



City of  
Mount Gambier

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**I hereby give notice that an Ordinary Meeting of Council will be held  
on:**

**Date: Tuesday, 21 September 2021**  
**Time: 6.00 p.m.**  
**Location: Council Chamber**  
**Civic Centre**  
**10 Watson Terrace**  
**Mount Gambier**

# **AGENDA**

**Ordinary Council Meeting**  
**21 September 2021**

**Sarah Philpott**  
**Chief Executive Officer**  
**17 September 2021**

## Order Of Business

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|           |  |           |
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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 APOLOGIES

Nil

## 3 LEAVE OF ABSENCE

### 3.1 NOTICE OF MOTION - REQUEST FOR LEAVE OF ABSENCE - CR BEN HOOD

**Meeting: Council**  
**CM9 Reference: AF20/446**  
**Member: Ben Hood, Councillor**

I, Councillor Ben Hood, give notice that at the next Ordinary Meeting of Council to be held on 21 September 2021, I intend to move the following motion:

#### **MOTION**

1. That Council Report No. AR21/53311 titled 'Notice of Motion - Request for Leave of Absence - Cr Ben Hood' as presented on 21 September 2021 be noted.
2. Noting the provisions of section 55A of the Local Government Act 1999, it be noted that:
  - (a) section 55A of the Local Government Act 1999 is expected to apply to Cr Ben Hood in relation to the 2022 State Election.
  - (b) Cr Ben Hood has sought a leave of absence from Council for the period 1 October 2021 until the public declaration of the March 2022 State Election result.
  - (c) Cr Ben Hood will not accept a Members Allowance during a leave of absence period.
  - (d) Cr Ben Hood has resigned from the Wulanda Recreation and Convention Centre Committee until further notice.
3. That Council grant Cr Ben Hood a leave of absence commencing 1 October 2021 until the date section 55A applies in relation to candidacy for the March 2022 State Election, on the following conditions:
  - (a) For the duration of the leave of absence:
    - (i) the leave be extended to all offices held by Cr Ben Hood as a member of the Council or by virtue of being a Member of the Council, including any externally appointed positions held as a representative or nominee of Council, and;
    - (ii) Cr Ben Hood not receive any allowances, sitting fees, reimbursement of expenses, or access to any benefits, facilities or support provided by Council including under Council Policy M405 Members – Allowances and Benefits and Council Policy M500 Members Training and Development, and;



- (iii) Cr Ben Hood not perform or discharge, and not be considered as performing or discharging, any official functions or duties of the office of a member of Council, and;
  - (iv) All engagement with Council, Council Members or Council Officers including any enquiries or requests be considered as being in a private capacity.
- (b) Noting that, notwithstanding the conditions of the grant of leave in 3(a) and subject to the exception to submitting a Register of Interest during the application of section 55A, Cr Ben Hood must still comply with Council Member obligations that arise during the period of leave including those in the Code of Conduct for Council Members.
4. That an update be provided to Council confirming the status of Cr Ben Hood as a Council Member following the result of the March 2022 State Election.

## **RATIONALE**

I have been discussing with the Mayor and CEO the next steps regarding my role as councillor in relation to my being preselected as the Liberal candidate for Mount Gambier.

Although legislatively, I am not required to seek a leave of absence until nominations close for the election, I have made the decision to seek a leave of absence from my duties effective 1st October, 2021 which will allow me to finalise some issues I am working on for residents and close out any committee work.

During my leave of absence, I will not be accepting my members allowance payment nor seeking reimbursement of any expenses or using any facilities, services or other support provided by Council to Council Members.

Regarding my membership of the Wulanda Recreation and Convention Centre committee, I confirm my resignation from that Committee until further notice and request not to be provided with agendas or minutes of any other formal or informal Committee or Council meetings during the leave period.

Depending on the result of the election, I will return to my councillor duties upon the public declaration of the election result.

I commend this Notice of Motion to Council.

## **ADMINISTRATIVE COMMENT**

The Motions accompanying this item have been prepared in consultation with Cr Ben Hood based on legal advice relating specifically to a leave of absence for a candidacy in the State Election and taking into account the provisions of the new section 55A of the Local Government Act 1999.

The implications of section 55A being that:

- the leave of absence under that section extends to all other offices held as a member of the Council or by virtue of being a Member of the Council. This is taken to include any external positions held as a representative of Council.
- the Member is not entitled to receive any allowance or reimbursement of expenses for the period of the leave.
- the Member must not use any facility, service or other form of support provided by the Council to Council Members to assist in performing or discharging official functions and duties (not being a facility, service or form of support generally provided to members of the public by the Council).
- the member must not carry out any function or duty of the office of a member of the Council.

A failure to comply with these restrictions will be an offence.

Cr Ben Hood has agreed that the restrictions in section 55A be applied as a condition of leave granted for the period commencing from 1 October 2021.



A leave of absence in alternate circumstances may not attract the same considerations.

It should be noted that a discretionary grant of leave does not alter quorum requirements for meetings during the leave period (i.e. Cr Ben Hood will still be a Council Member and included in calculating the quorum requirements). This will not be the case however during the period specified in section 55A and in accordance with the new section 85(2).

Having been granted leave, a Council Member may break the leave by attending a Council meeting during the period of leave (except during the period specified in section 55A), and similarly by the performance of any activities upon which discretionary leave has been conditionally granted.

## **ATTACHMENTS**

Nil



## 4 CONFIRMATION OF COUNCIL MINUTES

[Ordinary Council Meeting - 17 August 2021](#)

### RECOMMENDATION

That the minutes of the Ordinary Council meeting held on 17 August 2021 be confirmed as an accurate record of the proceedings of the meeting.

## 5 MAYORAL REPORT

### 5.1 MAYORAL REPORT - SEPTEMBER 2021 – REPORT NO. AR21/42646

#### *Meetings / Commitments*

- Vietnam Veterans Day – Ceremony and Wreath Laying
- Junior Sports Assistance Fund Committee Meeting
- Junior Sports Assistance Fund Committee Special Meeting - Virtual
- Weekly LCLGA Mayor's Virtual Meeting
- Member for Mount Gambier – Launch of Future Mount Gambier
- UniSA – Mount Gambier Campus Industry Luncheon
- 2021 Limestone Coast Local Health Network (LCLHN) Awards Judging Panel - Virtual
- Weekly LCLGA Mayor's Virtual Meeting
- COVID-19 Vaccination Roll Out Briefing – SA Government - Virtual
- Interview with Students – Entrepreneurial Program – Mount Gambier High School
- Weekly LCLGA Mayor's Virtual Meeting
- Presentation at PIRSA/State Government Executive Excellence Program
- Welcome Speech at ANZ Tennis Hot Shots Carnival
- 2021 Limestone Coast Local Health Network (LCLHN) Awards Judging Panel (2) – Virtual
- Economic and Environment Committee
- Elected Members workshop – Country Arts SA
- Virtual Presentation to Year 3 / 4 Students at McDonald Park School
- Opening of Red Cross Zone Conference
- Cheque Handover – Junior Sports 2020 Exceptional Junior Award
- Opening of Supporting Vulnerable Children in our Community Public Forum (ac.care)
- Weekly LCLGA Mayor's Virtual Meeting
- Ac.care Wine and Cheese Night – Southern Country Alliance – Limestone Coast Homelessness Service
- Elected Members Workshop – Waste
- Wulanda Recreation and /convention Centre Committee Meeting
- Quarterly Members Briefing with Member for Mount Gambier
- Limestone Coast Leadership Program Graduation Event
- Weekly LCLGA Mayor's Virtual Meeting
- Citizenship Ceremony
- Opening of Season – RSL Bowls Club





**6 REPORTS FROM COUNCILLORS**

**7 QUESTIONS WITH NOTICE**

Nil

**8 QUESTIONS WITHOUT NOTICE**

**9 PETITIONS**

Nil

**10 DEPUTATIONS**

Nil

**11 NOTICE OF MOTION TO RESCIND OR AMEND**

Nil



## 12 ELECTED MEMBERS WORKSHOPS




### 12.1 ELECTED MEMBER WORKSHOPS FROM 15/08/2021 TO 18/09/2021 – REPORT NO. AR21/42551

**Meeting:** Council  
**CM9 Reference:** AF20/446  
**Author:** Melissa Telford, Administration Officer - Executive Support

#### REPORT RECOMMENDATION

That the Record of Proceedings for the listed Workshops be received and noted.

#### ATTACHMENTS

1. Designated Informal Gathering - Members Workshop - Record of Proceedings - Country Arts SA Activation - 07/09/2021 [↓](#) 
2. Designated Informal Gathering - Members Workshop - Record of Proceedings - Waste - 13/09/2021 [↓](#) 
3. Designated Informal Gathering - Members Workshop - Record of Proceedings - Quarterly Members Briefing with Member for Mount Gambier 15/09/2021 [↓](#) 



**DESIGNATED INFORMAL GATHERING  
COUNTRY ARTS SA ACTIVATION  
5:30 PM, TUESDAY 7 SEPTEMBER 2021**

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RECORD OF PROCEEDINGS  
5:30 PM, TUESDAY 7 SEPTEMBER 2021  
Council Chamber, Civic Centre  
10 Watson Terrace, Mount Gambier

**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.**

**GUESTS:-**

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Anthony Peluso, Chief Executive / Executive Director - Country Arts SA  
Michael Bloyce, Sustainability Leader - Country Arts SA  
Esther Chew, Grieve Gillett Andersen - Architects (*via electronic means*)  
Caitlin Murphy, Grieve Gillett Andersen - Architects (*via electronic means*)

**MEMBERS PRESENT:-**

Mayor Martin  
Cr Mezinac  
Cr Jenner  
Cr Morello  
Cr Bruins

**STAFF PRESENT:-**

Chief Executive Officer (*via electronic means*)  
General Manager City Infrastructure  
General Manager Shared Services  
Acting General Manager Community Wellbeing

**MEMBERS APOLOGIES:-**

Cr Hood  
Cr Amoroso

**LEAVE OF ABSENCE:-**

Nil

**DISCUSSION:**

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- Review Conceptual Master Plan Draft for Country Arts.
- Elected Member feedback sought.

Discussion closed at 6:05 pm



**DESIGNATED INFORMAL GATHERING  
WASTE  
5:30 PM, MONDAY 13 SEPTEMBER 2021**

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RECORD OF PROCEEDINGS  
5:30 PM, MONDAY 13 SEPTEMBER 2021  
COUNCIL CHAMBER, Civic Centre  
10 Watson Terrace, Mount Gambier

**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.**

**GUESTS:-**

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Nil

**MEMBERS PRESENT:-**

Mayor Martin  
Cr Bruins  
Cr Morello  
Cr Mezinac  
Cr Jenner  
Cr Hood  
Cr Perryman

**STAFF PRESENT:-**

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Chief Executive Officer  
General Manager City Infrastructure  
General Manager Shared Services  
General Manager City Growth  
Acting General Manager Community Wellbeing  
Manager Waste & ReUse

**MEMBERS APOLOGIES:-**

Cr Greco  
Cr Amoroso

**LEAVE OF ABSENCE:-**

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Nil

**DISCUSSION:**

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Regional Waste Material Recovery Facility.

Discussion closed at 6:37 pm



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**DESIGNATED INFORMAL GATHERING  
QUARTERLY MEMBERS BRIEFING WITH MEMBER FOR MOUNT GAMBIER  
5:30 PM WEDNESDAY 15 SEPTEMBER 2021**

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RECORD OF PROCEEDINGS  
5:30 pm, Wednesday 15 September 2021  
Council Chamber, Civic Centre  
10 Watson Terrace, Mount Gambier

**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.**

**MEMBERS PRESENT:-**

Mayor Martin  
Cr Mezinac  
Cr Bruins  
Cr Morello  
Cr Jenner

**STAFF PRESENT:-**

Chief Executive Officer  
General Manager City Growth  
General Manager City Infrastructure  
General Manager Shared Services  
Acting General Manager Community Wellbeing

**MEMBERS APOLOGIES:-**

Cr Amoroso  
Cr Greco  
Cr Hood  
Cr Perryman

**LEAVE OF ABSENCE:-**

**DISCUSSION:**

Quarterly briefing of Councillors with Member for Mount Gambier, Mr Tory Bell.

- Future Mount Gambier vision
- Regional investment and development opportunities
- Attraction and retention of workforce
- Road maintenance
- Health and Housing infrastructure and services

Discussion closed at 6.34 pm



**13 ELECTED MEMBERS TRAINING AND DEVELOPMENT**

Nil



## 14 COUNCIL ACTION ITEMS


### 14.1 COUNCIL ACTION ITEMS - 17/08/2021 – REPORT NO. AR21/42549

**Meeting:** Council  
**CM9 Reference:** AF20/446  
**Author:** Melissa Telford, Administration Officer - Executive Support

#### REPORT RECOMMENDATION

1. That Council Report No. AR21/42549 titled 'Council Action Items - 17/08/2021' as presented on 21 September 2021 be noted.

