MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY 17 APRIL 2019 AT 6.32PM IN THE COUNCIL CHAMBERS, 115 ELLEN STREET, PORT PIRIE.

Acknowledgement of Country
We acknowledge and respect the traditional custodians whose ancestral lands we are meeting upon here today.

1.0 PRESENT: His Worship the Mayor L Stephens, Crs A Zubrinich, D Gadaleta, M Hopgood, K Jackson, N Wilson, A Gulin and M Perks.

Peter Ackland, Chief Executive Officer; K Johnson, Director Infrastructure; G McKenzie, Director Development & Regulation; James Holyman, Director Corporate & Community; K Carmody, Executive Assistant and K Clonan, Personal Assistant.

Media: Nil Gallery: 12

2.0 APOLOGIES: Crs J Connor and J Keain

3.0 MINUTES – CONFIRMATION OF:

3.1 Ordinary Meeting of Council held on 27 March 2019

MOVED Cr Zubrinich SECONDED Cr Hopgood

OM118/19 That the Minutes of the Ordinary Meeting of Council held on 27 March 2019 be received and confirmed.

CARRIED

4.0 MATTERS ARISING FROM MINUTES: Nil

5.0 DECLARATION OF INTERESTS:

5.1 Mayor Stephens declared a perceived interest in item 15.4.2 CAF 38-19 – Make A Wish Port Pirie Branch in that his wife is a Member of Make A Wish and will leave the meeting while this matter is discussed and resolved.

5.2 Cr Hopgood declared an actual interest in item 17.2 Rates Objection Status Update in that he is the Branch Organiser of the Australian Workers Union and represents Union members who are employed by the rate payer identified within the report and given he is required to have a professional engagement with the named rate payer on an ongoing basis, the information to be discussed could compromise that engagement. Cr Hopgood will leave the meeting while this matter is discussed and resolved.

5.3 Cr Gulin declared an actual interest in item 15.1.3 2019 State Tourism Conference in that Council will be voting on her attendance at the Conference paid for by Council and will leave the meeting while this matter is discussed and resolved.

5.4 Cr Gulin declared a material interest in item 17.1 Request for Short Term Extension of Lease in that her husband works for the Lessee concerned and will leave the meeting while this matter is discussed and resolved.

5.5 Cr Gulin declared a material interest in item 17.2 Rates Objection Status Update in that her husband works for the Company concerned and will leave the meeting while this matter is discussed and resolved.

6.0 MEMBERS’ REPORTS:

6.1 Mayoral Report

MOVED Cr Hopgood SECONDED Cr Gulin

OM119/19 That the Mayoral Report be received, the contents noted and the attendance of the Mayor and Mayoress at meetings and functions be endorsed.

CARRIED
6.0 MEMBERS’ REPORTS: (Cont’d)

6.1 Mayoral Report (Cont’d)

Thursday 21 March 2019
- Attended NBN Strategic Roundtable Forum – Wallaroo
- Attended RDA Yorke & Mid North Regional Networking Dinner – Wallaroo

Friday 22 March 2019
- Interview ABC Radio re Upper Spencer Gulf Federal Election Launch
- Attended Media for $3 million Federal Government Grant for Willochra Home – Crystal Brook – Pam Charnock General Manager

Monday 25 March 2019
- Attended Upper Spencer Gulf Federal Election Strategy Media Launch – Port Augusta
- Lunch & Meeting with PMH Insights re Business Intelligence - Port Pirie Project Kick-Off Presentation
- Meeting with Emmanuel Skorpos, Flinders Run re Proposed Winery/Cellar Door Project

Thursday 28 March 2019
- Attended Celebrating SA’s Cultural Diversity and Presentation of 2018 Multicultural Awards as guest of the Governor of SA the Hon Hieu Van Le AC

