

## **MINUTES OF ORDINARY OPERATIONAL STANDING COMMITTEE MEETING**

Meeting held in the Conference Room, Civic Centre, 10 Watson Terrace, Mount Gambier  
on Tuesday, 8 May 2018 at 7:30 a.m.

<b>PRESENT</b>	Mayor Andrew Lee		
	Cr Mark Lovett (Presiding Member)		
	Cr Christian Greco		
	Cr Ian Von Stanke		
	Cr Des Mutton		
<b>COUNCIL MEMBERS AS OBSERVERS:</b>	Cr Sonya Meziniec		
	Cr Frank Morello (arrived at 7.34 a.m.)		
<b>COUNCIL OFFICERS</b>	General Manager Community Wellbeing	-	Ms B Cernovskis
	General Manager City Infrastructure	-	Mr N Serle
	Manager Development Services	-	Mrs T Tzioutziouklaris
	Media Communications Coordinator	-	Ms S McLean
	Administration 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.**

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

Apology(ies) received from Cr Perryman

That the apology from Cr Perryman be received.

Moved: Cr Greco

Seconded: Cr Von Stanke

Carried

### **2. CONFIRMATION OF OPERATIONAL STANDING COMMITTEE MINUTES**

Meeting held on 10 April 2018.

That the minutes of the Operational Standing Committee meeting held on 10 April 2018 as previously circulated be confirmed as an accurate record of the proceedings of that meeting.

Moved: Cr Greco

Seconded: Cr Mutton

Carried

### **3. QUESTIONS**

#### **3.1. With Notice**

Nil submitted.

#### **3.2. Without Notice**

Nil received.

### **4. DEPUTATIONS**

Nil



## 5. COMMITTEE MINUTES AND RECOMMENDATIONS

### 5.1. Minutes of the Junior Sports Assistance Fund (Section 41) Meeting - 11 April 2018

That the minutes of the Junior Sports Assistance Fund (Section 41) meeting held 11 April 2018 as previously circulated be noted.

Moved: Cr Lovett

Seconded: Cr Greco

Carried

### 5.2. Correspondence Received - Report No. AR18/12981

- (a) That Junior Sports Assistance Fund Committee Report No. AR18/12981 titled '*Correspondence Received*' dated 3 April 2018 as presented to the Junior Sports Assistance Fund Committee on 11 April 2018 be noted.

Moved: Cr Lovett

Seconded: Cr Mutton

Carried

### 5.3. Statement of Revenue and Expenses - 1/11/2017 to 28/02/2018 - Report No. AR18/13000

- (a) That Junior Sports Assistance Fund Committee Report No. AR18/13000 titled '*Statement of Revenue and Expenses - 1/11/2017 to 28/02/2018*' dated 3 April 2018 as presented to the Junior Sports Assistance Fund Committee on 11 April 2018 be noted.
- (b) The financial statement of the Fund as at 28 February 2018 be received noting a cash balance of \$74,825.

Moved: Cr Lovett

Seconded: Cr Greco

Carried

### 5.4. Applications for Financial Assistance for Juniors and Payments from the Fund from 1/12/2017 to 31/03/2018 - Report No. AR18/13267

- (a) That Junior Sports Assistance Fund Committee Report No. AR18/13267 titled '*Applications for Financial Assistance for Juniors from 1/12/2017 to 31/03/2018*' dated 4 April 2018 as presented to the Junior Sports Assistance Fund Committee on 11 April 2018 be noted.

Moved: Cr Lovett

Seconded: Cr Mutton

Carried



**5.5. Member Organisations Contributions 2017/2018 - Unpaid Membership - Report No. AR18/13172**

- (a) That Junior Sports Assistance Fund Committee Report No. AR18/13172 titled '*Member Organisations Contributions 2017/2018 - Unpaid Membership*' dated 4 April 2018 as presented to the Junior Sports Assistance Fund Committee on 11 April 2018 be noted;
- (b) letters be sent to Member Organisations with outstanding membership contributions requesting advice as to whether they wish to continue to be a member of the Fund, and if so payment is to be made by the end of April, 2018 or the Member Organisation will be suspended from the fund.

Moved: Cr Lovett

Seconded: Cr Greco

Carried

**5.6. Commercial Club Inc. - Annual Donation - Exceptional Junior Program 2017 - Report No. AR18/12929**

- (a) That Junior Sports Assistance Fund Committee Report No. AR18/12929 titled '*Commercial Club Inc. - Annual Donation - Exceptional Junior 2017*' dated 3 April 2018 as presented to the Junior Sports Assistance Fund Committee on 11 April 2018 be noted.
- (b) For the 2017 year the following juniors receive the Commercial Club Inc. donation (i.e. \$500 each) to assist that junior to advance in their chosen sport and to achieve their potential:  
Awardees: Emily Close - Basketball Mount Gambier  
Mitchell Hunter - Basketball Mount Gambier
- (c) the presentation of the Commercial Club Inc. donation take place at a time convenient to the recipient, member organisation and a representative of the Commercial Club Inc.;
- (d) details of the donation program and the awardees for 2017 be released to the media immediately.

