

MINUTES OF THE MEETING OF THE CITY OF MOUNT GAMBIER HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT GAMBIER ON TUESDAY 28TH JANUARY 2014 AT 6.03 P.M.

COUNCIL

PRESENT: Mayor SA Perryman

Cr A Lee
Cr J Maher
Cr DK Mutton
Cr H Persello
Cr PG Richardson
Cr B Shearing
Cr A Smith
Cr I Von Stanke
Cr MR White

LEAVE OF ABSENCE: Nil

APOLOGY/IES: Nil

COUNCIL OFFICERS:

Chief Executive Officer	-	Mr M McShane
Director Operational Services	-	Mr D Sexton
Director Corporate Services	-	Mr G Humphries
Manager Community Services and Development	-	Ms B Cernovskis
Governance Officer	-	Mr M McCarthy
Administrative Officer Executive Support	-	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.

CONFIRMATION OF MINUTES:

Cr Mutton moved the minutes of the previous meeting held on 17th December, 2013 be taken as read and confirmed.

Cr Shearing seconded

Carried

MAYORAL REPORT - Ref. AF11/881

- Naval Association Mount Gambier Annual Dinner.
- Australia Day Citizen of the Year presentation.
- Congratulations to efforts of the Committee and volunteers for the very successful New Years Eve event held at Vansittart Park.
- Congratulations to M J Dance Studio for successful wins and placings in categories at a recent competition in Queensland.
- Congratulations to Ben Jenner coming first in a supporting race of the Tour Down Under cycling event in a field of 650 competitors.

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

<u>Member</u>	<u>Organisation</u>
Cr Richardson	3 rd National Karenni conference.
Cr Shearing	Riddoch Art Gallery Board Inc., South Animal Welfare League Site Inspection.
Cr Von Stanke	Mount Gambier Harness Racing Club Dinner, Opened Vintage and Veteran Car Club Australia Day Rally, Harness Racing Gold Cup, International Evangelical Pentecostal Church, Mount Gambier Summer Cup.

Cr Lee moved the reports made by Council representatives on outside organisations be received.

Cr Shearing seconded

Carried

QUESTIONS:

- (a) With Notice – Nil submitted.
- (b) Without Notice - Nil

PETITIONS: Nil.

NOTICE OF MOTION TO RESCIND: Nil.

ELECTED MEMBERS WORKSHOPS: Ref. AF11/2028

No Elected Members Informal Workshops were conducted between 18th December, 2013 and 27th January 2014.

COMMITTEE MINUTES

OPERATIONAL SERVICES COMMITTEE MINUTES – 21st January, 2014

Cr White moved that the minutes of the meeting held 21st January, 2014 be received.

Cr Von Stanke seconded

Carried

PROCEDURE FOR VOTING EN BLOC:

- (i) *The Presiding Member of each respective Committee will consider the list of agenda items before the Council meeting and determine which could be considered En Bloc having regard to the guidances in the formal Council Procedure.*

The Policy stipulates that the following matters will not be considered EN BLOC:

- *in respect of which a Elected Member wishes to make an informed and representative decision has indicated that he/she wishes to debate, ask a question or to raise a point of clarification on a specific item;*
- *which require adoption by an absolute or special majority vote (for example, Council by-laws);*
- *which are incapable of delegation in accordance with Section 44(3) of the Local Government Act 1999;*
- *in respect of which there is a disclosure of interest in accordance with Section 74 of the Local Government Act 1999;*
- *which require the Council to form an opinion as to the subject matter of the motion (for example, community land revocation, appointing a person to prepare a representation options paper under Section 12 of the Local Government Act 1999);*
- *where there is a recommendation to apply the confidentiality provisions of Section 90(3) of the Local Government Act 1999; and*
- *in respect of which a related decision will, or is likely to effect the rights, interests or legitimate expectations of a third party, individual or organisation (for example, a decision to grant or revoke a permit or license or, to grant an application for a community grant).*

It also remains open to an Elected Member or on the advice of the Chief Executive Officer to request that an item be removed from the list of items to be considered En-Bloc.

- (ii) *the Council Procedure suggests that the following are matters that could be considered En Bloc:*

- *items that are presented for information purposes only;*
- *reports which require only receipt and noting; and*

- *recommendations made by a Council Committee or in a Working Party report that are not contentious and do not require discussion or debate.*
- (iii) *The Presiding Member of each respective Committee will enquire of Members at the Council meeting whether they wish any item not to be considered as part of the En Bloc recommendation;*
- (iv) *where a consensus is not able to be agreed to, then that item will not be considered En Bloc;*

MATTERS TO BE CONSIDERED EN BLOC

The Presiding Member of each respective Committee will enquire of the Council meeting which item(s) the Members consider can and should be considered En Bloc having regard to the guidances in the adopted Council Policy and Procedure on such matters.

OPERATIONAL SERVICES COMMITTEE ITEMS

ITEMS ADOPTED EN BLOC

Cr White moved that the Operational Services Committee Items as contained in items 1 - 2 as detailed in this agenda and moved En Bloc be adopted as these identified agenda items can be dealt with En Bloc in compliance with Councils adopted Policy and Procedure for voting En Bloc as the resolutions of Council.

Cr Mutton seconded

Carried

The consensus at the meeting was that the following items be considered En Bloc:

Item No's: 1 - 2

1. STRATEGIC MANAGEMENT - Internal - Operational Services Committee - Business Arising Table - Ref. AF11/1900

Goal: Governance

Strategic Objective: (i) Develop an improved means of communication and engagement between Council and the community (including vulnerable communities) in the building of community capacity

Cr Von Stanke moved it be recommended that the Business Arising Schedule be recorded for information.

Date of Motion	Subject Matter	Action Required	Responsibility	Status	Comments
CORPORATE AND COMMUNITY SERVICES					
18/10/2011	Strategic Management Plan	Develop Operational Plans	Chief Executive Officer	In Progress	Meeting with Presiding Member 2nd April 2013 with Chief Executive Officer and Senior Staff to progress the two

					<p>matters being:</p> <ol style="list-style-type: none"> 1) Improved Corporate reporting and review; and 2) Strategic Plans reflecting roles of Elected Members and Staff <ul style="list-style-type: none"> • Desktop analysis to be conducted • Review of responsibility matrix to be completed • Comments reviewed by 27th November 2013 • Workshop commencing January 2014
17/7/2012	Council's Decision Making Structure	Review of Terms of Reference for Section 41's	Chief Executive Officer and Director - Operational Services	Completed	
20/11/2012	Establishment of City Development Framework		Chief Executive Officer	In Progress	<ul style="list-style-type: none"> • Stage 1 completed • Stage 2 authorised • Additional funding authorised • Workshop conducted with Professor John Martin on 3rd December 2013. • Working group now a sub-committee of Corporate and Community Services • Professor John Martin engaged by Council • Visits by John Martin 16th January 2014 and week beginning 3rd February 2014
09/07/2013	SELGA Review	Council prepare plans to undertake a review (of SELGA) by the end of the calendar year	Chief Executive Officer	In Progress	<ul style="list-style-type: none"> • Waiting for a date from SELGA to arrange an extended Workshop for Elected Members. Facilitator is organised. • SELGA President and Executive Officer informal meeting with Council