#### ATTACHMENTS

1. Action Items - 17 August 2021 [↓](#) 



|  |                            |
|--|----------------------------|
| <b>Division:</b>                           | 17/08/2021                 |
| <b>Meeting:</b>                            | <b>Date From:</b>          |
| <b>Officer:</b>                            | <b>Date To:</b> 15/09/2021 |
| <b>Action Sheets Report</b>                |                            |
| <b>Printed: 15 September 2021 12:05 PM</b> |                            |

| Meeting                             | Officer/Authoriser                       | Section | Subject   |
|-------------------------------------|--|---------|---|
| Council Assessment Panel 19/08/2021 | Tzioutzioukianis,<br>Tracy<br>Coote, Tim | Reports | DA21015170 - 22 Calula Drive, Mount Gambier - Storage Shed for packaging and distribution |

**COMMITTEE RESOLUTION**

The Council Assessment Panel moved

1. That Council Assessment Panel Report No. AR21/49757 titled 'DA21015170 - 22 Calula Drive, Mount Gambier - Storage Shed for packaging and distribution' as presented on 19 August 2021 be noted.
2. Having had regard to the provisions of the Planning and Design Code, the Application and all supporting documents, the development is not seriously at variance to the provisions of the Planning and Design Code and Planning Consent be granted subject to the following conditions:
  - (a) The development shall be carried out in accordance with the Plan/s as approved by Council and with the Conditions of Approval.
  - (b) The building and surroundings shall be maintained in a state of good repair and tidy condition at all times.
  - (c) The car parking and driveway areas and footpath crossover as shown on the plan/s approved by Council, shall be graded, paved and sealed with bitumen or other similar material and maintained in a useable condition at all times.
  - (d) The carparking spaces shall measure not less than 2.6 metres in width and 5.5 metres in length, be line marked and be maintained in a useable condition at all times.
  - (e) The remainder of the yard area shall be graded and surfaced to ensure maximum dust suppression at all times.
  - (f) A stormwater treatment device shall be installed to ensure that all surface run off including stormwater, discharging to the bore is free of site contaminants is free of but not limited to oils, grease, fuels, rubbish or silt.
  - (g) (i) The landscaping shall be undertaken in accordance with the plan as approved by Council and be maintained in good health and condition.  
 (ii) Dense planting shall be established along the northern property boundary of the site so as to provide a screen/buffer between the development and the adjacent properties and shall be maintained in good heart and condition at all times.
  - (h) All waste materials and refuse shall be contained within the proposed building or alternatively a screened holding place for waste materials and refuse containers shall be provided and maintained on the subject site, with the waste materials being removed on a regular basis.
  - (i) The trading hours of the use of the land shall be within 6.00 a.m. to 6.00 p.m. Monday to Friday.
  - (j) Any lights on the subject land must be directed and screened so that overspill of light into the adjoining residential properties is avoided.
  - (k) The subject land shall not be used/occupied for the purposes approved by Council until conditions (c), (d) and (e) are completed.

**CARRIED**





|  |  |
|--|--|
| <p>Division:<br/>Meeting:<br/>Officer:</p> | <p>Date From: 17/08/2021<br/>Date To: 15/09/2021</p> |
| <p>Action Sheets Report</p>                |  |
| <p>Printed: 15 September 2021 12:05 PM</p> |  |

**24 Aug 2021 9:37am Tzioutziouklaris, Tracy - Completion**  
Action completed by Tzioutziouklaris, Tracy

| Meeting  | Officer/Authoriser                  | Section                              | Subject  |
|--|-------------------------------------|--------------------------------------|--|
| Council 17/08/2021   | McCarthy, Michael<br>Barber, Darren | Notice of Motion to Rescind or Amend | Notice of Rescission/Amendment - Advertising Signage |
| <p><b>RESOLUTION 2021/235</b></p> <p>Moved: Cr Christian Greco<br/>Seconded: Cr Max Bruins</p> <ol style="list-style-type: none"> <li>1. That Council Report No. AR21/48302 titled 'Notice of Rescission/Amendment - Advertising Signage ' as presented on 17 August 2021 be noted.</li> <li>2. The resolution 2021/71 titled Council Advertising and Signage Policy A170 that was passed on 16 March 2021 be amended as follows: <ul style="list-style-type: none"> <li>• Parts 1-3 of the resolution remain: <ol style="list-style-type: none"> <li>1. That Council Report No. AR21/9953 titled 'Council Advertising and Signage Policy A170' as presented on 16 March 2021 be noted.</li> <li>2. That, having considered its position on the erection of advertising and sponsorship signage on leased properties, Council hereby revokes Advertising and Signage Policy A170.</li> <li>3. That Council grants 'deemed consent' for the installation of signage by community and sporting lessees occupying land owned by Council, except for signage that requires development approval.</li> </ol> </li> <li>• Parts 4 and 5 of the resolution be amended, from: <ol style="list-style-type: none"> <li>4. Council administration to assess any proposals for the installation of signage that require building rules consent.</li> <li>5. That a policy be developed for the granting of landowner consent for those signs that require development approval.</li> </ol> </li> </ul> </li> </ol> <p>to:</p> <ol style="list-style-type: none"> <li>4. that the Chief Executive Officer (or sub-delegate): <ol style="list-style-type: none"> <li>a) assess and exercise relevant delegated authority to grant conditional lessor consent to any proposals for the installation of signage by community and sporting lessees occupying land owned by Council that require development approval.</li> <li>b) refer to Council any proposals for the installation of signage on Council owned or controlled land for which consent is required but has not been granted or the applicant has not accepted the conditions imposed, under resolution 4(a), including the reasons for not granting consent and/or the proposed conditions and reasoning for their imposition.</li> </ol> </li> <li>5. That a policy be developed for the granting of landowner consent for future signage on Council property, following resolution of all current unapproved signs located on Council land requiring development approval.</li> </ol> |                                     |                                      |  |



|                                      |  |
|--------------------------------------|--|
| <b>Division:</b>                     | <b>Date From:</b> 17/08/2021               |
| <b>Meeting:</b>                      | <b>Date To:</b> 15/09/2021                 |
| <b>Officer:</b>                      |  |
| <a href="#">Action Sheets Report</a> | <b>Printed:</b> 15 September 2021 12:05 PM |

- The following Parts 6-7 of the resolution:
  6. That for the purpose of clarity Council does not consent to any sponsorship signage logos being placed on fences gates or other structures so as to face externally to the leased land or in the view of Council being so as to view externally to the leased land.
  7. Clause 6 above is to be a key feature of the new landowner consent policy.  
be rescinded.

**CARRIED**

| Meeting  | Officer/Authoriser                      | Section                   | Subject   |
|--|---|---------------------------|---|
| Council 17/08/2021   | Wilson, Sally<br>Cernovskis,<br>Barbara | Elected Members Workshops | Elected Members Workshops from 17/07/2021 to 13/08/2021 |
| <b>RESOLUTION 2021/236</b>   |   |                           |   |
| Moved: Cr Max Bruins   |   |                           |   |
| Seconded: Cr Sonya Meziniec  |   |                           |   |
| That the Record of Proceedings for the listed Workshops be received and noted. |   |                           |   |
| <b>CARRIED</b>   |   |                           |   |
| <b>23 Aug 2021 11:59am Wilson, Sally - Completion</b>                          |   |                           |   |
| Action completed by Wilson, Sally  |   |                           |   |

| Meeting  | Officer/Authoriser                  | Section   | Subject   |
|--|-------------------------------------|---|---|
| Council 17/08/2021   | Telford, Melissa<br>Philpott, Sarah | People and Place Committee Minutes and<br>Recommendat | Minutes of the People and Place Committee held on 2 August 2021 |
| <b>RESOLUTION 2021/238</b>   |                                     |   |   |
| Moved: Cr Frank Morello  |                                     |   |   |
| Seconded: Cr Sonya Meziniec  |                                     |   |   |
| That the Minutes of the People and Place Committee meeting held on 2 August 2021 as attached be noted. |                                     |   |   |
| <b>CARRIED</b>   |                                     |   |   |



|                             |  |
|-----------------------------|--|
| <b>Division:</b>            | <b>Date From:</b> 17/08/2021               |
| <b>Meeting:</b>             | <b>Date To:</b> 15/09/2021                 |
| <b>Officer:</b>             |  |
| <b>Action Sheets Report</b> | <b>Printed: 15 September 2021 12:05 PM</b> |

**24 Aug 2021 9:53am Telford, Melissa - Completion**  
 Action completed by Telford, Melissa

| Meeting  | Officer/Authoriser                          | Section | Subject   |
|--|---|---------|---|
| Council 17/08/2021   | Mahmud , Abdullah<br>Cernovskis,<br>Barbara | Reports | Infrastructure Partnership Program - shared path extension to Wireless Road, TAFE SA project. |
| <b>RESOLUTION 2021/239</b>   |   |         |   |
| Moved: Cr Frank Morello  |   |         |   |
| Seconded: Cr Max Bruins  |   |         |   |
| <ol style="list-style-type: none"> <li>1. That People and Place Committee Report No. AR21/42014 titled 'Infrastructure Partnership Program - shared path extension to Wireless Road, TAFE SA project. ' as presented on 02 August 2021 be noted.</li> <li>2. That Council amend the scope of the Infrastructure Partnership Program shared path extension to Wireless Road, TAFE SA project and stage the delivery.</li> <li>3. That Council deliver Stage 1 - the \$1.6M solar lighting installation of the project scope as budgeted.</li> <li>4. That new and amended community land management plans be prepared for public consultation purposes for the route of the proposed shared use path extension and railway corridor.</li> <li>5. That a further report with completed designs and updated cost estimates be presented to Council that identifies the most suitable and cost-effective way to link the existing rail trail to the TAFE SA campus on Wireless Road.</li> <li>6. That the report recommendation is aligned and integrates with Councils long term strategy and masterplans.</li> </ol> |   |         |   |
|  |   |         | <b>CARRIED</b>  |



|                             |  |
|-----------------------------|--|
| <b>Division:</b>            | 17/08/2021                                 |
| <b>Meeting:</b>             | 15/09/2021                                 |
| <b>Officer:</b>             |  |
| <b>Action Sheets Report</b> | <b>Printed: 15 September 2021 12:05 PM</b> |

| Meeting  | Officer/Authoriser                      | Section | Subject   |
|--|---|---------|---|
| Council 17/08/2021   | Wilson, Sally<br>Cernovskis,<br>Barbara | Reports | Salvaged Roundhouse Timber Beams from Mount Gambier Railyards |
| <b>RESOLUTION 2021/240</b>   |   |         |   |
| Moved: Cr Frank Morello  |   |         |   |
| Seconded: Cr Steven Perryman   |   |         |   |
| <ol style="list-style-type: none"> <li>1. That the People and Place Committee Report No. AR21/45126 titled 'Salvaged Roundhouse Timber Beams from Mount Gambier Railyards' as presented on 02 August 2021 be noted.</li> <li>2. That Council keep a portion of the timber for a community related project reflecting the historical significance of our rail history and that the National Trust be consulted in the process, or other suitable purposes as determined by the Chief Executive Officer.</li> <li>3. Council donate the remainder to the National Trust for the repair and restoration of the Roundhouse building at Peterborough. Delivery costs to be incurred by the National Trust.</li> </ol> |   |         |   |
| <b>CARRIED</b>   |   |         |   |
| <b>30 Aug 2021 3:51pm Wilson, Sally - Reallocation</b>   |   |         |   |
| Action reassigned to Wilson, Sally by Wilson, Sally - To close action in InfoCouncil.  |   |         |   |
| <b>30 Aug 2021 4:02pm Wilson, Sally - Completion</b>   |   |         |   |
| Action completed by Wilson, Sally  |   |         |   |

| Meeting            | Officer/Authoriser                      | Section | Subject   |
|--------------------|---|---------|---|
| Council 17/08/2021 | Wilson, Sally<br>Cernovskis,<br>Barbara | Reports | Local Roads and Community Infrastructure Program Extension Phase 2 - Project Nomination |



|                             |  |
|-----------------------------|--|
| <b>Division:</b>            | <b>Date From:</b> 17/08/2021               |
| <b>Meeting:</b>             | <b>Date To:</b> 15/09/2021                 |
| <b>Officer:</b>             |  |
| <b>Action Sheets Report</b> | <b>Printed: 15 September 2021 12:05 PM</b> |

**RESOLUTION 2021/241**

Moved: Cr Frank Morello  
 Seconded: Cr Sonya Meziniec

1. That People and Place Committee Report No. AR21/46717 titled 'Local Roads and Community Infrastructure Program Extension Phase 2 - Project Nomination' as presented on 02 August 2021 be noted.
2. That Council endorse the below project nominations for Phase 2 of the Local Roads and Community Infrastructure Program (LRCI) grant funding:

| Description   | Total project cost | LRCI Program Funding Required |
|---|--------------------|-------------------------------|
| New Valley Lakes Public Amenities   | \$490,000          | \$490,000                     |
| Refurbishment of existing Public Amenities adjoining State Heritage Railway Station building    | \$460,000          | \$460,000                     |
| Landscaping improvements at Cave Garden and Umpherston Sinkhole Community Recreational Reserves | \$50,000           | \$50,000                      |
| Umpherston Sinkhole Path Lighting   | \$40,000           | \$40,000                      |

**CARRIED**

**30 Aug 2021 3:54pm Wilson, Sally - Reallocation**

Action reassigned to Wilson, Sally by Wilson, Sally - To close action in InfoCouncil.

