Hon Connie Bonaros – SA Best Member – SA Legislative Council
- Chamber of Commerce Breakfast Meeting
- Raising of Red Cross Flag for World Red Cross Day
- Designated Informal Gathering – LCLGA and NRM Presentations
- Promotion with Major Sponsors of 100 Mile Classic Cycling Event
- Opening Ceremony of Glenburnie Race Track Redevelopment
- Scott Group of Companies Gold Cup
- Strategic Standing Committee Meeting
- Operational Standing Committee Meeting



- Opening – Penola Coonawarra Arts Festival 2019
- Uni SA Graduation Ceremony and Celebration
- Final Day for Acting CEO Graeme Maxwell
- Elected Member Mandatory Training – Modules 3 and 4
- Presentation of Prize to Winner of 100 Mile Classic Cycling Event
- Meeting with CEO's from Aboriginal Controlled Organisation

RESOLUTION 2019/89

Moved: Mayor Lynette Martin

Seconded: Cr Ben Hood

That the Mayoral report made on 21 May 2019 be received.

CARRIED

6 REPORTS FROM COUNCILLORS

Cr Amoroso Multi Cultural Legislative Review, Nature Glenelg Trust Open Day, Drug and Alcohol Forum, Community Forum.

Cr Bruins QEPT Special Meeting, QEPT Informal workshop, CEO farewell, LGA Training (module 3 and 4).

Cr Hood Turning the sod, Mother's Day Classic, LGA Training Day.

RESOLUTION 2019/90

Moved: Cr Christian Greco

Seconded: Cr Paul Jenner

That the reports made by Councillors on 21 May 2019 be received.

CARRIED

7 QUESTIONS WITH NOTICE

Nil

8 QUESTIONS WITHOUT NOTICE

Nil

9 PETITIONS

Nil

10 DEPUTATIONS

Nil



11 NOTICE OF MOTION TO RESCIND OR AMEND

11.1 NOTICE OF RESCISSION / AMENDMENT - SOUTH EAST ANIMAL WELFARE LEAGUE

MOTION

Moved: Cr Christian Greco

Seconded: Cr Paul Jenner

1. That pursuant to Regulation 12 parts (1) and (3) of the Local Government (Procedures at Meetings) Regulations 2013 the following Council resolutions associated with Minute 2019/50 of 16 April 2019 be revoked –
 - (a) That Operational Standing Committee Report No. AR19/15736 titled 'South East Animal Welfare League (SEAWL)' as presented on 9 April 2019 be noted.
 - (b) That Council provide to SEAWL \$60,000 in 2019/20 subject to SEAWL meeting agreed KPIs within agreed timeframes.

and be replaced with –

2. That Operational Standing Committee Report No. AR19/15736 titled 'South East Animal Welfare League (SEAWL)' as presented on 9 April 2019 be noted.
3. That –
 - (a) the City of Mount Gambier enter into a three (3) year funding agreement (commencing 1 July 2019) with the District Council of Grant and the South East Animal Welfare League (SEAWL);
 - (b) the agreement reflect an annual contribution of \$45,000 from the City of Mount Gambier and \$15,000 from the District Council of Grant;
 - (c) the funding be subject to SEAWL meeting key performance indicators (KPIs) to be agreed between the parties; and
 - (d) staff be granted delegated authority to negotiate the KPIs within agreed time frames.



AMENDMENT

Moved: Cr Max Bruins

Seconded: Cr Ben Hood

1. That pursuant to Regulation 12 parts (1) and (3) of the Local Government (Procedures at Meetings) Regulations 2013 the following Council resolutions associated with Minute 2019/50 of 16 April 2019 be revoked –
 - (a) That Operational Standing Committee Report No. AR19/15736 titled 'South East Animal Welfare League (SEAWL)' as presented on 9 April 2019 be noted.
 - (b) That Council provide to SEAWL \$60,000 in 2019/20 subject to SEAWL meeting agreed KPIs within agreed timeframes.

and be replaced with –

2. That Operational Standing Committee Report No. AR19/15736 titled 'South East Animal Welfare League (SEAWL)' as presented on 9 April 2019 be noted.
3. That –
 - (a) the City of Mount Gambier enter into a three (3) year funding agreement (commencing 1 July 2019) with the District Council of Grant and the South East Animal Welfare League (SEAWL);
 - (b) the agreement reflect an annual contribution of \$35,000 from the City of Mount Gambier and \$15,000 from the District Council of Grant;
 - (c) the funding be subject to SEAWL meeting key performance indicators (KPIs) to be agreed between the parties; and
- (d) staff be granted delegated authority to negotiate the KPIs within agreed time frames.

LOST

Cr Perryman foreshadowed an amendment

AMENDMENT

Moved: Cr Steven Perryman

1. That pursuant to Regulation 12 parts (1) and (3) of the Local Government (Procedures at Meetings) Regulations 2013 the following Council resolutions associated with Minute 2019/50 of 16 April 2019 be revoked –
 - (a) That Operational Standing Committee Report No. AR19/15736 titled 'South East Animal Welfare League (SEAWL)' as presented on 9 April 2019 be noted.
 - (b) That Council provide to SEAWL \$60,000 in 2019/20 subject to SEAWL meeting agreed KPIs within agreed timeframes.

and be replaced with –

- (a) That Operational Standing Committee Report No. AR19/15736 titled 'South East Animal Welfare League (SEAWL)' as presented on 9 April 2019 be noted.
- (b) That Council provide to SEAWL \$45,000 in 2019/20 subject to SEAWL meeting agreed KPIs within agreed timeframes.

