

MINUTES OF THE SPECIAL STATUTORY MEETING OF THE COUNCIL OF THE CITY OF MOUNT GAMBIER HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT GAMBIER ON TUESDAY, 25TH NOVEMBER, 2014 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 (arrived 6.33 pm)

Cr Des Mutton

Cr Steve Perryman

Cr Hanna Persello

Cr Penny Richardson

Cr Ian Von Stanke

COUNCIL OFFICERS:

Chief Executive Officer	-	Mr Mark McShane
Director - Corporate Services	-	Mr Grant Humphries
Team Leader - Executive Support	-	Mrs Lynne Dowling
Manager - Governance & Property	-	Mr Michael McCarthy
Manager Community Services & Development	-	Ms Barbara Cernovskis
Engineering Manager	-	Mr Daryl Morgan
Human Resource Manager	-	Ms Stacey Holder
Admin Officer Executive Support	-	Mrs Fiona McGregor
Admin Officer Executive Support	-	Ms Tracey Gritton

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.

The Chief Executive Officer took the Chair for the following business:

1. DECLARATION OF OFFICE – Mayor Andrew Lee - Ref.AF11/858

The Chief Executive Officer read out the result of the City of Mount Gambier November 2014 Mayoral Election.

Following the allocation of preferences Andrew Lee was declared elected as Mayor of the City of Mount Gambier with a total of 3467 votes.

The Chief Executive Officer thanked unsuccessful candidates for their nominations and participation in the mayoral election process.

Andrew Lee read out his Declaration of Office.

Mayor Andrew Lee took the Chair for the following business:

2. DECLARATION OF OFFICE - Councillors - Ref. AF11/858

The Chief Executive Officer read out the results of the City of Mount Gambier November 2014 Councillor Election.

Following the allocation of preferences the following were declared elected to fill the 10 Councillor positions:

Cr Steve Perryman
Cr Penny Richardson
Cr Ian Von Stanke
Cr Frank Morello
Cr Sonya Mezinec
Cr Hanna Persello
Cr Christian Greco
Cr Josh Lynagh
Cr Des Mutton
Cr Mark Lovett

The Chief Executive Officer thanked unsuccessful candidates for their nominations and participation in the Councillor election process.

The following Members read out their respective Declarations of Office:

Cr Ian Von Stanke
Cr Christian Greco
Cr Penny Richardson
Cr Des Mutton
Cr Sonya Mezinec
Cr Hanna Persello
Cr Mark Lovett
Cr Steve Perryman
Cr Josh Lynagh

3. APOLOGY/IES:

Cr Persello moved the apology received from Cr Morello advising of his late arrival be accepted.

Cr Von Stanke seconded

Carried

4. **MAYORAL WELCOME** - Ref. AF13/111

Mayor Lee welcomed all in the gallery. Congratulations to all Members and welcome to Council.

Cr Von Stanke moved that the Mayoral Welcome be received.

Cr Greco seconded

Carried

5. **RETURNING OFFICER'S REPORT** – Outcomes from November 2014 General Elections
- Letter from Electoral Commission SA dated 14th November 2014 - Ref.AF11/907

The Chief Executive Officer presented the Returning Officers report on the outcomes of the November 2014 Mayoral and Councillor Elections (**Attachment 1**):

Cr Richardson moved that the Returning Officer's report on the outcome of the November 2014 General Elections be received.

Cr Perryman seconded

Carried

6. **POLICY – SUPPLEMENTARY ELECTIONS** – Ref. AF11/1948

The Chief Executive Officer reported:

Section 6(2) of the Local Government (Elections) Act 1999 provides that a supplementary election will not be held to fill a single vacancy in an office (other than a vacancy in office of Mayor) where the area of the Council is not divided into wards, if it is a policy of the Council that it will not fill such a vacancy until the next general election.

Given the considerable cost of a supplementary election and the capacity for the Council to continue operating effectively with a single vacancy, it is recommended that the Council adopt a policy to give effect to Section 6(2), noting the provisions of Section 6 relating to when a supplementary election will be held.

A draft policy S400 Supplementary Elections is presented for consideration by Council (**Attachment 2**) which if adopted will have the effect of avoiding a supplementary election to fill only a single vacancy.

Cr Perryman moved that Council adopt the Policy S400 Supplementary Elections as attached to the Agenda.

Cr Greco seconded

Carried

7. **CODE OF CONDUCT FOR COUNCIL MEMBERS** - Ref. AF14/448

The Chief Executive Officer reported;

Section 63 of the Local Government Act 1999 provides that a Code of Conduct to be observed by the members of all Councils may be prescribed and that Council Members must observe the Code of Conduct.

A Code of Conduct for Council Members was published in the South Australian Government Gazette on 22 August 2013, and was re-published on 29 August 2013. The current version applicable to Council Members is attached for information. **(Attachment 3)**.

The Code of Conduct for Council Members forms part of a comprehensive statutory framework under which Councils operate, that includes mandatory reporting requirements that apply to all public officers (including Council Members) to referral and investigatory agencies comprising the Ombudsman, Office of Public Integrity (OPI) and Independent Commissioner Against Corruption (ICAC).

The Code of Conduct prescribes for Council Members a Behavioural Code (Part 2) and Misconduct provisions (Part 3).

For the purpose of clauses 2.12 and 2.13 of Part 2 of the Code of Conduct the Chief Executive Officer has nominated the following Council Officer positions as delegates to whom Council Members may also direct relevant and reasonable requests for information:

- Director Corporate Services
- Director Operational Services
- Manager Community Services & Development
- Manager Governance & Property
- Manager Strategic Projects
- Manager Regulatory Services
- Engineering Manager
- Finance Manager
- Team Leader – Executive Support

For the purpose of clause 2.18 of Part 2 of the Code of Conduct for Council Members the Chief Executive Officer has nominated the Director Corporate Services, Director Operational Services and Manager Governance and Property as delegates to whom Council Members may refer complaints about behaviour alleged to have breached the Behavioural Code.

Clause 3.7 of Part 3 of the Code of Conduct for Council Members contains provisions relating to gifts and benefits and the quarterly publication of a gifts and benefits register. A procedure has been developed to assist Council Members including a flowchart for guidance on accepting/declining/reporting gifts and benefits and a form for declaring gifts and benefits.