**30 Aug 2021 4:02pm Wilson, Sally - Completion**

Action completed by Wilson, Sally

| Meeting   | Officer/Authoriser                   | Section  | Subject  |
|---|--------------------------------------|--|--|
| Council 17/08/2021  | Wilson, Sally<br>Cernovskis, Barbara | Wulanda and Recreation and Convention Centre Commi | Minutes of the Wulanda Recreation and Convention Centre Committee held on 10 August 2021 |
| <b>RESOLUTION 2021/243</b>  |                                      |  |  |
| Moved: Cr Ben Hood<br>Seconded: Cr Max Bruins   |                                      |  |  |
| That the Minutes of the Wulanda Recreation and Convention Centre Committee meeting held on 10 August 2021 as attached be noted. |                                      |  |  |
| <b>CARRIED</b>  |                                      |  |  |



|                             |  |
|-----------------------------|--|
| <b>Division:</b>            | <b>Date From:</b> 17/08/2021               |
| <b>Meeting:</b>             | <b>Date To:</b> 15/09/2021                 |
| <b>Officer:</b>             |  |
| <b>Action Sheets Report</b> | <b>Printed: 15 September 2021 12:05 PM</b> |

**23 Aug 2021 11:59am Wilson, Sally - Completion**  
 Action completed by Wilson, Sally

| Meeting  | Officer/Authoriser                      | Section                          | Subject  |
|--|---|----------------------------------|--|
| Council 17/08/2021   | Wilson, Sally<br>Cernovskis,<br>Barbara | Council Assessment Panel Minutes | Minutes of the Council Assessment Panel held on 15 July 2021 |
| <b>RESOLUTION 2021/244</b>   |   |                                  |  |
| Moved: Cr Paul Jenner  |   |                                  |  |
| Seconded: Cr Ben Hood  |   |                                  |  |
| That the Minutes of the Council Assessment Panel meeting held on 15 July 2021 as previously circulated be noted. |   |                                  |  |
|  |   |                                  | <b>CARRIED</b>   |
| <b>23 Aug 2021 11:59am Wilson, Sally - Completion</b>  |   |                                  |  |
| Action completed by Wilson, Sally  |   |                                  |  |

| Meeting  | Officer/Authoriser                  | Section         | Subject                         |
|--|-------------------------------------|-----------------|---------------------------------|
| Council 17/08/2021   | McCarthy, Michael<br>Barber, Darren | Council Reports | Freedom of Information - Update |
| <b>RESOLUTION 2021/245</b>   |                                     |                 |                                 |
| Moved: Cr Paul Jenner  |                                     |                 |                                 |
| Seconded: Cr Frank Morello   |                                     |                 |                                 |
| 1. That Council Report No. AR21/11356 titled 'Freedom of Information - Update' as presented on 17 August 2021 be noted.  |                                     |                 |                                 |
| 2. That Council Policies ' <i>D160 – Development Act Inspection and Copying of Documents</i> ' and ' <i>D140 - Development Act Delegations</i> ' be revoked, having no further application following the repeal of the Development Act 1993. |                                     |                 |                                 |
|  |                                     |                 | <b>CARRIED</b>                  |



|   |  |  |  |
|---|--|--|--|
| <p><a href="#">Action Sheets Report</a></p> | <p>Division:<br/>Meeting:<br/>Officer:</p> | <p>Date From: 17/08/2021<br/>Date To: 15/09/2021</p> | <p>Printed: 15 September 2021 12:05 PM</p> |
|---|--|--|--|

| Meeting   | Officer/Authoriser                          | Section         | Subject                  |
|---|---|-----------------|--------------------------|
| Council 17/08/2021  | Georgiou, Sinaway<br>Cernovskis,<br>Barbara | Council Reports | 2022 Street Tree Program |
| <p><b>RESOLUTION 2021/246</b></p> <p>Moved: Cr Ben Hood<br/>Seconded: Cr Max Bruins</p> <ol style="list-style-type: none"> <li>That Council Report No. AR21/44369 titled '2022 Street Tree Program' as presented on 17 August 2021 be noted.</li> <li>That Council approves the proposed schedule of trees that have been selected for removal to allow for uniformity in the 2022 Street Tree Program as outlined in Council's Street Tree Policy (T120).</li> <li>That Council notifies all residents and utilities affected by the plantings and invite comment on same (in accordance with Council's Public Consultation Policy).</li> <li>That Council adopts the 2022 Street Tree Program as outlined in the discussion so that the proposed species of trees may be pre-ordered.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p> |   |                 |                          |

| Meeting   | Officer/Authoriser                | Section         | Subject  |
|---|-----------------------------------|-----------------|--|
| Council 17/08/2021  | Barber, Darren<br>Philpott, Sarah | Council Reports | Membership of Chief Executive Officer Performance Review Committee |
| <p><b>RESOLUTION 2021/247</b></p> <p>Moved: Cr Max Bruins<br/>Seconded: Cr Christian Greco</p> <ol style="list-style-type: none"> <li>That Council Report No. AR21/47908 titled 'Membership of Chief Executive Officer Performance Review Committee' as presented on 17 August 2021 be noted.</li> <li>That the membership provisions in clause 7 of the Chief Executive Officer Performance Review Committee Terms of Reference be amended to read as follows:                     <ol style="list-style-type: none"> <li>7.1 Membership of the Committee will be comprised of <b>five</b> Elected Members being the Mayor (Presiding Member), Deputy Mayor, the Presiding Members of the Economic &amp; Environment and the People &amp; Place Committees, <b>and otherwise as resolved by Council.</b></li> <li>7.2 Should any one or more of the positions specified in 7.1 be filled by the same Elected Member Council may appoint other Elected Members to fill up to the full membership of <b>five.</b></li> </ol> </li> </ol> |                                   |                 |  |



|                             |  |
|-----------------------------|--|
| <b>Division:</b>            | <b>Date From:</b> 17/08/2021               |
| <b>Meeting:</b>             | <b>Date To:</b> 15/09/2021                 |
| <b>Officer:</b>             |  |
| <b>Action Sheets Report</b> | <b>Printed: 15 September 2021 12:05 PM</b> |

3. That Crs Paul Jenner and Sonya Mezinec be appointed to the CEO Performance Review Committee.

**CARRIED**

| Meeting  | Officer/Authoriser                 | Section             | Subject                                     |
|--|------------------------------------|---------------------|---|
| Council 17/08/2021   | Philpott, Sarah<br>Philpott, Sarah | Motions with Notice | Notice of Motion - Mount Gambier MFS Issues |
| <b>RESOLUTION 2021/248</b>   |                                    |                     |   |
| Moved: Cr Paul Jenner  |                                    |                     |   |
| Seconded: Cr Christian Greco   |                                    |                     |   |
| <ol style="list-style-type: none"> <li>1. That Council Report No. AR21/50269 titled 'Notice of Motion - Mount Gambier MFS Issues' as presented on 17 August 2021 be noted.</li> <li>2. That Council urgently write to the Minister for Police, Emergency Services and Correctional Services, Vincent Tarzia, with a copy to The Premier, Troy Bell MP, Claire Scriven MLC &amp; The opposition spokesperson for Emergency Services the Leader of the Opposition Peter Malinauskas and United Fire Fighters Union of SA Inc with regards to the ongoing problem of the Mount Gambier Fire Station having a 22 year old pumper appliance as its main vehicle.</li> <li>3. That Council invite the Minister for Police, Emergency Services and Correctional Services, Vincent Tarzia and/or the Premier to Mount Gambier to urgently provide a solution to this problem.</li> </ol> |                                    |                     |   |
| <b>CARRIED</b>   |                                    |                     |   |
| <b>23 Aug 2021 12:07pm Philpott, Sarah – Completion</b><br>Action completed by Philpott, Sarah   |                                    |                     |   |





|   |  |
|---|--|
| <p><b>Division:</b><br/> <b>Meeting:</b><br/> <b>Officer:</b></p> <p>Action Sheets Report</p> | <p><b>Date From:</b> 17/08/2021<br/> <b>Date To:</b> 15/09/2021</p> <p>Printed: 15 September 2021 12:05 PM</p> |
|---|--|

| Meeting   | Officer/Authoriser                 | Section             | Subject  |
|---|------------------------------------|---------------------|--|
| Council 17/08/2021  | Philpott, Sarah<br>Philpott, Sarah | Motions with Notice | Notice of Motion - Strategic Sustainability Report |
| <p><b>RESOLUTION 2021/249</b></p> <p>Moved: Cr Paul Jenner<br/>                 Seconded: Cr Frank Morello</p> <ol style="list-style-type: none"> <li>That Council Report No. AR21/50719 titled 'Notice of Motion - Strategic Sustainability Report' as presented on 17 August 2021 be noted.</li> <li>That Council Officers prepare a report on our current strategic sustainability direction including energy efficiency initiatives and associated budget allocation.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p> |                                    |                     |  |

| Meeting   | Officer/Authoriser            | Section  | Subject  |
|---|-------------------------------|----------|--|
| Council 17/08/2021  | Coote, Tim<br>Philpott, Sarah | New Item | Motion Without Notice - Installation of a No Parking Zone - Hedley Street (Western Side) |
| <p><b>RESOLUTION 2021/242</b></p> <p>Moved: Cr Frank Morello<br/>                 Seconded: Cr Max Bruins</p> <ol style="list-style-type: none"> <li>That People and Place Committee Report No. AR21/45538 titled 'Installation of a No Parking Zone - Hedley Street (Western Side)' as presented on 02 August 2021 be noted.</li> <li>Council write to the residents along the effected portion of Hedley Street seeking their views on the removal of carparking on the western side with a report to be brought back to Council.</li> </ol> <p style="text-align: right;"><b>CARRIED</b></p> |                               |          |  |



**15 ECONOMIC AND ENVIRONMENT COMMITTEE MINUTES AND RECOMMENDATIONS**

**15.1 MINUTES OF THE ECONOMIC AND ENVIRONMENT COMMITTEE HELD ON 6 SEPTEMBER 2021 - [Go to Attachment](#)**

**RECOMMENDATION**

That the Minutes of the Economic and Environment Committee meeting held on 6 September 2021 as attached be noted.



**16 PEOPLE AND PLACE COMMITTEE MINUTES AND RECOMMENDATIONS**

Nil



**17 WULANDA AND RECREATION AND CONVENTION CENTRE COMMITTEE  
MINUTES AND RECOMMENDATIONS**

**17.1 MINUTES OF THE WULANDA RECREATION AND CONVENTION CENTRE  
COMMITTEE HELD ON 14 SEPTEMBER 2021 - [Go to Attachment](#)**

**RECOMMENDATION**

That the Minutes of the Wulanda Recreation and Convention Centre Committee meeting held on 14 September 2021 as attached be noted.



**18 COUNCIL ASSESSMENT PANEL MINUTES**

**18.1 MINUTES OF THE COUNCIL ASSESSMENT PANEL HELD ON 19 AUGUST 2021**

**RECOMMENDATION**

That the Minutes of the Council Assessment Panel meeting held on 19 August 2021 as previously circulated be noted.





**19 JUNIOR SPORTS ASSISTANCE (SECTION 41) COMMITTEE MINUTES AND RECOMMENDATIONS**

**19.1 MINUTES OF THE JUNIOR SPORTS ASSISTANCE FUND HELD ON 18 AUGUST 2021 - [Go to Attachment](#)**

**RECOMMENDATION**

That the Minutes of the Junior Sports Assistance Fund meeting held on 18 August 2021 as attached be noted.

**19.2 [Commercial Club Inc. - Annual Donations - Exceptional Junior Program 2020](#) – Report No. AR21/48295**

**RECOMMENDATION**

1. That Junior Sports Assistance Fund Report No. AR21/48295 titled 'Commercial Club Inc. - Annual Donations - Exceptional Junior Program 2020' as presented on 18 August 2021 be noted.
2. For the 2020 year the following junior received the Commercial Club Inc. donation to assist that junior to advance in their chosen sport and to achieve their potential:  
Awardee: Emily Lynch, Mount Gambier and District Little Athletics
3. The presentation of the Commercial Club Inc. donation take place at a time convenient to the recipient, member organisation and a representative of the Commercial Club Inc.
4. The media be invited to attend the presentation.