Motion lapsed for want of a seconder



RESOLUTION 2019/91

Moved: Cr Christian Greco

Seconded: Cr Paul Jenner

1. That pursuant to Regulation 12 parts (1) and (3) of the Local Government (Procedures at Meetings) Regulations 2013 the following Council resolutions associated with Minute 2019/50 of 16 April 2019 be revoked –
 - (a) That Operational Standing Committee Report No. AR19/15736 titled 'South East Animal Welfare League (SEAWL)' as presented on 9 April 2019 be noted.
 - (b) That Council provide to SEAWL \$60,000 in 2019/20 subject to SEAWL meeting agreed KPIs within agreed timeframes.

and be replaced with –

2. That Operational Standing Committee Report No. AR19/15736 titled 'South East Animal Welfare League (SEAWL)' as presented on 9 April 2019 be noted.
3. That –
 - (a) the City of Mount Gambier enter into a three (3) year funding agreement (commencing 1 July 2019) with the District Council of Grant and the South East Animal Welfare League (SEAWL);
 - (b) the agreement reflect an annual contribution of \$45,000 from the City of Mount Gambier and \$15,000 from the District Council of Grant;
 - (c) the funding be subject to SEAWL meeting key performance indicators (KPIs) to be agreed between the parties; and
 - (d) staff be granted delegated authority to negotiate the KPIs within agreed time frames.

CARRIED

11.2 NOTICE OF RESCISSION/AMENDMENT - SECTION 41 COMMITTEES

MOTION

Moved: Cr Paul Jenner

Seconded: Cr Kate Amoroso

1. That resolution (f) associated with Item 24 titled '*Section 41 Committees*' that was passed on 22 November 2018 be amended from:
 - (f) That the following Sub-Committees be placed in recess pending consideration of their necessity by Councillor Workshop:
 - Environmental Sustainability Sub-Committee
 - Community Engagement and Social Inclusion Sub-Committee
 - Heritage Sub-Committee

to instead read:

- (f) That the following Sub-Committees be placed in recess pending consideration of their necessity by Council:
 - Environmental Sustainability Sub-Committee



- Community Engagement and Social Inclusion Sub-Committee
- Heritage Sub-Committee

2. That the following Committees:

- Environmental Sustainability Sub-Committee
- Community Engagement and Social Inclusion Sub-Committee

be re-instated.

Cr Perryman sought leave of the meeting to suspend meeting procedures.

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 Item 11.2

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

Meeting Procedures were suspended at 6.36 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 6.54 p.m.

RESOLUTION 2019/92

Moved: Cr Paul Jenner

Seconded: Cr Kate Amoroso

1. That resolution (f) associated with Item 24 titled '*Section 41 Committees*' that was passed on 22 November 2018 be amended from:

(f) That the following Sub-Committees be placed in recess pending consideration of their necessity by Councillor Workshop:

- Environmental Sustainability Sub-Committee
- Community Engagement and Social Inclusion Sub-Committee
- Heritage Sub-Committee

to instead read:

(f) That the following Sub-Committees be placed in recess pending consideration of their necessity by Council:

- Environmental Sustainability Sub-Committee
- Community Engagement and Social Inclusion Sub-Committee
- Heritage Sub-Committee

2. That the following Committees:

- Environmental Sustainability Sub-Committee



- Community Engagement and Social Inclusion Sub-Committee
be re-instated.

CARRIED

12 ELECTED MEMBERS WORKSHOPS

Nil

13 ELECTED MEMBERS TRAINING AND DEVELOPMENT

Nil

14 COUNCIL ACTION ITEMS

14.1 COUNCIL ACTION ITEMS - 16/04/2019

RESOLUTION 2019/93

Moved: Mayor Lynette Martin

Seconded: Cr Christian Greco

1. That Council Report No. AR19/23919 titled 'Council Action Items - 16/04/2019' as presented on 21 May 2019 be noted.

CARRIED

15 STRATEGIC STANDING COMMITTEE MINUTES AND RECOMMENDATIONS

15.1 MINUTES OF THE STRATEGIC STANDING COMMITTEE HELD ON 13/05/2019

RESOLUTION 2019/94

Moved: Cr Frank Morello

Seconded: Cr Christian Greco

That the Minutes of the Strategic Standing Committee meeting held on 13/05/2019 as attached be noted.

CARRIED

Cr Hood left the meeting at 6.54 p.m.



15.2 Policy Review - R105 - Rating Policy – Report No. AR19/13461

RESOLUTION 2019/95

Moved: Cr Frank Morello
Seconded: Cr Max Bruins

1. That Strategic Standing Committee Report No. AR19/13461 titled 'Policy Review - R105 - Rating Policy' as presented on 13 May 2019 be noted.
2. That Council *Policy R105 - Rating Policy* as attached to Strategic Committee Report No. AR19/13461 be adopted.