Cr Mezinac moved that the report be received.

Cr Richardson seconded

Carried

8. CONFLICT OF INTEREST – Ref. AF11/897

The Chief Executive Officer reported;

- (a) that Members need to familiarise themselves and comply with the Conflict of Interest provisions as contained the Local Government Act (Sections 73-75 inclusive);
- (b) an extract of Sections 73-75 inclusive of the Act is attached to this Agenda for the information of Members (**Attachment 4**).

Cr Von Stanke moved that the report be received.

Cr Greco seconded

Carried

9. STATUTORY RETURNS - Members to complete statutory forms - Ref.AF11/897, AF11/446

The Chief Executive Officer reported:

- (a) pursuant to the provisions of the Local Government Act 1999, Members are required to complete and provide to the Chief Executive Officer of the Council certain statutory returns:
 - i. Campaign Donation Returns for all candidates at the 2014 Local Government Elections(**Attachment 5**)
 - in the prescribed form
 - within 30 days of the conclusion of the election (i.e. by no later than Friday 12th December, 2014)
 - ii. Register of Interests, to be submitted to the Chief Executive Officer of the Council:
 - In accordance with Schedule 3 of the Local Government Act 1999
 - Primary Return - within six (6) weeks of election (i.e. by no later than Wednesday 24th December, 2014) (**Attachment 6**)
 - Ordinary Return – on or within 60 days after the 30th June in each year
- (b) Members are required to provide to the Chief Executive Officer details of where Council papers, notices, agendas and other business documents are to be sent to each individual Member.

Cr Lovett moved the report be received.

Cr Von Stanke seconded

Carried

10. CIVIL LIABILITY (PROTECTION OF MEMBERS) - Ref. AF11/773

The Chief Executive Officer reported:

Section 80 of the Local Government Act 1999 (“Act”) provides that *‘a council must take out a policy of insurance insuring every member of the council, and a spouse or another person who may be accompanying a member of the council, against risks associated with the performance or discharge of official functions or duties by members.’*

All Councils in South Australia participate in the Local Government Association Mutual Liability Scheme (“LGAMLS”), a self managed liability fund designed to protect civil liabilities (including public liability & professional indemnity). Council receives unlimited civil liability protection whilst it maintains membership of the LGAMLS.

Civil Liability Protection – Council Members and Council Committee Members

Section 39 of the Act provides that no civil liability attaches to a Member of Council “for an honest act or omission” in the exercise, performance or discharge of the member’s or Council’s powers, functions or duties under this or other Acts.

Section 41 of the Act similarly protects members of Council Committees and accordingly any person who is appointed by and recognised by a Council as holding a position as a Member of a Council committee receives the same civil liability protection as a Council Member

Civil liabilities that would attach to an Elected Member or Committee Member attach to the Council. Council is required to notify the LGAMLS of all committees established or re-established pursuant to Section 41 of the Act.

Single & Regional Subsidiaries

Pursuant to the provisions of the Act Councils may establish a single Council subsidiary (Section 42) or a regional subsidiary (Section 43) established by two or more Councils.

Board Members of subsidiaries established under the Act attract the same civil liability protections as Council’s Elected and Council Committee Members. However, the subsidiary must seek and be granted separate membership of the LGAMLS.

External Committees and Boards

The protections under the Act and LGAMLS do not extend to “external” Committees or Boards not established by Council as they are independent bodies and usually formulated under other legislation. Under the Rules of the LGAMLS civil liability protection cannot be extended beyond the Membership base for the benefit of an external group.

Prior to nominating or accepting a nomination to an external Committee or Board, the Council and/or the Council Member nominee should ensure that the external Committee or Board provides adequate indemnities and insurance cover for its Members.

Limitation of Protections

Council Members do not have any protected privilege when speaking either inside or outside the Council Chamber.

The protections afforded by Local Government Act the LGAMLS do not extend beyond 'honest acts and omissions' nor to protect a Member acting beyond the exercise, performance or discharge of their or Council's powers, functions or duties under the Local Government Act or any other Act.

Policy C360 – Personal Immunity for Individuals

A review of existing policy *C360 – Personal Immunity for Individuals* has found that it no longer has any application under the Local Government Act 1999 and the current LGAMLS rules. Accordingly it is recommended that Policy C360 be revoked and removed from Council's Policy Index.

Cr Von Stanke moved;

(a) the report be received.

(b) Council hereby revokes Policy C360 Personal Immunity for Individuals

Cr Meziniec seconded

Carried

11. MEMBER ALLOWANCES – Remuneration Tribunal Determination 7 of 2014 – Ref. AF11/894

The Chief Executive Officer reported:

(a) Allowances

Section 76 of the Local Government Act 1999 provides that an Independent Remuneration Tribunal will determine the level of allowances for all Council Members. The Tribunal is required to make its determination at least 2 weeks before the close of nominations for Local Government elections.

(b) In making its determination, the Tribunal has regard to:

- the role of Members of Council as Members of the Council's governing body and as representatives of the Council's area;
- the size, population and revenue of the Council, and any relevant economic, social, demographic and regional factors in the Council area;
- such an allowance is not intended to amount to a salary for a Member;
- such an allowance should reflect the nature of a Member's office; and
- the Act's provisions to provide for reimbursement of Member's expenses.

(c) The current determination for the City of Mount Gambier (Determination 7 of 2014 made on 28 July 2014 – **(Attachment 7)**) is as follows:

COUNCIL: Group 2 classification (out of 5 Groups)

GROUP 2: Base is \$15,900

Mayoral Allowance:	4 times the \$15,900 = \$63,600
Deputy Mayoral Allowance:	1.25 times the \$15,900 - \$19,875
Presiding Members of Standing Committees:	as for Deputy Mayoral Allowance
Members:	\$15,900

- (d) All Members Allowances are paid monthly (2 weeks in advance/2 weeks in arrears). For efficiency allowances are via Electronic Funds Transfer direct to the Elected Member's bank account.
- (e) NOTE: A Council Member is entitled to decline payment of the allowance (see Section 76(7) of the Act). If a Council Member does decline payment of the allowance it must still be recorded in the Register of Allowances and Benefits.
- (f) The Allowances set out in the Determination will be adjusted annually on the first, second and third anniversaries of the 2014 Local Government elections to reflect changes in the Consumer Price Index as defined at section 76(15) of the Local Government Act 1999.