**19.3 MINUTES OF THE SPECIAL JUNIOR SPORTS ASSISTANCE FUND HELD ON 19 AUGUST 2021 - [Go to Attachment](#)**

**RECOMMENDATION**

That the Minutes of the Special Junior Sports Assistance Fund meeting held on 19 August 2021 as attached be noted.

**19.4 [Additional Funding for Exceptional Junior Program 2020 - General Fund](#) – Report No. AR21/52486**

**RECOMMENDATION**

1. That Junior Sports Assistance Fund Report No. AR21/52486 titled 'Additional Funding for Exceptional Junior Program 2020 - General Fund' as presented on 19 August 2021 be noted.
2. For the 2020 year the Junior Sports Assistance Fund (to be funded in 2021) will match the Commercial Club Inc. donation to assist an additional junior to advance in their chosen sport and to achieve their potential:  
Awardee: Elwood Geary, Mount Gambier & District Cricket Association
3. The media be invited to attend the presentation.





**20      AUDIT COMMITTEE MINUTES AND RECOMMENDATIONS**

Nil

**21      CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MINUTES  
AND RECOMMENDATIONS**

Nil

**22      BUILDING FIRE SAFETY COMMITTEE MINUTES**

Nil



## 23 COUNCIL REPORTS

### 23.1 SA MASTERS GAMES 2024 – REPORT NO. AR21/51917

|                                  |   |
|----------------------------------|---|
| <b>Committee:</b>                | <b>Council</b>  |
| <b>Meeting Date:</b>             | <b>21 September 2021</b>  |
| <b>Report No.:</b>               | <b>AR21/51917</b>   |
| <b>CM9 Reference:</b>            | <b>AF20/446</b>   |
| <b>Author:</b>                   | <b>Xarnia Keding, Community Events Officer</b>  |
| <b>Authoriser:</b>               | <b>Tim Coote, General Manager City Growth</b>   |
| <b>Summary:</b>                  | <b>To examine cost against benefit, a report is to be prepared and presented back to Council of implications for the City of Mount Gambier to consider a bid to host the 2024 SA Masters Games.</b> |
| <b>Strategic Plan Reference:</b> | <b>Goal 1: Our People</b>   |
|                                  | <b>Goal 2: Our Location</b>   |
|                                  | <b>Goal 3: Our Diverse Economy</b>  |
|                                  | <b>Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage</b>   |
|                                  | <b>Goal 5: Our Commitment</b>   |

#### REPORT RECOMMENDATION

1. That Council Report No. AR21/51917 titled 'SA Masters Games 2024' as presented on 21 September 2021 be noted.
2. That Council will examine the economic cost against benefit of hosting the SA Masters Games in a report to be presented back to Council to inform the preparation of a bid due in October 2022 for Sport SA to decide the host for the 2024 SA Master Games.
3. That Council refer SA Masters Games to budget deliberation for the 2022/23 and 2023/24 financial years in anticipation of future budget allocations.



## **TYPE OF REPORT**

Other

## **BACKGROUND**

The South Australian Masters Games has been held annually since 1996, with the first games in the Riverland. Since then regions across South Australia have played host to the games as an opportunity to showcase their region and its unique tourism offerings.

The notion of a Masters Games Series was first suggested by the Australian Sports Commission in the early 1980's. The concept spurned the World Masters in Toronto in 1985 as well as the Alice Springs Masters in 1986.

Since then a myriad Masters' events have provided the world's mature age athletes with opportunities to come together to share physical competition with social activity and fun.

The Masters Games is a multi-sport event designed to allow mature aged sports people opportunities to participate in the sports of their choice and to compete with their age peers.

Participating, competing and being physically active is the main motivation of the participants. Social interaction is an important feature of Masters Games.

The objectives of Masters Games are to:

- Provide an incentive for athletes to renew, maintain or commence their active participation in sport
- Supply a focus for sporting organisations to identify and recognise mature age participants, establish communication and encourage involvement in mainstream sport
- Encourage sporting organisations to address the development of mature aged component of their sport
- Stimulate and promote community interest and participation in sport
- Inspire the partnership of Tourism and Sport in regional areas
- Promote more people to participate in mature age sports activities from your region and the rest of South Australia
- Encourage retail, tourism and commerce to support the local development of sport in their region

The opportunity for Mount Gambier to host the 2024 SA Masters Games coincides with the chance to use the Wulanda Recreation and Convention centre as the hub of the games and would provide an opportunity to promote the benefits and usability of the facility.

Local sporting clubs would be the coordinators of their sports in partnership with the Mount Gambier City Council. The clubs would be responsible for promoting, facilitating, and running the sports, whilst Council would be the controlling body of the Games overall.

## **PROPOSAL**

A report will be prepared to enable Council to examine the economic cost against benefit of hosting the SA Masters Games to prepare a bid in October 2022 for Sport SA to decide the host for the 2024 SA Masters Games and that Council refer the SA Masters Games to budget deliberation for the 2022/23 and 2023/24 financial years in anticipation of future budget allocations.

## **LEGAL IMPLICATIONS**

Nil



## STRATEGIC PLAN

Goal 1 1.1, 1.2, 1.3, 1.4

Goal 2 2.4

Goal 3 3.4

## COUNCIL POLICY

Nil

## ECONOMIC IMPLICATIONS

The preparation of the report will be facilitated by the City of Mount Gambier in partnership with key stakeholders and will not present economic implications for Council.

Background considerations based on previous Masters Games events include:

- Economic impact through expenditure by visitors
- Retained expenditure where residents choose to 'holiday at home' rather than travel elsewhere
- Employment opportunities and skills development
- Place branding - improving the awareness and image of the host region
- Return visitation
- Reducing seasonality
- Business leveraging and investment opportunities
- Diversification of the economy

Below is a snapshot of cost and income from the Masters Games held in Port Pirie in 2019.

The original budget for the Masters Games was a 'break even' result with income and estimated expenses of \$40,000. Platinum naming rights sponsorship of \$15,000 was the only monetary contribution with all other sponsorship being in-kind. The amount of support resources for the event was underestimated and was increased to \$121,000 in early 2019 which included the revised SportSA fee of \$20,000. Registration income was \$70,000 of which \$30,622 was paid to the sporting associations and clubs. The final net cost to host the event was \$75,000 with income of \$85,000 and expenses of \$160,000.

The event was a financially viable for sports associations and clubs, as participation is free with online registration system, coordinator shirts, medals and marketing support all included. Each of the sports associations and clubs provided volunteers for the sports at their own facilities and venues.

| <b>SPORT</b>          | <b>Registration Fee</b> | <b>Sports Levy<br/>(Portion paid to Sports Clubs/Association)</b> | <b>Total Paid</b> |
|-----------------------|-------------------------|---|-------------------|
| Accompanying Persons  | \$80                    | -   | \$80              |
| AFL                   | \$1,800                 | \$810   | \$2,610           |
| Archery               | \$840                   | \$590   | \$1,430           |
| Athletics             | \$1,960                 | \$1,715   | \$3,675           |
| Baseball              | \$4,325                 | \$3,640   | \$7,965           |
| Basketball            | \$1,480                 | \$555   | \$2,035           |
| BMX Bicycle Motocross | \$480                   | -   | \$480             |



|                     |                  |                  |                  |
|---------------------|------------------|------------------|------------------|
| Cricket             | \$2,440          | \$1,575          | \$4,015          |
| Croquet             | \$720            | \$710            | \$1,430          |
| Croquet Golf        | \$600            | \$ 56            | \$1,160          |
| Darts               | \$1,120          | \$280            | \$1,400          |
| Dirt Circuit Racing | \$440            | \$165            | \$ 605           |
| Dragon Boat Racing  | \$3,080          | \$1,390          | \$4,470          |
| Equestrian          | \$1,360          | -                | \$1,360          |
| Golf                | \$3,900          | \$8,515          | \$12,415         |
| Gymnastics          | \$320            | \$400            | \$ 720           |
| Harness Racing      | \$280            | -                | \$ 280           |
| Hockey              | \$4,640          | \$2,340          | \$6,980          |
| Lawn Bowls          | \$1,480          | \$ 640           | \$2,120          |
| Shooting (Clay)     | \$720            | \$1,350          | \$2,070          |
| Shooting (Pistol)   | \$480            | \$ 590           | \$1,070          |
| Softball            | \$2,320          | \$1,200          | \$3,520          |
| Squash              | \$720            | \$ 270           | \$ 990           |
| Swimming            | \$1,440          | \$1,110          | \$2,550          |
| Table Tennis        | \$1,240          | \$1,220          | \$2,460          |
| Tennis              | \$2,920          | \$1,550          | \$4,470          |
| Ten Pin Bowling     | \$280            | \$490            | \$ 770           |
| <b>TOTAL</b>        | <b>\$ 41,465</b> | <b>\$ 31,665</b> | <b>\$ 73,130</b> |

Council would hold the financial responsibility of all facets, except sports, of the SA Masters Games, including the hosting fee paid to Sport SA. Clubs would take on the financial responsibility of their facilities being up to standard but stand to make income off the registration fees from participants and teams.

#### **ENVIRONMENTAL IMPLICATIONS**

Nil

#### **SOCIAL IMPLICATIONS**

Improve quality of life.

Provide recreation and entertainment opportunities.

Build social cohesion.

#### **CULTURAL IMPLICATIONS**

Celebrate community values, culture, and history.

Build Community Pride

#### **RESOURCE IMPLICATIONS**

As the SA Masters Games host, the Mount Gambier City Council, would hold the main role of organisation for the games, in the event of a successful bid. This will require resourcing from Council to be scoped in detail. As stated, the sports will have the responsibility over the sports they are running, but there may be some council involvement in terms of road closures etc. depending on the sport's needs.

Other host councils have formed a committee made up primarily of council staff and elected members, with small involvement from community members to ensure the games run efficiently.



An example of staffing used at past games, with potential dates required if Mount Gambier was successful, would consist of:

**Games Director** - 1 x almost full time - in addition to their existing role at the Council.

Responsibilities – All functions, media, promotion, finance, volunteers, working group, sport coordinators, social events, sponsorship, risk assessment, registration system, marketing and social media.

**Event Assistant** - 1 x 2-3 days per week (December 2023 - February 2024), then 4 x days per week (from March 2024) and full time for duration of Games.

Responsibilities - Admin, Online/Hard copy registrations, Athletes Handbook Design, Registration Book Design, Directional signage Poster design, Volunteers, Facebook and sports coordinator correspondence.

**Games Assistants** - 1 x 2- 3 days per week (Late March 2024 to April 14 2024).

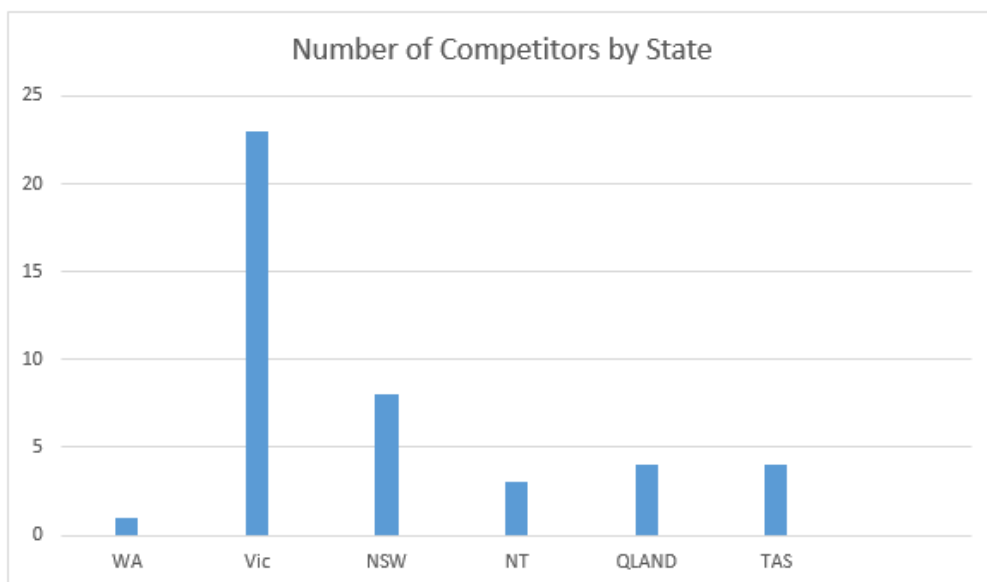
Responsibilities - Photography, Admin, registrations, promotion, Athletes Handbook Design, Registration Book Design, poster design, Facebook, logo design. Registration system assistance, registration hub and general duties.