CARRIED

Cr Hood returned to the meeting at 6.56 p.m.

15.3 Policy Review - R155 - Rate Rebate Policy – Report No. AR19/15794

RESOLUTION 2019/96

Moved: Cr Frank Morello
Seconded: Cr Ben Hood

1. That Strategic Standing Committee Report No. AR19/15794 titled 'Policy Review - R155 - Rate Rebate Policy' as presented on 13 May 2019 be noted.
2. That Council *Policy R155 - Rate Rebate Policy* as attached to Strategic Standing Committee Report No. AR19/15794 be adopted.

CARRIED

16 OPERATIONAL STANDING COMMITTEE MINUTES AND RECOMMENDATIONS

16.1 MINUTES OF THE OPERATIONAL STANDING COMMITTEE HELD ON 14/05/2019

RESOLUTION 2019/97

Moved: Cr Christian Greco
Seconded: Cr Kate Amoroso

That the Minutes of the Operational Standing Committee meeting held on 14/05/2019 as attached be noted.

CARRIED



16.2 Drift Challenge Australia - King of the Hill National Drift Event 2019 - Valley Lake - 25/10/2019 - 27/10/2019 – Report No. AR19/15593

RESOLUTION 2019/98

Moved: Cr Christian Greco

Seconded: Cr Paul Jenner

1. That Operational Standing Committee Report No. AR19/15593 titled 'Drift Challenge Australia - King of the Hill National Drift Event 2019 - Valley Lake - 25/10/2019 - 27/10/2019' as presented on 14 May 2019 be noted.
2. That Council approve the closure of the Valley Lake precinct from Thursday, 24 October 2019 to Monday, 28 October 2019 inclusive to allow for the event to be held.
3. That Council provide in-kind support up to the value of \$2,000 to assist with closure of the Valley Lake precinct, track sweeping, waste management, grandstands and fencing.
4. That approval is conditional upon an appropriate Risk, Safety and Traffic Management plan, receipt of a Certificate of Currency for Public Liability insurance to be provided at least two months prior to the event and all approvals received from relevant authorities.

CARRIED

16.3 Change Parking from 15 Minutes to 1 Hour on Mitchell Street (Eastern Side) – Report No. AR19/15941

RESOLUTION 2019/99

Moved: Cr Christian Greco

Seconded: Cr Kate Amoroso

1. That Operational Standing Committee Report No. AR19/15941 titled 'Change Parking from 15 Minutes to 1 Hour on Mitchell Street (Eastern Side)' as presented on 14 May 2019 be noted.
2. The Traffic impact statement attached to the Operational Standing Committee Report No. AR19/15941 be endorsed by Council.
3. The City of Mount Gambier, pursuant to Ministerial delegation rescind resolution number 3.5.097.
4. The City of Mount Gambier, pursuant to Ministerial delegation resolves the following
Prohibited Area 1 HOUR PARKING
3.3.209
MITCHELL STREET (EASTERN SIDE) - from 10.0 metres south of Percy Street to 26.2 metres south of Percy Street to apply between 8.00am and 4.00pm. Monday to Friday and 8.00am to 12noon Saturdays.
to be effective on the installation of appropriate signage.

CARRIED



16.4 Works In Progress – Report No. AR19/17336

RESOLUTION 2019/100

Moved: Cr Christian Greco
Seconded: Cr Paul Jenner

1. That Operational Standing Committee Report No. AR19/17336 titled 'Works In Progress' as presented on 14 May 2019 be noted.

CARRIED

16.5 2 Yearly supply Contracts for City Infrastructure Works – Report No. AR19/17385

RESOLUTION 2019/101

Moved: Cr Christian Greco
Seconded: Cr Paul Jenner

1. That Operational Standing Committee Report No. AR19/17385 titled '2 Yearly supply Contracts for City Infrastructure Works' as presented on 14 May 2019 be noted.
2. The following 2 yearly tenders be awarded to the following contractors:
 - (a) Tender AF18/419 Supply and placement of Asphalt (hotmix) be awarded to Gambier Earth Movers
 - (b) Tender AF18/426 Supply and delivery of pre-mixed Concrete be awarded to Hanson Construction Materials Pty Ltd
 - (c) Tender AF18/415 Supply and placement of bitumen Surfacing be awarded to Gambier Earth Movers
 - (d) Tender AF18/423 Supply and delivery of crushed rock be awarded to Gambier Earth Movers
 - (e) Tender AF18/427 Supply and delivery of graded limestone rubble be awarded to Gambier earth Movers
 - (f) Tender AF18/418 Line marking Services be awarded to Action Line Marking.

CARRIED

16.6 Sponsored Events - Contributions to Economic Development – Report No. AR19/21388

RESOLUTION 2019/102

Moved: Cr Christian Greco
Seconded: Cr Ben Hood

1. That Operational Standing Committee Report No. AR19/21388 titled 'Sponsored Events - Contributions to Economic Development' as presented on 14 May 2019 be noted.
2. That the contributions of Events and support staff be acknowledged.
3. As part of next month's Committee Meeting a workshop be incorporated to discuss the information provided in the report.

