



City of
Mount Gambier

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Mount Gambier SA 5290

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I hereby give notice that a Strategic Standing Committee Meeting will be held on:

Date: Tuesday, 11 June 2019

Time: 5.30 p.m.

**Location: Committee Room, Level 4
Civic Centre
10 Watson Terrace
Mount Gambier**

AGENDA

Strategic Standing Committee Meeting 11 June 2019

**Andrew Meddle
Chief Executive Officer**

6 June 2019

Order Of Business

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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

[Strategic Standing Committee Meeting - 13 May 2019](#)

RECOMMENDATION

That the minutes of the Strategic Standing Committee meeting held on 13 May 2019 be confirmed as an accurate record of the proceedings of the meeting.

4 QUESTIONS WITHOUT NOTICE



5 REPORTS

5.1 STRATEGIC STANDING COMMITTEE - TERMS OF REFERENCE – REPORT NO. AR19/26668

| | |
|----------------------------------|---|
| Committee: | Strategic Standing Committee |
| Meeting Date: | 11 June 2019 |
| Report No.: | AR19/26668 |
| CM9 Reference: | AF18/496 |
| Author: | Michael McCarthy, Manager Executive Administration |
| Authoriser: | Pamela Lee, General Manager Council Business Services |
| Summary: | This report presents an amendment to the Strategic Standing Committee Terms of Reference to transfer committee focus for Quarterly Budget Reviews from the Operational Standing Committee in accordance with Council resolution dated 21 May 2019. |
| Community Plan Reference: | Goal 3: Our Diverse Economy |

REPORT RECOMMENDATION

1. That Strategic Standing Committee Report No. AR19/26668 titled 'Strategic Standing Committee - Terms of Reference' as presented on 11 June 2019 be noted.
2. The updated Terms of Reference for the Strategic Standing Committee as attached to Report No. AR19/26668 be adopted.



BACKGROUND

Council has established the Strategic and Operational Standing Committees to focus on matters as set out in their Terms of Reference.

The Strategic Standing Committee Terms of Reference as adopted by Council on 18 December 2018 provide that the committee has been established with a strategic 'forward planning' focus on the following matters:

- *Strategic Direction*
- *Strategic Plans:*
 - *(Futures Paper/Community Plan, Cultural Development Plan, Reconciliation Action Plan, Youth Strategy, Tourism Strategy, City Growth, Digital Strategy)*
 - *Long Term Financial Plan*
 - *Budget & Annual Business Plan*
 - *Asset & Infrastructure Management Plan*
- *Council Policies*
- *By-Laws*
- *Annual Report*
- *Development Plan Amendments*
- *Seeking of Grant Funding*
- *Unsolicited/New Proposals (strategic nature)*

and for the purpose of Section 101A of the Development Act 1993, to:

- *Provide advice to Council in relation to the extent to which Council's strategic planning and development policies accord with the planning strategy.*
- *To assist Council in undertaking strategic planning and monitoring directed at achieving:*
 - *orderly and efficient development within City of Mount Gambier Council area;*
 - *high levels of integration of transport and land use planning;*
 - *relevant targets set out in the planning strategy within the City of Mount Gambier Council area;*
 - *the implementation of affordable housing policies set out in the planning strategy within the area of Council;*
 - *other outcomes of a prescribed kind (if any).*
 - *to provide advice to Council (or to act as its delegate) in relation to strategic planning and development policy issues when Council is preparing:*
 - *a Strategic Directions Report; or*
 - *a Development Plan Amendment proposal.*
 - *other functions (other than functions relating to development assessment or compliance) assigned to the committee by Council.*



At its meeting held on 21 May 2019 in consideration of Operational Standing Committee Report No.AR19/21547 titled "Quarter Three Budget Review for the Financial Year Ending 30 June 2019" Council resolved (Resolution 2019/117):

- "3. *Future Budget Reviews be presented to the Strategic Standing Committee before it comes to Council.*"

DISCUSSION

The Terms of Reference for the Operational Standing Committee adopted by Council on 16 April 2019 provide that the committee has been established with a broad operational 'business' focus that includes Quarterly Budget Reviews.

As a result of the Council resolution (Resolution 2019/117) made on 21 May 2019 that future budget reviews be presented to the Strategic Standing Committee, the Terms of Reference for each of the Operational and Strategic Standing Committees have been updated to reflect this change in committee focus for presentation to the respective committees.

