

MINUTES OF MEETING OF THE CITY OF MOUNT GAMBIER HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT GAMBIER ON TUESDAY 18TH APRIL, 2017 AT 6.00 P.M.

COUNCIL

PRESENT: Mayor Andrew Lee

Cr Christian Greco
Cr Mark Lovett
Cr Josh Lynagh
Cr Sonya Meziniec
Cr Frank Morello
Cr Des Mutton
Cr Hanna Persello
Cr Ian Von Stanke

APOLOGY/IES: Cr Von Stanke moved that the apology from Cr Steven Perryman and Cr Penny Richardson be received.

Cr Morello seconded

Carried

COUNCIL OFFICERS:

| | | |
|---|---|-----------------|
| Chief Executive Officer | - | Mr M McShane |
| Director - Operational Services | - | Mr D Sexton |
| General Manager Community Wellbeing | - | Ms B Cernovskis |
| General Manager Council Business Services | - | Mrs P Lee |
| General Manager City Infrastructure | - | Mr N Serle |
| Manager Governance and Property | - | Mr M McCarthy |
| Finance Manager | - | Mr G Button |
| Media and Communications Coordinator | - | Ms S McLean |
| Administrative Officer Executive Support | - | Ms A Lavia |
| Administrative Officer Executive Support | - | Mrs M Telford |

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR INDIGENOUS PEOPLES HAVE WITH THIS LAND.

CONFIRMATION OF MINUTES:

Cr Greco moved the minutes of the previous meeting held on 21st March, 2017 be taken as read and confirmed.

Cr Meziniec seconded

Carried

MAYORAL REPORT - Ref. AF11/881

- China Delegation
- Acacia Kindergarten – Book Reading Day
- CCS Committee Meeting
- OPS Committee Meeting
- Media Briefing – China Delegation
- Members Workshop – Council Decision Making Process and 17/18 Budget

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

| <u>Member</u> | <u>Organisation</u> |
|---------------|---|
| Cr Persello | Delegation to China, Mount Gambier Golf Club PGA Classic, Mount Gambier Show Jumping Club Easter Festival |
| Cr Lynagh | Delegation to China |
| Cr Von Stanke | Delegation to China |

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

Cr Morello seconded

Carried

QUESTIONS:

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

PETITIONS: Nil

NOTICE OF MOTION TO RESCIND: Nil

ELECTED MEMBERS WORKSHOPS - Ref. AF15/83

| | |
|------------|--|
| 20/03/2017 | Consultants who are undertaking Tourism Review |
| 11/04/2017 | Decision Making Structure and 2017/2018 Budget |

Cr Mezinec moved that the Records of Proceedings for the workshops held:

- **Consultants who are undertaking Tourism Review**
- **Decision Making Structure and 2017/2018 Budget**

be received and the contents noted.

Cr Von Stanke seconded

Carried

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

Nil submitted.

COUNCIL ACTION ITEMS - Corporate and Community Services Committee and Operational Services Committee referred to the Council Meeting held 18th April, 2017 - Ref. AF11/1718, AF11/866

Cr Greco moved that the Council Action Items for the Corporate and Community Services Committee and the Operational Services Committee referred to the Council Meeting held 18th April, 2017 be received and the contents noted.

Cr Lovett seconded

Carried

CORPORATE AND COMMUNITY SERVICES - 10th April, 2017

Cr Meziniec moved that the minutes of the meeting held 10th April, 2017 be received.

Cr Morello seconded

Carried

1. FINANCIAL STATEMENT – as at 31st March, 2017

Cr Lynagh moved it be recommended the financial statement as at 31st March, 2017 be received.

Cr Meziniec seconded

Carried

Cr Lynagh moved that the recommendation of the Corporate and Community Services Committee as contained in item 1 be adopted.

Cr Greco seconded

Carried

2. CORPORATE AND COMMUNITY SERVICES REPORT NO. 24/2017 - Deductible Gift Recipient Status - Ref. AF16/182

Cr Lynagh moved it be recommended:

- (a) Corporate and Community Services Report No. 24/2017 be received and contents noted;
- (b) a draft Trust Deed be prepared for the purpose of meeting Australian Charities & Not-for-Profit Commission and Australian Taxation Office requirements for application to be made for Deductible Gift Recipient status for the Riddoch Art Gallery;
- (c) a further report be presented for Council to consider a draft Trust Deed prepared in accordance with resolution (b) and the subsequent founding of such Trust.

Cr Persello seconded

Carried

Cr Lynagh moved that the recommendation of the Corporate and Community Services Committee as contained in item 2 be adopted.

