

**MINUTES OF CITY OF MOUNT GAMBIER  
PEOPLE AND PLACE COMMITTEE MEETING  
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE,  
MOUNT GAMBIER ON TUESDAY, 8 OCTOBER 2019 AT 5:30 P.M.**

**PRESENT:** Mayor Lynette Martin (OAM), Cr Frank Morello, Cr Kate Amoroso, Cr Max Bruins, Cr Christian Greco, Cr Ben Hood, Cr Paul Jenner and Cr Sonya Mezinec

|                                |                                     |                   |
|--------------------------------|-------------------------------------|-------------------|
| <b>OFFICERS IN ATTENDANCE:</b> | Chief Executive Officer             | - Mr A Meddle     |
|                                | General Manager Community Wellbeing | - Ms B Cernovskis |
|                                | General Manager City Growth         | - Dr J Nagy       |
|                                | Manager Executive Administration    | - Mr M McCarthy   |
|                                | Executive Administration Officer    | - Mrs M Telford   |

**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)**

Nil

**3 CONFIRMATION OF MINUTES**

Nil

**4 QUESTIONS WITHOUT NOTICE**

The following question was received from Councillor Paul Jenner:

Cr Jenner requested a follow up on his request for a list of DPTI Roads that the City of Mount Gambier was seeking improvements.

**Response**

The Chief Executive Office took the question on notice and will provide a written response by the end of the week.



## 5 REPORTS

### 5.1 PROPOSED MEETING DATES FOR THE PEOPLE AND PLACE COMMITTEE FOR 2019/20

#### COMMITTEE RESOLUTION

Moved: Cr Frank Morello  
Seconded: Mayor Lynette Martin

1. That People and Place Committee Report No. AR19/51179 titled 'Proposed Meeting Dates for the People and Place Committee for 2019/20' as presented on 08 October 2019 be noted.
2. That its meeting schedule for 2019/20, be as set out in Attachment 1 to this report.

**CARRIED**

The Presiding Member sought the approval of at least two-thirds of the members present at the meeting to suspend meeting procedures:

Purpose of the Suspension: To discuss the Work Program for the People and Place Committee for 2019/2020.

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

Meeting Procedures were suspended at 5.35 p.m.

The Presiding Member determined that the period of suspension should be brought to an end;

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

The Period of Suspension came to an end and Meeting Procedures resumed at 5.44 p.m.

### 5.2 WORK PROGRAM FOR THE PEOPLE AND PLACE COMMITTEE FOR 2019/20

#### COMMITTEE RESOLUTION

Moved: Cr Paul Jenner  
Seconded: Cr Sonya Meziniec

1. That People and Place Committee Report No. AR19/51178 titled 'Work Program for the People and Place Committee for 2019/20' as presented on 08 October 2019 be noted.
2. That the following items comprise the Committee's work program for the remainder of the 2019/20 municipal year:
  - (a) Community events
  - (b) Visual arts
  - (c) Public art
  - (d) CBD activation and enhancement
  - (e) Tourism (strategy as opposed to assets)
  - (f) Place making and shaping
  - (g) Land use or transport planning policy matters
  - (h) Joint Planning Board matters
  - (i) Sports facilities and participation

**CARRIED**



### 5.3 TERMS OF REFERENCE OF THE PEOPLE AND PLACE COMMITTEE

#### COMMITTEE RESOLUTION

Moved: Cr Sonya Meziniec  
Seconded: Cr Ben Hood

1. That People and Place Committee Report No. AR19/51185 titled 'Terms of Reference of the People and Place Committee' as presented on 08 October 2019 be noted.
3. That this is a prescribed Committee for the purposes of payments as required by the SA Remuneration Tribunal.