					<ul style="list-style-type: none"> • SELGA conducting a review of its strategic plans including engagement with constituent Councils (independent of Council's resolution on this matter)
20/08/2013	Umpherston Sinkhole	<ul style="list-style-type: none"> • Expressions of Interest Process • Council Report 	Governance Officer	In Progress	Review of leasing options for this and other Council facilities
17/09/2013	China Relationship	Further investigations / members workshop	Chief Executive Officer	In Progress	<ul style="list-style-type: none"> • Initial workshop held • Regional workshop scheduled on 5th December • Members Informal workshop on 6th December
17/09/2013	Smoke Free areas	Implementation of	Operational Services, Governance Officer, Manager Community Services and Development	In Progress	Event surveys underway and results to be presented in 2014
17/09/2013	Tourism Budget	Members workshops to be scheduled	Chief Executive Officer	Completed	
15/10/2013	Policy Review	Review process confirmed	Governance Officer	In Progress	Review commenced Report to Corporate and Community Services 10th December 2013
19/11/2013	January Meetings	Advertise Dates	Director - Corporate Services	Completed	
19/11/2013	Eureka Flag	Display	Manager - Community Services and Development	Completed	
19/11/2013	Annual Report	Distribute	Manager - Community Services and Development	Completed	
19/11/2013	Lifelong Learning	New Appointment	Manager - Community Services and Development	Completed	
19/11/2013	Confidential Items Review	Members Workshop	Governance Officer Chief Executive Officer	Completed	
19/11/2013	Community Engagement and Social Inclusion Sub-Committee	Members Workshop	Manager - Community Services and Development Chief Executive Officer	Completed	

17/12/2013	Display of Aboriginal and Torres Strait Islander Flags in the Council Chamber	Engagement with stakeholders and establishing a process	Manager - Community Services and Development	In Progress	Contact made with Pangula Mannamurna and Burrandies Aboriginal Corporation. Meeting to discuss developments with handover scheduled.
OPERATIONAL SERVICES					
16/04/2013	Park and Stride - community engagement	Matter left to lie on table pending further re-engagement with the community	Director - Operational Services	In Progress	Referred to Environmental Sustainability Sub-Committee for further action
17/09/2013	Playground Construction - Traditional Playgrounds vs. Natural Playgrounds	Prepare concept designs for a natural playground within the John Powell Drive Reserve, engage with the local community and schools regarding their ideas/ acceptance and contributions towards a natural playground	Engineering Manager	In Progress	Concept being prepared, consultation in process
17/09/2013	Regional Development Assessment Panels	Support the focus of the proposal and review the recommendations at a later date	Strategic Project Officer	Ongoing	Waiting for outcomes of investigation by SELGA
15/10/2013	Desktop Analysis of Strategic Plan	Relevant sections of Strategic Plan - Beyond 2013 and the Corporate Plan 2012 be provided to relevant Committees, Members and Staff (subject to reviewing the responsibility matrix)	Strategic Project Officer	In Progress	Review is progressing
19/11/2013	Disposal of surplus materials	Nominate all surplus/unwanted materials and arrange public auction	Director - Operational Services	In Progress	This will occur in early 2014, date yet to be confirmed
19/11/2013	Equip Mobility - request for permit area (disabled) - Canavan Road	Send letter to Equip Mobility, arrange installation of two (2) permit area (disabled) car parking bays	Team Leader - General Inspector	In Progress	signage has been ordered, invert works yet to commence
17/12/2013	Local Heritage Restoration Fund Program	Send letters to advise successful applicants	Senior Planner	Completed	Letters sent on 19/12/2013
17/12/2013	Mount Gambier Cemetery Trust	Adopt Terms of Reference and Memorandum of Understanding	Director - Operational Services	In Progress	Refer to item on agenda (addition to Terms of Reference)
17/12/2013	Street Tree Planting Program	Send letter to property owners/occupiers that requested a street tree not be planted, advise all other property owners street tree program will commence in 2014	Engineering Technical Officer	Completed	Letters to property owners/occupiers that requested a tree not be planted have been sent, all other letters to advise the program will commence in 2014 will be sent this week

17/12/2013	Department of Planning, Transport and Infrastructure - Community Consultation - Penola Road Bicycle Lanes	Send letter to DPTI	Director - Operational Services	Completed	Letter emailed on 20/12/2013, response has been received (refer to item on agenda)
17/12/2013	Liquor Licence - Molten Chocolate Cafe	Send letter to Applicant and Office of the Liquor and Gambling Commissioner	Senior Planner	Completed	Letter emailed on 19/12/2013
17/12/2013	Street tree maintenance and removal - Umpherston Street	Send letters (and copy of report) to adjoining owners/occupiers	Engineering Technical Officer	Completed	Letters sent on 19/12/2013
17/12/2013	Mount Gambier and District Tennis Association - sponsorship signage	Send letter to Mount Gambier and District Tennis Association	Planning Officer	Completed	Approval issued on 23/12/2013
17/12/2013	12 Canavan Road - fence and retaining walls	Prepare report on condition of the fence	Director - Operational Services	In Progress	Letter sent to Tonkin Consulting on 02/01/2014 to undertake assessment

Cr Shearing seconded

Carried

Cr White moved that the Operational Services Committee Items as contained in items 1 - 2 as detailed in this agenda and moved En Bloc be adopted as these identified agenda items can be dealt with En Bloc in compliance with Councils adopted Policy and Procedure for voting En Bloc as the resolutions of Council.

Cr Mutton seconded

2. COMMITTEES - Internal - Operational Services Committee - re Projects to be undertaken by the Operational Services Department, Engineering Division, during month - Ref. AF11/866

The Presiding Member reported the following works are to be undertaken/are currently being undertaken by the Operational Services Department, Engineering Division, during the month:

<u>Commenced Tasks</u>	<u>% Completed</u>
• Streetscaping / paving city centre stage 4 (Bay Rd to Ferrers St)	90%
• Line marking program	ongoing
• Wireless Road East Construction (Aramanta Drive to 500m west of Aramanta)	50%
• Bishop Road (Penola Road to 300m east) kerb and channel widening and reshaping of road	10%
• Caroline Landfill	10%
• Former Hospital demolition	70%
• Rail lands site remediation	60%

Completed Tasks

- White Ave footpath construction
- Commercial St East (Pick Ave to Davison St) road construction

Cr Von Stanke moved it be recommended the report be received.

Cr Shearing seconded

Carried

Cr White moved that the Operational Services Committee Items as contained in items 1 - 2 as detailed in this agenda and moved En Bloc be adopted as these identified agenda items can be dealt with En Bloc in compliance with Councils adopted Policy and Procedure for voting En Bloc as the resolutions of Council.

Cr Mutton seconded

Carried

3. COMMITTEES - Environmental Sustainability Sub-Committee - Minutes of Meeting held 17th December 2013 - Ref. AF12/377

Goal: Governance

Strategic Objective: (i) Demonstrate innovative and responsible organisational governance

Cr Von Stanke moved it be recommended:

- (a) The minutes of the Environmental Sustainability Sub-Committee held on Tuesday, 17th December 2013 be received;
- (b) the following recommendations (number 1 to 4) of the Environmental Sustainability Sub-Committee be adopted by Council:
 1. Efficient Homes Project
 - Council approve of the publishing of the Interim Report to the City of Mount Gambier website.
 2. Salvage Yard Options (3 Eucalypt Drive)
 - Council proceed to develop an Expression of Interest for the operation of a materials recovery facility (salvage yard) at Council's 3 Eucalypt Drive site, in accordance with the principles and criteria set out in this report. The draft report will be sent to Find Workable Solutions and Future Employment Opportunities for review before final release.
 3. Park and Stride
 - Relevant Council staff and Elected Members proceed to develop a community education program in liaison with relevant external stakeholders, to be delivered on an ongoing basis.