Wednesday 27 March 2019
- Meeting with the Hon Stephan Wade, Minister for Health & Wellbeing – Port Pirie
- Attended Economic Development Planning Meeting with the Hon Geoff Brock, RDA Yorke & Mid North & Council
- Meeting with Archie Pittaway - Mildwater Lawyers re Sale of Land
- Chaired Ordinary Meeting of Council

Thursday 28 March 2019
- Attended BPP Monthly Meeting
- Interview Southern Cross Television re Council Meeting
- Rotary Club of Port Pirie - Guest Speaker

Friday 29 March 2019
- Attended Women’s Football League Grand Final between Lions & Orroroo – Crystal Brook

Saturday 30 March 2019
- Relay for Life Guest Speaker at Official Opening
- Participated in Relay for Life Candlelight Ceremony

Sunday 31 March 2019
- Attended Elected Member/Director Regional Bus Tour
- Attended Sports Precinct Community Open Day & Unveiled Plaque
- Attended Port Pirie Croquet Clubhouse Official Opening
- Attended Port Pirie Bowls Season Official Opening

Monday 1 April 2019
- Attended Strategic Planning Meeting with the Hon Geoff Brock, RDA Yorke & Mid North & Council
- Interview TraxFM Radio re Council Meeting
- Meeting with representatives of “No Dump Alliance”
- Attended State Commission Assessment Panel Forum re Crystal Brook Energy Park
- Interview Seven Spencer Gulf, Dominic Beaton re Crystal Brook Energy Park

Wednesday 3 April 2019
- Attended Regions Rising National Summit – Canberra
- Chaired Spencer Gulf Cities Meeting - Canberra

Thursday 4 April 2019
- Attended Regions Rising National Summit – Canberra

Saturday 6 April 2019
- Attended State Masters Games Athletes March, Official Opening VIP & Community event

Sunday 7 April 2019
- Attended Mid North Archers Indoor Range Official Opening
6.0 MEMBERS’ REPORTS: (Cont’d)

6.1 Mayoral Report (Cont’d)
Monday 8 April 2019
- Hosted Mayoral Reception for Kellie Martlew to acknowledge her achievements at the Special Olympics World Games held in Abu Dhabi
Tuesday 9 April 2019
- Meeting with Ray Walters re Smelter’s Picnic
- Meeting with James Holyman, Director Corporate & Community re Flinders Uni Group – Youth Expectations
- Meeting with Reg Smyth CEO Pirie Meats, the Hon Geoff Brock, RDA Yorke & Mid North and Council re Service Processing Abattoir for the Port Pirie Region
- Meeting with Ian Eberhard and Peter Standen - Y’s Men’s Club Port Pirie & CEO re Junior Soccer
- NDIS Follow Up Discussion with the Hon Geoff Brock, RDA Yorke & Mid North & Council
Wednesday 10 April 2019
- Attended Aboriginal Community Action Group Meeting – Port Pirie
- Meeting with Charlie Barton re Various Issues
- Attended Primary Industries Portfolio Meeting – Crystal Brook
- Attended Council’s Strategic Planning Workshop – Crystal Brook

6.2 Members’ Reports

MOVED Cr Zubrinich SECONDED Cr Gulin
OM120/19 That the Members’ written Reports contained in the agenda be received, the contents noted and the attendance of the Members at meetings and functions be endorsed.
CARRIED

Cr Connor
29/03/19 Met Lee Kirchner & Matt Cooper regarding communications
31/03/19 District tour with Council – Crystal Brook & Redhill
31/03/19 Attended Sports Precinct opening
02/04/19 Met school principals regarding potential communications project
02/04/19 Met Kylie & Mark Phillips (Federal Hotel) plus Grant McKenzie along with SBP members to discuss carpark proposal & footpath issue
05/04/19 Met RDA & UCSA regrading NDIS
08/04/19 Met Belinda Jackson regarding communications portfolio
10/04/19 SBP meeting
10/04/19 Met James & Ali re Tourism & Events portfolio
10/04/19 Strategic Workshop
11/04/19 TiCSA event with James