The updated Terms of Reference for the Strategic Standing Committee are attached for consideration.

CONCLUSION

Having reviewed the updated Terms of Reference for the Strategic Standing Committee as resolved by Council, the committee may now recommend their adoption by Council.

ATTACHMENTS

1. Terms of Reference - Strategic Standing Committee - DRAFT June 2019 [↓](#)





Strategic Standing Committee

TERMS OF REFERENCE

A Committee of Council
established pursuant to the provisions of
Section 41
of the Local Government Act 1999
and
Section 101A
of the Development Act 1993.

Terms of Reference for the conduct of the business of the Council Committee were approved and adopted by the City of Mount Gambier at its meeting held on ## Month, 2018.



Strategic Standing Committee

The Strategic Standing Committee has been established with a Strategic 'forward planning' focus on the following matters:

- Strategic Direction
- Strategic Plans:
 - (Futures Paper/Community Plan, Cultural Development Plan, Reconciliation Action Plan, Youth Strategy, Tourism Strategy, City Growth, Digital Strategy)
 - Long Term Financial Plan
 - Budget & Annual Business Plan
 - Asset & Infrastructure Management Plan
- Council Policies
- By-Laws
- Annual Report
- Development Plan Amendments
- Seeking of Grant Funding
- Quarterly Budget Reviews
- Unsolicited/New Proposals (strategic nature)

and for the purpose of Section 101A of the Development Act 1993, to:

- provide advice to Council in relation to the extent to which Council's strategic planning and development policies accord with the planning strategy.
- To assist Council in undertaking strategic planning and monitoring directed at achieving:
 - orderly and efficient development within City of Mount Gambier Council area;
 - high levels of integration of transport and land use planning;
 - relevant targets set out in the planning strategy within the City of Mount Gambier Council area;
 - the implementation of affordable housing policies set out in the planning strategy within the area of Council;
 - other outcomes of a prescribed kind (if any).
- To provide advice to Council (or to act as its delegate) in relation to strategic planning and development policy issues when Council is preparing:
 - a Strategic Directions Report; or
 - a Development Plan Amendment proposal.
- Other functions (other than functions relating to development assessment or compliance) assigned to the committee by Council.



Strategic Standing Committee

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1. NAME

The name of the Council Committee shall be the Strategic Standing Committee (in these Terms of Reference referred to as "the Committee").

2. DEFINITIONS

2.1 For the purpose of these Terms of Reference, unless inconsistent with the subject matter or context: -

2.1.1 "Act" means the Local Government Act 1999 and includes all Regulations and Schedules.

2.1.2 "Committee" means the Committee of Council established pursuant to clause 3.

2.1.3 "Committee Member" means the persons appointed by the Council to the Committee pursuant to clause 5.

2.1.4 "Commencement Date" means the date on which the Committee is established and becomes operative pursuant to clause 3.

2.1.5 "Council" means the City of Mount Gambier that established the Committee and to which the Committee reports.

2.1.6 "Prescribed Committee" means a Prescribed Committee as defined in the Remuneration Tribunal Determination 6 of 2018 (or any replacement determination)

2.1.7 "Presiding Member of the Committee of Council" means the person appointed to that position pursuant to clause 5.

2.1.8 "Observers" means those persons attending any meeting of the Committee of Council, but not having a vote on any matter to be determined by the Committee and not having been appointed as Committee Members.

2.1.9 "Sub-Committee" means a sub-committee established in accordance with the Act.

2.2 Any words, phrases or terms used in these Terms of Reference that are defined in the Act shall have the same meaning as are given in the Act.

2.3 A reference in these Terms of Reference to a "singular" includes a reference to the "plural" and a reference to a "plural" includes a reference to the "singular".

2.4 These Terms of Reference shall be interpreted in line with the provisions of the Act.

2.5 Notices

All communication to be given to the Committee shall be addressed to: -

City of Mount Gambier Strategic Standing Committee
PO Box 56
MOUNT GAMBIER SA 5290
Email: city@mountgambier.sa.gov.au