The committee structure and meetings schedule would be decided when the time is right. There are many examples that could be investigated, once the time is appropriate.

**VALUE FOR MONEY**

The value of hosting the Games, is dependent on the number of athletes, support and buy in of local community and business, and the event being well run and promoted. In 2019 in Port Pirie 1067 athletes participated in the games. The breakdown of where the competitors came from is shown here;

**Interstate registrations**



**South Australian Registrations**

| Region            | Number |
|-------------------|--------|
| Port Pirie Region | 275    |
| Adelaide          | 217    |
| Outer Adelaide    | 29     |



|                                       |     |
|---------------------------------------|-----|
| South East                            | 68  |
| Riverland                             | 5   |
| Flinders Ranges and Outback           | 126 |
| Barossa                               | 3   |
| Clare Valley                          | 44  |
| Fleurier Peninsula                    | 51  |
| Copper Coast/Lower Yorke Peninsula    | 94  |
| Kangaroo Island                       | 10  |
| Upper Yorke Peninsula/ Eyre Peninsula | 75  |

The proximity of our location would suggest, (dependent on COVID), we could attract more athletes from Victoria and NSW, given the right promotion and activation with engaged, local tourism operators and business owners.

The opportunity to promote our city and its features, including the Wulanda Centre, mean return of spend, will increase the better organised and promoted the games are.

#### **RISK IMPLICATIONS**

Nil

#### **EQUALITIES AND DIVERSITY IMPLICATIONS**

Nil

#### **ENGAGEMENT AND COMMUNICATION STRATEGY**

Nil

#### **IMPLEMENTATION STRATEGY**

Nil

#### **CONCLUSION AND RECOMMENDATION**

Through a report presented back to Council to be considered for future budget allocations, Council will examine the economic cost against benefit of hosting the SA Masters Games to be appropriately informed to prepare a bid in October 2022 for Sport SA to decide the host for the 2024 SA Masters Games

#### **ATTACHMENTS**

Nil



**23.2 CCTV AND SECURITY WITHIN THE CITY CENTRE AND OPPORTUNITIES FOR FURTHER UPGRADE – REPORT NO. AR21/52622**

|                                  |   |
|----------------------------------|---|
| <b>Committee:</b>                | <b>Council</b>  |
| <b>Meeting Date:</b>             | <b>21 September 2021</b>  |
| <b>Report No.:</b>               | <b>AR21/52622</b>   |
| <b>CM9 Reference:</b>            | <b>AF20/446</b>   |
| <b>Author:</b>                   | <b>Tim Coote, General Manager City Growth</b>   |
| <b>Authoriser:</b>               | <b>Sarah Philpott, Chief Executive Officer</b>  |
| <b>Summary:</b>                  | <b>To support opportunities for upgrade of CCTV and security, Council has applied for a Safer Communities Fund – Infrastructure Grant with notification of outcome to be presented back to Council.</b> |
| <b>Strategic Plan Reference:</b> | <b>Goal 1: Our People<br/>Goal 2: Our Location</b>  |

**REPORT RECOMMENDATION**

1. That Council Report No. AR21/52622 titled 'CCTV and Security within the City Centre and Opportunities for Further Upgrade' as presented on 21 September 2021 be noted.
2. That following the notification of outcome of the Safer Communities Fund – Infrastructure Grants, an update be provided to Council.





## **TYPE OF REPORT**

Corporate

## **BACKGROUND**

This report is in relation to Council Resolution 2021/168 for the administration to prepare a report on CCTV and security within the city centre and opportunities for further upgrade.

The Rail Trail project implementation has been successful in connecting Mount Gambier from east to west by upgrading and landscaping the old railway line corridor after its decommissioning. This has resulted in an increase in recreational use with walkers and bicycle riders offered an opportunity to cross the city and enjoy this infrastructure. As a subsequent consequence this has also seen an increase in surveillance requirements as the Rail Trail provides a thoroughfare and a gathering point for larger groups.

Providing security options which include CCTV as proposed by the City of Mount Gambier provide a strategic alignment with the Australian Government's latest round of the Safer Communities Fund as well as with the South Australian Police's current suite of initiatives.

The South Australian Police in collaboration with the City of Mount Gambier actively explore crime prevention initiatives aimed at reducing violent and anti-social behaviour to ensure a safe community.

An increase in security options inclusive of CCTV as proposed would add to the ongoing collaboration between local police and the City of Mount Gambier. Increased CCTV will complement ongoing police initiatives and physical crime prevention efforts designed to prevent crime before it occurs, contributing to community uptake of key areas.

These considerations complement the City of Mount Gambier success in receiving funding from the State Government as part of The Local Government Infrastructure Partnership Program (IPP) of \$800,000 funding for solar lighting along the rail trail corridor.

## **PROPOSAL**

In providing security options which may include CCTV, funding opportunities have been assessed in alignment with the Australian Government's latest round of the Safer Communities Fund – Infrastructure Grants which gives local councils as well as schools, pre-schools, places of religious worship and community organisations grants of up to \$500,000 for crime prevention initiatives aimed at reducing crime, violence, anti-social behaviour and/or other security risks driven by racial and/or religious intolerance.

Project activities can include the installation of security infrastructure such as fixed or mobile CCTV cameras but also a range of other site-specific options for increasing security such as lighting, fencing and gates or bollards.

. The City of Mount Gambier applied for \$84,000 for:

- Installation of 8 new CCTV cameras.
- Incorporation of sophisticated CCTV analysis technology.
- Installation of 7 solar lights to illuminate crime vulnerable pathway.

Applications closed on the 19 August 2021 at 5:00pm and Council will be informed of funding application outcome when the administration is notified.

## **LEGAL IMPLICATIONS**

Nil



## **STRATEGIC PLAN**

Goal 1: Our People - 1.4 Care for the community We will develop our service offering to the community to ensure all members have access to required levels of support. 1.4.1 Developing and delivering community safety initiatives that respond to local issues and concerns

The City of Mount Gambier owns or manages infrastructure, facilities, reserves and natural areas and under Goal 2: 2.1 Infrastructure development and managing our current assets, we will commence work on meeting the community's aspirations for future infrastructure development, whilst managing our existing infrastructure and assets in a manner that demonstrates the pride we take in our environment. 2.1.1 Working with the community to ensure our CBD, health and education precincts, our streets and our public spaces are safe, inviting and support a positive image of the City of Mount Gambier

## **COUNCIL POLICY**

Nil

## **ECONOMIC IMPLICATIONS**

Nil

## **ENVIRONMENTAL IMPLICATIONS**

Nil

## **SOCIAL IMPLICATIONS**

Security measures which lead to safer communities in the City of Mount Gambier contributes to a sense of civic pride and promotes increased social activity. An inclusive city is enabled through a sense of security and absence of fear for people from all backgrounds and all ages to participate fully in the life of the City Centre.

## **CULTURAL IMPLICATIONS**

Nil

## **RESOURCE IMPLICATIONS**

Nil

## **VALUE FOR MONEY**

**RESOURCING IMPLICATIONS FOR COUNCIL CAN BE MINIMISED IN THE CONTEXT OF THE SAFER COMMUNITIES FUND – INFRASTRUCTURE GRANTS CAN FINANCE UP TO 100% OF ELIGIBLE PROJECT COSTS.**

## **RISK IMPLICATIONS**

Unsuccessful funding application leading to non-implementation of upgrades to security measures for the City of Mount Gambier as scoped through this opportunity will require an alternative approach. Future time and budgetary constraints to be assessed in collaboration with key stakeholders.

## **EQUALITIES AND DIVERSITY IMPLICATIONS**

Nil

## **ENGAGEMENT AND COMMUNICATION STRATEGY**

Nil

## **IMPLEMENTATION STRATEGY**

Council worked proactively with SAPOL to provide input and support to the development of the funding application to ensure best outcomes and value to the community. Council administration



have engaged with potential providers of security devices on cost of implementation and have applied to the Safer Communities Fund – Infrastructure Grants for 100% of project cost and delivery.

**CONCLUSION AND RECOMMENDATION**

That Council Report No. AR21/52622 titled ‘CCTV and Security within the City Centre and Opportunities for Further Upgrade’ as presented be noted and further updates be provided as when the result of the Safer Communities Fund – Infrastructure Grants are announced and implementation is able to progress.

**ATTACHMENTS**

Nil



**23.3 COMMENCEMENT OF MEMBER BEHAVIOUR FRAMEWORK – REPORT NO. AR21/52781**

|                                  |   |
|----------------------------------|---|
| <b>Committee:</b>                | <b>Council</b>  |
| <b>Meeting Date:</b>             | <b>21 September 2021</b>  |
| <b>Report No.:</b>               | <b>AR21/52781</b>   |
| <b>CM9 Reference:</b>            | <b>AF20/446</b>   |
| <b>Author:</b>                   | <b>Michael McCarthy, Manager Governance and Property</b>  |
| <b>Authoriser:</b>               | <b>Darren Barber, General Manager Shared Services</b>   |
| <b>Summary:</b>                  | <b>This report presents a request from the Local Government Association for feedback on the optimal commencement date for the new behavioural management framework for Council Members.</b> |
| <b>Strategic Plan Reference:</b> | <b>Goal 5: Our Commitment</b>   |

**REPORT RECOMMENDATION**

1. That Council Report No. AR21/52781 titled ‘Commencement of Member Behaviour Framework’ as presented on 21 September 2021 be noted.
2. That the Local Government Association be advised that the preference of the City of Mount Gambier is for the new behavioural management framework for Council Members to commence:  
*\*\* strike out whichever is not applicable \*\**
  - as quickly as possible – i.e. in June or July 2022. *\*\**  
or
  - after the November 2022 local government elections. *\*\**  
or
  - prior to the November 2022 local government elections, with deferred commencement from the conclusion of the elections to apply immediately to the new Council term. *\*\**



## TYPE OF REPORT

Legislative

## BACKGROUND

Council Report No. AR21/39261 presented on 20 July 2021 informed Council of the [Statutes Amendment \(Local Government Review\) Act 2021](#) (“the Act”) becoming law in June 2021, resolving:

### “RESOLUTION 2021/195

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

1. That Council Report No. AR21/39261 titled ‘Statutes Amendment (Local Government Review) Act 2021’ as presented on 20 July 2021 be noted.
2. That Council note that resource implications including any human resourcing associated with the legislative amendments will become clearer as implementation plans progress. A further report will be presented when further clarity can be provided once commencement dates of amended provisions are known, any regulations drafted and finalised, and the Office of Local Government and Local Government Association have released further transition support resources.

**CARRIED”**

This report now provides an interim update on the commencement dates for various provisions and also seeks Council feedback to the Local Government Association on the preferred commencement of the new behavioural management framework for Council Members.

## PROPOSAL

The local government sector has been asked for feedback on the optimal commencement dates for the new behavioural management framework for Council Members introduced by the Act.

A briefing paper prepared by the Local Government Association is provided for information (Attachment 1) and presents the following two options:

- to put in place all elements of the Framework as quickly as possible, to commence in June or July 2022, or
- for the Framework to commence after the November 2022 local government elections.

Put most simply, the bringing forward of the commencement of the new behavioural management framework for Council Members will require the necessary preparations to be in place within the coming 9 months, to apply for the remaining months of the current Council term which will mostly comprise the election caretaker period from September to November 2022.

The deferral of the commencement until the after the November 2022 election will require the necessary public consultation and transition to take place within the first 6-9 months of the new Council term, with the incoming Council and any new Council Members operating under two differing frameworks within that first 12 month period.

A further alternate option that is not canvassed in the briefing paper, but has been considered by members of the Governance and Policy Network, is a hybrid model whereby the elements of the Framework are put in place in the period prior to the November 2022 local government elections, with commencement deferred until after the conclusion of the elections, to apply immediately to the new Council term.

This alternate option provides the benefits of both options whilst also avoiding the disadvantage of each. In particular, it would avoid the necessity for Members of either Council term to operate under two differing behavioural frameworks. It is also noted that a policy review and consultation would be required in the first 6 month period of the new Council term under any option.

## LEGAL IMPLICATIONS

N/A



## **STRATEGIC PLAN**

N/A

## **COUNCIL POLICY**

The new behavioural management framework will require the adoption of a '*Behavioural Support Policy*' and '*Behavioural Management Policy*' to accompany the Ministers Behavioural Standards, which policies will replace Council [Policy M265 Members Complaints Handling Procedure](#).

## **ECONOMIC IMPLICATIONS**

N/A

## **ENVIRONMENTAL IMPLICATIONS**

N/A

## **SOCIAL IMPLICATIONS**

N/A

## **CULTURAL IMPLICATIONS**

N/A

## **RESOURCE IMPLICATIONS**

From a resource perspective, the administration will be required to undertake preparations and any implementation work associated with either option to put in place the new framework before or after the 2022 local government elections, and will rely on template material from the Local Government Association.