Cr Gulin
27/03/19 PPRC Ordinary Meeting
29/03/19 Crystal Brook Women’s Football Grand Final
31/03/19 Regional Bus Tour
31/03/19 Sports Precinct open day
01/04/19 Crystal Brook Community Association Meeting
02/04/19 Pirie Districts Development Association Town Plan
04/04/19 Public Art Select Group Meeting
06/04/19 Masters Games Opening Ceremony
10/04/19 Tourism & Events Portfolio Meeting
10/04/19 PPRC Strategic Workshop

Cr Hopgood
31/03/19 Regional Tour
31/03/19 Community Opening of Sports Complex
02/04/19 PPDA Meeting
6.0 MEMBERS’ REPORTS: (Cont’d)

6.2 Members’ Reports (Cont’d)

Cr Jackson
25/03/19 Business Intelligence session PPRC
   Masters Games Working Group
26/03/19 Friends of the PPRAG meeting
   Represented Mayor at St Mark’s College McNally Farm BBQ
27/03/19 Port Pirie HAC meeting with Health Minister Wade
   Ordinary Meeting of Council
31/03/19 PPRC Regional Bus Tour pt 2
02/03/19 PDDA Workshop at Napperby
03/03/19 Represented Mayor and opened Pt Pirie Ladies Golf Competition
04/03/19 Registration Hub welcoming Masters Games competitors
   Public Art Select Group Meeting
05/03/19 Registration Hub welcoming Masters Games competitors
08/03/19 Mayoral Reception to congratulate Kellie Martlew
10/03/19 Primary Industries portfolio
   Strategic Workshop at RSL Crystal Brook

Cr Keain
23/03/19 Breakfast with the Crystal Brook Men’s Shed group
26/03/19 Friends of the PP Art Gallery monthly meeting
27/03/19 PPRC Ordinary Meeting
29/03/19 Attended the opening of the Sports Exhibition at the PP Art Gallery
31/03/19 Council Tour of Crystal Brook and Redhill Public Open Day of the PP
   Sports Precinct
02/04/19 Pirie Districts Development Association Community Forum at Napperby
05/04/19 CB Debutante Ball
06/04/19 Masters Games Opening Dinner
08/04/19 Koolunga Development Association monthly meeting
10/04/19 Primary Industries Portfolio Meeting Strategic Workshop at CB RSL

Cr Zubrinich
28/03/19 Met with residents of Raellei Community in Middleton St with Unity
   Housing and Director of Corporate & Community
29/03/19 Accepted Grant from Minister for Aging Well - Minister Wade $24,800
   for our region.
31/03/19 Bus Tour of region with Elected Members and staff.
01/04/19 Meeting with Mayor, CEO & Hon Mr Brock re NDIS issues.
01/04/19 Meeting re PRX Train
02-05/04/19 Travel to Canberra Regional Summit with Mayors form the Upper
   Spencer Gulf. Great opportunity to lobby regional issues for PPRC.
05/04/19 Masters Games opening and Dinner
08/04/19 Meeting with Pirie Lifestyle residents re Your Life – Your Say launch.
08/04/19 Mayors reception for Kelli Martlew
09/04/19 IV with Southern Cross news re Your Life – Your Say initiative.
09/04/19 Further meeting with CEO RDAYMN, Mayor, CEO PPRC & Hon Mr
   Brock re NDIS issues.
10/04/19 Meeting with Mayor and local stakeholders for Aboriginal Community
   Action Group (ACAG)
10/04/19 Strategic Workshop at Crystal Brook
11-12/04/19 LGA meeting and showcase with Mayor and CEO
17/04/19 Ordinary Meeting of Port Pirie Regional Council

7.0 QUESTIONS WITH NOTICE:

7.1 Public Question Time: Nil

7.2 Questions with Notice: Nil
8.0 QUESTIONS WITHOUT NOTICE: Nil

9.0 DELEGATIONS/INTERVIEWS:
9.1 Licence Agreement – Spencer Gulf Football League
Spencer Gulf Football League representatives attended the meeting with regard to Item 15.1.1.