CARRIED



17 BUILDING FIRE SAFETY COMMITTEE MINUTES

17.1 MINUTES OF THE EXTRAORDINARY BUILDING FIRE SAFETY COMMITTEE HELD ON 18 APRIL 2019

RESOLUTION 2019/103

Moved: Cr Paul Jenner
Seconded: Cr Christian Greco

That the Minutes of the Extraordinary Building Fire Safety Committee meeting held on 18 April 2019 as previously circulated be noted.

CARRIED

18 COUNCIL ASSESSMENT PANEL MINUTES

18.1 MINUTES OF THE COUNCIL ASSESSMENT PANEL HELD ON 1 MAY 2019

RESOLUTION 2019/104

Moved: Cr Paul Jenner
Seconded: Cr Christian Greco

That the Minutes of the Council Assessment Panel meeting held on 1 May 2019 as previously circulated be noted.

CARRIED

19 REGIONAL SPORT AND RECREATION CENTRE COMMITTEE MINUTES AND RECOMMENDATIONS

19.1 MINUTES OF THE REGIONAL SPORT AND RECREATION CENTRE COMMITTEE HELD ON 6 MAY 2019

RESOLUTION 2019/105

Moved: Cr Ben Hood
Seconded: Cr Christian Greco

That the Minutes of the Regional Sport and Recreation Centre Committee meeting held on 6 May 2019 as attached be noted.

CARRIED



19.2 Community and Recreation Hub - Project Update – Report No. AR19/20602

RESOLUTION 2019/106

Moved: Cr Ben Hood
Seconded: Cr Christian Greco

1. That Regional Sport and Recreation Centre Committee Report No. AR19/20602 titled 'Community and Recreation Hub - Project Update' as presented on 06 May 2019 be noted.

CARRIED

19.3 Community and Recreation Hub - Community Reference Group (CRG) Named Paver Project – Report No. AR19/20603

RESOLUTION 2019/107

Moved: Cr Ben Hood
Seconded: Cr Frank Morello

1. That Regional Sport and Recreation Centre Committee Report No. AR19/20603 titled 'Community and Recreation Hub - Community Reference Group (CRG) Named Paver Project' as presented on 06 May 2019 be noted.
2. The Committee recommends to Council:
 - (a) That the Community Reference Group (CRG) concepts for a 'Donor Recognition Project' and a 'Sensory Garden' be supported;
 - (b) That Council investigates with the Architects, option for inclusion of naming within the internal design; and
 - (c) That the CRG provide a detailed project plan and timelines for the initiatives for endorsement by Council.

CARRIED

19.4 Community and Recreation Hub Naming Engagement – Report No. AR19/20986

RESOLUTION 2019/108

Moved: Cr Ben Hood
Seconded: Cr Christian Greco

1. That Regional Sport and Recreation Centre Committee Report No. AR19/20986 titled 'Community and Recreation Hub Naming Engagement' as presented on 06 May 2019 be noted.
2. That the engagement strategy for identifying a preferred name for the Community and Recreation Hub be endorsed.
3. That at the conclusion of the engagement period a report be prepared for the Regional Sport and Recreation Committee that identifies:
 - a) key themes and ideas from the community to guide the process of developing a brand proposal, and



- b) name submissions for the community and recreation facility to be reviewed with up to five appropriate names to be selected to progress to a community vote.

CARRIED

20 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MINUTES AND RECOMMENDATIONS

Nil

21 JUNIOR SPORTS ASSISTANCE (SECTION 41) COMMITTEE MINUTES AND RECOMMENDATIONS

Nil

22 AUDIT COMMITTEE MINUTES AND RECOMMENDATIONS

22.1 MINUTES OF THE AUDIT COMMITTEE HELD ON 15/05/2019

RESOLUTION 2019/109

Moved: Mayor Lynette Martin

Seconded: Cr Steven Perryman

That the Minutes of the Audit Committee meeting held on 15/05/2019 as attached be noted.

CARRIED

22.2 Internal Financial Controls - Cumulative Spend Review 01/07/2018 to 14/03/2019 – Report No. AR19/18131

RESOLUTION 2019/110

Moved: Mayor Lynette Martin

Seconded: Cr Max Bruins

1. That Audit Committee Report No. AR19/18131 titled 'Internal Financial Controls - Cumulative Spend Review 01/07/2018 to 14/03/2019' as presented on 15 May 2019 be noted.

CARRIED

Cr Bruins left the Chamber at 7.23 p.m.

Cr Bruins returned to the meeting at 7.24 p.m.



22.3 2018/2019 BDO and AusCERT Cyber Security Survey – Report No. AR19/21468

RESOLUTION 2019/111

Moved: Mayor Lynette Martin

Seconded: Cr Ben Hood

1. That Audit Committee Report No. AR19/21468 titled '2018/2019 BDO and AusCERT Cyber Security Survey' as presented on 15 May 2019 be noted.
2. That the CQR Cyber Security Assessment Report be brought to the Audit Committee when it is available.

