



City of
Mount Gambier

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**I hereby give notice that an Operational Standing Committee Meeting
will be held on:**

Date: Tuesday, 11 June 2019
Time: 5.45 p.m.
Location: Committee Room, Level 1
Civic Centre
10 Watson Terrace
Mount Gambier

AGENDA

Operational Standing Committee Meeting 11 June 2019

**Andrew Meddle
Chief Executive Officer**

6 June 2019

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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

[Operational Standing Committee Meeting - 14 May 2019](#)

4 QUESTIONS WITHOUT NOTICE



5 REPORTS

5.1 SUPPLY AND DELIVERY OF FUEL – REPORT NO. AR19/27131

Committee:	Operational Standing Committee
Meeting Date:	11 June 2019
Report No.:	AR19/27131
CM9 Reference:	AF18/497
Author:	Kahli Rolton, Management Accountant
Authoriser:	Pamela Lee, General Manager Council Business Services
Summary:	To provide Council with an overview of the tender process and submissions of the tender AF18/420 for the supply and delivery of bulk fuel to Council's Depot and Caroline Landfill facilities.
Community Plan Reference:	Goal 2: Our Location Goal 3: Our Diverse Economy

REPORT RECOMMENDATION

1. That Operational Standing Committee Report No. AR19/27131 titled 'Supply and Delivery of Fuel' as presented on 11 June 2019 be noted.
2. That Council accept the tender of Tenderer 1 for the supply and delivery of bulk fuel to the City of Mount Gambier as per tender submission AF18/420 for the period 1 July 2019 to 30 June 2021.



BACKGROUND

Council's procurement structure as stated in Council policy P420 details that for purchases in excess of:

- \$20,000 a "Request for Expression of Interest" (REOI) or Request for Quotation (RFQ) is required; and
- \$50,000 a "Request for Tender" (RFT) is required.

P420 also states *"The value of the purchase will be calculated as follows:*

- Single one-off purchase – the total of the amount, or estimated amount of the purchase (excluding GST);
- Multiple purchases – the gross value, or the estimated gross value of the purchases (excluding GST); or
- Ongoing purchases over a period of time – the annual gross value, or the estimated annual gross value of the purchases (excluding GST);
- Purchasing including a trade-in/changeover – the gross changeover value being the gross value of the item *being purchased minus the value of the trade-in/changeover.*"

Table 1 shows an historic account of Council's spend on bulk fuel. Due to the large dollars spent in any given year, in order to meet Council's procurement policy requirements, an open market process is undertaken on a biennial basis. Caltex Australia have been the successful tenderers for the last 2 rounds of biennial tenders, with the current contract due to expire 30/06/2019.

Table 1: Historic Bulk Fuel purchases

	2018/2019 YTD*	2017/2018	2016/2017
\$ spent (excl. GST)	\$340,946.53	\$318,187.45	\$289,119.78
Litres (diesel and unleaded)	270,035	279,070	274,230

*Year to date as at 28/05/2019

Council recently approached the market for the bulk supply and delivery of unleaded and diesel fuel to the Depot and Caroline Landfill facilities for the period 1 July 2019 to 30 June 2021. The approach to the market was via a Local Government Association Procurement Panel which allows access to discount pricing specific to local government entities.

At the close of tenders, 3 conforming submissions were received. These tender submissions were evaluated based on a variety of qualitative and pricing criteria by 3 officers with 1 of these officers completely independent of the procurement process and purchasing of fuel decisions.

DISCUSSION

Caltex Australia are the current supplier of bulk fuel to Council.

Evaluation of the tender submissions is now complete. Comparing the price for fuel is a complex undertaking and typically tendered pricing is linked to a particular Terminal Gate Price (TGP) with margins applied (-discount, +freight etc.) to Council sites. A summary of evaluations is tabled below.



Table 2: Summary of tender submissions

	Tendered indicative value (TV)	Evaluation Score (ES)	Value for Money	Final Ranking
Tenderer 1	\$ 424,553.96	85.67	\$ 4,955.88	1
Tenderer 2	\$ 427,054.85	67.67	\$ 6,311.16	3
Tenderer 3	\$ 421,787.04	79.33	\$ 5,316.64	2

Upon completion of the evaluation process, Tenderer 1 was ranked first for value for money, after factoring both price and the qualitative criteria.

CONCLUSION

Following an open market approach for the supply and delivery of bulk fuel for the period 1 July 2019 to 30 June 2021, Tenderer 1 have ranked the highest for value for money, after factoring both price and qualitative criteria during the evaluation process.

ATTACHMENTS

Nil



5.2 PROPERTY MANAGEMENT - HASTINGS CUNNINGHAM SHEDS – REPORT NO. AR19/26426

Committee:	Operational Standing Committee
Meeting Date:	11 June 2019
Report No.:	AR19/26426
CM9 Reference:	AF18/497
Author:	Michael McCarthy, Manager Executive Administration
Authoriser:	Barbara Cernovskis, General Manager Community Wellbeing
Summary:	This report presents a community shed vacancy at Hastings Cunningham Reserve and a proposal to exchange from an existing shed occupier.
Community Plan Reference:	Goal 1: Our People Goal 2: Our Location Goal 3: Our Diverse Economy

REPORT RECOMMENDATION

1. That Operational Standing Committee Report No. AR19/26426 titled 'Property Management - Hastings Cunningham Sheds' as presented on 11 June 2019 be noted.
2. That Shed No. 11 at Hastings Cunningham Reserve be retained as vacant pending any emerging matters that would benefit from the availability of the shed as a tenancy solution.



BACKGROUND

The Mount Gambier Paraplegic and Quadriplegic Association have been a past occupier of a community shed at Hastings Cunningham Reserve.

On 27 February 2019 the Association formally notified Council that it was vacating the shed (Shed No. 11) and returned the keys to Council.

By memorandum in the Friday Edition and Member Extranet dated 29 March 2019 Members were notified of the shed vacancy and of an enquiry received from another shed occupier (Lake City Rodders) of their interest in exchanging their current shed for the shed vacated by the Mount Gambier Paraplegic and Quadriplegic Association.

The Lake City Rodders are noted as having a demonstrated history of operating from their current shed and that this proposal would still result in the vacancy of Shed No. 13.

Following Member concerns raised in relation to this proposal, the enquiry has not been progressed any further, pending formal consideration by Council of the shed vacancy.

DISCUSSION

A portion of Hastings Cunningham Reserve in the south eastern corner adjacent Shepherdson Road contains 14 community sheds occupied by various community service and recreation groups.

The area where the sheds are located is Crown Land under the care control and management by Council for park and recreation purposes in line with gazettal notice dated 27 April 1978; and accordingly is also community land contained in a Community Land Management Plan for Hastings Cunningham Reserve.

A location plan of the sheds on Hastings Cunningham Reserve is attached for information.

In late 2018 the occupants of Shed No. 11 (Mount Gambier Paraplegic and Quadriplegic Association) indicated an intention to vacate. On 27 February 2019 Council was advised in writing of the Associations decision to vacate and the shed keys were returned.

Shed No. 11 is constructed of corrugated steel (similar to a domestic residential shed) with approximate dimensions of the enclosed areas measuring 10.5 metres x 18 metres (190sqm). The shed also has a covered veranda measuring approximately 18 metres x 6 metres on its entry side.

Internally the shed is divided into 2 main areas a:

- Large room (clubroom) accessed through a personal access door, including an open kitchenette and separate bathroom. This area has a concrete floor and lined walls and ceiling.
- Workshop separated from the clubroom by an internal wall with a personal access door. This area has lined walls, perimeter benches and a roller door with external access.

The internal fitout is dated, however could provide a reasonable base from which a community or sporting group could make further improvements. The shed appears to have electricity, water and waste connections, however the extent and quality of these services have not been investigated.

It is important to note that the Hastings Cunningham Sheds have some limitations by virtue of their construction/materials, location on community and crown land, availability of services and access/parking, and proximity to neighbouring sheds/occupiers and residential properties.

Depending upon the use and any upgrades proposed by a future occupier, development approval (planning and/or building) may be necessary to ensure regulatory compliance, as well as Crown Land consent.

In accordance with s199 of the Local Government Act, Council must manage community land in accordance with any management plan for the relevant land.

The community Land Management Plan for Hastings Cunningham Reserve is attached to this report and includes (amongst other things) the following in relation to the onsite sheds/clubrooms:



Purpose of Land:

- Land for community organisations to construct storage sheds/clubrooms.

Objectives of Land:

- To provide for the leasing of the land and the facilities to community organisations.
- To provide for an increase in the number of community sheds at the reserve.

Proposal for Management:

- Maintain built infrastructure in a safe and presentable condition (including infrastructure under the care and responsibility of occupants of the land).

In relation to Lease / Licence Management, the Community Land Management Plan requires that occupiers enter into formal lease/licence arrangements with Council and that the following rules/conditions apply to the community use storage sheds / clubrooms:

- The sheds are intended for low level occupancy (i.e. meeting room/club room, garage etc.), and not as a venue for functions and should not cause interruption to the quiet enjoyment of neighbours.
- All buildings and extensions require pre-approval by Council and will be considered on a case by case basis. The external size of sheds should be no greater than nine (9) metres by six (6) metres, however Council may consider a larger facility in exceptional circumstances.
- Siting of the sheds shall be in strict accordance with Council requirements / directions and normal development approvals and conditions will apply and be the responsibility of the community based occupier.
- Council supports the provision of power to sheds, subject to all costs including ongoing costs being met by each occupier.
- Council does not support the connection of the sheds to other services and there should be no waste water (i.e. sullage) discharged from the shed.
- Any external signage must be approved in accordance with Council Policy.
- No materials, items etc. are to be left or stored outside the buildings at any time.
- The area around each building is to be maintained in a clean and tidy condition by the occupier and the building is to be maintained to the satisfaction of Council at all times.
- Care is to be taken with the use of motor vehicles around the sheds at all times to ensure there is no damage to grass surfaces.
- Any acts of vandalism or damage to the exterior of the buildings to be repaired by the occupier without delay and to the satisfaction of the Council.
- Hours of use must not extend beyond 10.30 p.m. Monday to Friday, 11.30 p.m. on Saturday and 10.00 p.m. on Sunday, unless otherwise approved by Council. No activity should generally be undertaken at the sheds prior to 8.00 a.m. on any morning.
- All entry/exit to the Reserve is to be via the Millard Street entrance and all vehicle use should be at low speed and carried out in a safe manner.
- Toilet facilities are provided by Council at the adjacent toilet block. Shed occupiers may request a key to access the toilets and will be responsible for opening and closing when used by an occupier.

As a shed vacancy has now arisen Council may now provide direction to the administration on its preferred occupation/usage and process for determination, noting that such matters may be managed under Council's scheme of delegations.

A number of options are presented for consideration:



Option 1 – retain Shed No.11 for the immediate future as an opportunity to address any emerging issues requiring a tenancy solution.

Option 2 – seek expressions of interest from community groups interested in occupying a shed for low level storage / club room purposes.

Option 3 – progress the exchange of Shed 11 with the Lake City Rodders, and apply Option 1 or Option 2 to the vacancy of Shed 13.

Council may of course determine to proceed with some alternative or combination of options.

It should also be noted that a short-term occupancy may invoke the statutory provisions (minimum 5 year term) contained in the Retail and Commercial Leases Act and a term exceeding 5 years would necessitate public consultation on the proposed arrangement. To avoid unnecessary expense and administrative activities it is recommended that any occupancy be for a period of (or periods aggregating) 5 years.

CONCLUSION

Having considered the vacancy of Shed No. 11 at Hastings Cunningham Reserve and the community land management requirements associated with this site, Council may now consider its preference for dealing with the shed vacancy.

Whilst presenting a number of options, this report includes a recommendation in favour of Option 1 in the first instance, which may be reviewed if no issues arise in the short term that would benefit from using Shed No. 11 as a potential solution.