4. Reports for information

South East Biomass Group

Following on from the brief update provided to Members in November, the summary of the 18th November meeting of the group was attached to the Environmental Sustainability Sub-Committee agenda, compiled by Zero Waste staff.

Environmental Sustainability Program 2013 - Project Progress

The current table outlining projects for 2013 was attached to the Environmental Sustainability Sub-Committee agenda for Members information.

Cr Shearing seconded

Carried

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

Cr Von Stanke seconded

Carried

4. **EQUIPMENT, PLANT AND STORES - Programme Management - Landfill Compactor - Urgent Maintenance Works - Ref. AF11/629**

The Presiding Member reported:

- (a) The TANA Landfill compactor is in need of urgent works to replace its compacting teeth on the front and rear rollers. The works can be done by either cutting off the existing compactor teeth and welding new ones on or replacing the entire drum with teeth already fitted;
- (b) the first option is in the order of \$60,000 but will take 2-3 weeks to undertake repairs and Council will need to try and hire a replacement compactor (at a cost) for this period;
- (c) the second option will cost in the order of \$100,000 (it is anticipated a firm quotation will be available by the meeting) and whilst more expensive the downtime on the machine will be 1-2 days (therefore no need to hire a replacement machine);
- (d) the components required are unique and therefore the purchase cost cannot be subject to a tender process;
- (e) this report will recommend option 2 - replacement of the front and rear rollers with teeth attached and this will require an adjustment to Council's Budget;
- (f) as this is a major expenditure it can be classified as a capital spend and Council could defer the replacement of unit 77 - Toro mower (\$85,000 estimated change over cost) and unit 9 - utility (\$17,000 estimated change over cost) to fund the

works. Obviously an adjustment will need to be made to the forward plant replacement program which will be done before the Budget is prepared for consideration.

Cr Von Stanke moved it be recommended:

- (a) The report be received;
- (b) Council proceed to replace both the front and rear drums of the TANA Landfill compactor at a price of \$105,000;
- (c) Council adjusts its 2013/14 Budget by deleting the replacement of the following plant items from the Budget (refer account 7300.7400):
 - Unit 77 (Toro GM mower)
 - Unit 9 (utility)

Cr White seconded

Carried

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

Cr Mutton seconded

Carried

5. FINANCIAL MANAGEMENT - Committees - Mount Gambier Cemetery Trust (Section 41) Committee - Terms of Reference - Ref. AF11/1371

Goal: Governance

Strategic Objective: (i) Demonstrate innovative and responsible organisational governance

The Presiding Member reported:

- (a) Council, at its meeting held on Tuesday, 17th December 2013 resolved:

“(a) The report be received;

(b) Council adopts the revised Mount Gambier Cemetery Trust (Section 41 Committee) Terms of Reference and Memorandum of Understanding (as attached to the Operational Services Committee agenda);

(c) Council hereby confirms the following Committee Member appointments:

- *Rev. Brian Ashworth (as Presiding Member);*
- *Cr Byron Harfield (City of Mount Gambier);*
- *Cr Ian Von Stanke (City of Mount Gambier);*
- *Cr Brian Collins (District Council of Grant); and*
- *Mr Anthony Bolton.*

- (d) *Council not require non-Elected Members of the Committee to complete Register of Interest Declarations (as per Section 72 of the Local Government Act)."*
- (b) An additional Clause was omitted from the Terms of Reference document attached to the Operational Services Committee agenda of 10th December 2013, as follows:
- 17.1.2 The Trust's annual budget shall be forwarded to Council for approval.
- (c) This report will recommend an amendment to Section 17.1 to include the additional clause.

Cr Von Stanke moved it be recommended:

- (a) The report be received;
- (b) Council amend Section 17.1 to read as follows:

17.1 Accounting

- 17.1.1 The Trust shall ensure that adequate and proper accounting records are maintained in respect of the Trust.
- 17.1.2 The Trust's annual budget shall be forward to Council for approval.
- 17.1.3 A financial statement shall be prepared by the Trust as soon as is practicable after the conclusion of any financial year and which shall be audited on an annual basis by the Auditor for the time being of the Council.
- 17.1.4 The audited accounts must be submitted to the Council by the day determined by the Council for inclusion as part of the Council's financial statements and Annual Report.
- 17.1.5 A copy of the said financial statements shall be forwarded to the Council and the District Council.
- 17.1.6 All moneys received by the Trust shall be paid to the credit of the Trust with a bank or financial institution at Mount Gambier.
- 17.1.7 No money shall be withdrawn from any such bank or financial institution except by cheque signed by at least two of the following: Chief Executive Officer, a Trust Member, Trust Secretary.
- 17.1.8 The Trust may pay to any Member or the Secretary any travelling or other expenses necessarily incurred by the Member or the Secretary on the business of the Trust.

Cr Shearing seconded

Carried

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

Cr Von Stanke seconded

Carried

6. INFRASTRUCTURE - Construction - Request for Carparking - Letter from Village Medical Centre - Ref. AF11/2245

The Presiding Member reported:

(a) Council, at its meeting held on Tuesday, 19th November 2013 resolved:

“(a) The report be received;

(b) Council refer a copy of the carpark layout and estimate to the Village Medical Centre for their comment and in particular for an indication of their financial contribution to the project;

(c) Council further consider the request following receipt of advice from the Village Medical Centre addressing part (b) of this resolution.”

(b) the Village Medical Centre have now responded to Council's resolution (correspondence attached) with an offer to meet 10% of the costs (in the order of \$8,200 based on initial estimate);

(c) there is a parking issue at this location that requires attention and the practice has no land available to expand their own carpark. The business is now well established, it appears to be very well utilised suggesting that it will remain for some time to come.

Cr Von Stanke moved it be recommended:

(a) The report be received;

(b) Council refer an amount for \$75,000 to the 2014/15 Budget process for consideration of a carpark on the Council land bounded by Penola Road, Buronga Avenue and Kywong Court.

Cr Shearing seconded

Carried

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

Cr Mutton seconded

Carried

7. **PROPERTY MANAGEMENT - Committees - Report of the Aquatic Centre Management Advisory Group meeting held at 7:00 a.m. Wednesday, 15th January 2013 - Ref. AF11/1370**

Goal: *Building Communities*

Strategic Objective: (i) *Encourage the development of community facilities and infrastructure, community events, and active and safe community spaces through direct support, seeking funding, facilitation etc*

The Presiding Member reported:

- (a) The Notes of the Aquatic Centre Management Advisory Group meeting held on Wednesday, 15th January 2014 are attached to the agenda.

Cr Von Stanke moved it be recommended:

- (a) The report be received;
- (b) Council refer an amount of \$12,000 to the 2014/15 Budget for consideration of the following projects:
- \$7,000 outdoor change room facility
\$5,000 replace padding to columns
- (c) Mr Peter Collins be congratulated on the score achieved for the external workplace audit at the Aquatic Centre.