CARRIED

22.4 Accounting Standards Update – Report No. AR19/21548

RESOLUTION 2019/112

Moved: Mayor Lynette Martin

Seconded: Cr Paul Jenner

1. That Audit Committee Report No. AR19/21548 titled 'Accounting Standards Update' as presented on 15 May 2019 be noted.

CARRIED

22.5 Interim Management Letter Financial Year 2018/2019 Galpins – Report No. AR19/21549

RESOLUTION 2019/113

Moved: Mayor Lynette Martin

Seconded: Cr Ben Hood

1. That Audit Committee Report No. AR19/21549 titled 'Interim Management Letter Financial Year 2018/2019 Galpins' as presented on 15 May 2019 be noted.
2. That the final interim management letter be circulated prior to the next Audit Committee meeting.
3. That the External Audit Partner present the Audit Engagement Plan to the next Audit Committee meeting.

CARRIED



22.6 Process Improvement - Customer Experience Team Improvement – Report No. AR19/21550

RESOLUTION 2019/114

Moved: Mayor Lynette Martin

Seconded: Cr Max Bruins

1. That Audit Committee Report No. AR19/21550 titled 'Process Improvement - Customer Experience Team Improvement' as presented on 15 May 2019 be noted.
2. That examples of process improvements and service reviews from across Council be reported to the Audit Committee in accordance with the Audit Committee's Work Program.
3. The Audit Committee acknowledges the work on process improvements and service reviews and requests that the register of process improvements, service reviews and projects be provided to the next Audit Committee meeting.

CARRIED

22.7 Audit Committee Review of Work Program – Report No. AR19/21551

RESOLUTION 2019/115

Moved: Mayor Lynette Martin

Seconded: Cr Kate Amoroso

1. That Audit Committee Report No. AR19/21551 titled 'Audit Committee Review of Work Program' as presented on 15 May 2019 be noted.
2. That the Audit Committee adopts the Work Program presented as a guide.
3. That the Audit Committee hold its next meeting on Tuesday 4 June 2019 at 5.30 pm to consider the Draft 2019/2020 Annual Business Plan and Budget.

CARRIED

23 COUNCIL REPORTS

23.1 MOUNT GAMBIER COMMUNITY RSL DISCRETIONARY RATE REBATE

MOTION

Moved: Cr Christian Greco

Seconded: Cr Kate Amoroso

1. That Council Report No. AR19/19657 titled 'Mount Gambier Community RSL Discretionary Rate Rebate' as presented on 21 May 2019 be noted.
2. That Council agree to a discretionary rate rebate of 50% for the RSL Assessment Numbers 1191 & 13760 commencing from 1 July 2019 for a period of 2 years. Subject to:
 - a) the Mount Gambier Community RSL documenting and committing to a payment arrangement to reduce the arrears and interest accruing on assessment numbers 1191 and 13760.

LOST



Cr Greco called for a Division
The declaration was then set aside.

Voting by division being:

In Favour: Crs Kate Amoroso, Christian Greco and Frank Morello

Against: Crs Max Bruins, Ben Hood, Paul Jenner and Steven Perryman

LOST 3/4

The Mayor declared the Motion

LOST

23.2 ONLINE VIEWING OF COUNCIL MEETINGS SURVEY RESULTS

RESOLUTION 2019/116

Moved: Cr Ben Hood
Seconded: Cr Christian Greco

1. That Council Report No. AR19/21710 titled 'Online Viewing of Council Meetings Survey Results' as presented on 21 May 2019 be noted.

CARRIED

23.3 QUARTER THREE BUDGET REVIEW FOR THE FINANCIAL YEAR ENDING 30 JUNE 2019.

RESOLUTION 2019/117

Moved: Cr Steven Perryman
Seconded: Cr Paul Jenner

1. That Council Report No. AR19/21547 titled 'Quarter Three Budget Review for the Financial Year Ending 30 June 2019.' as presented on 21 May 2019 be noted.
2. That the Quarter Three Budget Review (BR3) be adopted for the financial year 1 July 2018 to 30 June 2019 as detailed in Attachment 1 of the report titled '*Quarter Three Budget Review for the Financial Year Ending 30 June 2019*' which reflects a \$733k forecast operating surplus representing a net change from the Original Budget forecast operating surplus of \$405k.
3. Future Budget Reviews be presented to the Strategic Standing Committee before it comes to Council.

CARRIED



23.4 COMMUNITY PLAN - QUARTERLY SUMMARY KPI REPORT MARCH 31 2019

RESOLUTION 2019/118

Moved: Mayor Lynette Martin
Seconded: Cr Steven Perryman

1. That Council Report No. AR19/23395 titled 'Community Plan - Quarterly Summary KPI Report March 31 2019 ' as presented on 21 May 2019 be noted.
2. The March 2019 Quarterly Summary KPI report be received and endorsed by Council.

CARRIED

Cr Greco left the meeting at 8.00 pm.

Cr Greco returned to the meeting at 8.03 p.m.

Cr Amoroso left the meeting at 8.03 p.m.

Cr Amoroso returned to the meeting at 8.06 p.m.

23.5 LCLGA DRAFT 2019/2020 BUSINESS PLAN AND BUDGET

MOTION

Moved: Mayor Lynette Martin
Seconded: Cr Ben Hood

1. That Council Report No. AR19/23464 titled 'LCLGA Draft 2019/2020 Business Plan and Budget ' as presented on 21 May 2019 be noted.
2. That Council advise the Executive Officer of the LCLGA of Council's support for the 2019/2020 Business Plan and Budget as presented.