ATTACHMENTS

1. Hastings Cunningham Reserve Sheds - Location Plan [↓](#)
2. Hastings Cunningham Reserve Shed No. 11 Internal Photos [↓](#)
3. Community Land Management Plan - Hastings Cunningham Reserve [↓](#)



HASTINGS CUNNINGHAM RESERVE SHEDS – Location Plan



HASTINGS CUNNINGHAM RESERVE - Shed No. 11 - Internal Photos

Photo 1. Main Room – from entry door (left)



Photo 2. Main Room – from entry door (right)



HASTINGS CUNNINGHAM RESERVE - Shed No. 11 - Internal Photos

Photo 3. Main Room – from rear facing entry door



Photo 4. Main Room – kitchenette



HASTINGS CUNNINGHAM RESERVE - Shed No. 11 - Internal Photos

Photo 5. Workshop – from entry door



Photo 6. Workshop – from rear facing entry door



Photo 7. Amenities





LOCAL GOVERNMENT ACT 1999 - SECTION 196

COMMUNITY LAND MANAGEMENT PLAN

Owner: City of Mount Gambier.

Reserve Title Description: CT 5663/245, CT 5808/209, CR 5633/71

Reserve Address: Shepherdson Road (Hastings Cunningham Reserve)

Reserve No: 14, 115

Asset No: 115, 134, 145

General Description:

Open reserve, playground area, BMX area, soccer, tennis and Community use sheds.

Purpose of Land:

To provide for passive and active recreation for the benefit of the community.

To provide for structured sporting activities (eg. tennis, soccer, BMX) and land for community organisations to construct storage sheds/clubrooms.

Lease / Licence Management:

Occupiers are required to enter into formal lease / licence arrangements with Council.

The following rules / conditions apply to community use storage sheds / clubrooms:

- The sheds are intended for low level occupancy (ie. meeting room/club room, garage etc.), and not as a venue for functions and should not cause interruption to the quiet enjoyment of neighbours.
- All buildings and extensions require pre-approval by Council and will be considered on a case by case basis. The external size of sheds should be no greater than nine (9) metres by six (6) metres, however Council may consider a larger facility in exceptional circumstances.
- Siting of the sheds shall be in strict accordance with Council requirements / directions and normal development approvals and conditions will apply (and be the responsibility of the community based occupier).
- Council supports the provision of power to sheds, subject to all costs including ongoing costs being met by each occupier.
- Council does not support the connection of the sheds to other services and there should be no waste water (ie. sullage) discharged from the shed.
- Any external signage must be approved in accordance with Council Policy.
- No materials, items etc. are to be left or stored outside the buildings at any time.
- The area around each building is to be maintained in a clean and tidy condition by the occupier and the building is to be maintained to the satisfaction of Council at all times.

- Care is to be taken with the use of motor vehicles around the sheds at all times to ensure there is no damage to grass surfaces.
- Any acts of vandalism or damage to the exterior of the buildings to be repaired by the occupier without delay and to the satisfaction of the Council.
- Hours of use must not extend beyond 10.30 p.m. Monday to Friday, 11.30 p.m. on Saturday and 10.00 p.m. on Sunday, unless otherwise approved by Council. No activity should generally be undertaken at the sheds prior to 8.00 a.m. on any morning.
- All entry/exit to the Reserve is to be via the Millard Street entrance and all vehicle use should be at low speed and carried out in a safe manner.
- Toilet facilities are provided by Council at the adjacent toilet block. Shed occupiers may request a key to access the toilets and will be responsible for opening and closing when used by an occupier.

Objectives of Land:

To provide recreational opportunities to the local neighbourhood, both passive and active (including structured sporting activities).

To provide a community reserve within an area of development.

To provide an area of reserved land that may be utilised for future community needs of a recreational nature.

To provide a mix of trees/shrubs and open grassland.

To provide for dog obedience training.

To provide for the leasing of the land and the facilities to community organisations.

To provide for an increase in the number of community sheds at the reserve.

Proposal for Management:

Maintain vegetation in a healthy state.

Maintain reserve in a neat and tidy condition.

Maintain built infrastructure in a safe and presentable condition (including infrastructure under the care and responsibility of occupants of the land).

Performance Targets:

Replace dead and dieing vegetation.

Grass to be generally less than 100 mm in length.

Regular inspections and maintenance of all built infrastructure.

Measure of Performance Targets:

Biannual inspection of vegetation.

Maintain (and action) complaints received in relation to the reserve.

Random inspections by supervisors of grass cutting and general presentation.

Regular maintenance inspections of built infrastructure.

Adopted by Council: 19th October 2004

Amended by Council: 17th June 2014



5.3 COMMUNITY ENGAGEMENT AND SOCIAL INCLUSION SUB-COMMITTEE - TERMS OF REFERENCE AND MEMBERSHIP – REPORT NO. AR19/26431

Committee:	Operational Standing Committee
Meeting Date:	11 June 2019
Report No.:	AR19/26431
CM9 Reference:	AF18/497
Author:	Michael McCarthy, Manager Executive Administration
Authoriser:	Barbara Cernovskis, General Manager Community Wellbeing
Summary:	This report presents Terms of Reference for the Community Engagement and Social Inclusion Sub-Committee, membership, and meeting day, time and frequency for review and consideration.
Community Plan Reference:	Goal 1: Our People Goal 2: Our Location Goal 3: Our Diverse Economy

REPORT RECOMMENDATION

1. That Operational Standing Committee Report No. AR19/26431 titled 'Community Engagement and Social Inclusion Sub-Committee - Terms of Reference and Membership' as presented on 11 June 2019 be noted.
2. That the Terms of Reference for the Community Engagement and Social Inclusion Sub-Committee as attached to Report No. AR19/26434 be endorsed with the following inclusions:
 - Clause 6.8 – insert 'that must be an Elected Member of the Sub-Committee. Only an Elected Member of the Sub-Committee may act in the position of Presiding Member.'
 - Clause 10.3 (new clause) – Notwithstanding clauses 10.1 and 10.2, a quorum will only be achieved at a meeting of the Sub-Committee where at least one Elected Member of the Sub-Committee is present and presiding over the meeting.
3. That membership of the Community Engagement and Social Inclusion Sub-Committee shall be determined by Council on consideration of this report.
4. That previous Community Members of the Community Engagement and Social Inclusion Sub-Committee be approached to confirm their continued interest and involvement with the Committee until the expiry of their appointment in November 2020.
5. That a public expression of interest be conducted seeking nominations from interested community members to fill any vacancies on the Community Engagement and Social Inclusion Sub-Committee.
6. That ordinary meetings of the Community Engagement and Social Inclusion Sub-Committee be scheduled, following the re-appointment of community members, quarterly on a Tuesday commencing at 5:30 pm.



BACKGROUND

At the first meeting of the current Council term held on 22 November 2019, in relation to Section 41 Committees, Council resolved as follows in relation to pre-existing Sub-Committees:

“(f) That the following Sub-Committees be placed in recess pending consideration of their necessity by Councillor Workshop:

- *Environmental Sustainability Sub-Committee*
- *Community Engagement and Social Inclusion Sub-Committee*
- *Heritage Sub-Committee”*

At the Council meeting held on 21 May 2019 a Motion With Notice to Amend resulted in the abovementioned resolution being amended, and Council further resolved that the Environmental Sustainability and Community Engagement and Social Inclusion Sub-Committees be re-instated.

This report is presented to enable the Operational Standing Committee to review the Terms of Reference, membership and other matters associated with the Community Engagement and Social Inclusion Sub-Committee.

DISCUSSION

The Terms of Reference of the Community Engagement and Social Inclusion Sub-Committee were last reviewed and endorsed by Council on 15 August 2017, utilising Council's standard Committee Terms of Reference template with some minor variations.

The Terms of Reference provide that the Community Engagement and Social Inclusion Sub-Committee has been established in line with the City of Mount Gambier Social Inclusion Charter and the Community Engagement policy document to support Council's strategic framework and delivery of the Community Plan by:

- Making our services inclusive and accessible
- Advocating on important issues for diverse communities
- Working alongside the community on projects and activities that assist diverse communities
- Aiming to ensure that everyone in the community has equitable access to Council's services and resources recognising that people are different and therefore require tailored responses to achieve equality for everyone.

The Community Engagement and Social Inclusion Sub-Committee reported and was subordinate to the Operational Standing Committee.

The membership provisions in the Community Engagement and Social Inclusion Sub-Committee Terms of Reference provide for the following membership:

- Three (3) City of Mount Gambier Elected Members,
- Four (4) Community Members appointed for a four (4) year term commencing mid-way through the Council term.
- The Mayor as Ex-Officio member.

The membership provisions also provide that the Sub-Committee will appoint a Presiding Member and that the (Operational) Standing Committee reserves the right not to appoint any nominees or to leave any Sub-Committee member position vacant.

It is recommended the Terms of Reference be amended to provide that the Presiding Member (or Acting Presiding Member) must be an Elected Member and that quorum require at least one Elected Member of the Sub-Committee. These changes will ensure that Sub-Committee meetings are always presided over and conducted by an elected representative Member of Council.



Prior to the Community Engagement and Social Inclusion Sub-Committee being formally placed in recess in November 2019, the following Community Members were appointed for a term expiring in November 2020:

- Judy McKay
- Mel Stephenson
- Kate Amoroso (since elected as a Councillor).

With the exception of Kate Amoroso who has since been elected as a Councillor (elected member), the other Community Members of the Community Engagement and Social Inclusion Sub-Committee effectively remain current Members, pending the scheduling of a further meeting of the Sub-Committee.

Section 87(3) of the Local Government Act provides that a resolution appointing a time for the holding of an ordinary meeting of a Council Committee does not operate after the conclusion of the general election.

Accordingly, the Council, Operational Standing Committee, or the Presiding Member (when appointed) will need to determine the day, time and frequency of ordinary meetings of the Community Engagement and Social Inclusion Sub-Committee, taking into consideration the availability of sub-committee members.

It should be noted that there is no legislative requirement for ordinary meetings of a Committee that is not performing a regulatory function to be held with any particular frequency.

Most importantly, the purpose for which the Community Engagement and Social Inclusion Sub-Committee has been established to assist the Operational Standing Committee in matters should also be reviewed to ensure that it remains current and relevant within the Committee and Council's strategic direction, decision making structure and resourcing.

CONCLUSION

Having presented the previously endorsed Terms of Reference for the Community Engagement and Social Inclusion Sub-Committee the Committee may now consider the purpose, membership, and the day, time and frequency of ordinary meetings of the Sub-Committee.

It is also recommended that amendments to (Acting) Presiding Member eligibility and quorum requirements (that an Elected Member must always be present/presiding at meetings), and that ordinary meetings of the Community Engagement and Social Inclusion Sub-Committee not be scheduled until Elected Member and Community Members of the Sub-Committee have been appointed or confirmed.

ATTACHMENTS

1. Terms of Reference - Community Engagement Social Inclusion Sub-Committee - DRAFT June 2019 [↓](#)





Community Engagement and Social Inclusion Sub-Committee

TERMS OF REFERENCE

A Sub-Committee of Council Established
pursuant to the provisions of Section 41
of the Local Government Act 1999.

Terms of Reference for the conduct of the business of the Council Sub-Committee were approved and adopted by the City of Mount Gambier at its meeting held on ## Month, 2019.



Community Engagement and Social Inclusion Sub-Committee

The City of Mount Gambier is committed to social inclusion to building a community that is socially, culturally, politically and economically cohesive; where all citizens feel valued and their differences respected, and where everyone has the opportunity to participate fully in the life of the City.



Community Engagement and Social Inclusion Sub-Committee

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1. NAME

The name of the Council Sub-Committee shall be the Community Engagement and Social Inclusion Sub-Committee (in these Terms of Reference referred to as "the Sub-Committee").