**CARRIED**

### 5.4 POLICY REVIEW - C410 CONDUCT OF MEETINGS AND M265 MEMBER COMPLAINTS HANDLING PROCEDURE

#### COMMITTEE RESOLUTION

Moved: Cr Christian Greco  
Seconded: Cr Sonya Meziniec

1. That People and Place Committee Report No. AR19/47797 titled 'Policy Review - C410 Conduct of Meetings and M265 Member Complaints Handling Procedure' as presented on 08 October 2019 be noted.
2. Having reviewed the policy provisions Council re-adopts the following policies as attached to People and Place Committee Report No. AR19/47797:
  - (a) Policy C410 Conduct of Meetings
  - (b) Policy M265 Member Complaints Handling Procedure

**CARRIED**

### 5.5 MOUNT GAMBIER GIFT SPONSORSHIP REQUEST

#### COMMITTEE RESOLUTION

Moved: Cr Paul Jenner  
Seconded: Cr Kate Amoroso

1. That People and Place Committee Report No. AR19/51127 titled 'Mount Gambier Gift Sponsorship Request' as presented on 08 October 2019 be noted.
2. That Council endorse sponsorship for the Mount Gambier Gift to the value of \$7,500 cash and \$1,000 in kind, for the 2019/2020 financial year only.

**CARRIED**



## 5.6 EMPLOYMENT ENGAGEMENT SURVEY 2019 UPDATE

### COMMITTEE RESOLUTION

Moved: Cr Frank Morello

Seconded: Cr Max Bruins

1. That People and Place Committee Report No. AR19/45340 titled 'Employment Engagement Survey 2019 Update' as presented on 08 October 2019 be noted.

**CARRIED**

## 5.7 ADMINISTRATIVE PRINCIPLES RELATING TO THE ENFORCEMENT OF UNLAWFUL DEVELOPMENT AND UNSIGHTLY PREMISES

### COMMITTEE RESOLUTION

Moved: Cr Frank Morello

Seconded: Mayor Lynette Martin

1. That People and Place Committee Report No. AR19/52752 titled 'Administrative Principles relating to the Enforcement of Unlawful Development and Unsightly Premises' as presented on 08 October 2019 be noted.

**CARRIED**

## 5.8 REFORMING LOCAL GOVERNMENT IN SOUTH AUSTRALIA - DISCUSSION PAPER

### COMMITTEE RESOLUTION

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

1. That People and Place Committee Report No. AR19/47773 titled 'Reforming Local Government in South Australia - Discussion Paper' as presented on 08 October 2019 be noted.
2. That Council generally supports the position of the Local Government Association on each of the 72 local government reform proposals and further supports the additional 12 reform proposals contained in the August 2019 Discussion Paper.
3. That the establishment of a new (member) conduct management framework as a combination of Models 1 & 2 presented in the August 2019 Discussion Paper is supported.
  - Model 1 – the clarification of current legislation
  - Model 2 – using governance committees

Council does not support the establishment of another body to oversight local government, unless established and managed for the sector by the Local Government Association.

4. That Council implore the State Government in progressing local government reform to focus on outcomes that:
  - provide community benefit without increasing administrative burden;



- are not so prescriptive, but adaptable to suit needs of different communities;
  - are simple to understand and administer without the need for legal interpretation;
- and consistent with Reform Area 4 – Simpler Regulation, contribute toward cutting rather than creating red-tape which diverts Council resources from beneficial community services.

5. That Council seek further engagement on a Draft Amendment Bill, with an explanatory paper if necessary, prior to any of the proposed reforms becoming law.

**CARRIED**

## **5.9 COUNCIL ASSESSMENT PANEL RECRUITMENT AND TRAINING**

### **COMMITTEE RESOLUTION**

Moved: Cr Christian Greco

Seconded: Cr Paul Jenner

1. That People and Place Committee Report No. AR19/53262 titled 'Council Assessment Panel Recruitment and Training' as presented on 08 October 2019 be noted.
2. That Council authorise the Chief Executive Officer to undertake a recruitment process to seek interest in filling an independent member role on the Council Assessment Panel, with a report brought back to Council to consider any nominations.
3. That, at that time, Council consider whether to appoint a proxy Elected Member to the Council Assessment Panel and whether to appoint a further independent member to act as a proxy.
4. That Council authorise the Chief Executive Officer to formulate and deliver a training program for the Council Assessment Panel and staff to meet some or all of the needs of those affected by the Accredited Professionals elements of the Planning, Development and Infrastructure Act 2016 and for this to be offered to other councils in the region.