Cr Von Stanke moved that the report be received.

Cr Richardson seconded

Carried

12. TAXATION OF ALLOWANCES - Ref. AF11/894

The Chief Executive Officer reported:

A November 2010 letter to the LGA from Wallmans Lawyers regarding taxation implications of the Member's annual allowance and reimbursement of prescribed expenses for Elected Members is attached (**Attachment 8**) for information.

Cr Von Stanke moved that the report be received.

Cr Greco seconded

Carried

13. POLICY - MEMBER ALLOWANCES, REIMBURSEMENTS, BENEFITS & FACILITIES - Ref. AF11/950

The Chief Executive Officer reported:

Section 77 of the Local Government Act 1999 and the Local Government (Members Allowances and Benefits) Regulations 2010 contain provisions relating to prescribed reimbursements, and discretionary re-imburements that may be approved by Council either specifically or under a policy established for the purpose of Section 77(1)(b).

Section 77(2) provides that a policy under Section 77(1)(b) lapses at a general election of the Council. During a review of policies in the 2013/14 year it was recommended that the following policies be reviewed and amalgamated:

- M155 Members – Allowances - Payments When Acting in a Higher Office
- M165 Members - Allowances and Benefits Policy (lapsed)

The resulting amalgamated Policy M405 Member Allowances, Reimbursements, Benefits & Facilities is now attached (**Attachment 9**) and is recommended for adoption.

Members should note that the provision of discretionary reimbursements and other benefits and facilities relies on the adoption of this policy.

Cr Perryman moved:

- (a) Council hereby adopts Council Policy M405 Member Allowances, Reimbursements, Benefits & Facilities as attached (Attachment 9) to this Agenda, to replace lapsed Policy M165 Members - Allowances and Benefits Policy.**
- (b) Council hereby revokes Policy M155 Members Allowances - Payments When Acting in a Higher Office.**
- (c) Necessary amendments be made to Council's Policy Index.**

Cr Mutton seconded

Carried

14. MEMBER TRAINING & DEVELOPMENT - Ref. AF11/903

The Chief Executive Officer reported:

Section 80A of the Local Government Act 1999 provides that Council must prepare and adopt a training and development policy for its members.

During a review of policies in the 2013/14 year it was recommended that the following policies be reviewed and amalgamated

- M170 – Members – Conference, Course and Seminars
- M210 – Members – Newly Elected Members
- M250 – Members – Training & Development
- M255 – Members – Council Induction

An Elected Member Development Program has been established for the new Council with a range of workshops having already commenced and due to continue into the first half of 2015. An amalgamated training and development policy for the remainder of the Council term will be prepared for presentation to Council during 2015.

Cr Greco moved that the report be received.

Cr Perryman seconded

Carried

15. PRINCIPAL OFFICE – Place and Hours of Business - Ref.AF11/176

The Chief Executive Officer reported:

Section 45 of the Local Government Act 1999 provides that the Council must nominate a place as its principal office, that it must be open to the public for the transaction of business during the hours determined by the Council, and that the Council should consult with its local community about any significant changes to these arrangements.

Cr Mezinec moved:

- (a) Pursuant to Section 45 of the Local Government Act 1999, the principal office of the Council be the Council Office, Civic Centre, 10 Watson Terrace, Mount Gambier.**
- (b) The Council Office (being its principal office) shall be open to the public for the transaction of business during the hours of 8.30 a.m. and 5.15 p.m. Monday to Friday inclusive (excluding Public Holidays and an indentified period over Christmas/New Year).**

Cr Greco seconded

Carried

16. MEETINGS OF COUNCIL - Meeting days and times. - Ref. AF11/871

Cr Lovett moved:

- (a) Pursuant to Section 81 of the Local Government Act 1999, Ordinary Meetings of Council be held on the THIRD TUESDAY OF EACH MONTH commencing at 6.00 p.m. at the Council Chamber, Civic Centre, 10 Watson Terrace, Mount Gambier.**
- (b) Pursuant to Section 82 of the Local Government Act 1999 Special Meetings of Council may be held at any time and the Chief Executive Officer must call a Special Meeting of the Council at the request of:**
 - the Mayor; or**
 - at least three (3) Members of the Council; or**
 - a Council Committee at which at least three (3) Members of the Council vote in favour of the making of the request.**

The Chief Executive Officer must be provided with an agenda for the Special Meeting by the Elected Member(s) requesting a Special Meeting at the time that the request is made (and if an agenda is not provided then the request has no effect).

Cr Mutton seconded

Carried

17. POLICY – CONDUCT OF MEETINGS (s92 CODE OF PRACTICE) – Ref. AF11/1950

The Chief Executive Officer reported:

The Local Government Act 1999 (“Act”) and Local Government (Procedures at Meeting) Regulations 2013 prescribe rules and procedures for the conduct and access to meetings of Council and Council Committees and Sub-Committees.

Pursuant to Sections 86 and 89 of the Act procedures for the conduct of meetings may be determined by the Council to the extent that are not prescribed by regulation, and by a Council Committee where they have not been determined by Council.

Section 92 of the Act also requires Council to adopt a Code of Practice for the purposes of public access to meetings and public release of minutes and documents (Sections 90 & 91).

A review of Council policies during 2013/14 recommended that several policies dealing with the conduct and procedures to be followed at Council and Committee meetings be reviewed and amalgamated.

The resulting Policy C410 *Conduct of Meetings (s92 Code of Practice)* is attached for consideration by Council (**Attachment 10**).

In accordance with the provisions of s92, public consultation must be undertaken before Council adopts, alters or substitutes a code of practice under that section.

Subject to the outcome of public consultation, it is proposed that Policy C410 *Conduct of Meetings (s92 Code of Practice)* be adopted to replace the following Council Policies:

- C275 – Access to Council Meetings
- C300 – Protocol for Common Items
- C310 – Presentation of Recommendations
- C315 – Voting En-bloc
- M190 – Deputy Mayor
- S110 – SELGA - Delegates
- S130 – SELGA – Guiding Principle for Appointments
- C280 – Appointment to Committees
- C285 – Appointment of Independent Members

The confidentiality provisions contained within the Code of Practice must be reviewed within 12 months of a periodic election.