Cr Shearing seconded

Carried

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

Cr Von Stanke seconded

Carried

8. **TRAFFIC MANAGEMENT - Consultation - Penola Road Bicycle Lanes - Letter received from Department of Planning, Transport and Infrastructure (DPTI) - Ref. AF11/1853**

The Presiding Member reported:

- (a) Council, at its meeting of 17th December 2013 resolved:

“(a) The report be received;

(b) Council write to the Department of Planning, Transport and Infrastructure (DPTI) expressing its disappointment that they did not re-consult with Council after their public consultation, as Council agreed to do;

- (c) *Council request the Dept of Planning, Transport and Infrastructure to hold a community information session in Mount Gambier to inform the local community of the outcomes of the public consultation conducted in relation to the Penola Road /Bay Road traffic management scheme and to advise on the progress moving forward as a result of the Department's consideration of community comments. The information session to also provide an opportunity for questions and answers from the community."*
- (b) the Department has now responded (refer correspondence that was attached to the Operational Services Committee agenda) and their response and offer of a meeting for the exchange of information and views is not what was envisaged by Council in passing its resolution on 17th December 2013. A formal Council meeting is not the appropriate forum for community discussions on his topic (and noting the Chamber is unlikely to accommodate the number of people likely to attend). Furthermore, Council "holding" the meeting suggests that Council is taking ownership of this issue which is simply incorrect. The road is under the management of the Department of Planning, Transport and Infrastructure (DPTI), the community consultation was conducted by DPTI and the outcomes and implementation of changes are the responsibility of DPTI;
- (c) Council has been constructing bicycle lanes in the City for many years and now has a comprehensive (although still developing) network;
- (d) DPTI's discussion on the matter of bike lanes appear to reflect a strong national and global move to encourage safe and active transport, a philosophy this Council has also embraced (evidenced by Council's adopted bike plan). What has not been done by DPTI is them presenting their case to the community in any meaningful way that evidences all the issues including the outcomes of community consultation and how this has affected their decision making. Council's understanding is that DPTI have extremely interesting data on road trauma, road accidents, road speed and the inter-relationships of all these aspects, yet this information is not widely known in regional areas. The forum proposed in the Council resolution of 17th December 2013 may have provided DPTI a valuable opportunity to actively "tell their story" and inform the community;
- (e) Mr Whelan's letter states very clearly that if his offer to attend a Council meeting is not accepted then this matter is closed.

Cr Von Stanke moved it be recommended:

- (a) The report be received;
- (b) Council write to Mr Whelan, Regional Manager, the Chief Executive Officer of the Department of Planning, Transport and Infrastructure, Minister Koutsantonis and Local Member for Mount Gambier, Mr Don Pegler expressing its disappointment of the failure for DPTI not to address the Mount Gambier community in an open forum on the issue of Penola Road bicycle lanes and request that they reconsider their position as a matter of urgency;

- (c) Council further advise the Department of Planning, Transport and Infrastructure that conducting such an open forum as envisaged by Council via a formal Council meeting process is not considered appropriate for this particular matter that has caused high levels of concern within the community;
- (d) Council request no action be taken by the Department of Planning, Transport and Infrastructure on the matter of bike lanes on Penola Road until Council and the community have been provided the above opportunity and understand the Departments decision making on this matter.

Cr Shearing seconded

Carried

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

Cr Mutton seconded

Carried

9. TRAFFIC MANAGEMENT - Public Reaction - Elizabeth Street Traffic safety Investigation - Letter received from J Renko - Ref. AF11/1867

The Presiding Member reported:

- (a) Council has recently received a formal complaint from J Renko raising his concerns about road safety issues on Elizabeth Street, from Wyatt Street to Jubilee Highway West (correspondence was attached to the Operational Services Committee agenda);
- (b) as a result of Mr Renko's concerns Council completed a Traffic Safety Investigation Report in December 2013 (copy was attached to the Operational Services Committee agenda).

Cr Von Stanke moved it be recommended:

- (a) The report be received;
- (b) as a result of there being no major benefits in altering the traffic flow from two way to one way for the section of Elizabeth Street (Wyatt Street to Jubilee Highway) and lack of data to support this suggestion, it is recommended that Council take no further action with respect to this matter at this point in time;
- (c) Mr Renko be provided with a copy of the Traffic Safety Investigation Report (December 2013) and be further advised of Council's resolution in relation tot he matter.

Cr Shearing seconded

Carried

Cr White moved the recommendation of the Operational Services Committee as contained in item 9 be adopted

Cr Von Stanke seconded

Carried

10. TRAFFIC MANAGEMENT - Regulating - Parking Off-Street - Lady Nelson Carpark (northern side) - Ref. AF11/1879

The Presiding Member reported:

- (a) Due to the construction of the new bus terminal in the Lady Nelson Carpark (northern side) it is necessary to implement a bus zone only parking area at the terminal for regulatory purposes;
- (b) the location requested for the bus zone parking area is shown on the attached aerial map.

Cr Von Stanke moved it be recommended:

- (a) The report be received;
- (b) the Traffic Impact Statement that was attached to the Operational Services Committee agenda be endorsed by Council;
- (c) the City of Mount Gambier, pursuant to Ministerial delegation resolves the following:

Prohibited Area
2.1.084

Bus Zone

LADY NELSON CARPARK - northern side comprising of a bus zone to apply at all times

to be effective upon the installation of appropriate signage

Cr Shearing seconded

Carried

Cr White moved the recommendation of the Operational Services Committee as contained in item 10 be adopted

Cr Von Stanke seconded

Carried

11. TRAFFIC MANAGEMENT - Regulating - Parking Off-Street - Railway Terrace Carpark - Rescission of Motorcycles Only parking Area - Ref. AF11/1879

The Presiding Member reported:

- (a) Council is requested to consider rescinding the motorcycles only parking area in the Railway Terrace Carpark (eastern side);
- (b) following constant monitoring over a period of time it is believed that the motorcycles only parking area is being under utilised and that the area be better served for all day parking;
- (b) the location of the motorcycles only parking area requested to be rescinded is shown on the attached aerial map.

Cr Von Stanke moved it be recommended:

- (a) The report be received;
- (b) Council rescinds Resolution No. 5.9.91 which came into effect on 16th February 2010, as follows:

*“Prohibited Area
5.2.91*

Motorcycles Only

RAILWAY TERRACE - GRAY STREET CARPARK - east end of carpark adjacent to the old Railway Station to apply at all times.

to be effective upon the installation of appropriate signage”

Cr White seconded

Carried

Cr White moved the recommendation of the Operational Services Committee as contained in item 11 be adopted

Cr Mutton seconded

Carried

12. GOVERNANCE - City of Mount Gambier Building Fire Safety Committee - Minutes of Meeting held on 8th January 2014 - Ref. AF13/420

Goal: Governance

Strategic Objective: (i) Demonstrate innovative and responsible organisational governance

Cr White moved it be recommended:

- (a) Minutes of the City of Mount Gambier Building Fire Safety Committee meeting held on Wednesday, 8th January 2014 be received;
- (b) The decisions made by the City of Mount Gambier Building Fire Safety Committee be noted.