**CARRIED**

## **6 URGENT MOTIONS WITHOUT NOTICE**

**NIL**



## 7 CONFIDENTIAL ITEMS

### 7.1 PROPERTY - 9 PENOLA ROAD, 1-3 LAWRENCE STREET – REPORT NO. AR19/48305

#### COMMITTEE RESOLUTION

Moved: Cr Max Bruins  
Seconded: Cr Christian Greco

#### 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 Martin, Councillors F Morello, K Amoroso, M Bruins, C Greco, B Hood, P Jenner and S Meziniec and Council Officers Mr A Meddle, Dr J Nagy, Ms B Cernovskis, Mr M McCarthy and Mrs M Telford be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.1 AR19/48305 Property - 9 Penola Road, 1-3 Lawrence Street.

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

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

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 includes independent market valuations of property that the Council is considering for potential rental or sale, the public disclosure of which to potential market participants could reasonably be considered to prejudice the Council (and therefore communities) interest in obtaining the highest rental or sale result in the event that the Council determines to proceed with such activities for the subject properties, being land excluded from classification as community land.

**CARRIED**

Pursuant to Section 75A of the Local Government Act 1999, Cr Hood disclosed an actual conflict of interest in Item 7.2:

*"I am Director of Stand Like Stone, an applicant for renting 9 Penola Road. "*

Cr Hood informed the meeting of the manner in which they intend to deal with the actual conflict of interest in Item 7.2 as follows:

I intend to leave the chamber.

In accordance with Section 75A of the Local Government Act 1999 Cr Hood left the Chamber for Item 7.2.

Cr Hood vacated the chamber at 6.20 p.m.



**7.2 PROPERTY - 9 PENOLA ROAD, 1-3 LAWRENCE STREET – REPORT NO. AR19/48305**

**COMMITTEE RESOLUTION**

Moved: Cr Max Bruins

Seconded: Mayor Lynette Martin

2. That the Chief Executive Officer be instructed to liaise with the Stand Like Stone Foundation to discuss if they are interested in occupying the building as per their "Expression of Interest" dated 13 January 2019 on the basis of a peppercorn lease for a period of five years;
3. That the Chief Executive Officer write to the other six organisations who responded to the Expressions of Interest advising them of the offer to the Stand Like Stone Foundation;
4. That a lease to the Stand Like Stone Foundation include the following conditions:
  - a) Tenant to be fully responsible for the day to day operation and management of the building, including all building maintenance and upkeep;
  - b) Tenant responsibility for buildings and contents insurance and all outgoings, including any taxes, utilities or service costs incurred by Council;
  - c) The building management and use must accommodate other local community and / or Not For Profit organisations; and
  - d) Fees for other organisations to be nominal to cover administration for building management co-contribution towards taxes, utilities or service costs incurred.
5. That the Chief Executive Officer seek a report in relation to future access points to the Commerce Place car park should a second story be considered appropriate by the Council in future years. The report should focus on whether the existing access to the northern side of the carpark from Lawrence Street could be adapted to provide access to a second storey car park should this be developed in future years, or whether the properties situated at 1 & 3 Lawrence Street would be better suited to provide a more cost effective and efficient access to any future carpark development.

**CARRIED**

**COMMITTEE RESOLUTION**

Moved: Cr Sonya Mezinac

Seconded: Cr Max Bruins

**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 AR19/48305 Property - 9 Penola Road, 1-3 Lawrence Street having been considered by the Council in confidence under Section 90(2) & (3) (b) be kept confidential and not available for public inspection until the Council has settled sales transaction(s) in relation to the subject properties, being land excluded from classification as community land.
2. Further that Council delegates the power to review, revoke, but not extension of 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**



Cr Hood resumed the meeting at 6.33 p.m.

**8 MEETING CLOSE**

**The Meeting closed at 6.34 p.m.**

**The minutes of this meeting were confirmed at the People and Place Committee held on 2 December 2019.**

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**PRESIDING MEMBER**