## **VALUE FOR MONEY**

N/A

## **RISK IMPLICATIONS**

N/A

## **EQUALITIES AND DIVERSITY IMPLICATIONS**

N/A

## **ENGAGEMENT AND COMMUNICATION STRATEGY**

The public consultation necessary for the new behavioural management framework will be conducted in accordance with the requirements of the [Local Government Act 1999](#) and Council Policy as current at the relevant time.

## **IMPLEMENTATION STRATEGY**

The implementation strategy is as set out in Attachment 1, with the timeline being dependent on a final decision taking consideration of the views of Councils, and the availability of supporting material.

## **CONCLUSION AND RECOMMENDATION**

This report has presented the request from the Local Government Association for feedback on the optimal commencement of the new behavioural management framework.

Noting the options of an earlier or a later commencement, the extent of any impact on Council and Council Members in the closing months (mostly comprising election caretaker period) or the first months of the Council term, and having the new framework in place in either 10 or 20 months, Council is now asked to consider its preference for notification to the Local Government Association.

Notwithstanding that it was not an option canvassed in the Local Government Association briefing Paper, Council may consider supporting an alternate hybrid option of putting the new behaviour



framework in place prior to the November 2022 local government elections, with deferred commencement from the conclusion of the elections to apply immediately to the new Council term.

## **ATTACHMENTS**

1. LGA - Behaviour Management Framework Commencement Paper [↓](#) 



## Commencement of Member Behaviour Framework

The local government sector has been asked for feedback on the optimal commencement dates for the new behaviour management framework for council members (in this paper, referred to as ‘the Framework’) which is set out in new sections 75E, 75F and Chapter 13, Part A1—Member Behaviour of the *Local Government Act 1999* (inserted by s 38 and 126 of the *Statutes Amendment (Local Government Review) Act 2021*).

The first option is to put in place all elements of the Framework as quickly as possible. If so, the Framework could commence in June or July 2022. The second option is for the Framework to commence after the November 2022 local government periodic elections.

This paper set out the steps and the likely timeframe required to achieve implementation of both options.

### Background

The *Statutes Amendment (Local Government Review) Act 2021* will make significant changes to the way council member behaviour issues are addressed. The current code of conduct for elected members will be repealed and replaced by ‘Behavioural Standards’ published by the Minister for Local Government. The date for commencement of this section is yet to be determined. The LGA will make submissions on the commencement date based on feedback from member councils.

Before the new sections commence, councils must make a range of decisions including the development and adoption of behavioural management and support policies to meet the requirements of the new sections (these are referred to in the table below). Public consultation is required before a council can adopt them.

The LGA is preparing a range of training sessions (for both council members and employees) and model documents, to support councils’ transition to the new legislative scheme.

### Required Steps

| Required step  | Primary Responsibility                  | Commence quickly timeline | Commence Post-election timeline |
|--|---|---------------------------|---------------------------------|
| LGA consults sector on template council ‘Behavioural Support Policy <sup>1</sup> ’ and template council ‘Behavioural Management Policy <sup>2</sup> ’. | Sector                                  | September 2021            | September 2021                  |
| Minister publishes Behavioural Standards <sup>3</sup> .  | Minister                                | October 2021              | October 2021                    |
| Minister appoints Behavioural Standards Panel <sup>4</sup> , who can start determining their policies and procedures but who cannot yet hear matters.  | Minister<br>Behavioural Standards Panel | November 2021             | July 2022                       |

<sup>1</sup> s 75F *Local Government Act 1999* (s 38 *Statutes Amendment (Local Government Review) Act 2021*)

<sup>2</sup> s 262B *Local Government Act 1999* (s 126 *Statutes Amendment (Local Government Review) Act 2021*)

<sup>3</sup> s 75E *Local Government Act 1999* (s 38 *Statutes Amendment (Local Government Review) Act 2021*)

<sup>4</sup> Chapter 13, Part A1, Division 2—Behavioural Standards Panel, *Local Government Act 1999* (s 126 *Statutes Amendment (Local Government Review) Act 2021*)



| Required step   | Primary Responsibility      | Commence quickly timeline   | Commence Post-election timeline  |
|---|-----------------------------|---|--|
| LGA provides template policies and training programs.   | LGA                         | From November 2021  | From November 2021   |
| Councils meet to deliberate on their 'Behavioural Support Policy' and 'Behavioural Management Policy'.                                    | Council                     | Final months of 2021 (draft policy approved for consultation by end January 2022) | Post-election: December 2022-March 2023 (must be completed before May 2023). |
| Councils consult public on proposed 'Behavioural Support Policy' and 'Behavioural Management Policy'.                                     | Council                     | February 2022   | February-March 2023  |
| Taking into account consultation with local communities, councils adopt 'Behavioural Support Policy' and 'Behavioural Management Policy'. | Council                     | March-April 2022  | April 2023   |
| Sections of the Act relating to the Framework commence.   | Minister/LGA                | July 2022   | May 2023   |
| Behavioural Standards Panel available to hear matters.  | Behavioural Standards Panel | July 2022   | May 2023   |

### Arguments for and against commencing quickly

#### *Arguments for commencing quickly*

- Council member behaviour is an ongoing problem, resulting in sector-wide reputational damage.
- Some councils have critical issues that cannot be effectively solved under the existing laws. These issues present continuing risks of harm to council members and employees.
- This risk of harm exposes the sector to financial costs including legal fees and compensation payments made by the local government workers compensation and indemnity schemes.
- The new scheme increases the likelihood that members will conduct themselves in accordance with community expectations.
- Behavioural Standards Panel members can be appointed and commence development of operating procedures to enable prompt consideration of matters once the provisions commence.

#### *Arguments against commencing quickly:*

- Councils have a substantial body of work that must be undertaken before the sections can commence.
- There are a very large number of tasks required to implement the changes to the Local Government Act arising from passage of the *Statutes Amendment (Local Government Review) Act 2021*. The Framework is only one of several substantial projects.
- 2022 will already be a busy year of council governance (and other relevant) officers. Expected federal, state, and local government elections will all increase workloads.



The voice of local government.

- If the Framework commences quickly, the current council will need to develop the policies required by the legislation and related procedures for implementation. This process will need to be conducted again after the new council is elected.
- The Behavioural Standards Panel will not be available to hear matters, make determinations and impose penalties until mid 2023.

### Summary

Both timeframes are available, however with the 'commence quickly' timeline, council will need to compress the required body of work into a shorter period. Some council deliberations will need to be repeated once a new council is elected.

On the other hand, council member behaviour is a serious systemic issue for the sector. These issues are difficult to resolve under the current laws. Behavioural issues and the inability to resolve breakdowns in Member relationships provide a major distraction from ordinary business, at many councils.

The LGA intends to make a submission on commencement dates for the Framework, based upon the views of member councils. Councils are requested to provide views by **21 September 2021**. Submissions and question should be addressed to Andrew Lamb, Local Government Reform Partner on 8224 2081 and [andrew.lamb@lga.sa.gov.au](mailto:andrew.lamb@lga.sa.gov.au)



**23.4 LOCAL GOVERNMENT REFORM - UPDATE – REPORT NO. AR21/55283**

|                                  |   |
|----------------------------------|---|
| <b>Committee:</b>                | <b>Council</b>  |
| <b>Meeting Date:</b>             | <b>21 September 2021</b>  |
| <b>Report No.:</b>               | <b>AR21/55283</b>   |
| <b>CM9 Reference:</b>            | <b>AF20/446</b>   |
| <b>Author:</b>                   | <b>Michael McCarthy, Manager Governance and Property</b>  |
| <b>Authoriser:</b>               | <b>Darren Barber, General Manager Shared Services</b>   |
| <b>Summary:</b>                  | <b>This report provides an update on the commencement of initial local government reforms arising from the Statutes Amendment (Local Government Review) Act 2021.</b> |
| <b>Strategic Plan Reference:</b> | <b>Goal 5: Our Commitment</b>   |

**REPORT RECOMMENDATION**

1. That Council Report No. AR21/55283 titled 'Local Government Reform - Update' as presented on 21 September 2021 be noted.



## TYPE OF REPORT

Legislative

## BACKGROUND

At the meeting held on 20 July 2021 Council noted the potential resource implications associated with the implantation of legislative changes arising from the commencement of provisions of the Statutes Amendment (Local Government Review) Act 2021.

This report provides an update on the commencement dates of the initial tranche of changes.

## PROPOSAL

The Office of Local Government have indicated that a proclamation is to occur in September with provisions to commence immediately being largely matter where Council will not need to take specific action to update documents, policies or provide training, and provisions that are to commence on 10 November 2021 that will relate to Local Government (Elections) Act changes.

It is anticipated that the proclamation of changes will be on Thursday 16 September 2021 with certain provisions to commence on Monday 20 September 2021.

To support the reform changes the Local Government Association has developed a resource webpage. This webpage can be accessed with a Local Government Association website login.

<https://www.lga.sa.gov.au/member-services/lg-sector/local-government-reform>

Content on this webpage is currently set out under the following headings:

- Commencement timelines and LGA Resources
  - including marked-up copies of relevant legislation and a search function to look-up provisions proposed to commence in September and November 2021.
- Latest News on LG Reform
- Current consultations on LG Reform
- Training opportunities
- LG Reform Resources
  - Including Information Sheets on particular reforms

The following changes to sections 3, 7 and 8 that relate to the objects of the Local Government Act 1999, the functions of a Council and the principles to be observed by a Council may be of particular interest to Members:

Insertion to section 3(f):

“to encourage local government to provide appropriate services and facilities to meet the present and future needs of local communities **and to provide for appropriate financial contributions by ratepayers to those services and facilities**”

Insertion of section 7(ba)

“**to determine the appropriate financial contribution to be made by ratepayers to the resources of the council;**”

Amendment of section 8(ea)

“seek to collaborate ~~and form partnerships~~, **form partnerships and share resources** with other councils and regional bodies for the purposes of delivering cost-effective services (while avoiding cost-shifting among councils), integrated planning, maintaining local representation of communities and facilitating community benefit;”

Insertion to section 8(h)



“seek to ensure that council resources are used fairly, effectively and efficiently **and council services, facilities and programs are provided effectively and efficiently;**”

Insertion of sections 8(ia)

**“seek to balance the provision of services, facilities and programs with the financial impact of the provision of those services, facilities and programs on ratepayers;”**

The changes commencing in September are also proposed to include:

- Amendment of subsection 54(1)(k) to include an order of SACAT (in addition to an order of a court) as a ground for a casual vacancy.
- Replacement of section 80A relating to Member Training and Development Policy.
- Insertion of section 85(2) in relation to quorum where a Member is suspended, or taken to have been granted a leave of absence under (yet to commence) section 55A.
- Insertion of a new subsection 90(3)(o) ground for excluding the public from attendance at a meeting for information relating to a proposed award recipient.
- Insertion of new section 90A relating to Information or Briefing Sessions.
- Insertion of new section 99A relating to the remuneration of Chief Executive Officer.  
*(Noting: section 99A does not apply until the Remuneration Tribunal makes its first determination and does not apply to remuneration of a CEO holding office at the commencement of that section during the term of that office)*
- Removal of sections 222(1a), 224A, 225A and 225B relating to mobile food vending businesses.  
*(Noting: Council may still grant permits to mobile food vendors.)*
- Substitution of regulation 8AB relating to Information or Briefing Sessions.
- Amendment of regulation 12(2) of the Procedures at Meetings Regulations to increase the number of clear days a Notice of Motion must be given in writing to the Chief Executive Officer before a meeting from 5 days to 7 days.

Further information will be provided to Members on the practical application of relevant changes in due course.

## LEGAL IMPLICATIONS

As commencing changes to the legislation governing local government Council and the Administration are obliged to comply with the commencing provisions.

It should be noted that further legislative changes are expected to commence in November 2021, next year prior to and in conjunction with the November 2022 local government elections, and in the 2023 and 2024 years.

## STRATEGIC PLAN

N/A

## COUNCIL POLICY

No immediate changes to Council policies are anticipated as a result of the current tranche of legislative changes, however minor unexpected amendments are expected to arise as changes are implemented and policies are periodically reviewed.

The further changes expected in 2022 will include policy changes including potential community engagement, hence the deferral of the commencement dates for such changes.



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**ECONOMIC IMPLICATIONS**

N/A

**ENVIRONMENTAL IMPLICATIONS**

N/A

**SOCIAL IMPLICATIONS**

N/A

**CULTURAL IMPLICATIONS**

N/A

**RESOURCE IMPLICATIONS**

The administration will review any resource implications associated with implementing the various legislative changes over the coming weeks and months.

**VALUE FOR MONEY**

N/A

**RISK IMPLICATIONS**

The administration will review the risk implications associated with implementing the various legislative changes over the coming weeks and months.