2. INTERPRETATION

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

2.1 Definition

- 2.1.1 "Act" means the Local Government Act 1999 and includes all Regulations and Schedules.
- 2.1.2 "Sub-Committee" means the Sub-Committee of Council established pursuant to 3.0.
- 2.1.3 "Sub-Committee Member" means the person appointed by the Standing Committee.
- 2.1.4 "Commencement Date" means the date on which the Sub-Committee is established and becomes operative pursuant to 3.2.
- 2.1.5 "Council" means the City of Mount Gambier.
- 2.1.6 "Presiding Member of the Sub-Committee of Council" means the person appointed to that position pursuant to 5.3.
- 2.1.7 "Observers" mean those persons attending any meeting of the Sub-Committee of Council, but not having a vote on any matter to be determined by the Sub-Committee and not having been appointed as Members.
- 2.1.8 "Singular" includes a reference to the "plural".
- 2.1.9 Standing Committee means the Committee that established the Sub-Committee and to which the Sub-Committee reports.

2.2 Defined Terms

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 Local Government Act

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

2.4 Notices

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

Community Engagement and Social Inclusion Sub-Committee
PO Box 56
MOUNT GAMBIER SA 5290
Email: city@mountgambier.sa.gov.au



3. ESTABLISHMENT

- 3.1 The Sub-Committee is established under Section 41 of the Local Government Act 1999.
- 3.2 The Sub-Committee will be established and become operative from the time a resolution of the Standing Committee is passed.
- 3.3 The Sub-Committee is established by the Standing Committee to assist in the co-ordination and administration of current and future Community Engagement and Social Inclusion practices.

4. OBJECTIVES

- 4.1 The Sub-Committee has been established in line with the City of Mount Gambier Social Inclusion Charter and the Community Engagement policy document to support Council's strategic framework and delivery of the Community plan by:
 - Making our services inclusive and accessible
 - Advocating on important issues for diverse communities
 - Working alongside the community on projects and activities that assist diverse communities
 - Aiming to ensure that everyone in the community has equitable access to Council's services and resources recognising that people are different and therefore require tailored responses to achieve equality for everyone

5. ANNUAL WORK PLAN

- 5.1 The Sub-Committee shall prepare and submit for the approval of Council an annual Work Plan to guide its activities within the scope of the Objectives at Clause 4
- 5.2 The Sub-Committee shall operate strictly within the activities contained within the approved Annual Work Plan unless otherwise approved by the Standing Committee and Council.

6. MEMBERSHIP

- 6.1 Membership of the Sub-Committee will comprise three (3) City of Mount Gambier Elected Members and four (4) Community Members. The Mayor has Ex-Officio membership on this Sub-Committee.
- 6.2 The Sub-Committee to favourably consider a representative of Aboriginal and Torres Strait Islander descent.
- 6.3 City of Mount Gambier Elected Members will serve on the Sub-Committee for a term determined at the pleasure of Council.
- 6.4 Community Members appointment will be for a four (4) year term commencing mid way through the Council term. Community Members will be stood down (with the right to re-nominate) mid way through the Council term to enable effective succession.



6.5 The Sub-Committee has the right to co-opt individual members who have special expertise to carry out specific projects under its objective. Such co-opted members have the right to attend meetings and participate in discussion and will have no voting rights on the Sub-Committee.

6.6 Notwithstanding Clauses 5.1 and 5.3 all Sub-Committee Members hold office at the pleasure of the Council.

6.7 The Sub-Committee will appoint a Presiding Member.

6.8 If a Sub-Committee Member is absent from 2 or more consecutive meetings of the Sub-Committee without an apology accepted by the Standing Committee and Council then that Sub-Committee Members position shall be considered vacant.

6.9 The Standing Committee reserves the right not to appoint any nominee, to remove and replace any Sub-Committee Member, or to leave any Sub-Committee member position vacant.

7. CASUAL VACANCIES AND REPLACEMENT REPRESENTATIVES

5.1 The Standing Committee may replace any Member on the Sub-Committee or fill any casual vacancies, by notifying the Sub-Committee the identity of the person proposed to replace the representative or fill the casual vacancy.

8. NO PROXY

8.1 The appointment of a person as proxy for any Member on the Sub-Committee is not permissible.

9. RESIGNATION OF REPRESENTATIVES

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

10. QUORUM

10.1 At all Meetings of the Sub-Committee a quorum must be present.

10.2 A quorum will be determined by dividing by 2 the number of Members formally appointed to the Sub-Committee ignoring any fraction and adding 1 (excluding Mayor as ex-officio).

11. MEETINGS OF THE SUB-COMMITTEE

11.1 The Sub-Committee shall hold at least four (4) ordinary meetings per calendar year in accordance with a meeting schedule prepared in conjunction with the Presiding Member.



- 11.2 The CEO or his appointee shall give notice to each Sub-Committee Member at least five clear days prior to any meeting.
- 11.3 The CEO or his appointee shall send a copy of the notice of a meeting and minutes of the Sub-Committee to the Standing Committee.
- 11.4 The CEO or his appointee must, at the request of the Presiding Member or three other Members, call a special meeting of the Sub-Committee.
- 11.5 All notices of meetings shall be issued by the CEO or his appointee.
- 11.6 No business shall be transacted at any meeting of the Sub-Committee unless a quorum of Members is present.
- 11.7 Each Member of the Sub-Committee including the Presiding Member present at any meeting of the Sub-Committee must vote on any matter requiring determination and all decisions shall be decided on a simple majority of votes cast.
- 11.8 Each Member of the Sub-Committee including the Presiding Member present at any meeting of the Sub-Committee shall have one deliberate vote only.

12. PROCEDURES AT MEETINGS

The procedure to be observed in relation to the conduct of meetings of the Sub-Committee is in accordance with Local Government (Procedures at Meetings) Regulations 2013.

13. LIABILITY OF THE SUB-COMMITTEE

- 13.1 A liability incurred by the Sub-Committee rests against Council.
- 13.2 No liability attaches to a Member of the Sub-Committee for an honest act or omission by that Member of the Sub-Committee in the performance or discharge, or purported performance or discharge, of the Member's or the Sub-Committee's functions or duties.
- 13.3 All members of the committee are bound by the Code of Conduct section 63 of the Local Government Act 1999.

14. MINUTES OF THE SUB-COMMITTEE

14.1 Administration

- 14.1.1 The CEO or his appointee must cause minutes to be kept of the proceedings of the Sub-Committee.
- 14.1.2 Minutes of the Sub-Committee shall be available to all Members of the Sub-Committee, Standing Committee, Council and the public.



14.1.3 The Minutes of the proceedings of a meeting must include:

- 14.1.3.1 the names of the Members present and the time at which they entered or left the meeting;
- 14.1.3.2 the names of observers or visitors to any meetings;
- 14.1.3.3 every motion or amendment and the names of the mover and seconder;
- 14.1.3.4 any disclosure of interest declared by a Member;
- 14.1.3.5 whether the motion or amendment is carried, lost or lapsed;
- 14.1.3.6 Minutes of the Sub-Committee Meeting shall be distributed within 5 days of the meeting;
- 14.1.3.7 Minutes of the Sub-Committee Meeting shall be submitted for confirmation at the next meeting of the Sub-Committee and if confirmed, shall be signed by the Presiding Member or other person presiding at the subsequent meeting.

15. AMENDMENTS TO THESE TERMS OF REFERENCE

- 15.1 It will be lawful for the Standing Committee by resolution of the Standing Committee 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.
- 15.2 Notwithstanding 13.1 hereof before the Standing Committee resolves to revoke, vary or add to any of the provisions of these Terms of Reference the opinion of the Sub-Committee shall be obtained.

16. INTERPRETATION OF THESE TERMS OF REFERENCE

- 16.1 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 Standing Committee shall determine the dispute and the decision of the Standing Committee shall be final and binding.

17. WINDING UP

- 17.1 The Standing Committee may cease the operation of the Sub-Committee and the Sub-Committee may make such recommendation to the Standing Committee on the completion of its function.

8th June 2017
Ref.

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5.4 ENVIRONMENTAL SUSTAINABILITY SUB-COMMITTEE - TERMS OF REFERENCE AND MEMBERSHIP – REPORT NO. AR19/26434

Committee:	Operational Standing Committee
Meeting Date:	11 June 2019
Report No.:	AR19/26434
CM9 Reference:	AF18/497
Author:	Michael McCarthy, Manager Executive Administration
Authoriser:	Barbara Cernovskis, General Manager Community Wellbeing
Summary:	This report presents Terms of Reference for the Environmental Sustainability Sub-Committee, membership and meeting day, time and frequency for review and consideration.
Community Plan Reference:	Goal 1: Our People Goal 2: Our Location Goal 3: Our Diverse Economy Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage

REPORT RECOMMENDATION

1. That Operational Standing Committee Report No. AR19/26434 titled 'Environmental Sustainability Sub-Committee - Terms of Reference and Membership' as presented on 11 June 2019 be noted.
2. That the Terms of Reference for the Environmental Sustainability Sub-Committee as attached to Report No. AR19/26434 be endorsed.
3. That membership of the Environmental Sustainability Sub-Committee shall be determined by Council on consideration of this report.
4. That ordinary meetings of the Environmental Sustainability Sub-Committee be scheduled, quarterly on a Tuesday commencing at 5:30 pm.



BACKGROUND

At the first meeting of the current Council term held on 22 November 2019, in relation to Section 41 Committees, Council resolved as follows in relation to pre-existing Sub-Committees:

“(f) That the following Sub-Committees be placed in recess pending consideration of their necessity by Councillor Workshop:

- *Environmental Sustainability Sub-Committee*
- *Community Engagement and Social Inclusion Sub-Committee*
- *Heritage Sub-Committee”*

At the Council meeting held on 21 May 2019 a Motion With Notice to Amend resulted in the abovementioned resolution being amended, and Council further resolved that the Environmental Sustainability and Community Engagement and Social Inclusion Sub-Committees be re-instated.

This report is presented to enable the Operational Standing Committee to review the Terms of Reference, membership and other matters associated with the Environmental Sustainability Sub-Committee.

DISCUSSION

The Terms of Reference of the Environmental Sustainability Sub-Committee were last reviewed and endorsed by Council on 21 November 2017, utilising Council's standard Committee Terms of Reference template.

The Terms of Reference provide that the Environmental Sustainability Sub-Committee has been established to:

- Assist Council achieve its environmental sustainability goals and objectives.
- Provide advice to Council, staff and community on sustainability including assistance with assessment of projects and initiatives against Council's adopted Natural Step Framework.
- Monitor achievements in environmental sustainability against the adopted Strategic Plan, Annual Business Plan and Budget.
- Promote environmental sustainability to the organisation and community.
- Develop programs and activities that fit the Natural Step Framework and submit to the Operational Standing Committee and Council for consideration.

Having been previously established by the Operational Standing Committee (and previous Operational Services Standing Committee) the Environmental Sustainability Sub-Committee was subordinate and reported to the Operational Standing Committee.

The Terms of Reference provide that the membership of the Environmental Sustainability Sub-Committee shall comprise four (4) City of Mount Gambier Elected Members: and that the Mayor has Ex-Officio membership on the Sub-Committee. The membership provisions also provide that the Sub-Committee will appoint a Presiding Member and that the (Operational) Standing Committee reserves the right not to appoint any nominees or to leave any Sub-Committee member position vacant.

Section 87(3) of the Local Government Act provides that a resolution appointing a time for the holding of an ordinary meeting of a Council Committee does not operate after the conclusion of the general election. Accordingly, the Council, Operational Standing Committee, or the Presiding Member (when appointed) will need to determine the day, time and frequency of ordinary meetings of the Environmental Sustainability Sub-Committee, taking into consideration the availability of sub-committee members. It should be noted that there is no legislative requirement for ordinary meetings of a Committee that is not performing a regulatory function to be held with any particular frequency.



Most importantly, the purpose for which the Environmental Sustainability Sub-Committee has been established to assist the Operational Standing Committee in matters should also be reviewed to ensure that it remains current and relevant within the Committee and Council's strategic direction, decision making structure and resourcing.

CONCLUSION

Having presented the previously endorsed Terms of Reference for the Environmental Sustainability Sub-Committee the Committee may now consider the purpose, membership, and the day, time and frequency of ordinary meetings of the Sub-Committee.

ATTACHMENTS

1. Terms of Reference - Environmental Sustainability Sub Committee - DRAFT June 2019 [↓](#)





Environmental Sustainability Sub-Committee

TERMS OF REFERENCE

A Sub-Committee of Council Established
pursuant to the provisions of Section 41
of the Local Government Act 1999.