10.0 NOTICE OF MOTION:
10.1 Celebration of the 125th Anniversary of Women’s Suffrage
MOVED Cr Jackson SECONDED Cr Gulin
OM121/19 That Council include the Celebration of the 125th Anniversary of Women’s Suffrage in its Budget and run the event as a Council event.
CARRIED

11.0 MOTION WITHOUT NOTICE:
11.1 Drought Relief Funding
MOVED Cr Wilson SECONDED Cr Zubrinich
OM122/19 That Council again communicate with the Federal and State Ministers of Agriculture expressing our extreme disappointment at not being included in the second round of Drought Relief Funding. Our Council is the only agricultural area in the North of South Australia not to receive funding. Every Council surrounding us has received funding and we ask that this anomaly be rectified and Drought Relief Funding be approved for our Council.
CARRIED

MOVED Cr Gulin SECONDED Cr Hopgood
OM123/19 That Council also request that the Ministers of Agriculture reassess the criteria used for future droughts to prevent this anomaly happening again.
CARRIED

12.0 COUNCIL COMMITTEES:
12.1 Audit Committee
MOVED Cr Gadaleta SECONDED Cr Hopgood
OM124/19 That the Minutes of the Audit Committee meeting held on 26 March 2019 be received.
CARRIED

Audit Committee Terms of Reference
MOVED Cr Hopgood SECONDED Cr Gadaleta
OM125/19 That Council endorse the Audit Committee’s recommendation to adopt the Committee’s Terms of Reference with the following changes:
1. NAME – Audit and Risk Management Committee
4.7 INDEPENDENT MEMBERS – Council shall appoint the Chairperson from the independent members on the Committee
7.1 MEETINGS – Meet at least three (3) times a year.
CARRIED

External Audit Report EOY 2018
MOVED Cr Wilson SECONDED Cr Gadaleta
OM126/19 That Council note the Audit Committee’s advice that:
1. following the on-site audit for the end of year 2018 by the external auditor Ian McDonald, the Audit Opinion had been signed without qualification and there were no matters that needed to be reported to the Minister;
2. there were no matters arising from the Balance Day audit letter; and;
3. a review of the external audit service has been completed and that there were no issues raised.
CARRIED
12.0 COUNCIL COMMITTEES: (Cont’d)
12.1 Audit Committee (Cont’d)
Finance Policy Review

OM127/19 Moved Cr Hopgood Seconded Cr Jackson
That Council:

a) note the Audit Committee’s advice that it has reviewed the following Governance policies:
   I. Asset Accounting Policy
   II. Financial Reserves Policy
   III. Funding Policy; and

b) endorse the Committee’s recommendation to adopt of the policies.

CARRIED

Treasury Management

OM128/19 Moved Cr Gadaleta Seconded Cr Gulin
That Council endorse the Audit Committee’s recommendation that:

a) the Treasury Management Performance Report with the minor amendment of:
   Clause 3.2.1 – Fixed Interest Rate Borrowings the percentage be amended from 30% to 20% to reflect the status of the current loan portfolio with low fixed interest loans be adopted; and

b) acknowledge that the policy will undergo a comprehensive review this year.

CARRIED

12.2 Public Art Selection Group

OM129/19 Moved Cr Gadaleta Seconded Cr Jackson
That the Minutes of the Public Art Selection Group meeting held on 4 April 2019 be received.

CARRIED

Budget Allocation

OM130/19 Moved Cr Jackson Seconded Cr Perks
That Council endorse the Public Art Selection Group’s recommendation that $60,000 be allocated for Public Art annually as part of the 2019/20 budget deliberations.

Amendment

OM131/19 Moved Cr Wilson Seconded Cr Zubrinich
That this matter be deferred and that management bring back a report on how the public art and event budget can be improved to include an allocation for the Public Art Selection Group.