Cr Von Stanke seconded

Carried

3. CORPORATE AND COMMUNITY SERVICES REPORT NO. 25/2017 - Governance - Review of Confidentiality Orders - Ref. AF13/64

Cr Lynagh moved it be recommended:

- (a) Corporate and Community Services Report No. 25/2017 be received;
- (b) The following Confidential Orders, having been reviewed by Council, continue in operation on the grounds provided within Attachment 1 to Report 25/2017:

- i. Council 15/3/2016 - Operational Services Committee 8/3/2016 - Item 6 - DEVELOPMENT CONTROL - Regulating - District Centre Zone Development Plan Amendment - City of Mount Gambier Development Plan - Ref. AF16/69
- ii. Council 16/2/2016 - Corporate & Community Services Committee 8/2/2016 - Item 11 - CORPORATE AND COMMUNITY SERVICES REPORT NO. 14/2016 - Frew Park Ambulance Station Development - Ref. AF16/11
- iii. Council 18/8/2015 - Railway Lands Development and Management Committee 7/8/2015 - Item 7 PROPERTY MANAGEMENT - Railway Lands - Expression of Interest - Management of Community Markets
- iv. Council 18/8/2015 - Railway Lands Development and Management Committee 7/8/2015 - Item 8 - PROPERTY MANAGEMENT - Railway Lands - Expression of Interest - Occupation and Use of Old Railway Station Building
- v. Council 15/4/2014 - City of Mount Gambier Junior Sports Fund Assistance Committee 2/4/2013 - Item 11 - ROTARY CLUB OF MOUNT GAMBIER LAKES - DONATIONS TO FINANCIALLY DISADVANTAGED JUNIOR SPORTS PERSONS
- vi. Council 17/12/2013 - City of Mount Gambier Junior Sports Fund Assistance Committee 20/11/2013 - Item 12 - ROTARY CLUB OF MOUNT GAMBIER LAKES - Donations to Financially Disadvantaged Junior Sportspersons
- vii. Council 17/12/2013 - City of Mount Gambier Junior Sports Fund Assistance Committee 20/11/2013 - Item 13 - COMMERCIAL CLUB INC. - Donation to exceptional junior sportsperson
- viii. Council 16/6/2013 - City of Mount Gambier Junior Sports Fund Assistance Committee 22/5/2013 - Item 13 - SOCIAL, CULTURAL AND COMMUNITY SERVICES - Committees - City of Mount Gambier Junior Sports Assistance Fund (Section 41) Committee - Minutes of Meeting held 22nd May, 2013 - Ref. AF11/725

Mayor Lee seconded

Carried

Cr Lynagh moved that the recommendation of the Corporate and Community Services Committee as contained in item 3 be adopted.

Cr Lovett seconded

Carried

Pursuant to Division 3 - Conflict of Interest, Section 74 of the Local Government Act 1999, Cr Morello disclosed a perceived conflict of interest in Item 4: *"Employee of Country Arts SA, Co-Owner of the Civic Centre Building with City of Mount Gambier"*.

Cr Morello dealt with the perceived conflict of interest in the following transparent and following way: *"I intend to participate in the discussion to add insight, but will not vote"*.

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

4. CORPORATE AND COMMUNITY SERVICES REPORT NO. 26/2017 - Civic Centre/Theatre 'Creative Canopy Project' - Ref. AF11/1510

Cr Persello moved it be recommended:

- (a) the Corporate and Community Services Report No. 26/2017 be received and contents noted;
- (b) a further report be presented for consideration to be given to the final artistic selection for the purpose of granting landowner consent.

Cr Mezinec seconded

Carried

Cr Lynagh moved that the recommendation of the Corporate and Community Services Committee as contained in item 3 be adopted.

Cr Mezinec seconded

Carried

5. CORPORATE AND COMMUNITY SERVICES REPORT NO. 27/2017 - Delegation of Powers of Council - Ref. AF15/495

Cr Lynagh moved it be recommended:

- (a) Corporate and Community Services Report No. 27/2017 be received;
- (b) that having conducted its annual review of Council's Delegations Register in accordance with Section 44(6) of the Local Government Act, 1999, the Council;

1. Revocations

1.1. Hereby revokes all previous delegations to the Chief Executive Officer of those powers and functions under the following:

- 1.1.1. Development Act 1993 and Development Act Regulations 2008
- 1.1.2. Freedom of Information Act 1991

1.2. Hereby revokes its previous delegations to its Development Assessment Panel under the Development Act 1993 and Development Regulations 2008.

2. Delegations made under Local Government Act 1999

2.1. In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the Freedom of Information Act 1991 and specified in the proposed Instrument of Delegation contained in Appendix 8 (attached) are hereby delegated this Tuesday, 18th April, 2017 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 each such proposed Instrument of Delegation.

- 2.2. 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 each such proposed Instrument of Delegation.
 - 2.3. 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.
 - 2.4. For the purposes of these delegations all further delegations made by the Chief Executive Officer extend to any person who is appointed to act in the position of the delegate.
3. Delegations made under Development Act 1993
- 3.1. In exercise of the power contained in Section 20 and 34 (23) of the Development Act 1993, the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the Instrument of Delegation contained in Appendix 21 (attached) are hereby delegated this 18th April, 2017 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.
 - 3.2. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.
 - 3.3. In exercise of the power contained in Section 20 and 34(23) of the Development Act 1993 the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the Instrument of Delegation (Appendix 21) and which are specified in Schedule I) are hereby delegated this 18th April, 2017 to the Council's Development Assessment Panel, subject to the conditions or limitations indicated in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993:
 - 3.4. 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.