Moved: Cr Lovett

Seconded: Cr Greco

Carried

**5.7. Rotary Club of Mount Gambier Lakes - Donations to Financially Disadvantaged Sportspersons - Report No. AR18/12883**

- (a) That Junior Sports Assistance Fund Committee Report No. AR18/12883 titled '*Rotary Club of Mount Gambier Lakes - Donations to Financially Disadvantaged Juniors*' dated 3 April 2018 as presented to the Junior Sports Assistance Fund Committee on 11 April 2018 be noted.



(b) the following application(s)/funding be made available to the Member Organisations named below to assist the identified junior(s) to achieve their fullest participation with the specific purpose donation from the Rotary Club of Mount Gambier Lakes - Donations to Financially Disadvantaged Junior Sportspeople initiative (funded from some of the proceeds from the 2018 Blue Lake Fun Run) and to be used strictly in accordance with their respective confidential application:

(i)	South East Women's Football Association - 2 Nominees (i.e. \$300 each)	\$600
(ii)	Limestone Coast Football Association - 1 nominee	\$300
(iii)	Discretionary Donation - 12 nominees (i.e. \$120 each)	\$1,440

Moved: Cr Lovett

Seconded: Cr Mutton

Carried

**5.8. Minutes of the Community Engagement and Social Inclusion Sub-Committee Meeting - 26 April 2018**

That the minutes of the Community Engagement and Social Inclusion Sub-Committee Meeting held 26 April 2018 as previously circulated be noted.

Moved: Cr Lovett

Seconded: Cr Von Stanke

Carried

**5.9. Governance - Community Engagement and Social Inclusion Sub-Committee - Vulnerable Families - Ref. AF17/432**

(a) That the project plan for the delivery of the Community Day at AF Sutton Reserve on Thursday 4 October 2018 be progressed and regular updates be provided to Council.

Moved: Cr Lovett

Seconded: Cr Greco

Carried

**5.10. Minutes of the Environmental Sustainability Sub-Committee Meeting – 1 May 2018**

That the minutes of the Environmental Sustainability Sub-Committee meeting held on 1 May 2018 as previously circulated be noted.

Moved: Cr Lovett

Seconded: Cr Mutton

Carried

**5.11. City of Mount Gambier Corporate Greenhouse Gas Emissions 2016-2017 - Report No. AR18/15108**

(a) That Environmental Sustainability Sub-Committee Report No. AR18/15108 titled 'City of Mount Gambier Corporate Greenhouse Gas Emissions 2016-2017' as presented to the Environmental Sustainability Sub-Committee on 1 May 2018 be noted.



- (b) That Council continue to conduct greenhouse gas emission reduction measures. This may include activities such as energy efficiency and renewable energy measures, reducing waste to landfill, and landfill gas mitigation actions - within budget and resourcing constraints.

Moved: Cr Lovett

Seconded: Cr Mutton

Carried

**5.12. ReUse Market Update – May 2018 – Report No. AR18/13791**

- (a) That Environmental Sustainability Sub-Committee Report No. AR18/13791 titled '*ReUse Market Update – May 2018*' as presented to the Environmental Sustainability Sub-Committee on 1 May 2018 be noted.
- (b) That Council endorse the requirement for Council staff to make decisions on what will be accepted for resale at the ReUse market and the proposed pricing regime for accepting items at the Waste Transfer Station for reselling at the ReUse Market, as outlined in report AR18/13791.

Moved: Cr Lovett

Seconded: Cr Von Stanke

Carried

**6. OPERATIONAL STANDING COMMITTEE REPORTS**

**6.1. Works in Progress - City Infrastructure - Report No. AR18/12120**

**COMMITTEE RECOMMENDATION**

- (a) That Operational Standing Committee Report No. AR18/12120 titled '*Works in Progress - City Infrastructure*' as presented to the Operational Standing Committee on 8 May 2018 be noted.

Moved: Cr Lovett

Seconded: Cr Greco

Carried

**6.2. Cave Gardens Claret Ash Tree - Report No. AR18/15717**

- (a) That Operational Standing Committee Report No. AR18/15717 '*Cave Gardens Claret Ash Tree*' as presented to the Operational Standing Committee on 8 May 2018 be noted.
- (b) To be referred to the Operational Standing Committee for a decision.

Moved: Cr Lovett

Motion lapsed for want of a seconder

**COMMITTEE RECOMMENDATION**

- (a) That Operational Standing Committee Report No. AR18/15717 '*Cave Gardens Claret Ash Tree*' as presented to the Operational Standing Committee on 8 May 2018 be noted.



- (b) Option 1 - Council seek expressions of interest from local artists in regards to sculpting the remainder of the tree, and engage with Richard Woods, Council's Heritage Adviser, in regards to his comments in relation to a sculpture in the Cave Gardens.

Moved: Cr Greco

Seconded: Cr Mutton

Carried

**6.3. Cave Gardens and Town Hall Tree Management - Report No. AR18/10357**

**COMMITTEE RECOMMENDATION**

- (a) That Operational Standing Committee Report No. AR18/10357 '*Cave Gardens and Town Hall Tree Management*' as presented to the Operational Standing Committee on 8 May 2018 be noted.
- (b) That Council approves the removal of the 13 *Oriental Plane* trees around the Town Hall and Cave Gardens Precinct to allow for advanced replacement trees where practicably possible.
- (c) Over 2 years, Council replaces the removed trees with the London Plane Tree whose form is more suited to the windy conditions of the area.

