

**MINUTES OF CITY OF MOUNT GAMBIER
PEOPLE AND PLACE COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON MONDAY, 7 JUNE 2021 AT 5.30 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Frank Morello (Presiding Member), Cr Kate Amoroso, Cr Max Bruins, Cr Christian Greco, Cr Ben Hood

OFFICERS IN ATTENDANCE:	Acting Chief Executive Officer	- Ms B Cernovskis
	General Manager Shared Services	- Mr D Barber
	General Manager City Growth	- Mr T Coote
	Acting General Manager Community Wellbeing	- Mrs G Davison
	Manager Development Services	- Mrs T Tzioutziouklaris
	Manager Governance and Property	- Mr M McCarthy
	Executive Administrator Community Wellbeing	- Ms A Lavia

1 ACKNOWLEDGEMENT OF COUNTRY

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

2 APOLOGY(IES)

COMMITTEE RESOLUTION

Moved: Cr Frank Morello

Seconded: Cr Ben Hood

That the apologies from Cr Paul Jenner, Cr Sonya Meziniec and Cr Steven Perryman be received.

CARRIED

3 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Frank Morello

Seconded: Cr Max Bruins

That the minutes of the People and Place Committee meeting held on 6 April 2021 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 QUESTIONS WITHOUT NOTICE

Nil



5 REPORTS

5.1 LAGUNARIA TREES - MITCHELL STREET

COMMITTEE RESOLUTION

Moved: Cr Max Bruins

Seconded: Cr Ben Hood

1. That People and Place Committee Report No. AR21/31705 titled 'Lagunaria Trees - Mitchell Street' as presented on 07 June 2021 be noted.
2. Empak Homes and the property owner of 8/6 Jardine Street be advised:
 - (a) After an extensive investigation into the health and risk assessment of the Lagunaria patersonia (Norfolk Island Hibiscus) planted along the western side of Mitchell Street, the trees are not considered by Council to warrant their removal.
 - (b) The trees are considered to be in good and fair overall condition with extended useful life expectancies. None of the trees display features that indicate they are in health or structural decline or that they are not suited to the environment. The trees are street trees and are part of a historic planting that provides an important heritage link with the history of the area.

CARRIED

6 MOTIONS WITH NOTICE

6.1 NOTICE OF MOTION - OLD RAILWAY STATION BUILDING

COMMITTEE RESOLUTION

Moved: Cr Frank Morello

Seconded: Cr Max Bruins

1. That People and Place Committee Report No. AR21/33923 titled 'Notice of Motion - Old Railway Station Building' as presented on 07 June 2021 be noted.
2. That Council:
 - (a) writes to the chair of the Mount Gambier Branch of the National Trust of South Australia, Nathan Woodruff, thanking them for their initiative.
 - (b) Informs the Trust of its decision, at this time, to decline the offer to transfer ownership or occupancy of the Railway Station to the National Trust of SA.
 - (c) convenes an Elected Member workshop to discuss future options for the Old Railway Station building, including temporary initiatives, in the broader context of the surrounding Railway Land and Olympic Park precincts.

CARRIED



7 CONFIDENTIAL ITEMS

7.1 ROAD OPENING PROCESS - PINEHALL AVENUE – REPORT NO. AR21/28521

COMMITTEE RESOLUTION

Moved: Cr Frank Morello
Seconded: Cr Max Bruins

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the People and Place Committee orders that all members of the public, except Mayor L Martin, Councillors F Morello, K Amoroso, M Bruins, C Greco and B Hood and Council Officers B Cernovskis, D Barber, T Coote, G Davison, T Tzioutziouklaris, M McCarthy and A Lavia be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.1 AR21/28521 Road Opening Process - Pinehall Avenue.

The People and Place Committee is satisfied that, pursuant to section 90(3) (a), (b), (d) and (i) of the Act, the information to be received, discussed or considered in relation to the 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)
- information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is
 - conducting business; or
 - proposing to conduct business; or
 - to prejudice the commercial position of the Council
- 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
- information relating to:
 - actual litigation, or
 - litigation that the Council or Council committee believes on reasonable grounds will take place,
 - involving the Council or an employee of the Council

The People and Place Committee 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 information to be considered relates to the valuation of land and compensation for a compulsory acquisition of land for road opening purposes for which is reasonably considered will result in litigation.

CARRIED



COMMITTEE RESOLUTION

Moved: Cr Max Bruins
Seconded: Cr Ben Hood

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 7.1 AR21/28521 Road Opening Process - Pinehall Avenue and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (a), (b), (d) and (i) be kept confidential and not available for public inspection until the acquisition of the subject land has been settled and any court actions finalised.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CARRIED

8 MEETING CLOSE

The Meeting closed at 5:42 pm.

The minutes of this meeting were confirmed at the People and Place Committee held on 2 August 2021.

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PRESIDING MEMBER