3. ESTABLISHMENT

- 3.1 The Strategic Standing Committee is established under Section 41 of the Local Government Act 1999 and Section 101A of the Development Act 1993.
- 3.2 The Committee will be established and become operative from the time a resolution of the Council is passed.
- 3.3 The Committee is established by the Council with:
- 3.3.1 a Strategic 'forward planning' focus on the following matters:
- Strategic Direction
 - Strategic Plans:
 - (Futures Paper/Community Plan, Cultural Development Plan, Reconciliation Action Plan, Youth Strategy, Tourism Strategy, City Growth, Digital Strategy)
 - Long Term Financial Plan
 - Budget & Annual Business Plan
 - Asset & Infrastructure Management Plan
 - Council Policies
 - By-Laws
 - Annual Report
 - Development Plan Amendments
 - Seeking of Grant Funding
 - Quarterly Budget Reviews
 - Unsolicited/New Proposals (strategic nature)
- and for the purposes of Section 101A of the Development Act 1993, for:
- 3.3.2 provision of advice to Council in relation to the extent to which Council's strategic planning and development policies accord with the planning strategy.
- 3.3.3 assisting Council in undertaking strategic planning and monitoring directed at achieving:
- orderly and efficient development within City of Mount Gambier Council area;
 - high levels of integration of transport and land use planning;
 - relevant targets set out in the planning strategy within the City of Mount Gambier Council area;
 - the implementation of affordable housing policies set out in the planning strategy within the area of Council;
 - other outcomes of a prescribed kind (if any).
- 3.3.4 provision of advice to Council (or to act as its delegate) in relation to strategic planning and development policy issues when Council is preparing:
- a Strategic Directions Report; or
 - a Development Plan Amendment proposal.
- 3.3.5 other functions (other than functions relating to development assessment or compliance) assigned to the committee by Council.
- 3.4 The Committee shall be a Prescribed Committee that is enduring to perform, assist and provide advice to Council on matters described in these Terms of Reference.



4. OBJECTIVES

The Committee is created with the express objective of providing considered advice to Council within the scope of its purpose and reasons for establishment

5. MEMBERSHIP

- 5.1 Membership of the Committee will comprise Elected Members as determined by resolution of Council in accordance with Council policy guiding appointment to committees.
- 5.2 The Council reserves the right from time to time to remove any Member of the Committee and appoint another Committee Member in their stead.
- 5.3 All Strategic Standing Committee Members hold office at the pleasure of the Council.
- 5.4 The Mayor has Ex-Officio membership on this Committee.
- 5.5 The Committee will determine the Committee Member to be appointed to the position of Presiding Member of the Committee, which appointment will be reviewed by the Committee every 12 months.

6. CASUAL VACANCIES AND REPLACEMENT MEMBERS

- 6.1 If a Committee Member is absent from 3 or more consecutive meetings of the Committee without an apology accepted by the Committee then that Committee Member's position shall be considered vacant.
- 6.2 The Council will determine the filling of any vacancy in the Committee Membership in accordance with clause 5.

7. NO PROXY

- 7.1 The appointment of a person as proxy for any Strategic Standing Committee Member on the Committee is not permissible.

8. RESIGNATION OF COMMITTEE MEMBER

- 8.1 Any Committee Member may resign from the Committee, but such resignation shall not be effective until the Presiding Member and Council has received written notice to that effect.

9. QUORUM

- 9.1 At all Meetings of the Committee a quorum must be present.
- 9.2 A quorum will be determined by dividing by 2 the number of Strategic Standing Committee Members formally appointed to the Committee ignoring any fraction and adding 1.



10 ATTENDANCE AT MEETINGS BY TELEPHONE OR OTHER ELECTRONIC MEANS

A Committee Member (including, subject to the operation of clause 11.2, the Presiding Member) may be considered as being present at a Committee Meeting despite not being physically present at the meeting, subject to the following conditions:

- 10.1 Written approval to participate in the meeting by telephone or other electronic means has been sought and obtained from the Committees Presiding Member and confirmed to the Chief Executive Officer not less than 24 hours prior to the meetings scheduled commencement time, and;
- 10.2 The Chief Executive Officer having confirmed prior to the scheduled commencement time of that meeting that the necessary technologies are available to accommodate the Committee Members participation in the meeting and compliance with the Act, and;
- 10.3 A Committee Member participating by such means being for the specified meeting only and not for 2 or more consecutive meetings of the Committee, and;
- 10.4 All Committee Members being able to hear each other Committee Member whilst a Committee Member is participating by telephone or other electronic means, and;
- 10.5 The Committee Member that is participating by telephone or other electronic means expressing their vote on each and every question in a manner that can be identified by all other persons present at the meeting (whether all other persons at the meeting are physically present or present by telephone or other electronic means), and;
- 10.6 The Presiding Member (or Acting Presiding Member) being authorised to disconnect the Committee Member in the event that the technology causes any disruption or inconvenience to the Committee meeting, and;
- 10.7 Should the telephone or other electronic connection fail, any attempt(s) to re-connect are made at the discretion of the Presiding Member, and;

Whilst participating in a Committee Meeting in accordance with this clause a Committee Member shall be considered as being present at the meeting for all purposes.