Terms of Reference for the conduct of the business of the Council Environmental Sustainability Sub-Committee were approved and adopted by the City of Mount Gambier at its meeting held on ## Month 2019.



Environmental Sustainability Sub-Committee

The Environmental Sustainability Sub-Committee has been established to:

- Assist Council achieve its environmental sustainability goals and objectives.
- Provide advice to Council, staff and community on sustainability including assistance with assessment of projects and initiatives against Council's adopted Natural Step Framework.
- Monitor achievements in environmental sustainability against the adopted Strategic Plan, Annual Business Plan and Budget.
- Promote environmental sustainability to the organisation and community.
- Develop programs and activities that fit the Natural Step Framework and submit to the Operational Standing Committee and Council for consideration.



Environmental Sustainability Sub-Committee

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1. NAME

- 1.1 The name of the Council Sub-Committee shall be the Environmental Sustainability Sub-Committee (in these Terms of Reference referred to as "the Sub-Committee").

2. INTERPRETATION

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

2.1 Definition

- 2.1.1 "Act" means the Local Government Act 1999 and includes all Regulations and Schedules.
- 2.1.2 "Sub-Committee" means the Sub-Committee of Council established pursuant to 3.0.
- 2.1.3 "Sub-Committee Member" means the person appointed by the Standing Committee.
- 2.1.4 "Commencement Date" means the date on which the Sub-Committee is established and becomes operative pursuant to 3.2.
- 2.1.5 "Council" means the City of Mount Gambier.
- 2.1.6 "Presiding Member of the Sub-Committee of Council" means the person appointed to that position pursuant to 5.3.
- 2.1.7 "Observers" means those persons attending any meeting of the Sub-Committee of Council, but not having a vote on any matter to be determined by the Sub-Committee and not having been appointed as Members.
- 2.1.8 "Singular" includes a reference to the "plural".
- 2.1.9 Standing Committee means the Committee to which the Sub-Committee reports.

2.2 Defined Terms

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 Local Government Act

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

2.4 Notices

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

Environmental Sustainability Sub-Committee
PO Box 56
MOUNT GAMBIER SA 5290
Email: city@mountgambier.sa.gov.au



3. ESTABLISHMENT

- 3.1 The Sub-Committee is established under Section 41 of the Local Government Act 1999.
- 3.2 The Sub-Committee will be established and become operative from the time a resolution of the Standing Committee is passed.
- 3.3 The Sub-Committee is established by the Standing Committee to assist in the co-ordination and administration of environmentally sustainable practices.

4. OBJECTIVES

- 4.1 The Sub-Committee is created for the express purpose of assisting the Standing Committee to develop and implement a range of environmental sustainability initiatives and programs that are aligned to Councils strategic management framework.

5. MEMBERSHIP

- 5.1 Membership of the Sub-Committee will comprise four (4) City of Mount Gambier Elected Members. The Mayor has Ex-Officio membership on this Sub-Committee.
- 5.2 City of Mount Gambier Elected Members will serve on the Sub-Committee for a term determined at the pleasure of Council.
- 5.3 Notwithstanding Clauses 5.1 and 5.3 all Sub-Committee Members hold office at the pleasure of the Council.
- 5.4 The Sub-Committee will appoint a Presiding Member.
- 5.5 If a Sub-Committee Member is absent from 2 or more consecutive meetings of the Sub-Committee without an apology accepted by the Standing Committee and Council then that Sub-Committee Members position shall be considered vacant.
- 5.6 The Standing Committee reserves the right not to appoint any nominee, to remove and replace any Sub-Committee Member, or to leave any Sub-Committee member position vacant.

CASUAL VACANCIES AND REPLACEMENT REPRESENTATIVES

- 5.7 The Standing Committee may replace any Member on the Sub-Committee or fill any casual vacancies, by notifying the Sub-Committee the identity of the person proposed to replace the representative or fill the casual vacancy.

6 NO PROXY

- 6.1 The appointment of a person as proxy for any Member on the Sub-Committee is not permissible.



7 RESIGNATION OF REPRESENTATIVES

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

8 QUORUM

- 8.1 At all Meetings of the Sub-Committee a quorum must be present.
- 8.2 A quorum will be determined by dividing by 2 the number of Members formally appointed to the Sub-Committee ignoring any fraction and adding 1 (excluding Mayor as ex-officio).

9 MEETINGS OF THE SUB-COMMITTEE

- 9.1 The Sub-Committee shall meet as and when determined by the Presiding Member.
- 9.2 The CEO or his appointee shall give notice to each Sub-Committee Member at least five clear days prior to any meeting.
- 9.3 The CEO or his appointee shall send a copy of the notice of a meeting and minutes of the Sub-Committee to the Standing Committee.
- 9.4 The CEO or his appointee must, at the request of the Presiding Member or three other Members, call a special meeting of the Sub-Committee.
- 9.5 All notices of meetings shall be issued by the CEO or his appointee.
- 9.6 No business shall be transacted at any meeting of the Sub-Committee unless a quorum of Members is present.
- 9.7 Each Member of the Sub-Committee including the Presiding Member present at any meeting of the Sub-Committee must vote on any matter requiring determination and all decisions shall be decided on a simple majority of votes cast.
- 9.8 Each Member of the Sub-Committee including the Presiding Member present at any meeting of the Sub-Committee shall have one deliberate vote only.

10 PROCEDURES AT MEETINGS

- 10.1 The procedure to be observed in relation to the conduct of meetings of the Sub-Committee is in accordance with Local Government (Procedures at Meetings) Regulations 2013.



11 LIABILITY OF THE SUB-COMMITTEE

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

12 MINUTES OF THE SUB-COMMITTEE

12.1 Administration

- 12.1.1 The CEO or his appointee must cause minutes to be kept of the proceedings of the Sub-Committee.
- 12.1.2 Minutes of the Sub-Committee shall be available to all Members of the Sub-Committee, Standing Committee, Council and the public.
- 12.1.3 The Minutes of the proceedings of a meeting must include:
 - 12.1.3.1 the names of the Members present and the time at which they entered or left the meeting;
 - 12.1.3.2 the names of observers or visitors to any meetings;
 - 12.1.3.3 every motion or amendment and the names of the mover and seconder;
 - 12.1.3.4 any disclosure of interest declared by a Member;
 - 12.1.3.5 whether the motion or amendment is carried, lost or lapsed;
 - 12.1.3.6 Minutes of the Sub-Committee Meeting shall be distributed within 5 days of the meeting;
 - 12.1.3.7 Minutes of the Sub-Committee Meeting shall be submitted for confirmation at the next meeting of the Sub-Committee and if confirmed, shall be signed by the Presiding Member or other person presiding at the subsequent meeting.

13 AMENDMENTS TO THESE TERMS OF REFERENCE

- 13.1 It will be lawful for the Standing Committee by resolution of the Standing Committee 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.
- 13.2 Notwithstanding 13.1 hereof before the Standing Committee resolves to revoke, vary or add to any of the provisions of these Terms of Reference the opinion of the Sub-Committee shall be obtained.



14 INTERPRETATION OF THESE TERMS OF REFERENCE

- 14.1 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 Standing Committee shall determine the dispute and the decision of the Standing Committee shall be final and binding.

15 WINDING UP

- 15.1 The Standing Committee may cease the operation of the Sub-Committee and the Sub-Committee may make such recommendation to the Standing Committee on the completion of its function.

8th June 2017
Ref.



5.5	SPONSORED EVENTS - CONTRIBUTION TO ECONOMIC DEVELOPMENT – REPORT NO. AR19/26573
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Meeting: Operational Standing Committee
CM9 Reference: AF18/497
Author: Michael McCarthy, Manager Executive Administration
Authoriser: Andrew Meddle, Chief Executive Officer

REPORT RECOMMENDATION

- | |
|--|
| <ol style="list-style-type: none">1. That Operational Standing Committee Report No. AR19/26573 titled 'Sponsored Events - Contribution to Economic Development' as presented on 11 June 2019 be noted. |
|--|



BACKGROUND

At its meeting held on 14 May 2019, the Operational Standing Committee considered Report No AR19/21388 titled 'Sponsored Events - Contributions to Economic Development' and at the Council meeting on 21 May 2019 it was resolved that:

'As part of next month's (Operational Standing) Committee Meeting a workshop be incorporated to discuss the information provided in the report'.

A copy of Report No. AR19/21388 and attachments is provided to facilitate Member discussion.

ATTACHMENTS

1. Report No. AR19/21388 - Sponsored Events - Contributions to Economic Development [↓](#)
2. Attachment to Report No. AR19/21388 - Events Economic Benefit 2018 year spreadsheet [↓](#)



City of Mount Gambier
Operational Standing Committee Meeting Agenda

14 May 2019

**5.5 SPONSORED EVENTS - CONTRIBUTIONS TO ECONOMIC DEVELOPMENT -
REPORT NO. AR19/21388**

Committee: Operational Standing Committee
Meeting Date: 14 May 2019
Report No.: AR19/21388
CM9 Reference: AF18/497
Author: Judy Nagy, General Manager City Growth
Authoriser: Graeme Maxwell, Chief Executive Officer
Summary: Update on the contribution of Events sponsored by Council to both Economic Development
Community Plan Reference: Goal 1: Our People
Goal 2: Our Location
Goal 3: Our Diverse Economy
Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage

REPORT RECOMMENDATION

1. That Operational Standing Committee Report No. AR19/21388 titled 'Sponsored Events - Contributions to Economic Development' as presented on 14 May 2019 be noted.
2. That the contributions of Events and support staff be acknowledged.

BACKGROUND

The attached report provides some visibility to the efforts of the Events Team in 2018 who work with depot staff, community engagement staff and are assisted by procurement and finance to ensure that timely support for sponsorship and events is in place.

DISCUSSION

The consolidated report provides an indication of the contributions Council makes via the annual budget to the community through on going sponsorship of events in our city and our region. The report does not attempt to capture all events. It summarises by month the larger recurring events in the calendar year of 2018 that occur annually or bring large numbers of visitors to Mount Gambier.

The report includes estimates and assumptions that are conservative and, though it is not possible to determine numbers with accuracy, outcomes indicate that Council Event sponsorship provide benefits for the community far in excess of the dollars and staffing resources allocated to Events management, support and funding.

It is important to recognize that the economic benefits flow to businesses in the City of Mount Gambier and the nearby region. Council's contributions provide for significant returns that flow to the visitor economy and as the economy grows, this builds opportunities for economic development. While Council often assists with events becoming established, encouraging events to become self sufficient over time will allow for limited Council resources to be provided for new initiatives.

There are many other contributing factors in the visitor economy and this report only estimates the possible benefits derived from visitors attending Council sponsored events. The report does not capture gains from general tourism from those who come to the city for holidays, business or other reasons. It also does not capture employment and economic benefits that flow from local residents attending events and spending in restaurants as they participate in activities. Any increases in profitability or employment that may arise from these other sources would be in addition to the figures presented in the attached summary.

A similar report was presented to Council in February 2018 that estimated economic benefits of \$13,570,800 for 2017 events. This report used the same dollar multiplier however the events included may change as some are biannual and events such as the Fringe continue to experience significant increases in the number of attendees.

CONCLUSION

Council has a strong history of supporting community and special events that deliver both community and economic benefits. While the outcomes or benefits to the community of events can be difficult to quantify, using conservative modelling as presented in the attached report provides an indication of the significant leverage that can be achieved from Council supported activities.