- 3.5. For the purposes of these delegations all further delegations made by the Chief Executive Officer extend to any person who is appointed to act in the position of the delegate.

Cr Persello seconded

Carried

Cr Lynagh moved that the recommendation of the Corporate and Community Services Committee as contained in item 5 be adopted.

Cr Lovett seconded

Carried

6. CORPORATE AND COMMUNITY SERVICES REPORT NO. 28/2017 - Local Government Association of SA – Proposed Change to Voting Method in Local Government Elections - Ref. AF11/950

Cr Persello moved it be recommended:

- (a) Corporate and Community Services Report No. 28/2017 be received;
- (b) the Adelaide Hills Council proposal to change the voting method for Local Government elections to accept as formal ballots containing an insufficient indication of 2nd and subsequent preferences be supported, and the Mayor be supported to vote in favour of any Local Government Association Board Motion to progress such a proposal.

Cr Meziniec seconded

Carried

Cr Lynagh moved that the recommendation of the Corporate and Community Services Committee as contained in item 6 be adopted.

Cr Meziniec seconded

Carried

7. CORPORATE AND COMMUNITY SERVICES REPORT NO. 29/2017 - Digital Strategy and the New Venture Institute - Ref. AF17/119

Chief Executive Officer reported:

Council's Digital Strategy provides direction and a comprehensive number of actions over five key areas including the establishment of a digital innovation hub in Mount Gambier (action 4.2). Models of innovation hubs vary but with a generally common focus of business innovation, start up mentoring, commercialisation of concepts/ideas, ideas and information exchange, training and leadership, business development and innovative use of technology as an enabler not necessarily as an end in itself.

Councillors have previously been advised (via memo 16th March, 2017) of discussions between The New Venture Institute (NVI) (aligned to the Flinders University). The NVI has presented to business in Mount Gambier and the CEO and General Manager City Growth have visited the NVI at Tonsley Park in Adelaide to discuss opportunities for an innovation hub centred in Mount Gambier.

Since the last Councillor update in mid March, further discussions have occurred focussing on the business case to attract funding for an innovation hub in Mount Gambier. NVI has also sought support from Limestone Coast RDA, District Council of Grant and Wattle Range Council. Funding is partly from stakeholders, NVI and grant funding from the National Science and Innovation Incubator Support initiative of either \$500,000 to \$1,000,000. External funding is dependent on matched local and NVI funding with commitment from stakeholders still pending.

A Limestone Coast incubator/innovation hub will:

- have a physical incubator space in Mount Gambier serving the region
- provide programs for business capacity building
- connect to Tonsley Park Innovation Centre and other national centres
- drive and support start up businesses
- prove the regional incubator model
- access to research and development and commercialisation capacity
- boost economic development particularly in the “new economy”
- be a tangible facility providing direct practical support for local business

The support, technical capacity, grant funding reach and access to similar innovation hubs via NVI provides a huge opportunity that is beyond Council's current capacity to deliver independently. By partnering we are able to provide a major project in line with our Digital and Economic Development Strategies.

As is often the case, the project is grant funded dependent with the grant application being managed by Kathryn Anderson, Deputy Director Enterprise, New Venture Institute. Further, support from other Councils and the RDA is needed to secure the Federal Grant Funding.

Potential location of the physical facility is Mount Gambier due to the opportunity of accessing the high speed optic fibre link owned by Australian Academic Research Network (AARNET). Further, Mount Gambier will have NBN by mid 2017 should AARNET connection not be feasible or cost prohibitive. Council also has an MOU with the State Government and UniSA that, in part, seeks to maximize the potential of the optic fibre link.

The potential incubator/innovation hub in partnership with local stakeholders and NVI delivers on Council's Digital and Economic Development outcomes that individually we would have difficulty delivering. While further work is necessary by NVI to gain grant funding and commitment from stakeholders it is important that the City of Mount Gambier provides solid support and financial backing for the project to maximise the potential for grant funding. If there is no local commitment then there will be no grant funding.

This report proposes that Council provides in principle support for the establishment of an incubator/innovation hub in Mount Gambier in partnership with the NVI and local stakeholders and dependent on Federal grant funding. To assist in securing the external funding and providing strong economic development and leadership opportunities for the City, Council supports the project with an allocation of \$50,000 in 2016/2017 and the same amount in 2017/2018. Adequate funds remain in the 2016/2017 Economic Development Budget and also in the Draft 2017/2018 Budget. All Council allocations are

dependent on Federal funding, NVI funding and local stakeholder funding (Councils and RDA).

Summary

The opportunity to partner with New Venture Institute and tapping into their incubator and innovation experience and connections to establish a regional hub in Mount Gambier is a project that would be difficult for the Council to do alone. Significant work still needs to be completed and part of this is to gain funding commitment from stakeholders to attract external funds. Council's commitment to this project supports our endorsed strategies and provides leadership and tangible outcomes for economic development and the new economy

Cr Lynagh moved it be recommended:

- (a) the Corporate and Community Services Report No. 29/2017 with the New Venture Institute (NVI) to establish an incubator/innovation hub in Mount Gambier be received;
- (b) Council provides an allocation of \$50,000 from funds remaining in the 2016/2017 Economic Development Budget and a further \$50,000 already allocated in the Draft Budget for Economic Development;
- (c) provision of Council funds is dependent on NVI securing Federal Grant Funding and local stakeholder funds that collectively ensure the viability and success of the incubator/innovation hub and a physical presence in Mount Gambier;
- (d) a further report is provided to Council on the achievement of point (c) above prior to final Council commitment and provision of the Council funds.