Cr Mutton moved:

- (a) Draft Policy C410 Conduct of Meetings (S92 Code of Practice) as attached to the agenda (Attachment 10) be endorsed for the purpose of undertaking public consultation.**

- (b) that public consultation on Draft Policy C410 Conduct of Meetings (s92 Code of Practice) be undertaken in accordance with Council's Community Consultation and Engagement Policy – P195.
- (c) that submissions received on Draft Policy C410 Conduct of Meetings (s92 Code of Practice) be reported to Council for consideration and for Council to determine whether to adopt the Draft Policy, and to revoke those policies it is intended to replace.
- (d) that 'other meeting practices and procedures' contained at clause 5 of the Draft Policy (on which public consultation is not necessary) be adopted immediately, including for the remainder of this meeting.

Cr Persello seconded

Cr Morello arrived 6.33 p.m.

SUSPENSION OF MEETING PROCEDURES

Cr Perryman moved that pursuant to the powers contained at Paragraph 21 of the Local Government (Proceedings at Meetings) Regulations that the provisions of the said Regulations be suspended to allow deferral of consideration of Item 17 until Cr Morello has made his Declaration of Office.

Cr Meziniec seconded

Carried

The Meeting Procedures were suspended at 6.34 p.m.

Cr Morello read his Declaration of Office at 6.35 p.m.

RESUMPTION OF MEETING PROCEDURES

Cr Perryman moved that the provisions of the Meeting Procedures be now resumed at 6.35 p.m.

Cr Meziniec seconded

Carried

Resumption of Consideration of:

17. POLICY – CONDUCT OF MEETINGS (s92 CODE OF PRACTICE) – Ref. AF11/1950

AMENDMENT

Cr Morello moved:

- (a) **Draft Policy C410 Conduct of Meetings (S92 Code of Practice) as attached to the agenda (Attachment 10) be endorsed for the purpose of undertaking public consultation.**

- (b) that public consultation on Draft Policy C410 Conduct of Meetings (s92 Code of Practice) be undertaken in accordance with Council's Community Consultation and Engagement Policy – P195.
- (c) that submissions received on Draft Policy C410 Conduct of Meetings (s92 Code of Practice) be reported to Council for consideration, and for Council to determine whether to adopt the Draft Policy, and to revoke those policies it is intended to replace.
- (d) that 'other meeting practices and procedures' contained at clause 5, *but excluding 5.1*, of the Draft Policy (on which public consultation is not necessary) be adopted immediately, including for the remainder of this meeting.
- (e) That 5.1 of the Draft Policy be the subject of a report for Council consideration by March 2015 specifying:
- The circumstances where recordings, photographic, audio or film may or may not be permitted;
 - The approval process;
 - The advantages and disadvantages of recording meetings and committees;
 - LGA best practice in relation to recordings;
 - Case studies of Australian Councils that have adopted a recording policy;
 - Protocols surrounding the use of recording devices at meetings, for instance only allowing recordings of non-confidential parts of the meeting.
- (f) Until the report is completed no person shall photograph, film, televise or record by any devices any committee or council meeting without the express approval of the council or committee member presiding over the meeting having been obtained prior to the commencement of the meeting.

Cr Richardson seconded

Cr Perryman spoke to the Amendment and foreshadowed a further amendment with change to (f).

The Amendment was put and

Lost

Cr Perryman requested a Division

The declaration of the result of the vote was set aside

Voting by division being;

Members voting for the Amendment

Cr Greco
Cr Richardson
Cr Morello
Cr Lynagh

Members voting against the Amendment

Cr Von Stanke
Cr Mutton
Cr Meziniec
Cr Persello
Cr Lovett
Cr Perryman

4 votes for the Amendment, 6 votes against the Amendment

FURTHER AMENDMENT

Cr Perryman moved;

- (a) Draft Policy C410 Conduct of Meetings (S92 Code of Practice) as attached to the agenda (Attachment 10) be endorsed for the purpose of undertaking public consultation.
- (b) that public consultation on Draft Policy C410 Conduct of Meetings (s92 Code of Practice) be undertaken in accordance with Council's Community Consultation and Engagement Policy – P195.
- (c) that submissions received on Draft Policy C410 Conduct of Meetings (s92 Code of Practice) be reported to Council for consideration, and for Council to determine whether to adopt the Draft Policy, and to revoke those policies it is intended to replace.
- (d) that 'other meeting practices and procedures' contained at clause 5, *but excluding 5.1*, of the Draft Policy (on which public consultation is not necessary) be adopted immediately, including for the remainder of this meeting.
- (e) That 5.1 of the Draft Policy be the subject of a report for Council consideration by March 2015 specifying:
 - The circumstances where recordings, photographic, audio or film may or may not be permitted;
 - The approval process;
 - The advantages and disadvantages of recording meetings and committees;
 - LGA best practice in relation to recordings;
 - Case studies of Australian Councils that have adopted a recording policy;
 - Protocols surrounding the use of recording devices at meetings, for instance only allowing recordings of non-confidential parts of the meeting.

- (f) No person shall photograph, film, televise or record by any devices any committee or council meeting without the express approval of the council or committee member presiding over the meeting, having been obtained prior to the commencement of the meeting, until such time as Council has received an considered said report and determined what change (if any) it wishes to make to this policy.

Cr Von Stanke seconded

The Amendment was put and

Carried

And as the Motion was put and

Carried

18. ITEMS LAID ON THE TABLE – Ref. AF11/879

The Chief Executive Officer reported:

Regulation 12(19) of the Local Government (Procedures at Meetings) Regulations 2013 provides that any matter on (14)(c) lapses at the next general election. Sub-regulation 20 provides that the Chief Executive must report on each matter that lapses under sub-regulation 19 to the Council at the first ordinary meeting of the Council after the general election.