Cr Von Stanke seconded

Carried

Cr White moved the recommendation of the Operational Services Committee as contained in item 12 be adopted

Cr Von Stanke seconded

Carried

13. GOVERNANCE - Council Development Assessment Panel - Minutes of Meeting held 19th December 2013 - Ref. AF12/392

Goal: Governance

Strategic Objective: (i) Demonstrate innovative and responsible organisational governance

Cr Von Stanke moved it be recommended:

- (a) Minutes of the Council Development Assessment Panel meeting held on Thursday, 19th December 2013 be received;
- (b) the decisions made by the Council Development Assessment Panel be noted.

Cr Shearing seconded

Carried

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

Cr Von Stanke seconded

Carried

14. OPERATIONAL SERVICES REPORT NO. 1/2014 - Strategic Management - Policy - Operational Services Policy Review - Ref. AF11/1950

Goal: Governance

Strategic Objective: (i) Demonstrate innovative and responsive organisational governance

Cr Shearing moved it be recommended:

- (a) Operational Services Report No. 1/2014 be received;
- (b) Councillors provide any feedback on the proposed recommendations to the Chief Executive Officer/Governance Officer by Friday, 21st February 2014 for incorporation into an updated report and tables;
- (c) a further report be presented to the March 2014 Operational Services Committee meeting for consideration of updated policy review recommendations.

Cr Von Stanke seconded

Carried

Cr White moved the recommendation of the Operational Services Committee as contained in item 14 be adopted

Cr Shearing seconded

Carried

15. OPERATIONAL SERVICES REPORT NO. 2/2014 - Infrastructure - Long Term Infrastructure and Asset Management Plan - Ref. AF11/1255, AF11/1253, AF11/1254, AF11/1491, AF11/629, AF13/7

Goal: Building Communities

Strategic Objective: (i) The identified needs of the community are met, through implementing Long Term Asset Management Plans and Infrastructure Plans

Cr Von Stanke moved it be recommended:

- (a) Operational Services Report No. 2/2014 be received;

- (b) all projects listed in Appendix 1 to Appendix 6 inclusive for 2014/15 be referred to the 2014/15 Draft Budget for further consideration.

Cr Shearing seconded

Carried

Cr White moved the recommendation of the Operational Services Committee as contained in item 15 be adopted

Cr Richardson seconded

Carried

16. TENDER - Crushing of Stone, Concrete and Brick at Caroline Landfill - Ref. AF13/475

The Presiding Member reported:

- (a) Council has an allocation of \$200,000 in the current budget to crush legacy waste at the Caroline Landfill (this waste being substantially concrete, stone and brick from demolition sites);
- (b) tenders have been invited and received for this project and they are summarised in the following table. For the sake of comparison all rates have been converted to dollars per cubic metre (\$/m³) and where a tenderer has submitted a price in dollars per tonne, a conversion function of 1.5 cubic metres/tonne has been applied.

Tenderer	Rate / Cubic Metre (\$1m³)	Notes
Teagle Contracting Pty Ltd	0-10,000m ³ \$14.65 >10,000m ³ \$14.45	
Lucas Total Contracting Solutions	All quantities \$9.02	Mobilisation \$7,850 (+GST) Demobilisation \$7,850 (+GST) \$15,700 (+GST) Price tendered was on a \$1/tonne rate, converted at 1.5m ³ /tonne Other options given for "finer" material
Mibus Bros	0-10,000m ³ \$9.32 >10,000m ³ \$9.21 >20,000m ³ \$9.10	
Adelaide Resource Recovery (ARR)	0-10,000m ³ \$12.00 >10,000m ³ \$11.00 >20,000m ³ \$10.66	
Rock and Crete Crushing Services	0-10,000m ³ \$14.50 >10,000m ³ \$13.50 >20,000m ³ \$12.50	Completion date by 31/05/2014

Discussion

All tenderers are conforming and can be considered. All tenderers have substantial experience and the skills required to successfully fulfil the requirements of the tender specification.

The two lowest tenderers are Mibus Bros and Lucas Total Contracting Solutions. Lucas Total Contracting Solutions have a mobilisation/demobilisation cost of \$15,700 and also have tendered on a weight basis, hence depending on the final density of the crushed material there may be “plus or minus” on the converted rate. For example, if final density is 1.4tonne/m³ the tender price becomes \$8.41/m³, however if final density is 1.7tonne/m³ the tender price becomes \$10.21/m³.

It is recommended that Council accept the tender of Mibus Bros from Portland at the rates indicated in the above table.

Cr Von Stanke moved it be recommended:

- (a) The report be received;
- (b) Council accept the tender of Mibus Bros to crush concrete, stone and brick at the Caroline Landfill in accordance with tender specification AF13/475 at the following rates:

0-10,000m ³	\$9.32/m ³
>10,000m ³	\$9.21/m ³
>20,000m ³	\$9.10/m ³
- (c) Council appoint the Director - Operational Services, Mr Daryl Sexton to be the Superintendent of the contract and authorise the Mayor and Chief Executive Officer to execute the contract documents.

Cr White seconded

Carried

Cr White moved the recommendation of the Operational Services Committee as contained in item 16 be adopted

Cr Von Stanke seconded

Carried

CORPORATE AND COMMUNITY SERVICES ITEMS

1. FINANCIAL STATEMENT – as at 31st December, 2013

Goal: Governance
Strategic Objective: Demonstrate innovative and responsive organisational governance.

Cr Maher moved that the financial statement as at 31st December, 2013 be received.

Cr White seconded

Carried

2. STRATEGIC MANAGEMENT - Internal - Corporate and Community Services Committee - Business Arising Table - Ref. AF11/1900

Goal: Governance
Strategic Objective: Develop an improved means of communication and engagement between Council and the community (including vulnerable communities) in the building of community capacity.

Cr Maher moved it be recommended that the Business Arising Schedule be recorded for information.

Date of Motion	Subject Matter	Action Required	Responsibility	Status	Comments
CORPORATE AND COMMUNITY SERVICES					
18/10/2011	Strategic Management Plan	Develop Operational Plans	Chief Executive Officer	In Progress	Meeting with Presiding Member 2nd April 2013 with Chief Executive Officer and Senior Staff to progress the two matters being: 1) Improved Corporate reporting and review; and 2) Strategic Plan reflecting roles of Elected Members and Staff • Desktop analysis to be conducted • Review of responsibility matrix to be completed • Comments reviewed by 27th November 2013 • Workshop commencing January 2014
17/7/2012	Council's Decision Making Structure	Review of Terms of Reference for Section 41's	Chief Executive Officer and Director – Operational Services	Completed	