ATTACHMENTS

1. Events Economic Benefit 2018 year spreadsheet

29/05/2019

	A	B	C	D	E	F	G	H	I
1	Significant Council Events - Conservative Economic Benefit Model 2018								
2	Month (dates change each year)	Council Contribution				Estimated Economic Benefit 2018			
3		\$	In-kind	Estimated Number of attendees	% of visitors	Domestic Average spend per night \$136 [^]	Sport (S) Community (C) Cultural (CL) Corporate (CP)	Days	
4	January								
5	Kings Sprintcar Challenge, Borderline Speedway			2700	70%	\$514,080	S	2	
6	Australia Day Awards & Breakfast at Railway Lands	\$5,000	\$3,000	700			C		
7	Australian Sprintcar Championships, Borderline Speedway (large event)	\$25,000		8000	80%	\$2,611,200	S	3	
8	Red Hot Summer Tour at Old Gaol	\$2,000	\$3,000	4300	70%	\$818,720	CL	2	
9	Veteran & Vintage Car Club Weekend various locations and display at the Lady Nelson	\$800		311	60%	\$50,755	C	2	
10									
11	February								
12	Autofest and "Show n Shine" at Showgrounds	\$5,000	\$1,000	11700	20%	\$954,720	S	3	
13	Paws Walk at the Railway Lands		\$500	200			C		
14	Valentines Rod Run-Swap Meet at West Gambier	\$500		350	30%	\$28,560	C	2	
15	The Drift at Valley Lake		\$2,500	3000	30%	\$244,800	S	2	
16									
17	March								
18	Harness Racing Gold Cup at Showgrounds	\$1,000		3075	40%	\$334,560	S	2	
19	SE Country Music Festival at Cassido Park	\$500		315	50%	\$42,840	CL	2	
20	RACV Fly the Flag Car Rally – 20 March car display at the Lady Nelson			250	8%	\$5,440	C	2	
21	Australian Street Rod Federation, Blue Lake Nationals car rally at Showgrounds (one off big event)	\$3,000	\$2,500	2000	90%	\$979,200	C	4	
22	Fringe Festival in Mount Gambier at Cave Garden and various venues	\$20,000	\$5,000	12500	25%	\$1,275,000	CL	3	
23	Relay for Life at South Gambier oval		\$2,800				C		
24									
25	Easter								
26	Blue Lake Obedience Dog Club at Hastings Cunningham Reserve		\$500	100	40%	\$10,880	C	2	
27	Mount Gambier Show Jumping Easter Carnival – BLSP at Velodrome	\$1,000	\$500	353	40%	\$57,610	S	3	
28									
29	April								
30	8 hours Pedal Prix Carnival at Mac Park	\$15,000	\$3,000	2550	80%	\$554,880	S	2	
31	Rotary District 9780 Conference (staged by 3 local Rotary Clubs) (for this year only) at SRHT and Main Corner (big event)	\$5,000	\$3,000	450	90%	\$165,240	C	3	
32	Legends Baseball Tournament at BLSP	\$500		255	70%	\$48,552	S	2	
33	Anzac Day Centenary Services at Vansittart Park after street march		\$1,600				C		
34									
35	May								
36	Generations in Jazz	\$32,000	\$5,000	4500	80%	\$1,468,800	CL	3	
37	Mount Gambier Gold Cup	\$3,000	\$1,000	2100	20%	\$114,240	S	2	
38	PGA Legends Golf Tournament	\$2,000	\$500	350	90%	\$85,680	S	2	
39	Mothers Day Classic walk/run at Brownes Lake		\$500	250			C		
40	Disc Golf championships at Brownes Lakes, Valley Lake	\$200	\$200	30	90%	\$7,344	S	2	
41	Men's Fours Bowling at RSL Bowling Club	\$500		212	50%	\$28,832	S	2	
42	100 Mile Classic Bike Race (various locations and Bay Rd finish) & SA Kermesse Championships around Blue Lake	\$3,000	\$3,000	532	80%	\$115,763	S	2	
43	Mumbannar 4WD Challenge	\$500		250	20%	\$6,800	S	1	
44									



29/05/2019

	A	B	C	D	E	F	G	H	I
2	Month (dates change each year)	Council Contribution				Estimated Economic Benefit 2018			
3		\$	In-kind	Estimated Number of attendees	% of visitors	Domestic Average spend per night \$136*	Sport (S) Community (C) Cultural (CL) Corporate (CP)	Days	
45	June								
46	Dairy SA Conference	\$500		200	70%	\$38,080	CP	2	
47	SE National Highland Dancing Competition at SRHT	\$500		250	50%	\$34,000	CL	2	
48	SE Radio Group at Valley Lake	\$250		210	50%	\$14,280	C	1	
49	BMX SA vs Vic at BMX track	\$1,000		1700	60%	\$277,440	S	2	
50	Refugee Week	\$500					C		
51	Science & Engineering Challenge at Tenison Woods College	\$1,500	\$200	1600			C		
52	Swinging with the Stars at the Barn Palais			600	20%	\$16,320	CL	1	
53	Limestone Coast Symphony Orchestra at SRHT	\$2,000		557	40%	\$60,602	CL	2	
54									
55	July								
56	NAIDOC Week	\$1,000	\$1,000	570			C		
57	Eisteddfods at SRHT and Wehl St Theatre	\$5,000		5951	70%	\$566,535	CL	1	
58									
59	August								
60	Rotary Careers Expo at TAFE SA	\$1,500	\$200	10615			C		
61	Mount Gambier Horse Trials at RDA grounds near airport	\$500		378	20%	\$20,563	S	2	
62	Tour of the Great South Coast Bike Race at Vansittart Park and Blue Lake circuit	\$20,000	\$5,000	1302	90%	\$478,094	S	3	
63	Limestone Coast Showcase at Wehl St Theatre	\$3,000		1096	20%	\$59,622	CL	2	
64									
65	September								
66	Light the Night fundraiser by Leukaemia Foundation at the Cave Garden	\$0	\$500	200			C		
67	Pines Enduro at Millicent	\$1,000	\$200	2426	50%	\$329,936	S	2	
68	SciWorld at the Main Corner and City Hall	\$2,000	\$3,000	1500			C		
69	Inside Line Downhill Mountain Bike Race at Valley Lake	\$1,000	\$800	491	60%	\$80,131	S	2	
70	Petrol Heads Picnic at the Lady Nelson Visitor Centre grounds	\$250	\$500	697	30%	\$28,438	C	1	
71	Master of Mac Park and SA State Championship – Mac Park			1000	70%	\$190,400	S	2	
72									
73	October								
74	Chamber of Commerce Business Awards at the Barn Palais TBC	\$1,000		415			CP		
75	Mount Gambier A & H Society Spring Show at Showgrounds	\$800	\$500	16,285	10%	\$221,476	C	1	
76	SE Schools Music at SRHT	\$1,000		2460			CL		
77	Motorkhana	\$500		336	80%	\$73,114	S	2	
78									
79	November								
80	Legend of the Lakes Hillclimb at Valley Lake	\$5,000	\$4,000	2070	70%	\$591,192	S	3	
81	Rook Walk celebration and reunion	\$5,000	\$5,000	300	40%	\$32,640	C	2	
82	Junior Basketball Tournament at Icehouse and various schools	\$5,000		7300	80%	\$2,382,720	S	3	
83	Mount Gambier Christmas Parade	\$13,000	\$10,000	16,000	10%	\$217,600	CL	1	
84	Party in the Park at Cave Garden after the Parade	\$1,000	\$1,000	5,000			CL		
85	Brass Band Festival	\$7,000		750	80%	\$163,200	CL	2	
86	Rock n Roll Festival	\$500		115	20%	\$6,256	CL	2	
87									
88	December								
89	Truck Show	\$1,000	\$500	950	20%	\$25,840	S	1	
90	Blue Lake Fun Run	\$2,500	\$2,500	1420	20%	\$38,624	S	1	
91	Bowls Christmas Carnival	\$500		339	70%	\$64,546	S	2	
92	Blue Lake Y Swim Club Championships	\$2,000	\$1,000	128	70%	\$24,371	S	2	



29/05/2019

	A	B	C	D	E	F	G	H	I
2	Month (dates change each year)	Council Contribution				Estimated Economic Benefit 2018			
3		\$	In-kind	Estimated Number of attendees	% of visitors	Domestic Average spend per night \$136 ^a	Sport (S) Community (C) Cultural (CL) Corporate (CP)	Days	
93	Blue Lake Carols	\$7,000	\$1,000	5,020	10%	\$68,272	CL	1	
94	Borderline Sprintcar Championships			500	70%	\$95,200	S	2	
95	Junior Showjumping	\$1,000	\$500	300	70%	\$57,120	S	2	
96	New Years Eve Celebration	\$10,000	\$3,000	5050	10%	\$68,680	CL	1	
97									
98		\$230,800	\$79,500			\$16,849,788			
99									
100				less Cash and in-kind		\$310,300			
101	Events staffing costs (excludes admin, training and other expenses) 2018 x 75%	\$173,058		Less Estimated Staff costs x 75%		\$129,794			
102	TOTAL indicative costs and economic benefits to the community			Net Estimated Economic be		\$16,409,695			
103									
104									
105									
106	Assumptions made adopting a conservative approach.								
107	While we have many international travellers, visitors are assumed to be domestic travellers as data indicates they represent the majority of visitors to the city.								
108	The source of dollar measures is from the following website for 2017 and is adjusted by CPI to 2018 dollars.								
109	However the source is very conservative as the basis for the 2017 number is based on a 4 year average from 2014-2017.								
110	https://www.tra.gov.au/Regional/local-government-area-profiles								
111	42% of domestic travellers do not stay in commercial accommodation and the spend per night is considered the most relevant figure.								
112	Benefits for ratepayers of local events are not quantifiable but contribute to community wellbeing, social cohesion and local employment outcomes.								
113	Using 2017/18 financial year salary costs as a proxy figure in the worksheet, 25% of staff costs are estimated as spent on other smaller events.								
114	There are many other contributing factors in the visitor economy and this report only estimates the possible economic benefits from Visitors attending Council sponsored events.								
115									
116	The report does not include economic benefits potentially derived from visitors who may come for holidays, business or other reasons.								
117									



5.6 OPERATIONAL STANDING COMMITTEE - TERMS OF REFERENCE – REPORT NO. AR19/26665

Committee:	Operational Standing Committee
Meeting Date:	11 June 2019
Report No.:	AR19/26665
CM9 Reference:	AF18/497
Author:	Michael McCarthy, Manager Executive Administration
Authoriser:	Pamela Lee, General Manager Council Business Services
Summary:	This report presents an amendment to the Operational Standing Committee Terms of Reference to transfer committee focus for Quarterly Budget Reviews to the Strategic Standing Committee in accordance with Council resolution dated 21 May 2019.
Community Plan Reference:	Goal 3: Our Diverse Economy

REPORT RECOMMENDATION

1. That Operational Standing Committee Report No. AR19/26665 titled 'Operational Standing Committee - Terms of Reference' as presented on 11 June 2019 be noted.
2. The updated Terms of Reference for the Operational Standing Committee as attached to Report No. AR19/26665 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 Operational Standing Committee Terms of Reference as adopted by Council on 16 April 2019 provides that the Committee has been established with a broad operational business focus on the following matters:

- Tenders
- Projects
- Legal Matters
- Road Closures
- Events
- Traffic Management
- Financial Management
- Quarterly Budget Reviews
- Leasing/Licensing
- Infrastructure
- Community Liaison
- Allocation & Delivery of Grants
- Regulatory Function
- Compliance.

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

"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 the Committee 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 the Operational and the 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 Operational Standing Committee are attached for consideration.

CONCLUSION

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

ATTACHMENTS

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





Operational Standing Committee

TERMS OF REFERENCE

A Committee of Council
established pursuant to the provisions of
Section 41
of the Local Government Act 1999

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, 2019.



Operational Standing Committee

The Operational Standing Committee has been established with a broad Operational 'business' focus on the following matters:

- Tenders
- Projects
- Legal Matters
- Road Closures
- Events
- Traffic Management
- Financial Management
- Leasing/Licensing
- Infrastructure
- Community Liaison
- Allocation & Delivery of Grants
- Regulatory Function
- Compliance



Operational Standing Committee

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1. NAME

The name of the Council Committee shall be the Operational 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 Operational Standing Committee
PO Box 56
MOUNT GAMBIER SA 5290
Email: city@mountgambier.sa.gov.au



3. ESTABLISHMENT

- 3.1 The Operational Standing Committee is established under Section 41 of the Local Government Act 1999.
- 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 Operational 'business' focus on the following matters:
- Tenders
 - Projects
 - Legal Matters
 - Road Closures
 - Events
 - Traffic Management
 - Financial Management
 - Leasing/Licensing
 - Infrastructure
 - Community Liaison
 - Allocation & Delivery of Grants
 - Regulatory Function
 - Compliance
- 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 Operational 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 for a term of 1 year.