The following matters were intended to be left to lie on the table during the last Council term. Whilst not technically meeting the formal motion wording envisaged by regulation 12(14)(c), they are nevertheless reported in accordance with sub-regulation 20:

- OPERATIONAL SERVICES COMMITTEE (from Council meeting date 15/2/2011)
 3. OPERATIONAL SERVICES REPORT NO. 3/2011 - Heritage - Preliminary Aboriginal Cultural Heritage Survey - Ref. 225/1/11

- OPERATIONAL SERVICES COMMITTEE (from Council meeting date 18/6/2013)
 12. PROPERTY MANAGEMENT - City Centre Urban Redevelopment Project - Park and Stride Mount Gambier - Community Engagement - Ref. AF11/1567

- OPERATIONAL SERVICES COMMITTEE (from Council meeting date 20/8/2013)
 12. GOVERNANCE - Former Hospital Redevelopment Sub-Committee - Minutes of Meeting held on 5th August 2013 - Ref. AF12/379

It should be noted that the matters contained in the City Centre Urban Redevelopment Project and Former Hospital Redevelopment Sub-Committee items were subsequently addressed during the last Council term by separate items/motions relating to these projects.

Each of these motions having lapsed at the general election, no further action is required on these matters.

Council Members should note that in accordance with regulation 12(13), a formal motion must be in the form of a motion set out in regulation 12(14).

Cr Richardson moved the report be received.

Cr Persello seconded

Carried

19. DEPUTY MAYOR – Resolution to appoint and determine the term for the position of Deputy Mayor - Ref. AF11/858

The Chief Executive Officer reported:

Section 51 of the Local Government Act 1999 provides that if a Council has a Mayor, there may also be, if the Council so resolves, a Deputy Mayor.

The appointment of a Deputy Mayor assists in ensuring that the Council may be adequately and appropriately represented at all times, including when the Mayor is unavailable due to a planned or unplanned absence or another or prior engagement.

Cr Persello moved:

(a) pursuant to the powers contained in Section 51 (3) and (4) of the Local Government Act 1999 Council hereby resolves to appoint a Deputy Mayor for the term of two years.

Cr Mutton seconded

Carried

20. DEPUTY MAYOR – Nominations/Appointment - Ref. AF11/858

In accordance with the provisions at clause 5 of Council's draft Policy C410 Conduct of Meetings (s92 Code of Practice) the following applies to the nomination and appointment process for Deputy Mayor:

If only one nomination is received then that Member is to be declared Deputy Mayor.

Where more than one nomination is received a secret ballot shall be conducted forthwith without debate. Resolutions will be passed to endorse the voting process and appoint the Chief Executive Officer (or any other Senior Officer present at the meeting) as Returning Officer to declare the result and draw lots (if/as necessary).

- Any Member present at the meeting may be nominated
- The Mayor does not vote on the question of the appointment of Deputy Mayor.
- A Member not in his or her seat at the meeting does not vote.
- The candidate with the highest number of votes (or where two or more candidates receive the equal highest number of votes the first name drawn in the lot) shall be declared the Deputy Mayor

- A division cannot be called for when a vote on the question of appointing a Deputy Mayor is taken.
- The Mayor may (but is not required to) accept a motion to endorse the appointment of the Deputy Mayor however any failure or variation of the motion shall be of no effect on the result of the secret ballot.

Members are advised that there is no Conflict of Interest whereby a nominated candidate votes for themselves.

Cr Lovett moved:

- (i) **the term of office for the position of Deputy Mayor for the City of Mount Gambier Council be two years.**
- (ii) **Council determines that the method of choosing a Deputy Mayor be by an election process undertaken by secret ballot.**
- (iii) **the successful candidate will be the candidate with the highest number of votes.**
- (iv) **where two or more candidates have an equal number of votes one of those candidates will be determined as successful from a drawing of lots by the Returning Officer.**
- (v) **the Chief Executive Officer be appointed Returning Officer for the election.**
- (vi) **upon the completion of the election, the Returning Officer be authorised to declare the successful candidate elected to the position of Deputy Mayor.**
- (vii) **upon the declaration of the Returning Officer the candidate is appointed to the position of Deputy Mayor for the term of office determined by this resolution.**

Cr Morello seconded

Carried

The Mayor invited nominations for the position of Deputy Mayor.

The following nominations were received:

- (i) Cr Mutton nominated Cr Richardson to be Deputy Mayor.
- (ii) Cr Greco nominated Cr Von Stanke to be Deputy Mayor.

Cr Richardson and Cr Von Stanke indicated that they accept their nomination for the position of Deputy Mayor.

Two nominations were received and accepted.

The Returning Officer conducted a secret ballot.

The Returning Officer declared the successful candidate with the highest number of votes as Cr Richardson, to be elected as Deputy Mayor.

Cr Von Stanke moved a motion to endorse the result of the ballot that Cr Richardson has been appointed Deputy Mayor.

Cr Lovett seconded

Carried

21. COUNCIL DECISION MAKING STRUCTURE/COMMITTEES – Ref. AF14/283

The Chief Executive Officer reported:

Council's Decision Making and Appointments (including Appointments to Outside Organisations) be referred to an Elected Member Workshop scheduled to be held on 27th November 2014.

At that time the Council can consider the structure that will guide decision making for the new Council.

Statutory Committees and Section 41 Committees with ongoing administrative functions and associated Appointments are detailed in the following Agenda Items.

Cr Meziniec moved Council to consider its Decision Making and Appointments at an Elected Member Workshop scheduled for 27 November 2014.

Cr Persello seconded

Carried

22. ACTING CHIEF EXECUTIVE OFFICER – Leave of Absence – Ref. AF11/1100 and PERS 11/6

The Chief Executive Officer reported:

During scheduled or unscheduled leave from Council of the Chief Executive Officer, the Director – Corporate Services Mr Grant Humphries is appointed as Acting Chief Executive Officer for the duration of that leave. This acting role is identified in the Director – Corporate Services position description.

Cr Morello moved during scheduled or unscheduled leave from Council of the Chief Executive Officer, the Director – Corporate Services is appointed Acting Chief Executive Officer.

Cr Perryman seconded

Carried

23. MAYOR & CHIEF EXECUTIVE OFFICER AS COUNCIL REPRESENTATIVES - Ref. AF11/858

The Chief Executive Officer reported:

To ensure that the Council may be adequately and appropriately represented at all times it is recommended that the Mayor and Chief Executive Officer be recognised as Council's duly authorised delegates/representatives unless Council has formally made an alternative nomination/appointment whether or not in accordance with its C410 Conduct of Meetings (s92 Code of Practice) Policy.

