

**MINUTES OF CITY OF MOUNT GAMBIER
ECONOMIC AND ENVIRONMENT COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE,
MOUNT GAMBIER ON MONDAY, 7 SEPTEMBER 2020 AT 5.30 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Christian Greco, Cr Max Bruins, Cr Ben Hood,
Cr Paul Jenner, Cr Sonya Meziniec, Cr Frank Morello

OFFICERS IN ATTENDANCE:	Chief Executive Officer	- Mr A Meddle
	General Manager Community Wellbeing	- Ms B Cernovskis
	General Manager City Infrastructure	- Mr N Serle
	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)

COMMITTEE RESOLUTION

Moved: Cr Paul Jenner
Seconded: Cr Frank Morello

That the apology from Cr Kate Amoroso and Steven Perryman be received.

CARRIED

3 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Christian Greco
Seconded: Cr Sonya Meziniec

That the minutes of the Economic and Environment Committee meeting held on 6 July 2020 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 QUESTIONS WITHOUT NOTICE

Nil



5 REPORTS

5.1 STRATEGIC PROPERTY MANAGEMENT - SPORT, RECREATION AND OPEN SPACE PLAN AND PRECINCT MASTER PLANNING

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Paul Jenner

1. That Economic and Environment Committee Report No. AR19/36020 titled 'Strategic Property Management - Sport, Recreation and Open Space Plan and precinct Master Planning' as presented on 07 September 2020 be noted.
2. That Council commit to a strategic approach to property management issues, guided by a Sport, Recreation and Open Space Plan and associated site/precinct/property category master plans including Tourism Assets Master Plan and Blue Lake Sports Park Master Plan.

CARRIED

Cr Max Bruins left the meeting at 5:52 pm

Cr Max Bruins returned to the meeting at 5:54 pm

5.2 MCDONALD PARK TOILET FACILITIES CURRENT CONDITIONS AND PROPOSED NEW TOILET BLOCK COSTING.

COMMITTEE RESOLUTION

Moved: Cr Paul Jenner

Seconded: Cr Ben Hood

1. That Economic and Environment Committee Report No. AR20/55119 titled 'McDonald Park toilet facilities current conditions and proposed new toilet block costing.' as presented on 07 September 2020 be noted.
2. Council resolves to propose a provisional budget allocation of \$150,000 for the construction of a new toilet block and removal of two old toilet blocks at McDonald Park in 2021/2022.

CARRIED

5.3 CENTRESTAGE AND REIDY PARK CENTRE CONSTITUTIONS

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Sonya Mezinac

1. That Economic and Environment Committee Report No. AR20/56190 titled 'CentreStage and Reidy Park Centre Constitutions' as presented on 07 September 2020 be noted.
2. That, in light of the proposed conduct of a Sports, Recreation and Open Space Plan and progression of the Community and Recreation Hub, the Wehl Street Theatre and Reidy Park Centre leases be allowed to continue on a monthly tenancy basis until further notice.

3. That Council will reconsider the leasing arrangements and operating models for the Wehl Street Theatre/Centrestage and Reidy Park Centre in a broader strategic context when a Sports, Recreation and Open Space Plan and Community and Recreation Hub projects have been completed.
4. That in the interim, the Centrestage Committee of Management be advised that Council does not object to their hiring policy allowing certain appropriate related forms of commercial activity at the Wehl Street Theatre (i.e. performing arts type uses) provided such uses contribute benefit to the community by supporting the primary permitted use of the premises under the lease:

“...to develop, promote and foster community arts with a focus on performing arts within the community of Mount Gambier and District.”

CARRIED

Pursuant to Section 74 of the Local Government Act 1999, Mayor Lynette Martin disclosed a material conflict of interest in Item 5.4:

"The persons mentioned in the report being Mr G W Arthur and Mr E G Arthur are related to my husband".

In accordance with Section 74 of the Local Government Act 1999 Mayor Martin did not participate in the meeting for Item 5.4.

Mayor Martin left the meeting at 5.59 p.m.