Cr Meziniec seconded

Carried

Cr Lynagh moved that the recommendation of the Corporate and Community Services Committee as contained in item 7 be adopted.

Cr Meziniec seconded

Carried

OPERATIONAL SERVICES - 11th April, 2017

Cr Morello moved that the minutes of the meeting held 11th April, 2017 be received.

Cr Von Stanke seconded

Carried

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

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

| <u>Commenced Tasks</u> | <u>% Completed</u> |
|--|--------------------|
| • James Street (paving works) | 30% |
| • Gilmore Close (drainage works) | 30% |
| • Hotmix intersections | 10% |
| • Caroline Landfill (Cell 3B construction) | 85% |
| • Commercial Street West (reconstruction) | 90% |

Completed Tasks

- Hosking Avenue (kerbing works)
- Lake Terrace East (footpath construction)
- Thompson Street (footpath construction)
- Badenoch Street (drainage works)

Cr Greco moved the report be received

Cr Von Stanke seconded

Carried

Cr Greco moved that the recommendation of the Operational Services Committee as contained in item 1 be adopted.

Cr Lovett seconded

Carried

- 2. ENVIRONMENTAL MANAGEMENT - Programme Management - Clean Up Australia Day 2017 - Ref. AF11/404**

The Presiding Member reported:

- (a) Clean Up Australia Day is a valuable initiative which has been given support from the City of Mount Gambier to encourage the community to help keep Mount Gambier clean and green;
- (b) as such, Council staff again coordinated participation in Clean Up Australia Day (CUAD) 2017. The City of Mount Gambier provided:

- promotion (mail out, community posters, civic centre foyer display, media release, radio interview, flat screen advertising in the Library, Council and Main Corner plus emailing of networks);
 - co-ordination of kits and groups;
 - extra bins at nominated sites;
 - marshalling area and co-ordination of volunteer registrations on the day;
 - rubbish removal from nominated sites;
 - free sausage sizzle for participants which was a fundraiser for Gambier City Lions Club.
- (c) Clean Up Australia 2017 consisted of clean ups held on two days. The Schools Clean Up Day (SCUD) on Friday, 3rd March and the Community Clean Up Australia Day on Sunday, 5th March;
- (d) the Schools Clean Up Day consisted of eleven participating schools with over 2000 students cleaning up their school grounds and surrounding areas. Schools included; St Martin's Lutheran College, Tenison Woods College, Grant High School, Independent Learning Centre, Mil Lel Primary School, Melaleuca Park Primary, Acacia Kindergarten, Montebello Kindergarten, Gordon Education Centre, Reidy Park Primary School and McDonald Park School;
- (e) the Community Clean Up Australia Day event involved approximately 110 volunteers and 8 registered community sites. Volunteers collected approximately 30 bags of rubbish and 15 bags of recyclables, a total of 45 bags. Volunteers ranged from all ages, many volunteers were community organisations and families who have participated for a number of years. It was encouraging to see an increased number of local businesses supporting the event by organising clean ups;
- (f) community sites cleaned up in 2017 were Valley Lakes, Blue Lake, Mount Gambier Rail Trail, Olympic Park and surrounding streets, McDonalds Restaurant, Frew Park and surrounding streets, Bunnings to 5SE Radio tower on Millicent road, Hawkins Road/Jubilee Highway East, the Cave Gardens and CBD area. Community areas cleaned on Schools Clean Up Day included Railway Lands by Mil Lel Primary School, Independent Learning School and Gordon Education Centre, Lady Nelson/Frew Park and streets to school by St Martin's Lutheran College and Hasting Cunningham Reserve, Shepherdson Road, Marist Park and surrounding area by Tension Woods College;
- (g) it is recommended Council continues to support this national environmental conservation event in the same capacity as 2017.

Cr Greco moved it be recommended:

- (a) The report be received;
- (b) Council continue to support this national environmental conservation event in 2018, in the same capacity as 2017.

Cr Von Stanke seconded

Carried

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

Cr Lynagh seconded

Carried

3. ENVIRONMENTAL MANAGEMENT - Programme Management - Participation in Earth Hour 2017 - Ref. AF11/407

The Presiding Member reported:

- (a) Earth Hour 2017 marked the 10th anniversary of Earth Hour as a global phenomenon. This worldwide event brings communities together to support and promote the environmental issue of climate change;
- (b) as such, Council staff again coordinated participation in Earth Hour 2017. The City of Mount Gambier provided promotion (community posters, civic centre foyer display, media release, radio interviews, flat screen advertising in the Library, Council and Main Corner plus emailing of networks);
- (c) Council participated through taking part in 'Lights Out'. Lights were turned off from 8.30-9.30pm on Saturday 25th March at the Main Corner, Library, Railway Lands, Vansittart Park, Lady Nelson Brig and the Centenary Tower. In the lead up Council held an event on Thursday 16th March from 6pm-8pm to screen the Earth Hour 2016 documentary, "Places We Love," and an international documentary "Recipes for Disaster." Additionally, the Library ran an Earth Hour theme during their story time sessions on Tuesday and Friday in the week leading up to the event;
- (d) it is recommended Council continues to support this global environmental event in the same capacity as 2017.