When the Mayor, Chief Executive Officer, or Council nominated/appointed representative are not available, such authorisation would extend to the Deputy Mayor and/or Acting Chief Executive Officer (or any Council Officer selected by/to represent the Chief Executive Officer).

Where representation affords voting privileges then they may only be exercised by the Mayor or Deputy Mayor (and the Chief Executive Officer/Acting Chief Executive Officer in specific circumstances) unless such rights are exercised in accordance with Council's C410 Conduct of Meetings (s92 Code of Practice) Policy or to give effect to a resolution of Council.

Cr Lovett moved:

- (a) Council hereby authorises the Mayor, Deputy Mayor, Chief Executive Officer, Acting Chief Executive Officer, and Chief Executive Officer's representative to represent Council.**
- (b) voting privileges associated with representing Council are restricted to the Mayor, Deputy Mayor, Chief Executive Officer and Acting Chief Executive Officer, unless such rights are exercised in accordance with Council's C410 Conduct of Meetings (s92 Code of Practice) Policy or to give effect to a resolution of Council.**
- (c) resolutions (a) & (b) are to be applied to compliment and not to override or undermine any delegate/representative of Council duly nominated/appointed in accordance with the provisions of Council's C410 Conduct of Meetings (s92 Code of Practice) Policy or by any subsequent resolution of Council.**

Cr Richardson seconded

Carried

24. STATUTORY COMMITTEES- Ref. AF11/858

The Local Government Act 1999 and Development Act 1993 require Council to establish certain statutory committees:

- (a) Audit Committee (s126 of LG Act)
- (b) Council Development Assessment Panel (s56A of Devt Act)
- (c) Strategic Planning & Policy Committee (s101A of Devt Act)
- (d) Building Fire Safety Committee (s71 of Devt Act)

(a) Audit Committee – S126 of LGA1999

Section 126(1) of the Local Government Act 1999 provides that a council must have an audit committee. The functions of an audit committee include:

- *reviewing annual financial statements to ensure that they present fairly the state of affairs of the council; and*
- *proposing, and providing information relevant to, a review of the council's strategic management plans or annual business plan; and*
- *proposing, and reviewing, the exercise of powers under section 130A; and*
- *if the council has exempted a subsidiary from the requirement to have an audit committee, the functions that would, apart from the exemption, have been performed by the subsidiary's audit committee; and*
- *liaising with the council's auditor; and*
- *reviewing the adequacy of the accounting, internal control, reporting and other financial management systems and practices of the council on a regular basis.*

The Terms of Reference as adopted for Council's Audit Committee in August 2014 are attached to the agenda for information (**Attachment 11**)

Prior to the November 2014 Mayoral and Area Councillor election the membership of Council's Audit Committee comprised:

Donald Currie (Presiding Member)
Jeroen Zwijnenburg
Cr Andrew Lee

Section 126 provides that the membership of an Audit Committee may include persons who are not members of the Council, but may not include an employee of the Council.

Council may determine to confirm the existing governance structure and the independent members appointed to the Audit Committee and further to retain the former Councillor, Andrew Lee as a Member for the time being.

(b) Council Development Assessment Panel – S56A of Development Act 1993

Section 56A(1) of the Development Act 1993 provides that a council must establish a panel (a Council Development Assessment Panel). The functions of a Council Development Assessment Panel are:

- *to act as a delegate of the council in accordance with the requirements of this Act; and*
- *as it thinks fit, to provide advice and reports to the council on trends, issues and other matters relating to planning or development that have become apparent or arisen through its assessment of applications under this Act; and*
- *to perform other functions (other than functions involving the formulation of policy) assigned to the panel by the council.*

The Terms of Reference for Council's Development Assessment Panel are attached to the agenda for information (**Attachment 12**).

Prior to the November 2014 Mayoral and Area Councillor election the membership of Council's Development Assessment Panel comprised:

Mrs E Travers (Presiding Member)
Cr D Mutton
Cr M White
Cr I Von Stanke
Mr B Beumer (resigned effective 31/10/2014)
Ms E Finnigan
Mr P Seebohm

Section 56A(4a) provides that a member of a council development assessment panel whose term of office expires may nevertheless continue to act as a member, for a period of up to 6 months, until he or she is reappointed or a successor is appointed (as the case may be).

Subsection (18) further provides that an act of a Council Development Assessment Panel is not invalid by reason only of a vacancy in its membership or a defect in the appointment of a member.

The term of the current Council Development Assessment Panel expires in February 2015, with its last meeting scheduled to be held on the 3rd Thursday of January, 2015.

Expressions of Interest have been sought for the Independent Members (including chairperson) of the Council Development Assessment Panel for the term commencing February 2015.

Expressions of Interests close on 28th November and will be presented to the December Council meeting.

Council's Development Assessment Panel may continue to operate without replacement/reappointment of Council Members. Nominations for the Council Member positions on the Council Development Assessment Panel for the term commencing February 2015 will be sought following the December Council meeting, for presentation to the January 2015 Council meeting.

(c) Strategic Planning & Policy – S 101A of Development Act 1993

Section 101A(1) of the Development Act 1993 provides that a council must establish a Strategic Planning and Development Policy Committee. The functions of a Strategic Planning and Development Policy Committee are:

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

The Terms of Reference for Council's Strategic Planning and Development Policy Committee (Operational Services Report No. 16/2010) are attached to the agenda for information (**Attachment 13**).

Prior to the November 2014 Mayoral and Area Councillor election the membership of Council's Strategic Planning and Development Policy Committee comprised:

Cr M White (Presiding Member)
Cr I Von Stanke
Cr B Shearing
Cr D Mutton
Deputy Mayor Cr P Richardson

Traditionally, the membership of Council's Strategic Planning and Development Policy Committee has reflected that of Council's Operational Services 'Standing' Committee, with meetings held one after the other for the efficiency of Elected Members and administrative officers attending both meetings.

In consideration of the infrequent nature of Strategic Planning and Development Policy Committee meetings, it is recommended that Council defer any appointment of replacement members to the Strategic Planning and Development Policy Committee until further consideration has been given to Council's decision making structure and sought nominations for all appointments.