11 MEETINGS OF THE COMMITTEE

- 11.1 The Committee shall meet in accordance with its ordinary meeting schedule or otherwise in accordance with this clause.
- 11.2 The Presiding Member, when physically present, shall preside at all meetings of the Committee and at any other time the Committee shall appoint an Acting Presiding Member who shall preside at that meeting.
- 11.3 No business shall be transacted at any meeting of the Committee unless a quorum of Strategic Standing Committee Members is present.
- 11.4 Each Strategic Standing Committee Member of the Committee including the Presiding Member present at any meeting of the Committee must vote on any matter requiring determination and all decisions shall be decided on a simple majority of votes cast.
- 11.5 Each Strategic Standing Committee Member of the Committee including the Presiding Member present at any meeting of the Committee shall have one deliberate vote only.



12 PROCEDURES AT MEETINGS

- 12.1 The procedure to be observed in relation to the conduct of meetings of the Committee is in accordance with the Act and the Local Government (Procedures at Meetings) Regulations 2013.
- 12.2 In accordance with s89 of the Act, insofar as a procedure is not prescribed by regulation, it shall be as determined by the Council, and insofar as a procedure is not determined by the Council, it shall be as determined by the Committee itself.

13 LIABILITY OF THE COMMITTEE

- 13.1 A liability incurred by the Committee rests against Council.
- 13.2 No liability attaches to a Strategic Standing Committee Member of the Committee for an honest act or omission by that Strategic Standing Committee Member of the Committee in the performance or discharge, or purported performance or discharge, of the Member's or the Committee's functions or duties.

14 DELEGATION

- 14.1 The Committee has no delegation to act with all recommendations of the Committee (and of any Sub-Committees established by the Committee) to be considered by full Council for final decision and resolution.

15 SUB-COMMITTEES

- 15.1 The Committee may establish a subcommittee to assist it in a matter.
- 15.2 When establishing a subcommittee the Committee must set out the Terms of Reference for the subcommittee.
- 15.3 The Committee may appoint to a Sub-Committee Council Members who are not members of the Committee, Council Officers and members of the public with skills or expertise in a field relevant to the matters which the Sub-committee is established to assist with.
- 15.4 A Sub-Committee established in accordance with this clause will report to the Committee and will have the same meeting notice, minute keeping and procedural obligations as the Committee as defined in the Act.
- 15.5 If a Sub-Committee Member is absent from 2 or more consecutive meetings of the Sub-Committee without an apology accepted by the Committee and Council then that Sub-Committee Members position shall be considered vacant.
- 15.6 If a Sub-Committee established under this Clause 15 fails to achieve quorum on 3 consecutive occasions then the Sub-Committee will be considered to be in recess and the Chief Executive Officer is to present a report to the Strategic Standing Committee for consideration.



16 MINUTES OF THE COMMITTEE

16.2 Administration

- 16.1.1 The CEO or his appointee must cause minutes to be kept of the proceedings of the Committee.
- 16.1.2 Minutes of the Committee shall be available to all Strategic Standing Committee Members of the Committee, Council and the public.
- 16.1.3 The Minutes of the proceedings of a meeting are to comply with the requirements of the Act
- 16.1.4 Minutes of the Committee Meeting shall be submitted for confirmation at the next meeting of the Committee and if confirmed, shall be signed by the Presiding Member or other person presiding at the subsequent meeting.
- 16.1.5 Minutes of the Committee Meeting and any recommendations (including the minutes and recommendations of any Sub-Committee established by the Committee) shall be submitted to Council and shall be of no effect until endorsed as a resolution of Council.

17 AMENDMENTS TO THESE TERMS OF REFERENCE

- 17.1 It will be lawful for the Council by resolution of the Council to revoke, vary or add to any of the provisions of these Terms of Reference at its own discretion within the parameters of the Local Government Act and other relevant legislation.
- 17.2 Notwithstanding 17.1 hereof before the Council resolves to revoke, vary or add to any of the provisions of these Terms of Reference the opinion of the Committee shall be obtained.