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 Operational 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 Operational 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 Operational Standing Committee Members is present.

11.4 Each Operational 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 Operational 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 Operational Standing Committee Member of the Committee for an honest act or omission by that Operational 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 Operational Standing Committee for consideration.

16 MINUTES OF THE COMMITTEE

16.1 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 Operational 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.
- 16.2 A letter of thanks from the Operational Standing Committee be sent to all organisations or individuals that make deputations to the Committee.



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 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.

21st March, 2019
Ref: AF11/1718



5.7 WORKS IN PROGRESS- REPORT NO. AR19/27224

Meeting:	Operational Standing Committee
Meeting Date:	11 June 2019
Report No.:	AR19/27224
CM9 Reference:	AF18/497
Author:	Daryl Morgan, Manager Engineering, Design and Contract Management
Authoriser:	Nick Serle, General Manager City Infrastructure
Summary:	This report is a summary of the works that are currently being undertaken and/or completed by the City Infrastructure Works Department
Community Plan Reference:	Goal 2: Our Location

REPORT RECOMMENDATION

1. That Operational Standing Committee Report No. AR19/27224 titled 'Works In Progress' as presented on 11 June 2019 be noted.



BACKGROUND

Works in progress and works completed are reported on a monthly basis to Council as part of the governance process to ensure planned and budgeted infrastructure works are completed in a timely manner

DISCUSSION

The following projects have field work currently in progress:

Commenced Tasks	% Completed
• Railway Station refurbishment – urgent works	40%
• Rail Trail shared path construction (Jub Hwy West to Wandilo Rd)	30%
• Laurie St road reconstruction	50%
• Kennedy Ave kerbing and road widening works	25%
• Ferraers St Footpath construction	20%
• Melalueca Shade structure	10%
• James St changing places / toilet facility	10%
• Bishop Rd – Kennedy Ave Staggered T junction preliminary works	5%
• Pinehall Ave footpath construction	80%

Completed Tasks

- Finch St road reconstruction
- Robin St road reconstruction
- Wireless Rd East / Crouch St North Drainage Improvement works

CONCLUSION

It is recommended that this report be received and noted for information by Council

ATTACHMENTS

Nil



5.8	REVOCATION OF COMMUNITY LAND CLASSIFICATION - MATHEW FLINDERS WAY AND WOODLANDS GROVE - MR VINCE VERSACE – REPORT NO. AR19/27937
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Committee:	Operational Standing Committee
Meeting Date:	11 June 2019
Report No.:	AR19/27937
CM9 Reference:	AF18/497
Author:	Tracy Tzioutziouklaris, Manager Development Services
Authoriser:	Barbara Cernovskis, General Manager Community Wellbeing
Summary:	To commence the process to transfer part of the land used as reserves associated with the development of Mathew Flinders Way and Woodlands Grove to the developer.
Community Plan Reference:	Goal 1: Our People Goal 2: Our Location Goal 3: Our Diverse Economy Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage



REPORT RECOMMENDATION

1. That Operational Standing Committee Report No. AR19/27937 titled 'Revocation of Community Land Classification - Mathew Flinders Way and Woodlands Grove - Mr Vince Versace' as presented on 11 June 2019 be noted.
2. The Section 194 Report prepared for the purpose of conducting public consultation on the community land revocation and transfer proposal for portions of Allotment 204 (Reserve) in deposited Plan 933848 and Allotment 1107 (Reserve) in deposited Plan 82423 as attached to Report No. AR19/19977 be endorsed.
3. A further report be presented for Council to consider any submissions received on the revocation of community land classification and transfer proposal for the reserves associated with Mathew Flinders Way and Woodlands Grove, and whether to submit a report seeking the minister's approval for the revocation.
4. In the event that no submissions are received (or no submissions are received objecting to the proposal), the Chief Executive Officer be authorised to submit a report seeking the Minister's approval for the revocation, and a further report be presented for Council to consider the Minister's response including, if favourable, consideration to the making of a resolution to revoke the classification of the subject lands as community land.
5. Further discussions be undertaken with the applicant (Mr Vince Versace) and the applicants representative (Cameron Lock Surveying) in relation to the value of the land to be transferred in association with the revocation proposal and the cost to Council of undertaking the transfer of land, with a view towards an understanding on suitable compensation being paid to Council and all costs and arrangement of documentation being the responsibility of the applicant or their representative including re-imbursement of any advertising, legal, conveyancing, surveying or any other expenses incurred by Council associated with the revocation process and any subsequent transfer.
6. Council consideration, endorsement and execution and settlement of any subsequent agreement anticipated by resolution (5) be subject to and subsequent to the Ministers approval of the community land revocation proposal (if granted) and a Council resolution to formally revoke the community land classification of the subject lands.



BACKGROUND

Council first considered this matter in August, 2018 during caretaker period in the lead up to the November 2018 Council elections. At this time Council determined to:

- “(b) support and agree in principal to the transfer of the land associated with the two reserves as proposed by Cameron Lock Surveying on behalf of Mr Vince Versace with all costs associated with the processing of such a request to be borne by the Applicant.*
- “(c) Council’s support and agreement to the transfer of land is subject to further negotiations in relation to the value of the land to be transferred and the cost to Council of undertaking the transfer of land, with suitable compensation being paid to Council.*
- “(d) The revocation of Community Land classification process commence at the conclusion of the 2018 Local Government Election process after caretaker mode.”*

The two reserves the subject of this report were created as part of the overall masterplan for the area commonly known as Mathew Flinders Way and Woodlands Grove.

These reserves were created as part of the land divisions and subsequent development of the area which has been undertaken over a number of years. If a land division is creating more than 20 allotments (where one of the allotments is less than one hectare), up 12.5% in area of the land which is being divided is to be vested in the council to be held as open space. Alternatively the Applicant is able to make a financial contribution instead of the provision of land. To be considered as open space the land is to be able to be used for active or passive recreation.

Subject to a number of design requirements, Council has allowed dual purpose of some open space reserves as stormwater retention basins.

DISCUSSION

Council must now determine whether it wishes to commence the process to revoke to community classification of the land prior to the proposed land swap and address the community land implications prior to being able to progress this matter.

Cameron Lock Surveying, on behalf of the land owner and developer, Mr Vince Versace has requested Council support an agreement regarding a proposal to buy back or swap land currently held by Council as two separate reserves to:

- Create a better finished form of development within the subject locality
- Enable the final layout of the remaining subdivision of land to achieve a better design outcome
- Provides for an improved finish to the reserve; and
- Improves the visual amenity and appearance of the whole area.

The letter outlining these reasons from Mr Versace is attached to this report for Members information and perusal.

In both cases, the land that has been transferred and vested to Council as part of the open space requirements have boundaries that do not align with the intended land uses of these parcels.

1. Reserve - Corner of Wireless Road West and Wehl Street North
Lot 204 in D93348



This reserve was created as part of the subdivisions within the subject locality, with the original part of the reserve created in 1997. Further land has been added to this reserve in 1999 and 2014 as part of the open space contribution relating to the development of this area. This reserve is intended to have a dual purpose of both a storm water retention basin and open space.

Due to the topography in the subject locality, the extension of this reserve to the north, creates a portion of the reserve with a steep incline that would be difficult to use and maintain.

2. Reserve - Woodlands Drive - Woodlands Retirement Village
Lot 1107 in D82423

The current reserve was created in 2006 as part of the Woodlands Retirement Village and amended in 2009 due to the creation of the road boundaries around the existing round about. The reserve contains a basin which is hydrologically linked with the Hallmont and Woodlands retention basins and was designed to cater for those and the current development to the south along Woodlands Drive

The Applicant is requesting Council's agreement to proceed with the proposed land swap. The costs associated in the exchange on land will be borne by the Applicant.

A detailed letter of proposal by Cameron Lock Surveying providing additional clarification of the proposed land swap is attached to this report for Members information.

It is considered that there is ample open space provided within the subject locality. Large open space reserves are located nearby, these being Corriedale Park, the reserve located adjacent to Mathew Flinders Way and the reserve located adjacent to O'Connor Drive (incorporating the skate park). In lieu of developing additional open space, Council could achieve more by requiring payment into the Open Space Fund and using these funds to enhance existing facilities to promote and encourage passive and active use of these reserves by the community. Nearby reserves within the subject locality are identified in the attached map.

The proposed land transfer involves land currently identified as community land.

Disposal (including transfer) of community land may only occur after revocation of its classification as community land. The process of revoking the community land classification is set out in Section 194 of the Local Government Act, 1999, and includes the following steps:

- The council must prepare and make publicly available a report on the proposal
- The council must follow the relevant steps set out in its public consultation policy
- The council-
 - Must submit the proposal with a report on all submissions made on it as part of the public consultation process to the Minister; and
 - If the Minister approves the proposal - may make a resolution revoking the classification of the land as community land.

Council would only be seeking to revoke the classification of the Community Land over the portion of the reserves to be transferred to Mr Vince Versace as part of his developments within the subject locality.

Some questions that need to be considered as part of this proposed include:

- What administrative contribution is proposed to reimburse the community resource (Officer time) to administer this process?
- What value proposition is proposed for the sale of land?
- What other community benefits are associated with the proposals that can be incorporated into the revocation proposal?



Some initial advice from Council's City Infrastructure team in relation to this proposed land transfer include:

1. The potential land buy back will not cause any concerns on the management of stormwater in the balance of the reserve as there is sufficient area to accommodate additional stormwater from the proposed land division in the remainder of the reserve.
2. There are minimal concerns regarding the small loss of community land as the slope of the land in this location limits its use and therefore it offers limited community benefit and limited potential benefit for community purposes.

Disposal (including transfer) of community land may only occur after revocation of its classification as community land. The process for revoking the community land classification is set out in Section 194 of the 1999 Act, and includes the following steps:

- *the council must prepare and make publicly available a report on the proposal*
- *at a minimum the council must follow the relevant steps set out in its public consultation policy*
- *the council:*
 - *must submit the proposal with a report on all submissions made on it as part of the public consultation process to the Minister; and*
 - *if the Minister approves the proposal - may make a resolution revoking the classification of the land as community land."*

In order to give effect to the intended action of undertaking the land swap a report be prepared for the purpose of commencing public consultation on the proposal.

It is proposed that public consultation on the proposal to revoke the classification as community land to facilitate the transfer of land comprise of, as a minimum:

- Writing directly and individually to those who live or own property in proximity to the affected land, particularly where the revocation is for the purpose of alienating open space currently available for recreational purposes
- Erection of a sign that explains the proposal and invites public submissions on the subject land
- Publication of a media article in the local newspaper or council's newsletter which identifies the land and explains the proposal and the public consultation process (particularly when the land is large or significant)
- Allowing a period longer than the minimum 21 days in which the public can make submissions. This may be important where the proposal involves a large or significant parcel of land, or it is known that people living outside of the council's area also use the land.

Including invitation to provide submissions on the proposal for a period of 28 days.

In the event that submissions objecting to the proposal are received, then a further report would be submitted to Council for consideration of the submissions received, and whether to proceed with submitting a proposal to the Minister seeking approval for the revocation.

Should no submissions be received, or no submissions objecting to the proposal, then the Chief Executive Officer will proceed immediately to prepare and submit a proposal to the Minister seeking approval for the revocation.

A report has been prepared for the purpose of conducting public consultation on the community land revocation proposal and is attached for Members information.



CONCLUSION

The purpose of this report is to seek Council support and agreement for the transfer of part of the land used as reserves associated with the development of Mathew Flinders Way and Woodlands Grove.

Further information and negotiations will need to be sought and undertaken to clarify the benefits and costs of undertaking this proposed land transfer, with suitable compensation being paid to Council, either in the form of the sale of the land and charges for Council resources in preparing the required documentation for this matter to proceed.