(d) Council Building Fire Safety Committee – S71 of Development Act 1993

Council's Building Fire Safety Committee is established and designated as an appropriate authority under subsections 18 & 19 of Section 71 of the Development Act 1993.

The Terms of Reference for Council's Building Fire Safety Committee are attached to the agenda for information (**Attachment 14**).

Prior to the November 2014 Mayoral and Area Councillor election the membership of Council's Building Fire Safety Committee comprised:

Cr Merv White (Presiding Member)
Mr Andy Sharrad (MFS) (or another representative)
Mr Grant Riches
Mr Daryl Sexton

Section 71(19)(a) provides for the membership of the appropriate authority (Council's Building Fire Safety Committee) which may include, if so determined by the Council, a person selected by the Council.

Under the legislative membership requirements Council's Building Fire Safety Committee could continue to operate without replacement/reappointment of the Council Member. However, Council's adopted Terms of Reference specify that the Elected Member appointed by Council to the Committee shall be the Chairperson.

Appointment to Statutory Committees - Recommendations

For the purpose of ensuring the continuity of Statutory Committees, it is recommended that Council, with respect to each Statutory Committee:

- endorse the existing governance structure of the statutory committee.
- confirm the expiry of membership on any statutory committee of any former Council Member who was not successful re-elected at the 2014 local government elections and thank them for their period of service.
- confirm the interim continuation of membership on any statutory committee of any existing Council Member who has been re-elected at the 2014 local government elections, until a call for nominations and consideration of appointment at a subsequent Council meeting.

Cr Perryman moved:

(a) the Statutory Committees of Council for the time being be as follows:

**Audit Committee
Strategic Planning and Policy Committee
Council Development Assessment Panel
Building Fire Safety Committee**

- (b) The membership of the Audit Committee and CDAP remain as specified in the report in the agenda item;**
- (c) Council appoint Cr Mezinec and Cr Perryman to the Strategic Planning and Policy Committee on a temporary basis noting that nominations for all councillor positions will be sought for consideration at a subsequent meeting of Council together with any other Member appointments;**
- (d) Council appoint Cr Von Stanke to the Building Fire Safety Committee on a temporary basis, noting that nominations for all councillor positions will be sought for consideration at a subsequent meeting of Council together with any other Member appointments;**
- (e) Pursuant to Section 41(6) of the Local Government Act 1999 the Mayor be appointed an ex-officio member of Council's Statutory Committees (with the exception of the CDAP) however the Mayor will not be taken to be included in the membership of Council's Statutory Committees (and in the quorum determination) unless actually present at a meeting of that Statutory Committee or as a formal appointee to such Statutory Committee;**
- (f) Pursuant to the powers contained in Section 41 (4) of the Act the Council will appoint the Presiding Member of each of Council's Statutory Committees;**
- (g) Pursuant to Section 72 (1) of the Local Government Act, Division 2 - Register of Interests provisions will extend to all Members of all Council's Statutory Committees;**

- (h) Pursuant to Section 41(8) of the Act, Council's Statutory Committees (with the exception of the Council DAP) will:
- (i) meet and prepare recommendations for presentation to Council for Council to formally consider and adopt or otherwise;
 - (ii) operate within existing procedures, protocols and delegations and act in making decisions on matters before each Statutory Committee.
 - (iii) provide the Minutes of each meeting of the Statutory Committee to Council.
 - (iv) operate under the provisions of the Local Government (Procedures at Meetings) Regulations, 2000, or such other meeting procedures as may be prescribed to apply to the statutory committee.

Cr Mutton seconded

Carried

25. **SECTION 41 COMMITTEES** - Ref. AF11/858

Council has formed the following Committees under Section 41 of the Local Government Act 1999 that undertake particular ongoing functions for Council:

- Mount Gambier Junior Sports Assistance Fund (1 Elected Member)
- Mount Gambier Cemetery Trust (2 Council nominated Members)

The Terms of Reference for each of these Section 41 Committees are attached to the Agenda (**Attachment 15 and 16**).

Prior to the November 2014 Mayoral and Area Councillor elections the membership of these Committees comprised:

Mount Gambier Junior Sports Assistance Fund Membership

Cr A Lee – Presiding Member
Karen Cunningham
Jenny Burston
Karen McGregor
Jeanette Elliott

Mount Gambier Cemetery Trust Membership

Cr Collins (DC Grant) – Presiding Member
Mr T Bolton
Cr I Von Stanke
Cr M White

To ensure the continuity of the functions performed by these Committees it is recommended that Council endorse the existing governance structure of these Committees, that the membership of former Council Members who have not been re-elected for a further term be considered as having expired, and that nominations to fill the vacancies be sought for consideration at a subsequent meeting of Council together with any other Member appointments.

Cr Richardson moved:

- (a) that the Mount Gambier Junior Sports Assistance Fund and Mount Gambier Cemetery Trust continue operation as an established Section 41 Committees under the existing Terms of Reference adopted by Council on 16 September 2014 and 28 January 2014 (respectively);
- (b) The membership of the Mount Gambier Junior Sports Assistance Fund and Mount Gambier Cemetery Trust remain as specified in the Agenda Item with the exception of former Cr White who has not been re-elected for a further term whose committee membership shall be considered as having expired;
- (c) that nominations be sought for the vacant positions on the Mount Gambier Junior Sports Assistance Fund and Mount Gambier Cemetery Trust, for consideration at a subsequent meeting of Council together with any other Member appointments.

Cr Meziniec seconded

Carried

26. **SUBSIDIARIES –Membership of Regional Subsidiaries - Ref. AF14/447**

The Chief Executive Officer reported:

- Council (together with the six other Councils in the South East region) is a constituent member of a Section 43 Regional Subsidiary, South East Local Government Association.
- Council (together with the five other Councils) is a constituent member of a Section 43 Regional Subsidiary, vis Provincial Cities Association.

Cr Perryman moved:

- (a) Council confirm its constituent membership to the two (2) Regional Subsidiaries established pursuant to Section 43 of the Local Government Act 1999, South East Local Government Association and Provincial Cities Association.