The Mover and Seconder sought leave of the meeting to withdraw the amendment. Leave was granted. The amendment was withdrawn.

The original motion was put and was CARRIED.

13.0 PETITIONS: Nil

14.0 MATTERS LAYING ON THE TABLE: Nil

15.0 OFFICERS’ RECOMMENDATION REPORTS:
15.1 CHIEF EXECUTIVE OFFICER

OM131/19 Moved Cr Hopgood Seconded Cr Zubrinich
That the Chief Executive Officer’s recommendation reports be received.

CARRIED
15.0 OFFICERS’ RECOMMENDATION REPORTS: (Cont’d)

15.1 CHIEF EXECUTIVE OFFICER (Cont’d)

15.1.1 Licence Agreement – Spencer Gulf Football League

OM132/19

1. That Council offer a Licence to the Spencer Gulf Football League for the use of identified facilities at the Memorial and Pirie West Ovals for the 2019 football season on the basis of past resolutions of Council on this matter, and with the inclusion of the shared office on the ground floor of the Function Centre on a non exclusive priority use basis.

2. That the Chief Executive Officer be authorised to prepare and sign said Licence.

CARRIED

15.1.2 Local Government Reform – LGA Discussion Paper

OM133/19

That Council support the range of reforms proposed by the Local Government Association contained in its discussion paper dated March 2019 and also contained in the agenda report as a starting point for the Association’s discussion with the State Government and Parliament.

CARRIED

Cr Gulin declared an actual interest in item 15.1.3 (refer to 5.3) and left the meeting at 7.40pm

15.1.3 2019 State Tourism Conference

OM134/19

That Councillors Connor and Gulin attend the 2019 State Tourism Conference being held in Adelaide on 28 and 29 May in their capacity as members of the Tourism and Events portfolio.

CARRIED

Cr Gulin returned to the meeting at 7.41pm.

15.2 DEVELOPMENT & REGULATION

OM135/19

That the Director Development & Regulation’s recommendation report be received.

CARRIED

15.2.1 Dog Registration Fees 2019/20

OM136/19

That Council endorse the dog registration fees for 2019/20 as contained in the agenda, noting no increase in fees from the previous year.

CARRIED

15.3 INFRASTRUCTURE

OM137/19

That the Director Infrastructure’s recommendation reports be received.

CARRIED

15.3.1 Designated Smoking Areas at Sports Precinct

OM138/19

That Council acknowledge the areas already identified as smoking areas at the December 2018 Ordinary Meeting of Council as:
- Adjacent to the public amenities on Memorial Drive
- Adjacent to the public amenities on Gertrude Street
15.0 OFFICERS’ RECOMMENDATION REPORTS: (Cont’d)

15.3 INFRASTRUCTURE  (Cont’d)

15.3.1 Designated Smoking Areas at Sports Precinct (Cont’d)

With particular reference to Council’s By-Law No 3, it is recommended that smoking be restricted to the additional areas at the Sports Precinct as follows:

- Adjacent to the public amenities near the entrance to the Function Centre
- Adjacent to service access driveway at the Aquatic and Leisure Centre

That Council review the decision to allocate the identified smoking areas in six months time.

CARRIED

15.3.2 Opening Times of Memorial Oval

MOVED Cr Jackson  SECONDED Cr Hopgood

OM139/19

That the gates to Pirie West Oval be open during normal Council operating hours and when the Function Centre is open to allow general public access.

It is noted the ovals may be used inside and outside of these times by licensed users and it is outlined in their licence agreements their permissions for use including responsibility for unlocking and locking the facility.

That Memorial Oval be open for general public use on a trial basis with opening and closing times of 6am to 10pm 7 days a week for a period of 6 months.

CARRIED

15.3.3 Nature Play Space at Bowman Park

MOVED Cr Gulin  SECONDED Cr Hopgood

OM140/19

That Council acknowledge the work of the Bowman Park Management Committee in developing the plan for the nature play space at Bowman Park.