20/11/2012	Establishment of City Development Framework		Chief Executive Officer	In Progress	<ul style="list-style-type: none"> • Stage 1 completed • Stage 2 authorised • Additional funding authorised • Workshop conducted with Professor John Martin on 3rd December 2013 • Working group now a sub-committee of Corporate and Community Services • Professor John Martin engaged by Council • Visits by John Martin 16th January 2014 and week beginning 3rd February 2014
09/07/2013	SELGA Review	Council prepare plans to undertake a review (of SELGA) by the end of the calendar year	Chief Executive Officer	In Progress	<ul style="list-style-type: none"> • Waiting for a date from SELGA to arrange an extended Workshop for Elected Members. Facilitator is organised. • SELGA President and Executive Officer informal meeting with Council • SELGA conducting a review of its strategic plans including engagement with constituent Councils (independent of Council's resolution on this matter)
20/08/2013	Umpherston Sinkhole	<ul style="list-style-type: none"> • Expressions of Interest Process • Council Report 	Governance Officer	In Progress	Review of leasing options for this and other Council facilities
17/09/2013	China Relationship	Further investigations/members workshop	Chief Executive Officer	In Progress	<ul style="list-style-type: none"> • Initial workshop held • Regional workshop scheduled on 5th December • Members Informal workshop on 6th December
17/09/2013	Smoke Free areas	Implementation of	Operational Services, Governance Officer, Manager Community Services and Development	In Progress	Event surveys underway and results to be presented in 2014
17/09/2013	Tourism Budget	Members workshops to be scheduled	Chief Executive Officer	Completed	
15/10/2013	Policy Review	Review process confirmed	Governance Officer	In Progress	Review commenced Report to Corporate and Community Services 10th December 2013

19/11/2013	January Meetings	Advertise Dates	Director Corporate Services	-	Completed	
19/11/2013	Eureka Flag	Display	Manager Community Services and Development	-	Completed	
19/11/2013	Annual Report	Distribute	Manager Community Services and Development	-	Completed	
19/11/2013	Lifelong Learning	New Appointment	Manager Community Services and Development	-	Completed	
19/11/2013	Confidential Items Review	Members Workshop	Governance Officer Chief Executive Officer		Completed	
19/11/2013	Community Engagement and Social Inclusion Sub-Committee	Members Workshop	Manager Community Services and Development Chief Executive Officer	-	Completed	
17/12/2013	Display of Aboriginal and Torres Strait Islander Flags in the Council Chamber	Engagement with stakeholders and establishing a process	Manager - Community Services and Development		In Progress	Contact made with Pangula Mannamurna Inc. and Burrandies Aboriginal Corporation. Meeting to discuss developments with handover scheduled.
OPERATIONAL SERVICES						
16/04/2013	Park and Stride - community engagement	Matter left to lie on table pending further re- engagement with the community	Director - Operational Services		In Progress	Referred to Environmental Sustainability Sub- Committee for further action
17/09/2013	Playground Construction - Traditional Playgrounds vs. Natural Playgrounds	Prepare concept designs for a natural playground within the John Powell Drive Reserve, engage with the local community and schools regarding their ideas/ acceptance and contributions towards a natural playground	Engineering Manager		In Progress	Concept being prepared, consultation in process
17/09/2013	Regional Development Assessment Panels	Support the focus of the proposal and review the recommendations at a later date	Strategic Project Officer		Ongoing	Waiting for outcomes of investigation by SELGA
15/10/2013	Desktop Analysis of Strategic Plan	Relevant sections of Strategic Plan - Beyond 2013 and the Corporate Plan 2012 be provided to relevant Committees, Members and Staff (subject to reviewing the responsibility matrix)	Strategic Project Officer		In Progress	Review is progressing

19/11/2013	Disposal of surplus materials	Nominate all surplus/unwanted materials and arrange public auction	Director - Operational Services	In Progress	This will occur in early 2014, date yet to be confirmed
19/11/2013	Equip Mobility - request for permit area (disabled) - Canavan Road	Send letter to Equip Mobility, arrange installation of two (2) permit area (disabled) car parking bays	Team Leader - General Inspector	In Progress	signage has been ordered, invert works yet to commence
17/12/2013	Local Heritage Restoration Fund Program	Send letters to advise successful applicants	Senior Planner	Completed	Letters sent on 19/12/2013
17/12/2013	Mount Gambier Cemetery Trust	Adopt Terms of Reference and Memorandum of Understanding	Director - Operational Services	In Progress	Refer to item on agenda (addition to Terms of Reference)
17/12/2013	Street Tree Planting Program	Send letter to property owners/occupiers that requested a street tree not be planted, advise all other property owners street tree program will commence in 2014	Engineering Technical Officer	Completed	Letters to property owners/occupiers that requested a tree not be planted have been sent, all other letters to advise the program will commence in 2014 will be sent this week
17/12/2013	Department of Planning, Transport and Infrastructure - Community Consultation - Penola Road Bicycle Lanes	Send letter to DPTI	Director - Operational Services	Completed	Letter emailed on 20/12/2013, response has been received (refer to item on agenda)
17/12/2013	Liquor Licence - Molten Chocolate Cafe	Send letter to Applicant and Office of the Liquor and Gambling Commissioner	Senior Planner	Completed	Letter emailed on 19/12/2013
17/12/2013	Street tree maintenance and removal - Umpherston Street	Send letters (and copy of report) to adjoining owners/occupiers	Engineering Technical Officer	Completed	Letters sent on 19/12/2013
17/12/2013	Mount Gambier and District Tennis Association - sponsorship signage	Send letter to Mount Gambier and District Tennis Association	Planning Officer	Completed	Approval issued on 23/12/2013
17/12/2013	12 Canavan Road - fence and retaining walls	Prepare report on condition of the fence	Director - Operational Services	In Progress	Letter sent to Tonkin Consulting on 02/01/2014 to undertake assessment

Cr Mutton seconded

Carried

3. COMMITTEES - SOCIAL, CULTURAL AND COMMUNITY SERVICES - Committees - City of Mount Gambier Library (Section 41) Committee – Ref. AF11/1608

Goal: Learning

Operational Activity: Foster partnerships that develop programs, services and opportunities that deliver learning excellence.

The Director – Corporate Services reported:

- (a) the Mount Gambier Library Committee recently held one of its half yearly meetings (Minutes attached) to principally review the previous financial year's data.;
- (b) this is likely to be the final meeting of this committee;

Cr Maher moved

- (a) the minutes of the Mount Gambier Library Committee meeting held on 3rd December, 2013 be received;
- (b) the following recommendations (numbered 1 – 4) of the City of Mount Gambier Library Committee be adopted;

1. Apologies

moved that the apologies from Cr Richardson and Mr Trevor Smart be received.

2. Minutes of Previous Meeting

moved that the minutes of the previous meeting held on 14th May, 2013 be taken as read and confirmed.

3. Library Managers Report

moved that the Library Managers Report be received.

4. Financial Provisions

(a) the Audited Financial Statements of the Mount Gambier Library and Port MacDonnell Public Library as presented, be received;

(b) the Comparative Statement, prepared in accordance with the Financial Agreement between the City of Mount Gambier and District Council of Grant in respect of each Councils Library operations, be adopted;

(c) that in respect of Part (X) of the Financial Agreement (Annual Comparative Review), the City of Mount Gambier Library Committee advise each Council:

(i) of their respective payment as a result of the Annual Comparative Review process for the 2012/2013 financial year i.e.;

- Mount Gambier Public Library payment of \$18,932 by the City of Mount Gambier to the District Council of Grant.
- Port MacDonnell Public Library payment of \$7,891 by the District Council of Grant to the City of Mount Gambier.

- (ii) of their responsibility to issue Tax Invoices and make the necessary payments in respect of the Annual Comparative Review process for the 2012/2013 financial year.