Cr Greco moved it be recommended

- (a) The report be received;
- (b) Council continue to support this global sustainability event in 2018, in the same capacity as 2017.

Cr Morello seconded

Carried

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

Cr Von Stanke seconded

Carried

4. INFRASTRUCTURE - Public Lighting - LED Lighting - SA Power Networks - Ref. AF11/1867

The Presiding Member reported:

- (a) SA Power Networks (SAPN) has written to Council with three alternative proposals for the provision of street lighting to the Council area;
- (b) in its simplest form, SAPN are offering to change 2,351 luminaires to LED at nil cost to Council, with a projected saving in energy costs (at today's rates) of about \$70,000 per annum. Larger savings in energy costs are possible if Council was to undertake to own the lights and SAPN maintain them and even larger savings in energy costs if Council was to own and maintain the lights;
- (c) there is currently a lot of debate within Local Government about street lighting and the Local Government Authority is doing a significant amount of work on this topic;
- (d) in the short term Council has nothing to lose and everything to gain by opting to take the low risk alternative which is to simply change the current fluorescent luminaires to LED luminaires;
- (e) this will require Council entering into a formal contractual arrangement with SAPN which will reflect:
 - ownership understanding
 - service level agreements
 - tariff understanding
 - rolling agreement
 - life span of agreement - 20 years (which is life of the luminaires)
- (f) there will be an option to terminate the contract if Council decides to adopt another delivery model in the future;
- (g) the proposed agreement for the 2,351 lights relates to lights on roads classified as "P" (i.e. will not apply to major roads etc).

Cr Greco moved it be recommended:

- (a) The report be received;
- (b) Council advise SA Power networks that it is prepared to enter into a formal contractual arrangement whereby SA Power Networks converts 2,351 fluorescent lights to LED lights at nil cost to Council, in accordance with the proposal from SA Power Networks dated 9th February 2017 (as attached to the agenda);
- (c) The Chief Executive Officer be authorised to execute the agreement with SA Power Networks that is reflected in this resolution of Council.

Cr Morello seconded

Carried

Cr Greco moved that the matter be deferred to the next Council meeting pending a Members Workshop.

Cr Mutton seconded

Carried

5. **PROPERTY MANAGEMENT - Request - Relocation of Basketball Ring and Court - Stiles Street Reserve - D Dahl - Ref. AF16/445**

The Presiding Member reported:

- (a) Council has received a request for the relocation of a basketball ring and court on the reserve adjacent to the property at 25 Montebello Drive, Mount Gambier;
- (b) Council Officers have investigated the costs associated with this request and anticipate that the works will cost approximately \$7,000.

Cr Von Stanke moved it be recommended:

- (a) The report be received;
- (b) Council respectfully decline the request to relocate the basketball ring and court due to the cost of such relocation.

Cr Greco seconded

Carried

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

Cr Morello seconded

Carried

6. **SOCIAL, CULTURAL AND COMMUNITY SERVICES - Recreation and Sport - Proposal for Disc Golf Park - Ref. AF11/1630**

The Presiding Member reported:

- (a) Council, at its meeting of 20th September 2016, with respect to a proposal to introduce Disc Golf to the City, resolved:

“Council request the Director Operational Services to further research and develop the proposal for a Disc Golf facility at Brownes Lake and provide a further report to Council for consideration.”

- (b) the proponents of this emerging sport held a ‘come and try day’ on the weekend of 11th and 12th March 2017 with players visiting from Adelaide, Melbourne and Geelong;
- (c) the course at Brownes Lake proved to be very acceptable and the course layout is attached to the agenda for information. The location of the baskets can be easily moved to ensure players are given a new challenge from time to time;
- (d) earlier information provided to Council indicated a relatively small capital outlay (say \$22,000 for baskets and signs) to establish an appropriate course and this information is still valid;

- (e) attached to the Operational Services Committee agenda was further information from Mr Ryan Nicholson (local proponent) and a copy of the Event Evaluation form;
- (f) the conclusion of the regional players is that Brownes Lake is a more than suitable location for events up to national championships and the local support at the “come and try” day was very encouraging. This report will recommend that Council seek to establish a course in the near future.

Cr Greco moved it be recommended:

- (a) The report be received;
- (b) Council refer an allocation of \$22,000 to the 2017/2018 Budget for consideration regarding the establishment of a Disc Golf course at Brownes Lake, generally in accordance with the plan (as attached to the Operational Services Committee agenda).