RESOLUTION 2019/119

Moved: Cr Steven Perryman
Seconded: Cr Paul Jenner

1. That Council Report No. AR19/23464 titled 'LCLGA Draft 2019/2020 Business Plan and Budget ' as presented on 21 May 2019 be noted.
2. Council seek explanation from the LCLGA in regard to the projected \$279,157.54 loss prior to resolving its support for the Budget.

Amendment became the Motion

and as the Motion was put and

CARRIED

Cr Perryman left the Chamber at 8.10 p.m.



23.6 APPOINTMENT OF MEMBERS ON OUTSIDE BODIES - LIMESTONE COAST LOCAL GOVERNMENT ASSOCIATION

RESOLUTION 2019/120

Moved: Mayor Lynette Martin

Seconded: Cr Frank Morello

1. That Council Report No. AR19/23505 titled 'Appointment of Members on Outside Bodies - Limestone Coast Local Government Association' as presented on 21 May 2019 be noted.
2. That Council endorse the following nominees for Limestone Coast Local Government Association positions:
 - (a) Limestone Coast Leadership Program Committee – Cr Amoroso
 - (b) Anglican Community Care Incorporated (AC CARE) – Cr Amoroso
 - (c) Group Training Employment – Cr Jenner

CARRIED

Cr Perryman returned to the Chamber at 8.12 p.m.

23.7 LIMESTONE COAST LOCAL GOVERNMENT ASSOCIATION - FEEDBACK RE REGIONAL JOINT PLANNING BOARD BUSINESS CASE

RESOLUTION 2019/121

Cr Perryman moved to defer item until last item on the Agenda

Seconded Cr Bruins

CARRIED

24 MOTIONS WITH NOTICE

24.1 NOTICE OF MOTION - ELECTED MEMBERS CORPORATE UNIFORM

MOTION

Moved: Cr Steven Perryman

Seconded: Cr Paul Jenner

1. Council allocate an amount of up to \$1,000 per Member for the purposes of providing a corporate uniform for Elected Members.
2. The Chief Executive Officer (or delegate) in conjunction with Cr Greco and Cr Amoroso be authorised to select the corporate uniform, to consist of business style garments (e.g. suit, jacket, tie, belt) and a casual shirt.
3. Council logo/insignia be incorporated if deemed appropriate suitable and complementary to the selected garments
4. The corporate uniform referenced in resolutions (1) - (3) above is to be provided to Elected



on the basis that it is necessary or expedient to the performance or discharge of official functions or duties in accordance with s78(2)(a) of the Local Government Act 1999 and remains the property of the Council in accordance with s78(2)(c).

LOST

Cr Bruins called for division

The declaration was then set aside.

Voting by division being:

In Favour: Crs Kate Amoroso and Paul Jenner

Against: Crs Max Bruins, Ben Hood, Christian Greco, Frank Morello and Steven Perryman

LOST 2/5

The Mayor Declared The Motion

LOST

25 URGENT MOTIONS WITHOUT NOTICE

25.1 RSL DISCRETIONARY REBATE

RESOLUTION 2019/122

Moved: Cr Paul Jenner

Seconded: Cr Christian Greco

1. That Council Report No. AR19/19657 titled 'Mount Gambier Community RSL Discretionary Rate Rebate' as presented on 21 May 2019 be noted.
2. That Council agree to a discretionary rate rebate of 50% for the RSL Assessment Numbers 13760 commencing from 1 July 2019 for a period of 2 years. Subject to:
 - a) the Mount Gambier Community RSL documenting and committing to a payment arrangement to reduce the arrears and interest accruing on assessment number 13760.

CARRIED

Cr Greco called for division

The declaration was then set aside.

Voting by division being:

In Favour: Crs Kate Amoroso, Max Bruins, Paul Jenner, Christian Greco and Frank Morello

Against: Crs Ben Hood and Steven Perryman

CARRIED 5/2

The Mayor Declared The Motion

CARRIED



25.2 LGLGA JOINT PLANNING BOARD BUSINESS CASE

RESOLUTION 2019/123

Moved: Cr Steven Perryman

Seconded: Cr Ben Hood

1. That Council Report No. AR19/23506 titled 'Limestone Coast Local Government Association - Feedback re Regional Joint Planning Board Business Case' as presented on 21 May 2019 be noted.
2. Council advise the LCLGA that its initial position is that it strongly opposes moving to joint Regional Council Assessment Panels on the basis that it is a further centralisation of decision making, and takes power away from individual communities and local councils.
3. Council extend an invitation for Mr David Lake to attend an Elected Member workshop and make a presentation on the project.

CARRIED

26 CONFIDENTIAL ITEMS OF COMMITTEES

26.1 CONFIDENTIAL ITEMS OF THE OPERATIONAL STANDING COMMITTEE HELD ON 14/05/2019

Pursuant to Section 75A of the Local Government Act 1999, Cr Morello disclosed an actual conflict of interest in Item 26.3:

"While it is a legislative requirement that the fire detection system meets the relevant standards, I intend to leave the chamber.

Cr Morello informed the meeting of the manner in which they intend to deal with the *actual conflict of interest in Item 26.3* as follows:

I intend to leave the chamber. "

In accordance with Section 75A of the Local Government Act 1999 Cr Morello left the Chamber for Item 26.3 at 8.55 p.m.