That Council endorses the construction of the nature play space at Bowman Park subject to the Bowman Park Management Committee securing the funding required for its construction as well as any required Development Approvals.

That Council delegate authority to the Chief Executive Officer to enter into a Memorandum of Understanding for the construction and ongoing maintenance of the nature play space at Bowman Park.

CARRIED

15.3.4 Trial of EcoBricks at Bowman Park

MOVED Cr Zubrinich  SECONDED Cr Hopgood

That a letter of support be given to Bowman Park Management Committee on behalf of Crystal Brook EcoBricks to use in seeking grant funding.

That Council endorse a trial of the use of EcoBricks at Bowman Park in conjunction with the nature play space.

That the Chief Executive Officer be delegated to authorise the scope of works and conditions for the trial in consultation with the Bowman Park Management Committee and the Crystal Brook Community Association.

LOST
15.0 OFFICERS’ RECOMMENDATION REPORTS: (Cont’d)

15.3 INFRASTRUCTURE (Cont’d)
15.3.4 Trial of EcoBricks at Bowman Park (Cont’d)

MOVED Cr Wilson SECONDED Cr Gulin

OM141/19 That further consideration be given to a trial of the use of EcoBricks and that management bring back a further report with options.

CARRIED

15.4 CORPORATE & COMMUNITY

MOVED Cr Gadaleta SECONDED Cr Wilson

OM142/19 That the Director Corporate & Community’s recommendation reports be received.

CARRIED

15.4.1 Monthly Financial Report to 31 March 2019

MOVED Cr Gadaleta SECONDED Cr Wilson

OM143/19 That the monthly Financial Report for the period to 31 March 2019 for the financial year 2018/19 be received, showing that the current year to date performance in comparison to the current budget for operating and capital income and expenses, with all budget variances are within acceptable limits.

CARRIED

Cr Jackson declared a material interest in item 15.4.2 CAF 34-19 and 35-19 in that she is on the Port Pirie Producers Market Committee and left the meeting at 8.25pm.

15.4.2 Community Assistance Fund 2018/19

MOVED Cr Hopgood SECONDED Cr Perks

OM144/19 That based on the assessment against the criteria contained in the Community Assistance Policy the following allocations be made from the Community Assistance Fund in 2018/19:

1. CAF 34-19 – Port Pirie Producers Market – Monetary assistance of $1,955 for the Port Pirie Producers Market 10th Anniversary Market Event.

2. CAF 35-19 – Port Pirie Producers Market – In kind assistance of $726 for the Port Pirie Producers Market 10th Anniversary Event.

CARRIED

Cr Jackson returned to the meeting at 8.28pm

MOVED Cr Jackson SECONDED Cr Hopgood

OM145/19 That based on the assessment against the criteria contained in the Community Assistance Policy the following allocation be declined:

3. CAF 36-19 – Lions Club of Port Pirie – That no allocation be made as the Liberty Swing is not an event and therefore does not comply with Council’s policy.

CARRIED

MOVED Cr Wilson SECONDED Cr Hopgood

OM146/19 That based on the assessment against the criteria contained in the Community Assistance Policy the following allocation be declined:

4. CAF 37-19 – RSPCA South Australia – Monetary assistance of $775 for the Million Paws Walk.

CARRIED

Mayor Stephens declared an interest in item 15.4.2 CAF 38-19 (refer to 5.1) and left the meeting at 8.34pm

In the absence of the Mayor, Deputy Mayor Cr Zubrinich took the Chair.
15.0 OFFICERS’ RECOMMENDATION REPORTS: (Cont’d)
15.4 CORPORATE & COMMUNITY (Cont’d)
15.4.2 Community Assistance Fund 2018/19 (Cont’d)

MOVED Cr Hopgood SECONDED Cr Gulin

OM147/19 That based on the assessment against the criteria contained in the Community Assistance Policy the following allocation be made from the Community Assistance Fund in 2018/19:
5. CAF 38-19 – Make A Wish Port Pirie Branch – In kind assistance of $2,925 for the Make A Wish Fun Run.