Cr Von Stanke seconded

Carried

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

Cr Von Stanke seconded

Carried

7. STRATEGIC MANAGEMENT - Development and Review - Infrastructure and Asset Management Plan 2016/2017-2026/2027 - AF11/1786

The Presiding Member reported:

- (a) Council’s “Infrastructure and Asset Management Plan 2016/2017-2026/2027” has been reviewed and the new draft document was attached to the Operational Services Committee agenda;
- (b) the plan examines, in depth, Council’s various assets including Infrastructure (roads, drains, footpaths, carparks), Plant and Equipment, Buildings and Structures and the Caroline Landfill;
- (c) the plan summarises valuations of all asset classes, establishes service standards to be maintained and provides estimates to maintain both the asset (in a fit for purpose state) and the designated service standards;
- (d) when Council is able to fund the annual ‘consumption’ of assets (i.e. depreciation) it is managing its assets in a sustainable manner;
- (e) the plan indicates that Council continues to achieve good results with infrastructure assets and plant and equipment, but buildings and structures still theoretically consume more of the asset annually than is being replaced;

- (f) valuations for the asset classes of Infrastructure and Plant and Equipment are determined internally and Building and Structures by external consultants.

Cr Greco moved it be recommended:

- (a) The report be received;
- (b) Council receive and endorse the "Infrastructure and Asset Management Plan 2016/2017-2026/2027".

Cr Morello seconded

Carried

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

Cr Lovett seconded

Carried

8. TRAFFIC MANAGEMENT - Request for Parking Restrictions - Jubilee Highway East - RSL Bowling Club - Ref. AF11/1867

The Presiding Member reported:

- (a) Council received a similar request from the RSL Bowling Club in early 2016, that was prompted by a fall on the footpath by a person who subsequently required ambulance attention;
- (b) the Director Operational Services responded to the request at that time and a copy of that response was attached to the Operational Services Committee agenda;
- (c) dedicated parking for potential ambulance emergencies is not common and is not supported by the Director Operational Services, as emergency vehicles have the authority to make parking decisions that best meet the circumstances.

Cr Greco moved it be recommended:

- (a) The report be received;
- (b) Council respectfully decline the request to provide a space for ambulances on Jubilee Highway East, adjacent to the RSL Bowling Club, on the basis that it is not possible to predict either the frequency or the best location for parking to meet the needs of an unknown emergency;
- (c) the RSL Bowling Club be advised of this resolution and the reasons for Council's decision.

Cr Von Stanke seconded

Carried

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

Cr Lovett seconded

Carried

9. TRAFFIC MANAGEMENT - Request for reduction to speed limit - C Clarke - Hawkins Road - Ref. AF11/1867

The Presiding Member reported:

- (a) Council has received a request from a resident who lives on the corner of Terrell Road and Hawkins Road requesting a change in the speed limit for Hawkins Road;
- (b) the same concerns have been previously raised by this resident (in 2012) and since this time the road circumstances have not significantly changed;
- (c) Council, at its meeting held on 18th December 2012 resolved:
 - “(a) The report be received;*
 - (b) Council refer the matter of speed limit review of Hawkins Road directly to DPTI and advise that Council has no opinion on this matter.”*
- (d) the creation and alteration of speed limits on all roads in South Australia is a responsibility of the Department of Planning, Transport and Infrastructure (DPTI) and not Councils. Council does not have powers to set speed limits on roadways, it only has the power to set temporary speed limits associated with roadworks;
- (e) this matter is again placed before Council for information and to ascertain whether Council has any opinion on this matter before it is referred to DPTI for consideration;
- (f) by way of background, Hawkins Road, Dohle Road and Sycamore Road speed limits were all reviewed in October - November 2011 by DPTI and at that time, the Terrell Road land division (stage 1) was complete, although only a handful of allotments were either occupied or in the process of being built on.

Cr Greco moved it be recommended:

- (a) The report be received;
- (b) Council refer the matter of a speed limit review of Hawkins Road directly to the Department of Planning, Transport and Infrastructure and advise that Council has no opinion on this matter.

Cr Von Stanke seconded

Carried

Cr Greco moved that the recommendation of the Operational Services Committee as contained in item 9 be adopted.

Cr Lovett seconded

Carried

10. COMMITTEES - Council Development Assessment Panel - Minutes of Meeting held 16th March 2017 - Ref. AF16/445

Cr Greco moved it be recommended:

- (a) Minutes of the Council Development Assessment Panel meeting held on Thursday, 16th March 2017 be received;
- (b) the decisions made by the Council Development Assessment Panel be noted.

Cr Von Stanke seconded

Carried

Cr Greco moved that the recommendation of the Operational Services Committee as contained in item 10 be adopted.

Cr Von Stanke seconded

Carried

11. OPERATIONAL SERVICES REPORT NO. 6/2017 - Infrastructure - Quotations for Bulk Earthworks - Bishop Road - Road Construction - Ref. 1516-20

Cr Greco moved it be recommended:

- (a) Operational Services Report No. 6/2017 be received;
- (b) Council authorise the bulk earthworks component of Bishop Road construction to be undertaken by Gambier Earth Movers for a quotation price of \$143,208 (plus GST).