26.2 Sir Robert Helpmann Theatre and Civic Centre: Fire Detection and Emergency System Upgrade – Report No. AR19/19553

Moved: Cr Christian Greco

Seconded: Cr Max Bruins

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Operational Standing Committee orders that all members of the public, except Mayor L Martin, Councillors S Perryman, C Greco, P Jenner, K Amoroso, B Hood, M Bruins, F Morello and Council Officers N Serle, B Cernovskis, P Lee, J Nagy, T Tzioutziouklaris, M McCarthy, S McLean and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.2 AR19/19553 Sir Robert Helpmann Theatre and Civic Centre: Fire Detection and Emergency System Upgrade.

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



- information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is
 - conducting business; or
 - proposing to conduct business; or
 - to prejudice the commercial position of the Council

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.

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 To enable a discussion without prejudicing the commercial position of Council.

CARRIED

Cr Morello returned to the meeting at 9.05 p.m.

Moved: Cr Christian Greco
Seconded: Cr Frank Morello

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 7.2 AR19/19553 Sir Robert Helpmann Theatre and Civic Centre: Fire Detection and Emergency System Upgrade and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b) be kept confidential and not available for public inspection until a contract has been executed in relation to the matter.
2. Further that Council delegates the power of review revoke, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CARRIED

27 NEW CONFIDENTIAL ITEMS

27.1 ENGAGEMENT OF LEGAL REPRESENTATION FOR APPEAL TO THE ENVIRONMENT RESOURCES AND DEVELOPMENT COURT - DEVELOPMENT APPLICATION 381/0334/2018 - 1 PICK AVENUE, MOUNT GAMBIER - MOUNT GAMBIER AGRICULTURAL AND HORTICULTURAL SOCIETY INC. – REPORT NO. AR19/19698

Moved: Cr Steven Perryman
Seconded: Cr Ben Hood

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Mayor L Martin, Councillors S Perryman, C Greco, P Jenner, K Amoroso, B Hood, M Bruins, F Morello and Council Officers N Serle, B Cernovskis, P Lee, J Nagy, T



Tzioutziouklaris, M McCarthy, S McLean and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.1 AR19/19698 Engagement of legal representation for appeal to the Environment Resources and Development Court - Development Application 381/0334/2018 - 1 Pick Avenue, Mount Gambier - Mount Gambier Agricultural and Horticultural Society Inc.

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

- information concerning 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,
 - breach any duty of confidence, or
 - breach any other legal obligation or duty
- legal advice

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 this report relates to the engagement of legal representation in relation to an appeal lodged with the Environment, Resource and Development Court, by the Mount Gambier Agricultural and Horticultural Society. The appeal relates to a decision of Council Assessment Panel made on 21 February 2019 regarding development application 381/0334/2018.

CARRIED

Moved: Cr Max Bruins
Seconded: Cr Kate Amoroso

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 27.1 AR19/19698 Engagement of legal representation for appeal to the Environment Resources and Development Court - Development Application 381/0334/2018 - 1 Pick Avenue, Mount Gambier - Mount Gambier Agricultural and Horticultural Society Inc. and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (g) and (h) be kept confidential and not available for public inspection until 21 June 2020.
2. Further that Council delegates the power of review revoke, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CARRIED

Pursuant to Section 75A of the Local Government Act 1999, Cr Bruins disclosed a perceived conflict of interest in Item 27.2:

"I am a board Member of the QEPT.

Cr Bruins informed the meeting of the manner in which they *intend to deal with the perceived conflict of interest in Item 27.2 as follows:*



Participate fairly in debate, as QEPT are ceasing the lease and giving land back to Council (Golf Links Land) as a Councillor, I feel I need to participate in the debate on this issue"

In accordance with Section 75A of the Local Government Act 1999 Cr Bruins stayed in the room for some of Item 27.2.

Pursuant to Section 75A of the Local Government Act 1999, Mayor Lynette Martin disclosed a perceived conflict of interest in Item 27.2:

"I advise a perceived conflict of interest in this matter as I have a family member who is a board member of the QEPT and who are the current tenants of this site and who have indicated they they are not taking a further lease.

Mayor Martin informed the meeting of the manner in which they *intend to deal with the perceived conflict of interest in Item 27.2 as follows:*

- To keep an open mind and participate in the debate. At this point in time the debate is about the BLGC and not the QEPT"

In accordance with Section 75A of the Local Government Act 1999 Mayor Martin stayed in the room for some of Item 27.2.

Cr Perryman foreshadowed meeting suspension

27.2 QUEEN ELIZABETH PARK TRUST / BLUE LAKE GOLF COURSE - LEASING – REPORT NO. AR19/24097

Moved: Cr Max Bruins
Seconded: Cr Ben Hood

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Mayor L Martin, Councillors S Perryman, C Greco, P Jenner, K Amoroso, B Hood, M Bruins, F Morello and Council Officers N Serle, B Cernovskis, P Lee, J Nagy, T Tzioutziouklaris, M McCarthy, S McLean and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.2 AR19/24097 Queen Elizabeth Park Trust / Blue Lake Golf Course - Leasing.