Cr Greco seconded

Carried

27. **AUTHORISED BANKING SIGNATORIES - Ref. AF11/636**

Cr Perryman moved that the signatories of the Council's general accounts and financial bank accounts and transactions etc be any two (2) of the following:

- Mayor;
- Deputy Mayor;
- Chief Executive Officer;
- Director - Corporate Services;
- Director - Operational Services;
- Finance Manager (when acting in the position of Director – Corporate Services);

- **Engineering Manager (when acting in the position of Director – Operational Services).**

Cr Von Stanke seconded

Carried

28. AUDITOR - Confirmation of appointment of Council's external auditor - Ref. AF11/729

The Mayor reported:

- (a) Council's External Auditor is Mr Simon Smith of Galpins.
- (b) The appointment is for a term of five (5) years as from the completion of the Statutory Audit of the 2011/2012 financial year, to and including the completion of the Statutory Audit of the 2015/2016 financial year.

Cr Von Stanke moved that the report be received.

Cr Perryman seconded

Carried

29. POLICY – PRUDENTIAL MANAGEMENT – Ref. AF11/1950

The Chief Executive Officer reported:

Section 48 of the Local Government Act 1999 requires Council to develop and maintain prudential management policies, practices and procedures for the assessment of projects.

The Local Government Association has developed a model prudential management policy that has been modified to suit the City of Mount Gambier and is presented for consideration by Council (**Attachment 17**).

Cr Persello moved:

- (a) **Council hereby adopts Council Policy P415 Prudential Management as attached to this Agenda;**

Cr Greco seconded

Carried

30. POLICY - PROCUREMENT, & DISPOSAL OF LAND & ASSETS - Ref. AF11/1950

The Chief Executive Officer reported:

Section 49 of the Local Government Act 1999 requires Council to develop and maintain procurement policies, practices and procedures, and must prepare and adopt policies on:

- (a) the contracting out of services; and
- (b) competitive tendering and the use of other measures to ensure that services are delivered cost-effectively; and
- (c) the use of local goods and services; and
- (d) the sale or disposal of land or other assets.

Council has existing practices and procedures for procurement that incorporate a range of document and evidence based compliance, record keeping, and contract/project management to ensure that Council's purchasing, delivery of works and services, Work Health Safety and other registration and licensing requirements are met, whilst achieving value for money and use of local goods and services

Council's procurement and disposal activities are currently undertaken in an environment comprising the following 3 separate policies:

- Q110 - Quotations & Tenders for works, services and equipment
- C250 - Engagement of Consultants
- Q115 - Competitive Tendering, Contracting, Purchasing, and Disposal of Land and other Assets.

These policies have remained virtually unaltered since being adopted following the commencement of the revised Local Government Act in 1999.

A comprehensive review has been undertaken of model procurement and disposal policies prepared by the Local Government Association (LGA), and from these a single combined policy has been developed to suit the City of Mount Gambier and is presented for consideration by Council (**Attachment 18**).

A Procurement Handbook, also developed by the LGA provides further detail and guidance for administration of the policy, and accompanying contract/document templates developed by the LGA have been in use in by the administration for a number of years.

It is recommended that the Council support the adoption of this new policy to replace the 3 existing policies, with a review on its operation to be conducted within 2 years.

Cr Mutton moved:

- (a) Council hereby adopts Council Policy P420 Procurement, & Disposal of Land and Assets as attached to this Agenda (Attachment 18).**
- (b) Council hereby revokes the following policies**
 - Q110 - Quotations & Tenders for works, services and equipment
 - C250 - Engagement of Consultants
 - Q115 - Competitive Tendering, Contracting, Purchasing, and Disposal of Land and other Assets.
- (c) Necessary amendments be made to Council's Policy Index.**

Cr Lovett seconded

Carried

31. STRATEGIC MANAGEMENT PLANS- Ref. AF11/1789

The Chief Executive Officer reported:

Section 122 of the Local Government Act 1999 requires Council to develop and adopt plans for the management of its area and must specifically declare which plans will constitute the strategic management plans of the Council.

At its meeting on 18 September 2012 it was declared that the following plans constitute the strategic management plans of Council:

- The Strategic Management Plan – Beyond 2015;
- The Corporate Plan – 2012;
- The Long Term Financial Plan;
- Infrastructure and Asset Management Plan.

Council's Strategic Management Plans must be comprehensively reviewed within 2 years of each general election.

Further information and the schedule for review of Council's Strategic Management Plans will be presented to Council in 2015.

Cr Perryman moved;

(a) The report be received

(b) The following plans declared as constituting the strategic management plans of the Council be affirmed as:

**Strategic Management Plan – Beyond 2015;
Corporate Plan – 2012;
Long Term Financial Plan;
Infrastructure and Asset Management Plan.**

Cr Von Stanke seconded

Carried

32. COUNCIL POLICY REVIEW - Ref. AF11/1950

The Chief Executive Officer reported:

Council undertook a comprehensive review of its suite of policies during the 2013/14 financial year with the resultant revocation of redundant policies, amalgamation of duplicate/related policies and conversion of many policies to administrative/operational documents. The Policy Index was reduced from some 200+ policies at 30 June 2013, to 107 at 30 June 2014.

The policy review is a continuing process and Members will note that several policies have been presented with this agenda for endorsement, whilst several policies remain yet to be reviewed/re-developed and will be presented in due course.

It is intended that each Council Policy will be reviewed at least once during each term of Council and each policy is allocated a review frequency/date for this purpose.

Cr Von Stanke moved the report be received

Cr Richardson seconded

Carried

33. 2013/14 ANNUAL REPORT - Ref. AF13/97

The Chief Executive Officer reported:

Section 131 of the Local Government Act 1999 requires Council to prepare and adopt on or before 30th November in each year an Annual Report containing the prescribed information and documents relating to the operations of Council;

Council's Annual Report in respect of the 2013/14 financial year is hereby tabled for adoption (**Attachment 19**);

The Annual Report includes the material and specific reports on the matters specified by the Act and Regulations.

Cr Mutton moved it be recommended:

- (a) the report be received;**
- (b) the Annual Report of the City of Mount Gambier 2013/14 as tabled be adopted;**
- (c) copies of the 2013/14 Annual Report be made available to those bodies or persons referred to at Section 131 of the said Act.**

Cr Morello seconded

Carried