18 INTERPRETATION OF THESE TERMS OF REFERENCE

- 18.1 Should there be any dispute as to the definition and/or interpretation of these Terms of Reference, or any part thereof or any irregularities whatsoever, then the Council shall determine the dispute and the decision of the Council shall be final and binding.

19 WINDING UP

- 19.1 Subject to the making of alternate arrangements to fulfill its obligations under Section 101A of the Development Act 1993 the Council may cease the operation of the Committee and the Committee may make such recommendation to the Council on the completion of its function.

6th December, 2018
Ref: AF11/1718



6 URGENT MOTIONS WITHOUT NOTICE



7 CONFIDENTIAL ITEMS

7.1 PROPERTY MANAGEMENT - LICENCE EXPIRY REVIEW – REPORT NO. AR19/26427

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Strategic Standing Committee orders that all members of the public, except Mayor L Martin, Councillors F Morello, M Bruins, B Hood and S Meziniec and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle, P Lee and M Telford be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.1 AR19/26427 Property Management - Licence Expiry Review.

The Strategic Standing Committee is satisfied that, pursuant to section 90(3) (b) and (d) 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
- 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 Strategic Standing 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 Council and the current tenants future interests in the letting of the subject property, the disclosure of which may reasonably be considered could prejudice the Councils commercial position and be beneficial or detrimental to 3rd parties associated with any expression of interest or tender for the occupation of the subject property.

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 AR19/26427 Property Management - Licence Expiry Review 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) (b) and (d) be kept confidential and not available for public inspection until or the execution of an agreement with a new tenant, with resolution (b) to be released immediately upon advertisement of the matter by the licensee.
2. Further that Council delegates the power of review revoke, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

8 MEETING CLOSE



COMMITTEE MINUTES

AND

REPORTS / ATTACHMENTS

**MINUTES OF CITY OF MOUNT GAMBIER
STRATEGIC STANDING COMMITTEE MEETING
HELD AT THE COMMITTEE ROOM, LEVEL 4, CIVIC CENTRE, 10 WATSON TERRACE,
MOUNT GAMBIER
ON MONDAY, 13 MAY 2019 AT 5.30 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Frank Morello (Presiding Member), Cr Sonya Meziniec, Cr Max Bruins

COUNCIL MEMBERS Nil
AS OBSERVERS

| | | |
|-------------------------------|---|-------------------|
| OFFICERS IN ATTENDANCE | Chief Executive Officer | - Mr G Maxwell |
| | General Manager Community Wellbeing | - Ms B Cernovskis |
| | General Manager Council Business Services | - Mrs P Lee |
| | General Manager City Infrastructure | - Mr N Serle |
| | General Manager City Growth | - Dr J Nagy |
| | Executive Administration Officer | - Mrs F McGregor |

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 Max Bruins

That the apology(ies) from Cr Ben Hood be received.

CARRIED

3 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Frank Morello

Seconded: Cr Sonya Meziniec

That the minutes of the Strategic Standing Committee meeting held on 8 April 2019 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 QUESTIONS WITHOUT NOTICE

Nil



5 REPORTS

5.1 POLICY REVIEW - R105 - RATING POLICY

COMMITTEE RESOLUTION

Moved: Cr Frank Morello

Seconded: Cr Max Bruins

1. That Strategic Standing Committee Report No. AR19/13461 titled 'Policy Review - R105 - Rating Policy' as presented on 13 May 2019 be noted.
2. That Council *Policy R105 - Rating Policy* as attached to Strategic Committee Report No. AR19/13461 be adopted.

CARRIED

5.2 POLICY REVIEW - R155 - RATE REBATE POLICY

COMMITTEE RESOLUTION

Moved: Cr Frank Morello

Seconded: Cr Sonya Meziniec

1. That Strategic Standing Committee Report No. AR19/15794 titled 'Policy Review - R155 - Rate Rebate Policy' as presented on 13 May 2019 be noted.
2. That Council *Policy R155 - Rate Rebate Policy* as attached to Strategic Standing Committee Report No. AR19/15794 be adopted.

CARRIED

6 MOTIONS WITHOUT NOTICE

Nil

7 MEETING CLOSE

The Meeting closed at 5.32 p.m.

The minutes of this meeting were confirmed at the Strategic Standing Committee held on 11 June 2019.

.....
PRESIDING MEMBER