Cr Smith seconded

Carried

4. GOVERNANCE - COMMITTEES - City Development Framework Sub-Committee Minutes of Meeting held 9th December, 2013 - Ref. AF13/486

Goal: Governance

Strategic Objective: Demonstrate innovative and responsive organisational governance.

The Chief Executive Officer reported:

- (a) the City Development Framework Committee held the first meeting in a formal Sub-Committee environment (minutes attached);

Cr Maher moved

- (a) the minutes of the City Development Framework Steering Committee held on 9th December, 2013 be received;
- (b) the following recommendations (numbered 1 – 2) of the City Development Framework Steering Committee be adopted;

1. TERMS OF REFERENCE

- (a) The report be received;
- (b) The Corporate and Community Services Committee hereby confirms the following Committee Member appointments:
- Mayor S Perryman
 - Cr J Maher
 - Cr A Smith
 - Cr M White
- (c) The City Development Framework Steering Committee Terms of Reference be further considered at the next meeting of the City Development Framework Sub-Committee.

2. COMMUNITY ENGAGEMENT

moved it be recommended:

- (a) The report be received.
- (b) The date of the workshops be confirmed.

- (c) After further work to review the letter, flyer and recipients the invitations to attend the workshops and flyer be forwarded to the people as identified.

Cr Smith seconded

Carried

5. PERSONNEL - Leave - Ref. PERS

Goal: Governance
Operational Activity: Demonstrate innovative and responsible organisational governance.

Cr Maher moved

- (a) Council note that the Chief Executive Officer will be on leave from Friday 11th April, 2014 to Wednesday 7th May 2014 inclusive, and as a consequence;
- (b) Director - Corporate Services, Mr Grant Humphries be appointed Acting Chief Executive Officer for the above period.

Cr Von Stanke seconded

Carried

6. CORPORATE AND COMMUNITY SERVICES REPORT NO. 1/2014 - Budget Update as at 30th November, 2013 - Ref. - AF13/13

Goal: Governance
Strategic Objective: Demonstrate innovative and responsive organisational governance.

Cr Maher moved

- (a) Corporate and Community Services Report No. 1/2014 be received;
- (b) the Budget Update as at 30th November, 2013 as presented with this Report be adopted by Council with all amendments to be made to the 2013/2014 Council Budget.

Cr Richardson seconded

Carried

7. CORPORATE AND COMMUNITY SERVICES REPORT NO. 2/2014 - Rentals by Sporting Organisations occupying Council owned land and which Council maintains - 2013/2014 Review - Ref. AF11/1482

Goal: Building Communities
Strategic Objective: Encourage the development of community facilities and infrastructure, community events, and active and safe community spaces through direct support, seeking funding, facilitation etc.

Cr Maher moved

- (a) Corporate and Community Services Report No 2/2014 be received;
- (b) (i) That in respect of the 2014/2015 financial year the following annual maintenance recovery charges (exclusive of GST) apply to the following sporting/community/organisations/business groups who occupy Council owned premises which Council maintains (wholly or partially):

Mount Gambier and District Cricket Association		
Frew Park	\$2,500	
Reidy Park	\$1,200	
Blue Lake Sports Park	\$1,200	
Marist Park	<u>\$1,300</u>	\$6,200
Mount Gambier & District Baseball League		
Blue Lake Sports Park	\$7,400	
Lower South East Hockey Association		
Blue Lake Sports Park	\$6,700	
Mount Gambier Softball Association		
Blue Lake Sports Park	\$5,300	
North Gambier Football Club		
Vansittart Park	\$19,200	*
Mount Gambier Cycling & Triathlon Club		
Blue Lake Sports Park	\$1,700	
Blue Lake BMX Club		
Hastings Cunningham Reserve	\$500	
Blue Lake Dog Obedience Club		
Hastings Cunningham Reserve	<u>\$500</u>	
TOTAL		<u>\$47,500</u>

* 2014 Football Season

- (ii) That any other applications for the rental of Council reserves be considered by Council as and when same are made during the 2014/2015 financial year.
- (c) That the following additional lease fee income will be received automatically as per individual lease agreements with various community based organisations, as follows:

2 x \$10	=	20	
1 x \$100	=	100	
2 x \$50	=	100	
5 x \$200	=	1,000	
36 x \$385	=	13,860	15,080

Total Revenue Est. \$62,580.

Cr Smith seconded

Carried

Mayor Perryman advised of an association with Lower South East Hockey and Cycling/Triathlon Club

8. CORPORATE AND COMMUNITY SERVICES REPORT NO. 3/2014 - SELGA Appointments – Nominations for 2014 AGM Ref. – AF11/854

Goal: Governance
Strategy: Demonstrate innovative and responsive organisational governance.

Engage with national, state, regional and local forums and partnerships to provide solutions and options to continually improve Councils service delivery and performance.

Cr Maher moved

- (a) Corporate and Community Services Report No. 3/2014 be received.
- (b) Council's SELGA Board Member be re-affirmed as Mayor Steve Perryman and Deputies Cr White (First) and Von Stanke (Second).
- (c) Council re-nominates Cr White and Director Operational Services, Daryl Sexton as representatives on SELGA's Roads and Transport Working Group.
- (d) Council re-nominates Cr White as SELGA's (proxy) representative on the Green Triangle Freight Action Plan Implementation Group.
- (e) Council re-nominates Cr Maher as SELGA's representative on the Greater Green Triangle University Department of Rural Health.
- (f) Council nominates Cr Von Stanke as a representative on SELGA's Group Training Employment Board.
- (g) Council nominates Cr Von Stanke as SELGA's representative on the South East Zone Emergency Management Committee.
- (h) Council nominates Cr Maher as SELGA's representative on the Limestone Coast Economic Diversification Reference Group

Cr Shearing seconded

Carried

9. CORPORATE AND COMMUNITY SERVICES REPORT NO. 4/2014 - Delegation of Powers of Council Ref. – AF11/1020

Goal: Governance
Strategy: Demonstrate innovative and responsive organisational governance

Cr Maher moved

- (a) Corporate and Community Services Report No. 4/2014 be received;

- (b) (i) In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following Act and specified in the proposed Instrument of Delegation contained in Appendix 31 (attached) are hereby delegated this 28th of January 2014 to the person occupying the office of Chief Executive Officer subject to the conditions and or limitations specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
- Heavy Vehicle National Law (South Australia) Act 2013 (Appendix 31).
- (ii) Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.
- (iii) For the purposes of these delegations, all delegations to the Chief Executive Officer extend to any person appointed to act in the position of Chief Executive Officer.
- (iv) For the purposes of these delegations all delegations made by the Chief Executive Officer extends to any person who is appointed to act in the position of the sub-delegate.

Cr White seconded

Carried

10. CORPORATE AND COMMUNITY SERVICES REPORT NO. 5/2014 – Mount Gambier Men’s Shed. – AF11/1700

Goal: Building Communities

Strategy: Recognise and support our volunteers, community organisations and their sustainability as they continue to be the foundation of the community.

Goal: Community Well-Being

Strategy: Increase the local awareness and understanding of the range of health issues and needs of the community.

Cr Maher moved

- (a) Corporate and Community Services Report No. 5/2014 be received.
- (b) Men’s Shed be thanked for the provision of a Business Plan in support of their proposal.
- (c) The depot site (portion of the existing shed and land at the corner of Commercial Street West and MacDonnell Drive) be endorsed as the potential location for the Men’s Shed.