**EQUALITIES AND DIVERSITY IMPLICATIONS**

N/A

**ENGAGEMENT AND COMMUNICATION STRATEGY**

No external engagement or communication requirements have been identified with this first round of legislative changes, however engagement may be anticipated in relation to policy requirements arising from further changes to commence in November 2021 and in 2022/2023.

**IMPLEMENTATION STRATEGY**

The Local Government Association LG Equip program includes resources to support the transition to the amended legislative regime, which will be progressed in the coming weeks and months and into 2022 and 2023.

**CONCLUSION AND RECOMMENDATION**

This report presents the current round of legislative changes that are anticipated to commence from 20 September 2021. Members should review the changes that directly impact elected members and engage with any information and training opportunities that arise in the coming weeks, months and into the 2022/2023 years.

**ATTACHMENTS**

Nil



**23.5 WULANDA RECREATION AND CONVENTION CENTRE - PRESIDING MEMBER –  
REPORT NO. AR21/58339**

|                                  |   |
|----------------------------------|---|
| <b>Committee:</b>                | <b>Council</b>  |
| <b>Meeting Date:</b>             | <b>21 September 2021</b>  |
| <b>Report No.:</b>               | <b>AR21/58339</b>   |
| <b>CM9 Reference:</b>            | <b>AF20/446</b>   |
| <b>Author:</b>                   | <b>Michael McCarthy, Manager Governance and Property</b>  |
| <b>Authoriser:</b>               | <b>Darren Barber, General Manager Shared Services</b>   |
| <b>Summary:</b>                  | <b>This report presents recommendations to enable the appointment of a replacement Presiding Member of the Wulanda Recreation and Convention Centre Committee in anticipation of a vacancy arising from the resignation of Cr Ben Hood from that committee.</b> |
| <b>Strategic Plan Reference:</b> | <b>Goal 5: Our Commitment</b>   |

**REPORT RECOMMENDATION**

1. That Council Report No. AR21/58339 titled 'Wulanda Recreation and Convention Centre - Presiding Member' as presented on 21 September 2021 be noted.
2. That the nomination of Cr Sonya Meziniec for the position of Presiding Member of the Wulanda Recreation and Convention Centre Committee be received.
3. That Cr Sonya Meziniec be appointed as Presiding Member of the Wulanda Recreation and Convention Centre Committee for a term of one (1) year commencing 1 October 2021.



## **TYPE OF REPORT**

Corporate

## **BACKGROUND**

Earlier in this agenda Council considered a Motion from Cr Ben Hood requesting a Leave of Absence from Council for the period 1 October 2021 until March 2022 for the purpose of candidacy for the 2022 State Election.

In relation to that item Cr Hood presented his resignation from the Wulanda Recreation and Convention Centre Committee, until further notice.

Accordingly, this report anticipates a vacancy in the position of Presiding Member of the Wulanda Recreation and Convention Centre Committee and is presented to enable Council to consider filling this position..

## **PROPOSAL**

Clause 12.5 of Council Policy C410 Code of Practice for Access to Meeting Conduct of Meetings provides a process whereby the Chief Executive Officer will notify Members of the requirements associated with a vacancy and will seek written nominations for presentation to the next available Council meeting.

With the anticipated resignation of Cr Hood from the Wulanda Recreation and Convention Centre Committee and noting that the October meeting of that committee is scheduled to be held prior to the October Council meeting, this report presents the anticipated vacancy and provides an opportunity for Council to appoint a replacement Presiding Member.

Members have been previously advised of the potential Presiding Member position vacancy and this report by memo dated 14 September 2021, and were invited to present their nomination for the position by close of business on Wednesday 15 September 2021 for consideration in this report.

A single nomination was received from Cr Sonya Meziniec, and accordingly this report recommends the appointment of Cr Meziniec to the vacancy position from 1 October 2021 for a term of one year to coincide with the caretaker period associated with the November 2022 local government elections.

## **LEGAL IMPLICATIONS**

A vacancy in the position of Presiding Member of a Council Committee necessitates the appointment of an acting presiding member.

## **STRATEGIC PLAN**

N/A

## **COUNCIL POLICY**

Council Policy C410 applies to the filling of vacancies in positions on Council Committees.

## **ECONOMIC IMPLICATIONS**

N/A

## **ENVIRONMENTAL IMPLICATIONS**

N/A

## **SOCIAL IMPLICATIONS**

N/A

## **CULTURAL IMPLICATIONS**

N/A





**RESOURCE IMPLICATIONS**

N/A

**VALUE FOR MONEY**

N/A

**RISK IMPLICATIONS**

N/A

**EQUALITIES AND DIVERSITY IMPLICATIONS**

N/A

**ENGAGEMENT AND COMMUNICATION STRATEGY**

N/A

**IMPLEMENTATION STRATEGY**

N/A

**CONCLUSION AND RECOMMENDATION**

Having noted the anticipated vacancy in the position of Presiding Member of the Wulanda Recreation and Convention Centre, and any vacancy actually arising from the resignation of Cr Ben Hood from this committee, this report presents recommendations to appoint Cr Sonya Meziniec as the sole nominee for the arising vacancy.

**ATTACHMENTS**

Nil



## 24 MOTIONS WITH NOTICE

### 24.1 NOTICE OF MOTION - HOSPITAL UPGRADES

**Meeting:** Council  
**CM9 Reference:** AF20/446  
**Member:** Paul Jenner, Councillor

I, Councillor Paul Jenner, give notice that at the next Ordinary Meeting of Council to be held on 21 September 2021, I intend to move the following motion:

#### MOTION

1. That Council Report No. AR21/59538 titled 'Notice of Motion - Hospital Upgrades' as presented on 21 September 2021 be noted.
2. Council write to:
  - Hon Steven Marshall MP, Premier of South Australia
  - Mr Peter Malinauskas MP, Leader of the Opposition of South Australia
  - Hon Stephen Wade MLC, South Australian Minister of Health and Wellbeing
  - Mr Chris Picton MP, South Australian Shadow Minister for Health and Wellbeing
  - Mr Troy Bell, Member for Mount Gambier
  - Mr Nick McBride MP, Member for MacKillop
  - Ms Clare Scriven MLC, South Australian Shadow Minister for Industry and Skills - Forestry
  - Mr Grant King, Limestone Coast Local Health Network Governing Board

seeking a commitment to the upgrade of the Mount Gambier and Districts Hospital and Emergency Department and COVID facilities, consistent with upgrades occurring in Adelaide and the greater metropolitan area. Some of these hospitals are being upgraded in the Emergency Departments for COVID ventilation and air conditioning.

#### RATIONALE

Some of these hospitals are being upgraded in the Emergency Departments for COVID ventilation and air conditioning.

<https://www.facebook.com/100044218940055/posts/409119390572022/?d=n>

I commend this Notice of Motion to Council.

#### ATTACHMENTS

Nil



**24.2 NOTICE OF MOTION - STATE PREMIER INVITATION**

**Meeting:** Council  
**CM9 Reference:** AF20/446  
**Member:** Paul Jenner, Councillor

I, Councillor Paul Jenner, give notice that at the next Ordinary Meeting of Council to be held on 21 September 2021, I intend to move the following motion:

**MOTION**

1. That Council Report No. AR21/59539 titled 'Notice of Motion - State Premier Invitation' as presented on 21 September 2021 be noted.
2. Council invites the Hon Steven Marshall MP, State Premier to Mount Gambier as a matter of urgency to address issues in our community;
  - (a) Mount Gambier Bus Routes Funding
  - (b) Mount Gambier MFS Fire Appliance
  - (c) Mount Gambier Hospital Upgrade
  - (d) State Budget 2021/2022 not having any major new funding for Mount Gambier
  - (e) Mount Gambier Waste Management planning
  - (f) Mount Gambier's 14 acres of unused Railway Land by Hasting Cunningham Reserve & Rail Trail
  - (g) Mount Gambier Ambulance Service
  - (h) DIT Roads in and around Mount Gambier

**RATIONALE**

There are a number of significant issues and opportunities in front of the community of Mount Gambier and Council would welcome the opportunity to discuss these and other matters in person with our Premier, for the benefit of our community and in recognition of the contribution our region makes to the success of the State.

I commend this Notice of Motion to Council.

**ATTACHMENTS**

Nil



**24.3 NOTICE OF MOTION - REPRESENTATIVE ON PUBLIC LIGHTING WORKING GROUP**

**Meeting:** Council  
**CM9 Reference:** AF20/446  
**Member:** Paul Jenner, Councillor

I, Councillor Paul Jenner, give notice that at the next Ordinary Meeting of Council to be held on 21 September 2021, I intend to move the following motion:

**MOTION**

1. That Council Report No. AR21/59654 titled 'Notice of Motion - Representative on Public Lighting Working Group' as presented on 21 September 2021 be noted.
2. That Cr Paul Jenner be endorsed as City of Mount Gambier representative on the SAPN/LGA Public Lighting Working Group.

**RATIONALE**

I have been in the role since February 2019.

The reason for that is Accountability and Transperancy. It also is backed up through the records of the PLWG minutes.

I commend this Notice of Motion to Council.

**ADMINISTRATIVE COMMENT**

Endorsement of Elected Members as Council nominated or appointed representatives on outside bodies and organisations is ordinarily administered in accordance with [Council Policy C410](#), involving the Chief Executive Officer notifying Members of a request or requirement associated with a position vacancy, including details of the Terms of Reference (or similar – as relevant) and seeking written nominations of any Member, Officer or other person with appropriate qualifications and/or experience for consideration by Council.

The Public Lighting Working Group was established to provide a representative group for Councils to work with the Local Government Association and SA Power Networks on public lighting matters.

The City of Mount Gambier has not formally considered or endorsed any Member representative on this body, however Cr Paul Jenner (and other Councillors) have attended meetings of the group in the period following its establishment in December 2018.

Council representatives of the Public Lighting Working Group are listed on the following website [https://www.talkingpower.com.au/reference-groups/news\\_feed/public-lighting-working-group](https://www.talkingpower.com.au/reference-groups/news_feed/public-lighting-working-group) and include Cr Paul Jenner and Cr Kate Amorosi (misspelt) together with Nick Serle (resigned).

The Terms of Reference for the Public Lighting Working Group are accessible at the following link <https://www.talkingpower.com.au/40842/documents/104742> and are silent with respect to any pre-requisites or nomination/appointment process for group members.

Administrative enquiry has been made with the Local Government Association to clarify the status of the Public Lighting Working Group and membership expectations, however contact had not been achieved at the time of writing.



Consistent with Member representation on other Local Government Association and Limestone Coast Local Government Association committees and groups (and other outside bodies and organisations), if Council (and the host parties) consider it necessary and appropriate to have Member representation on such a group, that this be formally considered and endorsed by resolution of Council.

It should be noted that as a consequence of endorsement as a Council representative the costs of attendance at meetings, including costs associated with travel outside the Council area, would be of the type that are reimbursable by Council to the Member in full in accordance with section 77(1) of the Act and part 7.1 of [Council Policy M405 Members Allowances and Benefits](#).

## **ATTACHMENTS**

Nil



**25 URGENT MOTIONS WITHOUT NOTICE**



## 26 CONFIDENTIAL ITEMS OF COMMITTEES

### 26.1 CONFIDENTIAL ITEMS OF THE ECONOMIC AND ENVIRONMENT COMMITTEE HELD ON 6 SEPTEMBER 2021

#### 26.2 Community Health Information

##### CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except the Mayor, Councillors and (Council Officers) be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 26.2 AR21/51525 Community Health Information.

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

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

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.

- 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.

- information concerning matters that must be considered in confidence in order to ensure that the Council does not:
  - breach any law, order or direction of a court or tribunal constituted by law,
  - breach any duty of confidence, or
  - breach any other legal obligation or duty

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



**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 5.1 AR21/51525 Community Health Information and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b), (d) and (g) be kept confidential and not available for public inspection until a further order is made by Council, to be reviewed at least once every 12 months.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.





### 26.3 Sale of Land for Non-Payment of Rates

#### **CONSIDERATION FOR EXCLUSION OF THE PUBLIC**

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except the Mayor, Councillors and (Council Officers) be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 26.3 AR21/53732 Sale of Land for Non-Payment of Rates.

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

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)

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 information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

#### **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 5.2 AR21/53732 Sale of Land for Non-Payment of Rates and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (a) be kept confidential and not available for public inspection until the latter of:- 12 months, or the matter being settled.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.



## 26.4 Sale of Land for Non-Payment of Rates

### CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except the Mayor, Councillors and (Council Officers) be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 26.4 AR21/53765 Sale of Land for Non-Payment of Rates.

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

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)

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 information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

### 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 5.3 AR21/53765 Sale of Land for Non-Payment of Rates and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (a) be kept confidential and not available for public inspection until the latter of:- 12 months, or the matter being settled.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.