As this land is identified as Community Land, Council will need to proceed with the process to revoke the community land classification pursuant to Section 194 of the Local Government Act 1999 prior to being able to commence the process to transfer the land.

ATTACHMENTS

1. Reserves Proposal [↓](#)
2. Letter from Vince Versace [↓](#)
3. Reserves and Subdivison Plan [↓](#)
4. Matthew Flinders Way Reserves [↓](#)
5. Proposal for Revocation of Classification as Community Land - Wehl Street North, Mount Gambier and Woodland Drive, Mount Gambier [↓](#)



Refer: 26000

13th of June 2018

Mount Gambier City Council
Civic Centre
10 Watson Terrace
Mount Gambier SA 5290

Attention: Tracy Tzioutziouklaris

Dear Tracy,

**RE: Reserves on of Corner Wireless Rd West & Wehl St North
& Woodlands Drive (Retirement Village)
Allotment 204 in D93348 & Allotment 1107 in D82423**

We have been requested by Vince Versace to provide further information with regards to the 2 above mentioned reserves and the potential buy back or land swap of land currently held by the council as reserve. In both cases land has been vested with council for reserve purposes and the boundaries exceed or don't match with the intended land uses of these parcels.

Lot 204 in D93348 (Corner Wireless Rd West & Wehl St North)

The current reserve on the corner of Wireless Rd & Wehl St was created for the dual purpose of open space and storm water detention and disposal for the adjacent sub-division development. The original portion of reserve was created in 1997 with the development of Matthew Flinders Way and Wentworth Court and was added to by subsequent developments in 1999 and more recently in 2014 as part of the open space contribution scheme as can be seen in the below image.



The most recent addition to this reserve in D93348 was to achieve the minimum 12.5% open space requirement whilst not compromising the future extension of Wentworth Court. As a result the reserve extended up Wehl St North at a width of 36.81m until the 12.5% open space was achieved. In reality this portion of land takes in land which begin to rise up the hill and doesn't support the purpose of storm water storage for which was part of its dual purpose.

Discussions with Daryl Morgan and Simon Wiseman of the City Council have raised the potential for a buy back of the land to be developed in the next Stage rather than being maintained by council as Reserve. Furthermore we would like to put forward a proposal to create a landscaped rock wall on the Northern edge of the reserve to formalize the basin extents as per the existing basin along Woodlands Grove (pictured below).



We include below a proposal plan which demonstrates how the buyback of reserve land (lots 314 & 315) and the rock wall would integrate with a future proposed layout plan of this area. Lots 314 & 315 equal 1,901m².



The current reserve was created in 2006 as part of the creation of the woodlands retirement village and amended in 2009 due to the creation of the road boundaries about the existing round about. The reserve contains a basin which is hydrologically linked with the Hallmont and Woodlands Retention basins and was designed to cater for those and the current development to the south along Woodlands Drive.



The current extension to Woodlands Retirement village proposes to create 52 more retirement dwellings. As can be seen by the attached image below the layout of the development aims to avoid encroachment in the Southwest corner of this reserve. We have determined that the area labelled #2 in the diagram below is superfluous to developments needs and is better suited as reserve as much of the land is behind the existing timber fence. Area marked #1 is situated above the existing rock retaining wall and could be integrated into the retirement village with further carpark extension or community garden.



As such the proposal would be to do a land swap of parcel #1 and #2 and would be subject to a more detailed plan depicting site features and accurate measurements.

It would be appreciated if council could consider both proposals to rationalize each of the reserves and provide any feedback or further information required to make a decision. The costs associated in the exchange on land will be borne by the applicant

Please contact this office should you wish to discuss this matter further or seek clarification of this matter.

Yours faithfully,



Michael Cameron
Licensed Surveyor.





6th August 2018

Dear Tracey,

Our main objectives in relation to Reserve D93348 are

1. To make the corner of Wehl Street and Wireless Road more aesthetically pleasing and greatly improve the visual aspect of the area.
2. To make the continuation of Wentworth Court more easily accessible vehicular traffic and the blocks on the subdivision easier to build on.
3. We would also like to discuss with council if it would also be possible to plant trees and shrubs on the reserve to beautify and also enhance the rock wall that is proposed.

In addition to council transferring their land and entering into an agreement with us the benefits to the city would be

1. An excellent extension to Wentworth and Blaxland Court which would give the corner a huge uplift.
2. Enhance the "gateway" along Wehl Street to the hospital and our retirement villages.
3. Give council more rate revenue and also a saving in that there would be less grass cutting and upkeep in the years to come.
4. Will not affect the retention capacity of the stormwater basin.

I would be more than happy to discuss this proposal and meet on site with council representatives to further progress this suggestion. We are prepared to expend money and time on this project on receiving a favourable response from council as we see it as a huge benefit to the city.

We pride ourselves on the appearance of our subdivisions and we are confident that on completion this will be just as impressive.

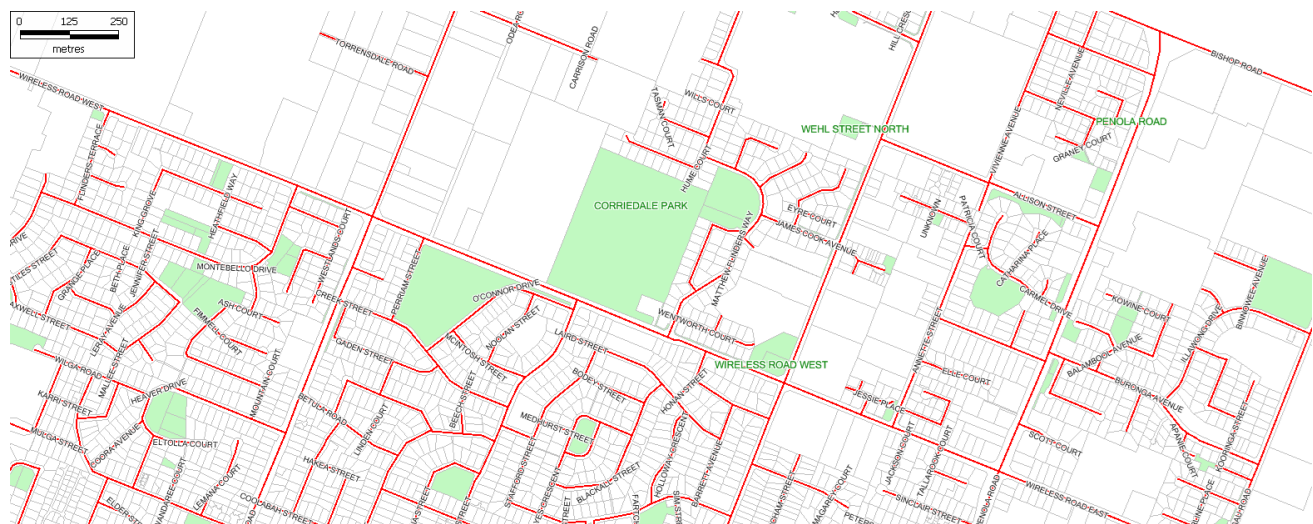
Kind Regards,

Vince Versace

Versace Home Builders







PROPOSAL FOR REVOCATION OF CLASSIFICATION AS COMMUNITY LAND
Lot 204 Wehl Street North, Mount Gambier – CT: 6136/677
Lot 1107 Woodlands Grove, Mount Gambier – CT: 6051/368
Section 194 Local Government Act 1999

REPORT

1. Reasons for the proposal

Council has been approached by Cameron Lock Surveying, on behalf of the land owner and developer, Mr Vince Versace requesting the transfer of portion of the freehold title of the property at Lot 204 Wehl Street North, Mount Gambier and a land swap involving portion of Lot 1107 Woodlands Grove, Mount Gambier.

The two reserves were created as part of the overall masterplan for the area commonly known as Mathew Flinders Way and Woodlands Grove. These reserves were created as part of the land divisions and subsequent development of the area which has been undertaken over a number of years.

The revocation of the land will better facilitate and complete the development of the subject locality.

Both properties are classified as community land (reserve) in accordance with the provisions of the Local Government Act 1999.

It is necessary to revoke the classification as community land before the land is able to be transferred to Mr Vince Versace, the property developer of the subject locality.

2. Statement of any Dedication, Reservation or Trust

- (i) The subject property being Allotment 204 in Deposited Plan 93348 is contained within Certificate of Title Volume 6136 Folio 677 and is registered in the name of the City of Mount Gambier.

This land was granted to Council as part of the land division of the area and was dedicated as reserves for both open space and stormwater drainage purposes, with the original part of the reserve created in 1997. Further land has been added to the reserve in 1999 and 2014, as part of the open space contribution requirement associated with the land divisions Development Applications relating to the development of this area.

- (ii) The subject property being Allotment 1107 in Deposited Plan 82423 is contained within Certificate of Title Volume 6051 Folio 368 and is registered in the name of the City of Mount Gambier.

This land was created in 2006 as part of the creation of the Woodlands Retirement Village and amended in 2009 due to the creation of the round boundaries of the existing round about. The reserve contains a stormwater basin which is hydrologically linked with the Hallmont and Woodlands Grove retention basins and was designed to cater for the stormwater management of the development of the subject locality.

In both cases, the land that has been transferred and vested to Council and are now dedicated reserves to satisfy the requirement of the open space provisions of the Development Act 1993 and to form part of the stormwater management infrastructure.



3. Purpose of Proposal

To enable the transfer of portion of the subject property at Lot 204 Wehl Street North, Mount Gambier and to undertake a land swap associated with portion of Lot 1107 Woodlands Grove, Mount Gambier to Mr Vince Versace.

- (i) Allotment 204 in Deposited Plan 93348, Certificate of Title Volume 6136 and Folio 677

This land will be disposed of to facilitate the future development of the area for private residential development and to create a public open space reserve that can be used as intended and be managed and maintained efficiently by Council.

- (ii) Allotment 1107 in Deposited Plan 82423 is contained within Certificate of Title Volume 6051 Folio 368

This land transfer/swap is to better facilitate the private development of the adjoining land and to create a reserve that will be better presented within the subject locality and be used by the community.

4. Affect of the Proposal

The land was granted to Council as part of the land division of the area and dedicated as reserves. The reserve was created as part of the subdivisions within the subject locality, with the original part of the reserve created in 1997. Further land has been added to the reserve in 1999 and 2014, as part of the open space contributions relating to the development of this area. These reserves were intended to have a dual purpose of both a stormwater retention basin and open space. The City of Mount Gambier has been responsible for the maintenance and management of the subject properties since 1997.

- (i) Allotment 204 in Deposited Plan 93348, Certificate of Title Volume 6136 and Folio 677

To achieve the required minimum 12.5% of open space associated with the subdivision of this area, additions have been made to this reserve over time in an ad hoc manner. The end result creates a portion of reserve which is on land with a steep slope and would be unlikely to be meaningfully used by the community for recreational purposes and cannot be used for the management and disposal of stormwater. Concerns have been identified for the ongoing management and maintenance of this reserve in a cost effective manner for Council.

The buy back of portion of this land will create a development with a reserve that will be better presented and improve the character and amenity of the surrounding locality. It will also create a reserve that can be better managed and maintained by Council.

A community Land Management Plan was adopted for Lot 204 Wehl Street North, Mount Gambier (Asset 384) in April 2003, with the following description, purpose and objectives:

General Description:

Open drainage reserve.

Purpose of Land:

To provide for stormwater retention and discharge.



Objectives of Land:

To provide an area of reserved land that may be utilised for future community needs of a recreational nature.

To provide a mix of trees/shrubs and open grass land.

To provide for stormwater drainage.

Location Map - Lot 204 Wehl Street North, Mount Gambier and Lot 1107 Woodlands Grove, Mount Gambier



Photograph - Lot 204 Wehl Street North, Mount Gambier



Proposed Plan of development for Lot 204 Wehl Street North, Mount Gambier



- (ii) Allotment 1107 in Deposited Plan 82423 is contained within Certificate of Title Volume 6051 Folio 368

This reserve was created in 2006 as part of the creation of the Woodlands Retirement Village and amended in 2009 due to the creation of the road boundaries around the existing round about. The reserve contains a basin which is hydrologically linked with the Hallmont and Woodlands Retention basins and was designed to cater for those and the current development to the south along Woodlands Drive.