5.4 MEMORIAL POLICY AND REQUEST FOR BENCH SEAT AND INFORMATION BOARD TO BE LOCATED ON THE TOP OF THE SUGAR LOAF HILL

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Max Bruins

1. That Economic and Environment Committee Report No. AR19/70251 titled 'Memorial Policy and request for bench seat and information board to be located on the top of the Sugar Loaf Hill' as presented on 07 September 2020 be noted.
2. That Council endorse the Memorials Policy.

CARRIED

Mayor Martin returned to the meeting at 6.04 p.m.

5.5 CONSULTATION DRAFT DISABILITY ACCESS AND INCLUSION PLAN 2020-2024

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Paul Jenner

1. That Economic and Environment Committee Report No. AR20/51606 titled 'Consultation Draft Disability Access and Inclusion Plan 2020-2024' as presented on 07 September 2020 be noted.
2. That Council endorse the draft Disability Access and Inclusion Plan for the purposes of public consultation, in accordance with the Public Consultation section of this report.



3. That the Chief Executive Officer be authorised to make minor textual changes to correct typos and errors of fact.

CARRIED

5.6 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE FUND

COMMITTEE RECOMMENDATION

Moved: Cr Max Bruins

Seconded: Cr Sonya Meziniec

1. That Economic and Environment Committee Report No. AR20/55887 titled 'Local Roads and Community Infrastructure Fund' as presented on 07 September 2020 be noted.
2. That Council agree to use the Local Roads and Community Infrastructure Fund to replace all appropriate streetlights (that are the responsibility of the Council) with LED smart streetlights in the 2020/2021 municipal year at an approximate value of \$1m.
3. That the Chief Executive Officer be instructed to provide the necessary information to the Federal Government to enable the Local Roads and Community Infrastructure Fund to be used for this purpose.

AMENDMENT

Moved: Cr Jenner

1. That Economic and Environment Committee Report No. AR20/55887 titled 'Local Roads and Community Infrastructure Fund' as presented on 07 September 2020 be noted.
2. Council signs the Agreement with SAPN for the LED Smart Street Lights Program in Mount Gambier.
3. The General Manager City Infrastructure finds out the cost to light up the rail trail with solar LED lights for the use of the Local Roads and Community Infrastructure Fund.
4. The LED Smart Street Light Project be funded by a loan as originally proposed and shown to Council.

The amendment lapsed for want of a seconder.

COMMITTEE RESOLUTION

Moved: Cr Max Bruins

Seconded: Cr Sonya Meziniec

1. That Economic and Environment Committee Report No. AR20/55887 titled 'Local Roads and Community Infrastructure Fund' as presented on 07 September 2020 be noted.
2. That Council agree to use the Local Roads and Community Infrastructure Fund to replace all appropriate streetlights (that are the responsibility of the Council) with LED smart streetlights in the 2020/2021 municipal year at an approximate value of \$1m.
3. That the Chief Executive Officer be instructed to provide the necessary information to the Federal Government to enable the Local Roads and Community Infrastructure Fund to be used for this purpose.

CARRIED



5.7 REQUEST FOR SPONSORSHIP FOR THE COUNTRY MUSIC ACADEMY

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Sonya Mezinac

1. That Economic and Environment Committee Report No. AR20/58191 titled 'Request for Sponsorship for the Country Music Academy' as presented on 07 September 2020 be noted.
2. That Council fund a Local Government Scholarship for the Country Music Academy at a total value of \$3,500 for 2020/2021.

CARRIED

6 URGENT MOTIONS WITH NOTICE

6.1 NOTICE OF MOTION - USE OF RECYCLABLES IN ROAD MAINTENANCE AND CONSTRUCTION

COMMITTEE RESOLUTION

Moved: Cr Paul Jenner

Seconded: Cr Christian Greco

1. That Economic and Environment Committee Report No. AR20/57641 titled 'Notice of Motion - Use of Recyclables in Road Maintenance and Construction ' as presented on 07 September 2020 be noted.
2. That Council commence discussions with contractors about the use of recyclables in road maintenance and construction.