- (d) Further work be carried out to prepare detailed plans and determine the full extent of work/budget required to convert the depot site for occupation by the Men's Shed.
- (e) Staff and interested Councillors work with the Men's Shed in an attempt to further develop a robust financial plan with detailed expenditure estimates for re-presentation of an amended Business Plan to Council.

Cr Von Stanke seconded

Carried

11. CORPORATE AND COMMUNITY SERVICES REPORT NO. 6/2014 – Mount Gambier Pedal Prix. – AF12/65

- Goal:*
- (i) *Building Communities*
 - (ii) *Securing Economic Prosperity*
 - (iii) *Community Well Being*
 - (iv) *Learning*
- Strategic Objective:*
- (i) *encourage the development of community facilities and infrastructure, community events, and active and safe community spaces through direct support, seeking funding, facilitation etc*
 - (ii) *Support the development of our local economy, our unique local experiences and our capacity to grow visitation to our City*
 - (iii) *Advocate for support programs which increase the level of community engagement in healthy lifestyle activities and which encourage our community to make quality health decisions*
 - (iv) *Council support opportunities for the community to strengthen relationships with families, friends and extended networks so as to promote and extend the learning of life skills*

Cr Maher moved

- (a) Corporate and Community Services Report No. 6/2014 be received;
- (b) Council support Option 2, as costed, for the circuit refurbishment pending agreement on shared funding from the A & H Show Society and District Council of Grant;
- (c) Council approach the A & H Show Society and the District Council of Grant for contributions of \$6,000 and \$3,000 respectively;
- (d) A further report be provided to Council on the progress of this initiative.

Cr Mutton seconded

AMENDMENT

Cr Smith moved (b) City of Mount Gambier commit \$21,000 to fund the upgrade as per option 2, conditional upon the support of the Mount Gambier A & H Society

The Amendment lapsed for want of a seconder

The Original Motion was put and

Carried

12. CORPORATE AND COMMUNITY SERVICES REPORT NO. 7/2014 – Resignation of Deputy Mayor, Cr Byron Harfield Ref. – AF11/884

Goal: Governance

Strategy: Demonstrate innovative and responsive organisational governance.

Cr Maher moved

- (a) Corporate and Community Services Report No. 7/2014 be received;
- (b) Council acknowledges the resignation of Deputy Mayor Cr Byron Harfield from 10th January, 2014;
- (c) Council recognises Cr Byron Harfield's extensive service to this Council and to the Mount Gambier community and the Mayor formally writes to former Cr Byron Harfield recognising his service to the Council and community.

Cr Von Stanke seconded

Carried

13. CORPORATE AND COMMUNITY SERVICES REPORT NO. 8/2014 – Appointment of Councillors on Council Committees Ref. – AF11/854

Goal: Governance

Strategy: Demonstrate innovative and responsive organisational governance.

Cr Lee moved

- (a) Corporate and Community Services Report No. 8/2014 be received;
- (b) The CEO seeks Councillor nominations in writing by 5.00 pm, Friday 7th February 2014 for the following external appointments:
 - Mount Gambier and Districts Airport Committee
 - Blue Lake Management
 - Mount Gambier Aquatic Centre
- (c) The CEO seeks Councillor nominations in writing by 5.00 pm, Friday 7th February 2014 for the following internal appointments:
 - Mount Gambier Lifelong Learning Sub-Committee
 - Environmental Sustainability Sub-Committee
 - City of Mount Gambier Junior Sports Assistance Fund
 - Mount Gambier Cemetery Trust

- Operational Services Committee and Strategic Planning and Policy Development Committee

Cr Smith seconded

Carried

14. CORPORATE AND COMMUNITY SERVICES REPORT NO. 9/2014 – Deputy Mayor – Appointment and Term Ref. - AF11/1740

Goal: Governance
Strategy: Demonstrate innovative and responsive organisational governance.

Cr Mutton moved

- (a) Corporate and Community Services Report No. 9/2014 be received.

Cr Smith seconded

Carried

15. CORPORATE AND COMMUNITY SERVICES REPORT NO. 10/2014 – Election of a Deputy Mayor Ref. – AF11/1740

Goal: Governance
Strategy: Demonstrate innovative and responsive organisational governance.

Cr Von Stanke moved

- (a) Council Report No.10/2014 be received.
- (b) the term of office for the position of Deputy Mayor for the City of Mount Gambier Council be the 28th January 2014 until the second Saturday in November 2014.
- (c) Council determines that the method of choosing a Deputy Mayor be by an election process.
- (d) the method of election be by secret ballot.
- (e) the successful candidate will be the candidate with the most votes.
- (f) where two or more candidates have an equal number of votes one of those candidates will be determined as successful from a drawing of lots by the Returning Officer.
- (g) the Chief Executive Officer be appointed Returning Officer for the election.
- (h) upon the completion of the election, the Returning Officer be authorised to declare the successful candidate elected to the position of Deputy Mayor.
- (i) upon the declaration of the Returning Officer the candidate is appointed to the position of Deputy Mayor for the term of office determined by this resolution.

Cr Smith seconded

Carried

NOMINATIONS

Cr Mutton nominated Cr Richardson who accepted the nomination

Cr Shearing nominated Cr Von Stanke who accepted the nomination

The Returning Officer declared the successful candidate was Cr Penny Richardson

Cr Smith moved a motion to endorse result of the ballot that Cr Penny Richardson has been appointed Deputy Mayor

Cr Lee seconded

Carried

MOTIONS WITH NOTICE - Nil

MOTIONS WITHOUT NOTICE

1. **COMMUNITY RELATIONS** - Awards - Australia Day Award Recipients Ref. – AF11/167

Cr Maher moved

- (a) Australia Day Award recipients (Member of the Order of Australia) be acknowledged and congratulated for their work in their respective communities-

- Sue Charlton AM
- Janice Nitschke AM
- Major Sumner AM

- (b) Council writes to the Awardees congratulating them on their success and encouraging their continued work for their communities.

Cr Mutton seconded

Carried

CONSIDERATION FOR EXCLUSION OF PUBLIC

Cr Smith moved that the following items 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 other Council Members and Council Officers now present) be excluded from the meeting in order for the items to be considered in confidence as the Council is satisfied that the item is a matter that can be considered in confidence pursuant to the grounds referenced in Section 90 (3) of the said Act as follows:

S.90(3)(m) - information relating to a proposed amendment to a Development Plan under the Development Act 1993 before a Development Plan Amendment proposal relating to the amendment is released for public consultation under that Act.

The Council is satisfied that the information to be received, discussed or considered in relation to this item is information relating to an amendment under the *Development Act 1993* that should be considered in confidence so as to prevent land and development speculation before a Development Plan Amendment report relating to the amendment is released for public consultation under that Act.

<u>Item No.</u>	<u>Subject Matter</u>	<u>S90 (3) Grounds</u>
1.	<u>STRATEGIC PLANNING AND DEVELOPMENT POLICY REPORT NO. 1/2014 - Development Control - Regulating - Local Heritage and Lakes Zone Development Plan Amendment (DPA) - Ref. AF11/290</u>	(m)

Cr White seconded

Carried

meeting closed at 7.43 pm
FM