Cr Morello seconded

Carried

Cr Greco moved that the recommendation of the Operational Services Committee as contained in item 11 be adopted.

Cr Morello seconded

Carried

12. OPERATIONAL SERVICES REPORT NO. 7/2017 - Financial Management - Tender - Kennedy Avenue Retaining Wall - Asbestos Removal and Repair Work (Readvertised) - Ref. AF16/483

Cr Greco moved it be recommended:

- (a) Operational Services Report No. 7/2017 be received;
- (b) Council award the tender to GT Bobcat for the lump sum price of \$268,800 (plus GST).

Cr Von Stanke seconded

Carried

Cr Greco moved that the recommendation of the Operational Services Committee as contained in item 12 be adopted.

Cr Von Stanke seconded

Carried

13. OPERATIONAL SERVICES REPORT NO. 8/2017 - Property Management - Salvage Yard - Council Operated Salvage Yard - Possible Operational Model - Ref. AF14/34

Cr Morello moved it be recommended:

- (a) Operational Services Report No. 8/2017 be received:
- (b) Council recognise the substantial benefits in the provision of a salvage yard facility for the Mount Gambier community and now proceed to undertake the detailed design and costing for a facility in line with this report:
- (c) the costs for a salvage yard facility be referred to the 2017/2018 budget deliberations.

Mayor Lee seconded

Carried

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

Cr Meziniec seconded

Carried

14. OPERATIONAL SERVICES REPORT NO. 9/2017 - Property Management - Crater Lakes Conservation Park - Tree Removal - Ref. AF11/1391

Cr Greco moved it be recommended:

- (a) Operational Services Report No. 9/2017 be received;
- (b) subject to Council allocating \$20,000 in its 2017/2018 Budget, Council authorise the removal of the 32 trees that have been recommended for removal within the Valley Lakes Conservation Park;
- (c) Council engage a supervisory person who holds the qualification "AQTF Cert IV" Arboriculture to prune the required trees;
- (d) Council authorise a selection of replacement plantings throughout the Conservation Park as listed in table 2.

Cr Von Stanke seconded

Carried

Cr Greco moved that the recommendation of the Operational Services Committee as contained in item 14 be adopted.

Cr Von Stanke seconded

Carried

MOTION WITH NOTICE - Nil

MOTION(S) WITHOUT NOTICE -

1. HUMAN RESOURCE - Appreciation - Mr Daryl Sexton - Ref. AF11/2447

Mayor Lee moved that Council extend its sincere thanks and appreciation to Mr Daryl Sexton for 22 years of dedicated and loyal service to the City of Mount Gambier. Daryl finishes with Council on 3rd July, 2017 and we take this opportunity to wish Daryl all the best for his future endeavours.

Cr Persello seconded

Carried

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Cr Lovett moved that the following Agenda Item be received, discussed and considered in confidence by excluding the public pursuant to Section 90(2) of the Local Government Act 1999, and an order be made that the public (with the exception of Councillors: Mayor Andrew Lee, Cr Christian Greco, Cr Mark Lovett, Cr Josh Lynagh, Cr Sonya Mezinac, Cr Frank Morello, Cr Des Mutton, Cr Hanna Persello and Cr Ian Von Stanke and Council Officers: Mark McShane, Barbara Cernovskis, Pamela Lee, Nick Serle, Daryl Sexton, Melissa Telford and Ashlee Lavia) be excluded from the meeting in order for the Agenda Item Sale of Land for non Payment of Rates to be considered in confidence.

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

- Information concerning the personal affairs of any person (living or dead), being a ratepayer for whom Council is currently undertaking a process for the sale of land according to Section 184 of the LGA for non payment of rates.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances by the need to keep the personal financial information and discussion confidential because the matter relates to information pertaining to the non-payment of rates.

| ITEM NO. | SUBJECT MATTER | S90 (3) GROUNDS |
|--|---|------------------------|
| <u>CORPORATE AND COMMUNITY SERVICES COMMITTEE - 10th April, 2017</u> | | |
| 9. | <u>SALE OF LAND FOR NON PAYMENT OF RATES</u> - Notice of Intention to sell land for non-payment of rates - Subject AF17/69 | (a) |

Cr Von Stanke seconded

Carried

CONSIDERATION FOR KEEPING MATTERS CONFIDENTIAL

Cr Lovett moved that an order be made pursuant to Section 91(7) and recorded in the publicly released version of the minutes in accordance with S91(9) of the Local Government Act, 1999 that the document in relation to item 9 which has been considered by the Council on a confidential basis pursuant to Section 90(3) be kept confidential as follows:

| <u>Item No.</u> | <u>Subject Matter</u> | <u>S.90(3) Grounds</u> | <u>Element To Be Kept Confidential</u> | <u>Duration</u> |
|--|---|-------------------------------|---|---|
| <u>CORPORATE AND COMMUNITY SERVICES COMMITTEE - 10th April, 2017</u> | | | | |
| 9. | <u>SALE OF LAND FOR NON PAYMENT OF RATES</u> - Notice of Intention to sell land for non-payment of rates - Subject AF17/69 | (a) | All details | Until the earlier of - public notice or public announcement of the "Sale of Land for non payment of Rates" has been given in accordance with the Section 184 of the LGA and associated processes; or the matter has been settled or abandoned by Council. |