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

- information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is
 - conducting business; or
 - proposing to conduct business; or
 - to prejudice the commercial position of the Council

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.



- commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected:
 - to prejudice the commercial position of the person who supplied the information, or
 - to confer a commercial advantage on a third party

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.

- legal advice

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 material to be considered comprising legal advice and other update relating to the leasing of the golf course and associated Queen Elizabeth Park Trust matters the disclosure of which could reasonably prejudice the position of the Council and confer an advantage on a third party with whom the Council may enter into lease negotiations.

CARRIED

Pursuant to Section 74 of the Local Government Act 1999, Cr Bruins disclosed a material conflict of interest in Item 27.2:

"I am a board member of the QEPT".

In accordance with Section 74 of the Local Government Act 1999 Cr Bruins did not participate in the meeting for Item 27.2.

Cr Bruins left the meeting at 9.23 p.m.

Pursuant to Section 74 of the Local Government Act 1999, Mayor Martin disclosed a material conflict of interest in Item 27.2:

"I have a family member on the board of the QEPT".

In accordance with Section 74 of the Local Government Act 1999 Mayor Martin did not participate in the meeting for Item 27.2.

Mayor Martin left the meeting at 9.23 p.m.

Cr Greco moved Cr Morello take the chair in the absence of the Mayor and Deputy Mayor

Cr Jenner seconded

CARRIED

Cr Morello took the Chair for Item 27.2

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



Purpose of the Suspension: discuss Item 27.2

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

Meeting Procedures were suspended at 9.34 p.m.

Cr Morello 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 10.54 p.m.

RESOLUTION 2019/131

Moved: Cr Christian Greco

Seconded: Cr Steven Perryman

1. That Council Report No. AR19/24097 titled 'Queen Elizabeth Park Trust / Blue Lake Golf Course - Leasing' as presented on 21 May 2019 be noted.
2. Council offer the Blue Lake Golf Club a 5 year lease comprising of a 1 year lease and 4 x 1 year right of renewal for the entire golf course including all buildings, facilities and infrastructure. This lease shall include as a standard clause the right to sublet with Council consent.
3. Council provides \$75,000 operational grant paid monthly in advance in equal instalments in the first year.
4. Council's willingness to enter into a lease with the Blue Lake Golf Club is subject to development of key performance indicators agreed to by Council and a detailed asset management plan being developed by the Blue Lake Golf Club with the assistance of Council.
5. Council may provide on a fee for service basis horticultural services.
6. The CEO (or delegate) and the Mayor be authorised to enter into negotiations and prepare documentation and to affix the Council seal to such documentation to give effect to resolution 2 to 5

CARRIED

RESOLUTION 2019/132

Moved: Cr Steven Perryman

Seconded: Cr Ben Hood

7. Council write to the QEPT acknowledge receipt of their letter dated 15 May 2019
8. Council notes the special condition contained within the caravan park lease that includes a rent review upon the non lease of the golf course
9. Council requests as a matter of extreme urgency that the QEPT advise if they intend to maintain a lease over the caravan park noting the inevitable increase in rent which will be due to be paid to Council as a result of triggering the above mentioned clause
10. Council believes the current position of the QEPT is untenable and that both parties will avoid significant cost and effort if the QEPT willingly engage with Council to transfer their



sublease interest to Council and commence to wind up their operations.

11. That the Chamber of Commerce be notified of the above mentioned resolution.

CARRIED

Moved: Cr Christian Greco
Seconded: Cr Paul Jenner

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 27.2 AR19/24097 Queen Elizabeth Park Trust / Blue Lake Golf Course - Leasing and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b), (d) and (h) be kept confidential and not available for public inspection until 16 June 2020 with the exception of resolutions 1 - 6 to be released immediately and resolutions 7 – 11 to be released upon notification to the relevant stakeholders.
2. Further that Council delegates the power of review revoke, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CARRIED

Mayor Martin and Cr Bruins returned to the meeting at 11.23 p.m

CONDITIONS FOR RELEASE MET 22/05/2019



27.3 PUMP TRACK PROJECT – REPORT NO. AR19/24140

Moved: Cr Christian Greco
Seconded: Cr Ben Hood

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Mayor L Martin, Councillors S Perryman, C Greco, P Jenner, K Amoroso, B Hood, M Bruins, F Morello and Council Officers N Serle, B Cernovskis, P Lee, J Nagy, T Tzioutziouklaris, M McCarthy, S McLean and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.3 AR19/24140 Pump Track Project.

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

- commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected:
 - to prejudice the commercial position of the person who supplied the information, or
 - to confer a commercial advantage on a third party

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 material provided by the proponent contains commercial information the disclosure of which could reasonably be considered as potentially conferring a commercial advantage to any third party respondent.

CARRIED

Moved: Cr Christian Greco
Seconded: Cr Paul Jenner

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 27.3 AR19/24140 Pump Track Project and its attachments, having been considered by the Council in confidence under Section 90(2) & (3) (d) be kept confidential and not available for public inspection until a contract has been entered into with the proponent.
2. Further that Council delegates the power of review revoke, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CARRIED



28 MEETING CLOSE

The Meeting closed at 12.03 a.m.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 18 June 2019.

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PRESIDING MEMBER