CARRIED

Mayor Stephens returned to the meeting at 8.40pm and resumed the Chair.

15.4.3 Community Solar Project Review

Cr Wilson left the meeting at 8.42pm and returned at 8.43pm.

Cr Gadaleta declared a material interest in this item in that he is negotiating for the installation of a solar solution and left the meeting at 8.43pm.

MOVED Cr Zubrinich SECONDED Cr Jackson

OM148/19 That Council acknowledge our community’s satisfaction with the Community Solar Project and the delivery of product within the tender specifications; and
That Council acknowledge the quality of the report given by our management team.

CARRIED

Cr Gadaleta returned to the meeting at 8.46pm.

15.4.4 Sporting Organisations Water Contributions

MOVED Cr Hopgood SECONDED Cr Gulin

OM149/19 That Council agree:
1. to enter into a three year agreement, of a financial contribution towards the cost of water and oval management, to commence on 1 July 2019, to be paid quarterly in arrears for the period to 30 June 2022, payable to the management groups for the following facilities:
   ▪ Crystal Brook Oval (Crystal Brook Oval Management Committee) - $35,000
   ▪ Redhill Oval (Redhill Development Association) - $30,000;
2. that a new clause be added to both of the Agreements to provide for Council to provide a further contribution towards any additional annual water cost be set at a maximum of $2,000 per year. This payment is fixed at $2,000 per annum for the life of these Agreements; and
3. both of the Agreements to be subject to review no earlier than six months prior to 30 June 2022.

CARRIED

16.0 OFFICERS’ INFORMATION REPORTS:
16.1 CHIEF EXECUTIVE OFFICER

MOVED Cr Hopgood SECONDED Cr Perks

OM150/19 That the Chief Executive Officer’s report be received.

CARRIED

16.1.1 Action Report
16.0 OFFICERS’ INFORMATION REPORTS: (Cont’d)
16.2 DEVELOPMENT & REGULATION

MOVED Cr Perks  SECONDED Cr Zubrinich

OM151/19  That the Director Development & Regulation’s information report be received.

CARRIED

16.2.1 Action Report

16.3 INFRASTRUCTURE

MOVED Cr Hopgood  SECONDED Cr Gulin

OM152/19  That the Director Infrastructure’s information reports be received.

CARRIED

16.3.1 Major Projects Status Report

MOVED Cr Wilson  SECONDED Cr Hopgood

OM153/19  That subject to a satisfactory review of the roads budget by the Director Infrastructure and if the road resheeting budget remains underspent, Council authorise the unspent portion to be expended on the next road priority as per the Asset Management Plan.

CARRIED

16.3.2 Works in Brief

16.3.3 Action Report

16.4 CORPORATE & COMMUNITY

MOVED Cr Gadaleta  SECONDED Cr Perks

OM154/19  That the Director Corporate & Community’s information report be received.

CARRIED

16.4.1 Action Report

17.0 ITEMS FOR CONSIDERATION AS TO CONFIDENTIALITY:

Cr Gulin declared a material interest in items 17.1 (refer items 5.4) and 17.3 (refer item 5.5) and left the meeting at 8.57pm.

Cr Hopgood declared an actual interest in items 17.1 and 17.2 (refer item 5.2) and left the meeting at 8.57pm.

17.1 Request for Short Term Extension of Lease Pursuant to Section 90(3)(d)

MOVED Cr Wilson  SECONDED Cr Jackson

OM155/19  Pursuant to Section 90(2) of the Local Government Act 1999, the Council orders that all members of the public with the exception of P Ackland, CEO; G McKenzie, Director Development & Regulation; K Johnson, Director Infrastructure; J Holyman, Director Corporate & Community; K Carmody, Executive Assistant and K Clonan, Personal Assistant be excluded from attendance at the meeting for Agenda Item 17.1 Request for Short Term Extension of Lease.