It is proposed to undertake a land swap with land associated with this reserve. As illustrated in the proposed plan below the area labelled #2 in the diagram as follows, is superfluous to the development of the area and would be better suited as part of the existing reserve and the land is behind the existing timber fence associated with the reserve. The area marked #1 is situated above the existing rock retaining wall and could be integrated into the retirement village with a further extension to the carpark or a community garden.

The impact of this transfer of this land as part of a land swap would be to better facilitate the development of the area and to improve the character and amenity of the subject locality.

A community Land Management Plan was adopted for Lot 1107 Woodlands Grove, Mount Gambier (Asset 539) in July 2011, with the following description, purpose and objectives:

General Description:

Open drainage reserve.

Purpose of Land:

To provide for stormwater retention and discharge.

Objectives of Land:

To provide an area of reserved land that may be utilised for future community needs of a recreational nature.

To provide a mix of trees/shrubs and open grass land.

To provide for stormwater drainage.

Photograph - Lot 1107 Woodlands Grove, Mount Gambier



Proposed Plan of Development for Lot 1107 Woodlands Grove, Mount Gambier



Both reserves are currently used by the community, mainly residents within the subject localities for passive recreation and stormwater management. No structures have been constructed on the land to facilitate the better use and enjoyment of these reserves.

The amendments to the reserves are minor in nature and are unlikely to impact on the use of these reserves by the community. The proposed revocation of community land will also help to facilitate the completion of the development of the area which will improve the amenity and appearance of the existing reserves.

The proposed revocation of land will also help Council to effectively manage and maintain the reserves cost effectively.

Sufficient open space is also provided nearby within the subject locality which is easily accessible for the local residents.

5. Owner of the Land

The subject properties are owned by the City of Mt Gambier.

7. Statement

No government assistance has been given to facilitate to acquisition of the land.

All proceeds gained by Council for the acquisition of the land is to be retained within Council's Open Space Fund/Trust for the future development of reserves and open space within the City of Mount Gambier for the use and enjoyment of the community of the City of Mount Gambier.

Council's Open Space Fund/Trust is used by Council to develop and provide open space facilities in a coordinated and planned manner and to upgrade existing reserves within the City of Mount Gambier.

6 URGENT MOTIONS WITHOUT NOTICE



7 CONFIDENTIAL ITEMS

7.1 ENGAGEMENT OF LEGAL REPRESENTATION FOR APPEAL TO THE ENVIRONMENT RESOURCES AND DEVELOPMENT COURT - DEVELOPMENT APPLICATION 381/0334/2018 - 1 PICK AVENUE, MOUNT GAMBIER - MOUNT GAMBIER AGRICULTURAL AND HORTICULTURAL SOCIETY INC. – REPORT NO. AR19/27812

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Operational Standing Committee orders that all members of the public, except Mayor L Martin Councillors C Greco, S Perryman, P Jenner and K Amoroso and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle, P Lee, T Tzioutziouklaris and A Lavia be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.1 AR19/27812 Engagement of legal representation for appeal to the Environment Resources and Development Court - Development Application 381/0334/2018 - 1 Pick Avenue, Mount Gambier - Mount Gambier Agricultural and Horticultural Society Inc.

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

- 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
- legal advice

The Operational 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 This report relates to the engagement of legal representation in relation to an appeal lodged with the Environment, Resource and Development Court, by the Mount Gambier Agricultural and Horticultural Society. The appeal relates to a decision of the Council Assessment Panel made on 21 February 2019 regarding Development Application 381/0334/2018.

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 AR19/27812 Engagement of legal representation for appeal to the Environment Resources and Development Court - Development Application 381/0334/2018 - 1 Pick Avenue, Mount Gambier - Mount Gambier Agricultural and Horticultural Society Inc. 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) (g) and (h) be kept confidential and not available for public inspection until When the issue is no longer in the court system..
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*.

F

8 MEETING CLOSE



COMMITTEE MINUTES

AND

REPORTS / ATTACHMENTS

RECOMMENDATION

That the minutes of the Operational Standing Committee meeting held on 14 May 2019 be confirmed as an accurate record of the proceedings of the meeting.

MINUTES OF City of Mount Gambier
Operational Standing Committee Meeting
HELD AT THE Committee Room, Level 1, Civic Centre, 10 Watson Terrace, Mount Gambier ON
Tuesday, 14 May 2019 AT 5.45 p.m.

PRESENT: Cr Christian Greco (Presiding Member), Cr Steven Perryman, Mayor Lynette Martin (OAM), Cr Paul Jenner, Cr Kate Amoroso, Cr Paul Jenner (via teleconference)

IN ATTENDANCE: Cr Frank Morello (arrived at 6.05 p.m.), Cr Sonya Meziniec (arrived at 6.06 p.m.)

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
Manager Development Services	- Mrs T Tzioutziouklaris
Executive Administration Officer	- Mrs M Telford

1 ACKNOWLEDGEMENT OF COUNTRY

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

2 APOLOGY(IES)

Nil

3 CONFIRMATION OF MINUTES**COMMITTEE RESOLUTION**

Moved: Cr Christian Greco

Seconded: Cr Kate Amoroso

That the minutes of the Operational Standing Committee meeting held on 9 April 2019 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 QUESTIONS WITHOUT NOTICE

Nil

5 REPORTS

5.1 DRIFT CHALLENGE AUSTRALIA - KING OF THE HILL NATIONAL DRIFT EVENT 2019 - VALLEY LAKE - 25/10/2019 - 27/10/2019

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Kate Amoroso

1. That Operational Standing Committee Report No. AR19/15593 titled 'Drift Challenge Australia - King of the Hill National Drift Event 2019 - Valley Lake - 25/10/2019 - 27/10/2019' as presented on 14 May 2019 be noted.
2. That Council approve the closure of the Valley Lake precinct from Thursday, 24 October 2019 to Monday, 28 October 2019 inclusive to allow for the event to be held.
3. That Council provide in-kind support up to the value of \$2,000 to assist with closure of the Valley Lake precinct, track sweeping, waste management, grandstands and fencing.
4. That approval is conditional upon an appropriate Risk, Safety and Traffic Management plan, receipt of a Certificate of Currency for Public Liability insurance to be provided at least two months prior to the event and all approvals received from relevant authorities.

CARRIED

5.2 CHANGE PARKING FROM 15 MINUTES TO 1 HOUR ON MITCHELL STREET (EASTERN SIDE)

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Paul Jenner

1. That Operational Standing Committee Report No. AR19/15941 titled 'Change Parking from 15 Minutes to 1 Hour on Mitchell Street (Eastern Side)' as presented on 14 May 2019 be noted.
2. The Traffic impact statement attached to the Operational Standing Committee Report No. AR19/15941 be endorsed by Council.
3. The City of Mount Gambier, pursuant to Ministerial delegation rescind resolution number 3.5.097.
4. The City of Mount Gambier, pursuant to Ministerial delegation resolves the following
Prohibited Area 1 HOUR PARKING
3.3.209
MITCHELL STREET (EASTERN SIDE) - from 10.0 metres south of Percy Street to 26.2 metres south of Percy Street to apply between 8.00am and 4.00pm. Monday to Friday and 8.00am to 12noon Saturdays.
to be effective on the installation of appropriate signage.

CARRIED

5.3 WORKS IN PROGRESS

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Steven Perryman

1. That Operational Standing Committee Report No. AR19/17336 titled 'Works In Progress' as presented on 14 May 2019 be noted.

CARRIED

5.4 2 YEARLY SUPPLY CONTRACTS FOR CITY INFRASTRUCTURE WORKS

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Kate Amoroso

1. That Operational Standing Committee Report No. AR19/17385 titled '2 Yearly supply Contracts for City Infrastructure Works' as presented on 14 May 2019 be noted.
2. The following 2 yearly tenders be awarded to the following contractors:
 - (a) Tender AF18/419 Supply and placement of Asphalt (hotmix) be awarded to Gambier Earth Movers
 - (b) Tender AF18/426 Supply and delivery of pre-mixed Concrete be awarded to Hanson Construction Materials Pty Ltd
 - (c) Tender AF18/415 Supply and placement of bitumen Surfacing be awarded to Gambier Earth Movers
 - (d) Tender AF18/423 Supply and delivery of crushed rock be awarded to Gambier Earth Movers
 - (e) Tender AF18/427 Supply and delivery of graded limestone rubble be awarded to Gambier earth Movers
 - (f) Tender AF18/418 Line marking Services be awarded to Action Line Marking

CARRIED

5.5 SPONSORED EVENTS - CONTRIBUTIONS TO ECONOMIC DEVELOPMENT

COMMITTEE RESOLUTION

Moved: Cr Steven Perryman

Seconded: Cr Christian Greco

1. That Operational Standing Committee Report No. AR19/21388 titled 'Sponsored Events - Contributions to Economic Development' as presented on 14 May 2019 be noted.
2. That the contributions of Events and support staff be acknowledged.
3. As part of next month's Committee Meeting a small workshop be incorporated to discuss the information provided in the report.

CARRIED

6 MOTIONS WITHOUT NOTICE

Nil

7 CONFIDENTIAL ITEMS**7.1 DEPUTATION - BLUE LAKE GOLF CLUB – REPORT NO. AR19/22761****COMMITTEE RESOLUTION**

Moved: Cr Christian Greco

Seconded: Cr Steven Perryman

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Operational Standing Committee orders that all members of the public, except Mayor L Martin, Councillors S Perryman, C Greco, P Jenner, K Amoroso, S Mezinac, F Morello and Council Officers G Maxwell, N Serle, B Cernovskis, P Lee, J Nagy, T Tzioutziouklaris and M Telford and Blue Lake Golf Club representatives Gary Stevens, Shane Fenwick, Rhonda Ferguson, Steve Smith and Peter Sealey be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.1 AR19/22761 Deputation - Blue Lake Golf Club.

The Operational Standing Committee is satisfied that, pursuant to section 90(3) (d) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- 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

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

The Operational 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 To consider the Blue Lake Golf Clubs 3 year business plan including anticipated revenues and expenses and 3rd party arrangements, the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information or confer a commercial advantage on a third party, and by potentially jeopardising the proposed arrangements would, on balance, be contrary to the public interest..

CARRIED

Representatives of Blue Lake Golf Links spoke at 6.10 p.m.

Cr Amoroso left the meeting at 7.10 p.m.

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Steven Perryman

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 AR19/22761 Deputation - Blue Lake Golf Club 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) (d) be kept confidential and not available for public inspection until Public release of the Business Plan by the Blue Lake Golf Club.
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*.

CARRIED

Cr Morello left the meeting at 7.20 p.m.

7.2 SIR ROBERT HELPMANN THEATRE AND CIVIC CENTRE: FIRE DETECTION AND EMERGENCY SYSTEM UPGRADE – REPORT NO. AR19/19553**COMMITTEE RESOLUTION**

Moved: Cr Christian Greco

Seconded: Cr Steven Perryman

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Operational Standing Committee orders that all members of the public, except Mayor L Martin, Councillors S Perryman, C Greco, P Jenner, K Amoroso, S Mezinec, F Morello and Council Officers G Maxwell, N Serle, B Cernovskis, P Lee, J Nagy, T Tzioutziouklaris and M Telford be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.2 AR19/19553 Sir Robert Helpmann Theatre and Civic Centre: Fire Detection and Emergency System Upgrade.

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

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

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

The Operational 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 To enable a discussion without prejudicing the commercial position of Council..

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 7.2 AR19/19553 Sir Robert Helpmann Theatre and Civic Centre: Fire Detection and Emergency System Upgrade 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) be kept confidential and not available for public inspection until 29 April 2020.
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*.

CARRIED

8 MEETING CLOSE

The Meeting closed at 7.25 p.m.

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

.....
PRESIDING MEMBER