Moved: Cr Lovett

Seconded: Cr Mutton

Carried

**6.4. Request from Foodbank for Council Funding - Report No. AR18/16919**

**COMMITTEE RECOMMENDATION**

- (a) That Operational Standing Committee Report No. AR18/16919 titled '*Request from Foodbank for Council Funding*' as presented to the Operational Standing Committee on 8 May 2018 be noted.
- (b) That Council grants an extension of time for the \$42,750 of funds previously provided to Foodbank to purchase the property on Cave Road, Mount Gambier to June 30 2021.
- (c) That Foodbank be advised that should the purchase and upgrade of Foodbank's property on Cave Road not be completed by 30 June 2021 the funds be returned to Council.

Moved: Cr Lovett

Seconded: Cr Mutton

Carried

**7. MOTION(S)**

**7.1. With Notice**

Nil Submitted

**7.2. Without Notice**

Nil



## 8. CONFIDENTIAL ITEMS

### 8.1 Consideration for Exclusion of the Public

The following Agenda Item be received, discussed and considered in confidence by excluding the public pursuant to Section 90(2) of the Local Government Act 1999, and an order be made that the public (with the exception of Mayor A Lee, Councillors - M Lovett, C Greco, D Mutton, I Von Stanke, S Meziniec and F Morello and Council Officers - B Cernovskis, N Serle, T Tzioutziouklaris, S McLean and F McGregor) be excluded from the meeting in order for the Agenda Item (Illegal Development – Occupation of an outbuilding) to be considered in confidence.

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

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

The Council is satisfied that the information to be received, discussed or considered in relation to this item is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of the occupier of the property.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances as the matter is personal to the occupier of the property.

Item No.	Subject Matter	S90(3) Grounds
8.2	Illegal Development – Development constructed at variance to the Development Approval - Report No. AR18/16548	(a) & (f)

Moved: Mayor Lee

Seconded: Cr Greco

Carried



### 8.3 Consideration for Keeping Items Confidential

That an order be made pursuant to Section 91(7) and recorded in the publicly released version of the minutes in accordance with Section 91(9) of the Local Government Act, 1999 that the document in relation to Item 8.8 which has been considered by the Council on a confidential basis pursuant to Section 90(3) be kept confidential.

Item No.	Subject Matter	S90(3) Grounds	Element To Be Kept Confidential	Duration
8.2	Illegal Development - Development constructed at variance to the Development Approval Report No. AR18/16548	(a) & (f)	All details	Until the matter has been resolved.  Where duration exceeds 12 months. To be reviewed at least once.

Moved: Cr Lovett

Seconded: Cr Greco

Carried





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

The following item(s) be received, discussed and considered in confidence by excluding the public pursuant to Section 90 (2) of the Local Government Act, 1999 and an order be made that the public (with the exception of Mayor A Lee, Councillors - M Lovett, C Greco, D Mutton, I Von Stanke, S Mezinac and F Morello and Council Officers - B Cernovskis, N Serle, T Tzioutziouklaris, S McLean and F McGregor) now present be excluded from the meeting in order for the item to be considered in confidence as the Committee is satisfied that the item is a matter that can be considered in confidence.

The Committee is satisfied that pursuant to the following sections of the Act, the information to be received, discussed or considered in relation to this Agenda Item is:

- s90(3)(d) - commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected:
  - **to prejudice the commercial position of the person who supplied the information, or**
  - **to confer a commercial advantage on a third party.**

The information to be considered in relation to this Agenda Item include costings for provision of recycling services and other specific financial information, the disclosure of which would prejudice the supplier's commercial position in the open market.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of the supplier's commercial position could jeopardise the delivery of the recycling service to the community.

ITEM NO.	SUBJECT MATTER	S90(3) GROUNDS
8.5	Council Update on Recycling Issues and Options – May 2018 - Report No. AR18/16676	(d)

Moved: Cr Lovett

Seconded: Cr Von Stanke

Carried



**8.6. Consideration for Keeping Items Confidential**

That an order be made pursuant to Section 91(7) and recorded in the publicly released version of the minutes in accordance with Section 91(9) of the Local Government Act, 1999 that the document in relation to Item 7.2 which has been considered by the Council on a confidential basis pursuant to Section 90(3) be kept confidential.

Item No.	Subject Matter	S90(3) Grounds	Element To Be Kept Confidential	Duration
8.5	Council update on recycling issues and options – May 2018 - Report No. AR18/16676	(d)	All Details except Attachment 1 AR18/16698.	Until a commercial agreement is reached with the supplier or 11 months has elapsed whichever is the earlier

Moved: Cr Lovett

Seconded: Cr Von Stanke

Carried

Meeting closed at 8.08 a.m.

AR18/17894

CONFIRMED THIS

DAY OF

2018.

.....  
PRESIDING MEMBER