Cr Lynagh seconded

Carried

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Cr Lovett moved that the following Agenda Item be received, discussed and considered in confidence by excluding the public pursuant to Section 90(2) of the Local Government Act 1999, and an order be made that the public (with the exception of Councillors: Mayor Andrew Lee, Cr Christian Greco, Cr Mark Lovett, Cr Josh Lynagh, Cr Sonya Mezinac, Cr Frank Morello, Cr Des Mutton, Cr Hanna Persello and Cr Ian Von Stanke and Council Officers: Mark McShane, Barbara Cernovskis, Pamela Lee, Nick Serle, Daryl Sexton, Melissa Telford and Ashlee Lavia) be excluded from the meeting in order for the Agenda Item Sale of Land for non Payment of Rates to be considered in confidence.

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

- Information concerning the personal affairs of any person (living or dead), being a ratepayer for whom Council is currently undertaking a process for the sale of land according to Section 184 of the LGA for non payment of rates.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances by the need to keep the personal financial information and discussion confidential because the matter relates to information pertaining to the non-payment of rates.

| ITEM NO. | SUBJECT MATTER | S90 (3) GROUNDS |
|--|---|------------------------|
| <u>CORPORATE AND COMMUNITY SERVICES COMMITTEE - 10th April, 2017</u> | | |
| 12. | <u>SALE OF LAND FOR NON PAYMENT OF RATES</u> - Notice of Intention to sell land for non-payment of rates - Subject AF17/71 | (a) |

Cr Greco seconded

Carried

CONSIDERATION FOR KEEPING MATTERS CONFIDENTIAL

Cr Mezinec moved that an order be made pursuant to Section 91(7) and recorded in the publicly released version of the minutes in accordance with S91(9) of the Local Government Act, 1999 that the document in relation to item 12 which has been considered by the Council on a confidential basis pursuant to Section 90(3) be kept confidential as follows:

| <u>Item No.</u> | <u>Subject Matter</u> | <u>S.90(3) Grounds</u> | <u>Element To Be Kept Confidential</u> | <u>Duration</u> |
|--|---|-------------------------------|---|---|
| <u>CORPORATE AND COMMUNITY SERVICES COMMITTEE - 10th April, 2017</u> | | | | |
| 12. | <u>SALE OF LAND FOR NON PAYMENT OF RATES</u> - Notice of Intention to sell land for non-payment of rates - Subject AF17/71 | (b) | All details | Until the earlier of - public notice or public announcement of the "Sale of Land for non payment of Rates" has been given in accordance with the Section 184 of the LGA and associated processes; or the matter has been settled or abandoned by Council. |

Cr Greco seconded

Carried

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Cr Lynagh moved that the following Agenda Item be received, discussed and considered in confidence by excluding the public pursuant to Section 90(2) of the Local Government Act 1999, and an order be made that the public (with the exception of Councillors: Cr Christian Greco, Cr Mark Lovett, Cr Josh Lynagh, Cr Sonya Meziniec, Cr Frank Morello, Cr Des Mutton, Cr Hanna Persello and Cr Ian Von Stanke and Council Officers: Mark McShane, Barbara Cernovskis, Pamela Lee, Nick Serle, Daryl Sexton, Melissa Telford and Ashlee Lavia) be excluded from the meeting in order for the "Council Item No. 1 - CEO Report on Confidential Matters" to be considered in confidence.

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

- Matters that must be considered in confidence to ensure that the Council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.

The 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 of legislative provisions that prohibit the disclosure of such matters.

| ITEM NO. | SUBJECT MATTER | S90 (3) GROUNDS |
|----------------------------|---|-----------------|
| <u>COUNCIL ITEM</u> | | |
| 1. | <u>CEO REPORT ON CONFIDENTIAL MATTERS - AF13/275</u> | (g) |

Cr Greco seconded

Carried

CONSIDERATION FOR KEEPING MATTERS CONFIDENTIAL

Cr Lovett moved that an order be made pursuant to Section 91(7) and recorded in the publicly released version of the minutes in accordance with S91(9) of the Local Government Act, 1999 that the document in relation to Council Item No. 1 which has been considered by the Council on a confidential basis pursuant to Section 90(3) be kept confidential as follows:

| <u>Item No.</u> | <u>Subject Matter</u> | <u>S.90(3) Grounds</u> | <u>Element To Be Kept Confidential</u> | <u>Duration</u> |
|----------------------------|--|------------------------|--|--|
| <u>COUNCIL ITEM</u> | | | | |
| 1. | <u>CEO REPORT ON CONFIDENTIAL MATTERS</u> - Ref. AF13/275 | (g) | All details (including report, tabled attachment, discussion and resolution) | Ongoing; To be reviewed at least once in every year |

Cr Mezinec seconded

Carried

Meeting closed at 6:40 pm

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