The Council is satisfied that, pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this 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.
17.0 ITEMS FOR CONSIDERATION AS TO CONFIDENTIALITY: (Cont'd)

17.1 Request for Short Term Extension of Lease (Cont'd)
Pursuant to Section 90(3)(d) (Cont'd)

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 Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances.

CARRIED

OM156/19 CONFIDENTIAL

Section 91(7) Order

MOVED Cr Wilson SECONDED Cr Perks

OM157/19 That having considered Agenda Item 17.1 in confidence under section 90(2) and (3)(d) of the Local Government Act 1999, the Council, pursuant to Section 91(7) of that Act, orders that discussion and all documentation relating to 17.1 Request for Short Term Extension of Lease be retained in confidence for a period of 6 months or until the matter has been resolved.

CARRIED

17.2 Rates Objection Status Update
Pursuant to Section 90(3)(h)

OM158/19 MOVED Cr Wilson SECONDED Cr Perks
Pursuant to Section 90(2) of the Local Government Act 1999, the Council orders that all members of the public with the exception of P Ackland, CEO; G McKenzie, Director Development & Regulation; K Johnson, Director Infrastructure; J Holyman, Director Corporate & Community; K Carmody, Executive Assistant and K Clonan, Personal Assistant be excluded from attendance at the meeting for Agenda Item 17.2 Rates Objection Status Update.

The Council is satisfied that, pursuant to Section 90(3)(h) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is legal advice provided by Council’s Lawyers.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because a Council decision has not yet been made in relation to the advice and its subject matter.

CARRIED

OM159/19 CONFIDENTIAL

Section 91(7) Order

MOVED Cr Wilson SECONDED Cr Perks

OM160/19 That having considered Agenda Item 17.2 in confidence under Section 90(2)(h) of the Local Government Act 1999, the Council, pursuant to Section 91(7) of that Act, orders that discussion and all documentation relating to 17.2 Rates Objection Status Update be retained in confidence for a period of 6 months or until the matter has been resolved.

CARRIED

Crs Gulin and Hopgood returned to the meeting at 9.02pm.
17.0 ITEMS FOR CONSIDERATION AS TO CONFIDENTIALITY: (Cont’d)

17.3 RFT for Contract 2018/61 Supply & Installation of Art Gallery A Class Air Conditioning System

Pursuant to Section 90(3)(k)

MOVED Cr Wilson  SECONDED Cr Perks

OM161/19 Pursuant to Section 90(2) of the Local Government Act 1999 the Council orders that all members of the public with the exception of P Ackland, CEO; G McKenzie, Director Development & Regulation; K Johnson, Director Infrastructure; J Holyman, Director Corporate & Community; K Carmody, Executive Assistant; K Clonan, Personal Assistant; G Christie, Manager Tourism & Events and U Halpin, Gallery & Cultural Arts Facilitator be excluded from attendance at the meeting for Agenda Item 17.3 RFT for Contract 2018/61 Supply & Installation of Art Gallery A Class Air Conditioning System.

The Council is satisfied that pursuant to Section 90(3)(k) of the Act, the information to be received, discussed or considered in relation to this agenda item are tenders for the supply of goods, the provision of services or the carrying out of works.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information to be disclosed and discussed has the potential to impact adversely on each of the tenderers as competitive commercial information will be disclosed.

CARRIED

OM162/19 CONFIDENTIAL

Section 91(7) Order

MOVED Cr Wilson  SECONDED Cr Hopgood

OM163/19 That having considered Agenda Item 17.3 RFT for Contract 2018/61 Supply & Installation of Art Gallery A Class Air Conditioning System in confidence under Section 90(2) and (3)(k) of the Local Government Act 1999, the Council, pursuant to Section 91(7) of that Act orders that the tender documents and Minutes be retained in confidence for a period of 6 months or until the tender process has been finalised.

CARRIED

18.0 NEXT MEETING: 22 May 2019 at 6:30pm

19.0 CLOSE: 9.19pm

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MAYOR