CARRIED

7 URGENT MOTIONS WITHOUT NOTICE

Nil



8 CONFIDENTIAL ITEMS

8.1 MOUNT GAMBIER PRIVATE HOSPITAL FEASIBILITY STUDY – REPORT NO. AR20/56996

COMMITTEE RESOLUTION

Moved: Cr Max Bruins

Seconded: Cr Ben Hood

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Economic and Environment Committee orders that all members of the public, except Mayor L Martin, Councillors C Greco, M Bruins, B Hood, P Jenner, S Meziniec and F Morello and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle, M McCarthy and M Telford be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 8.1 AR20/56996 Mount Gambier Private Hospital Feasibility Study.

The Economic and Environment Committee is satisfied that, pursuant to section 90(3) (b), (d) and (g) 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
- information concerning matters that must be considered in confidence in order to ensure that the Council does not:
 - breach any law, order or direction of a court or tribunal constituted by law,
 - breach any duty of confidence, or
 - breach any other legal obligation or duty

The Economic and Environment 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 third party commercial information provided to Council in confidence which, if released, could confer an advantage or prejudice the commercial position of a third party and breach a duty of confidence.

CARRIED



COMMITTEE RESOLUTION

Moved: Cr Christian Greco
Seconded: Mayor Lynette Martin

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 8.1 AR20/56996 Mount Gambier Private Hospital Feasibility Study 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), (d) and (g) be kept confidential and not available for public inspection until a further order is made by Council, to be reviewed at least once every 12 months.
2. Further that Council delegates the power to review, revoke, but extend 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

8.2 VIABILITY OF ESTABLISHING MATERIAL RECOVERY FACILITIES IN THE LIMESTONE COAST REGION – REPORT NO. AR20/57874

COMMITTEE RESOLUTION

Moved: Cr Christian Greco
Seconded: Cr Max Bruins

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Economic and Environment Committee orders that all members of the public, except Mayor L Martin, Councillors C Greco, M Bruins, B Hood, P Jenner, S Meziniec and F Morello and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle, M McCarthy and M Telford be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 8.2 AR20/57874 Viability of Establishing Material Recovery Facilities in the Limestone Coast Region.

The Economic and Environment Committee is satisfied that, pursuant to section 90(3) (a), (b), (d), (g) and (j) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)
- information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is
 - conducting business; or
 - proposing to conduct business; or
 - to prejudice the commercial position of the Council
- commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected:



- to prejudice the commercial position of the person who supplied the information, or
- to confer a commercial advantage on a third party
- information concerning matters that must be considered in confidence in order to ensure that the Council does not:
 - breach any duty of confidence
- information the disclosure of which would divulge information provided on a confidential basis by or to:
 - another Public Authority or official (not being an employee or a person engaged by the Council) that would on balance be contrary to the public interest

The Economic and Environment 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 third party commercial information provided to Council in confidence, including by a public official, the release of which could reasonably be considered to confer an advantage on a third party and/or prejudice the commercial position of Council or the parties that provided the information and would constitute a breach of a duty of confidence.

The appropriate non-disclosure is considered to outweigh the public interest in full-disclosure on the basis that the matter relates to the provision of necessary waste management services and the release of information could reasonably be expected to confer an unreasonable advantage or detriment to private third parties, and could prejudice the commercial position of Council in relation to these matters on behalf of the community.

CARRIED

COMMITTEE RESOLUTION

Moved: Cr Christian Greco
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 8.2 AR20/57874 Viability of Establishing Material Recovery Facilities in the Limestone Coast Region and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (a), (b), (d), (g) and (j) be kept confidential and not available for public inspection until two years have elapsed since the enactment of the proposal(s) contained within the report and attachments, or a further order has been made by Council to release, to be reviewed at least once in every year.
2. Further that Council delegates the power to review, revoke, but extend 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



9 MEETING CLOSE

The Meeting closed at 6.43 p.m.

The minutes of this meeting were confirmed at the Economic and Environment Committee held on 2 November 2020.

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PRESIDING MEMBER