**26.5 CONFIDENTIAL ITEMS OF THE WULANDA RECREATION AND CONVENTION CENTRE COMMITTEE HELD ON 14 SEPTEMBER 2021**

**26.6 Project Control Group (PCG) Progress Report #10 - As at 07/09/2021**

**CONSIDERATION FOR EXCLUSION OF THE PUBLIC**

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except the Mayor, Councillors and (Council Officers) be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 26.6 AR21/57494 Project Control Group (PCG) Progress Report #10 - As at 07/09/2021.

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

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

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.

- 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.

- information concerning matters that must be considered in confidence in order to ensure that the Council does not:
  - breach any law, order or direction of a court or tribunal constituted by law,
  - breach any duty of confidence, or
  - breach any other legal obligation or duty

The 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 contained within the report and attachments presents matters relating to contracts between Council and contractors associated with the construction of the Wulanda Recreation and Convention Centre. The disclosure of information contained in this report and attachments could reasonably be expected to prejudice the commercial position of Council or the third parties and is considered on balance



to be contrary to the public interest as it could prejudice the Council's position in obtaining best value project delivery on behalf of the community.

**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 5.1 AR21/57494 Project Control Group (PCG) Progress Report #10 - As at 07/09/2021 and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b), (d) and (g) be kept confidential and not available for public inspection until 12 months after completion of the project.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.



## 26.7 Wulanda Recreation and Convention Centre - Management and Operation of Mount Gambier Community and Recreation Hub Update

### CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except the Mayor, Councillors and (Council Officers) be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 26.7 AR21/57503 Wulanda Recreation and Convention Centre - Management and Operation of Mount Gambier Community and Recreation Hub Update.

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

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

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.

- 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.

- information concerning matters that must be considered in confidence in order to ensure that the Council does not:
  - breach any law, order or direction of a court or tribunal constituted by law,
  - breach any duty of confidence, or
  - breach any other legal obligation or duty

The 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 contained within the report and attachments presents matters relating to the negotiation and execution of a contract between Council and a contractor associated with the operation and management of the Wulanda Recreation and Convention Centre which is subject to an existing confidentiality order. The disclosure of information contained in this report and attachments could reasonably be expected to prejudice the commercial position of Council or the third parties and is considered on balance



to be contrary to the public interest as it could prejudice the Councils position in obtaining best value on behalf of the community.

**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 5.2 AR21/57503 Wulanda Recreation and Convention Centre - Management and Operation of Mount Gambier Community and Recreation Hub Update and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b), (d) and (g) be kept confidential and not available for public inspection until a further order of Council to release.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.



## 27 NEW CONFIDENTIAL ITEMS

### 27.1 LEGAL ADVICE – REPORT NO. AR21/58597

#### CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except the Mayor, Councillors and (Council Officers) be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.1 AR21/58597 Legal Advice.

The Council is satisfied that, pursuant to section 90(3) (g), (h), (i) and (j) 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
- information relating to:
  - actual litigation, or
  - litigation that the Council or Council committee believes on reasonable grounds will take place,
  - involving the Council or an employee of the Council
- information the disclosure of which would divulge information provided on a confidential basis by or to:
  - a Minister of the Crown, or
  - another Public Authority or official (not being an employee or a person engaged by the Council) that would on balance be contrary to the public interest

The 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 considered includes, primarily, legal advice that is subject to legal and common privilege and relates to litigation that it is reasonably considered will take place and that involved information of a confidential nature conveyed by a public authority.

**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 27.1 AR21/58597 Legal Advice 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), (h), (i) and (j) be kept confidential and not available for public inspection until further Order of Council, to be reviewed at least once in every year.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.



## 27.2 PINEHALL AVENUE / O'LEARY ROAD UPGRADE – REPORT NO. AR21/53178

### CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except the Mayor, Councillors and (Council Officers) be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.2 AR21/53178 Pinehall Avenue / O'Leary Road Upgrade.

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

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)
- information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is
  - conducting business; or
  - proposing to conduct business; or
  - to prejudice the commercial position of the Council
- commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected:
  - to prejudice the commercial position of the person who supplied the information, or
  - to confer a commercial advantage on a third party
- information relating to:
  - actual litigation, or
  - litigation that the Council or Council committee believes on reasonable grounds will take place,
  - involving the Council or an employee of the Council

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 considered relates to the valuation and compulsory acquisition of land for road opening purposes for which the owner is yet to engage in negotiations and it is reasonably considered will result in litigation.

### **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 27.2 AR21/53178 Pinehall Avenue / O'Leary Road 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) (a), (b), (d) and (i) be kept confidential and not available for public inspection until the acquisition of the subject land has been settled and any court actions finalised.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

### **27.3 ROAD OPENING PROCESS - PINEHALL AVENUE / O'LEARY ROAD – REPORT NO. AR21/39329**

#### **CONSIDERATION FOR EXCLUSION OF THE PUBLIC**

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except the Mayor, Councillors and (Council Officers) be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.3 AR21/39329 Road Opening Process - Pinehall Avenue / O'Leary Road.

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

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)
- information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is
  - conducting business; or
  - proposing to conduct business; or
  - to prejudice the commercial position of the Council
- commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected:
  - to prejudice the commercial position of the person who supplied the information, or
  - to confer a commercial advantage on a third party
- information relating to:
  - actual litigation, or
  - litigation that the Council or Council committee believes on reasonable grounds will take place,
  - involving the Council or an employee of the Council

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 considered relates to the valuation and compulsory acquisition of land for road opening purposes for which the owner is yet to engage in negotiations and it is reasonably considered will result in litigation.

### **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 27.3 AR21/39329 Road Opening Process - Pinehall Avenue / O'Leary Road and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (a), (b), (d) and (i) be kept confidential and not available for public inspection until the acquisition of the subject land has been settled and any court actions finalised.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

### **27.4 SITE STRATEGIC LAND USE ASSESSMENT – REPORT NO. AR21/52780**

#### **CONSIDERATION FOR EXCLUSION OF THE PUBLIC**

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except the Mayor, Councillors and (Council Officers) be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.4 AR21/52780 Site Strategic Land Use Assessment.

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

- information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is
  - conducting business; or
  - proposing to conduct business; or
  - to prejudice the commercial position of the Council
- commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected:
  - to prejudice the commercial position of the person who supplied the information, or
  - to confer a commercial advantage on a third party
- information concerning matters that must be considered in confidence in order to ensure that the Council does not:
  - breach any law, order or direction of a court or tribunal constituted by law,
  - breach any duty of confidence, or
  - breach any other legal obligation or duty
- information the disclosure of which would divulge information provided on a confidential basis by or to:
  - a Minister of the Crown, or
  - another Public Authority or official (not being an employee or a person engaged by the Council) that would on balance be contrary to the public interest

The 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 considered has been provided on a confidential basis by a public authority, creating a duty of confidence, and includes discussion on matters the disclosure of which could confer commercial advantage on a third party with whom Council may conduct business and prejudice the commercial position of Council and in this respect which would, on balance, be contrary to the public interest in obtaining the best value and outcomes for the community.

**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 27.4 AR21/52780 Site Strategic Land Use Assessment and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b), (d), (g) and (j) be kept confidential and not available for public inspection until further order of Council or determination by the Chief Executive Officer to release in part or full.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

## 27.5 VALLEY LAKE ALGAL CONTROL – REPORT NO. AR21/47621

### CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except the Mayor, Councillors and (Council Officers) be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.5 AR21/47621 Valley Lake Algal Control.

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 the Agenda Item is:

- tenders for the:
  - supply of goods, or
  - 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 this item relates to the discussion and recommendation of commercial arrangements to seek and supply technology for algal control.

### 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 27.5 AR21/47621 Valley Lake Algal Control 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) (k) be kept confidential and not available for public inspection until 12 months have elapsed, with the name of the contractor and contract value to be released upon execution of a contract.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

## 27.6 WASTE AND MATERIALS RECYCLING OPTIONS – REPORT NO. AR21/59399

### CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except the Mayor, Councillors and (Council Officers) be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.6 AR21/59399 Waste and Materials Recycling Options.

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

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)
- information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is
  - conducting business; or
  - proposing to conduct business; or
  - to prejudice the commercial position of the Council
- commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected:
  - to prejudice the commercial position of the person who supplied the information, or
  - to confer a commercial advantage on a third party
- information concerning matters that must be considered in confidence in order to ensure that the Council does not:
  - breach any law, order or direction of a court or tribunal constituted by law,
  - breach any duty of confidence, or
  - breach any other legal obligation or duty

The 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 report and matters to be discussed include information relating to the personal and commercial in-confidence affairs of parties who have supplied confidential information creating a duty of confidence, and with whom Council is, and is proposing to, conduct business. The consideration of this matter in an open session would involve the unreasonable disclosure of personal affairs information and could reasonably be expected to provide advantage 3rd parties and prejudice the commercial position of Council, which on balance would be contrary to the public interest in obtaining best value on behalf of the community.

**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 27.6 AR21/59399 Waste and Materials Recycling Options and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (a), (b), (d) and (g) be kept confidential and not available for public inspection until further Order of Council or determined for release under delegation by the Chief Executive Officer.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

**27.7 CHIEF EXECUTIVE OFFICER EMPLOYMENT AGREEMENT VARIATION  
(SUPERANNUATION) – REPORT NO. AR21/57924**

**CONSIDERATION FOR EXCLUSION OF THE PUBLIC**

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except the Mayor, Councillors and (Council Officers) be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.7 AR21/57924 Chief Executive Officer Employment Agreement Variation (Superannuation).

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

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)

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 presented and considered with this item relates to the personal affairs being the contract of employment arrangements of the Chief Executive Officer, Ms Sarah Philpott.

**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 27.7 AR21/57924 Chief Executive Officer Employment Agreement Variation (Superannuation) and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (a) be kept confidential and not available for public inspection until 2 years after the contract of employment of Mrs Sarah Philpott has expired and not been renewed or extended, with any change to salary, allowance or benefit information to be updated within 28 days in the Register to be maintained under section 105 of the *Local Government Act 1999*.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.



**28 MEETING CLOSE**



**COMMITTEE MINUTES**

**AND**

**REPORTS / ATTACHMENTS**

**MINUTES OF CITY OF MOUNT GAMBIER  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT  
GAMBIER  
ON TUESDAY, 17 AUGUST 2021 AT 6.00 P.M.**

**PRESENT:** Mayor Lynette Martin (OAM), Cr Sonya Meziniec, Cr Kate Amoroso, Cr Max Bruins, Cr Christian Greco, Cr Ben Hood, Cr Paul Jenner, Cr Frank Morello, Cr Steven Perryman (entered at 6:03 pm)

|                                |   |                   |
|--------------------------------|---|-------------------|
| <b>OFFICERS IN ATTENDANCE:</b> | Chief Executive Officer                     | - Mrs S Philpott  |
|                                | General Manager City Infrastructure         | - Ms B Cernovskis |
|                                | General Manager Shared Services             | - Mr D Barber     |
|                                | General Manager City Growth                 | - Mr T Coote      |
|                                | Acting General Manager Community Wellbeing  | - Mrs G Davison   |
|                                | Finance Manager                             | - Mrs J Scoggins  |
|                                | Manager Governance and Property             | - Mr M McCarthy   |
|                                | Media and Communications Coordinator        | - Ms S McLean     |
|                                | Executive Administrator City Infrastructure | - Ms S Wilson     |

## 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 APOLOGIES

Nil

## 3 LEAVE OF ABSENCE

Nil

## 4 CONFIRMATION OF COUNCIL MINUTES

### **RESOLUTION 2021/232**

Moved: Cr Max Bruins  
Seconded: Cr Sonya Meziniec

That the minutes of the Ordinary Council meeting held on 20 July 2021 and the Special Council meeting held on 12 August 2021 be confirmed as an accurate record of the proceedings of the meeting.

**CARRIED**

## 5 MAYORAL REPORT

### 5.1 MAYORAL REPORT - AUGUST 2021

- Introductory Meeting (Virtual) – Representatives from Borg Manufacturing
- State Government Information Session (Virtual) – COVID-19 Vaccination Roll Out
- Weekly LCLGA Mayor's Virtual Meeting
- Radio Interview 5GTR-FM
- Elected Members Workshop – CBD Strategy
- Weekly LCLGA Mayor's Virtual Meeting
- People and Place Committee Meeting
- Citizenship Ceremony
- Elected Members Workshop – Discussion re Committee Structures
- Members Informal Briefing - CEO Observations
- Weekly LCLGA Mayor's Virtual Meeting
- Site Visit and Introduction with CEO and GM City Growth – Mondelez International
- Elected Members Workshop – Review Works Program
- Wulanda Recreation and Convention Centre Committee Meeting
- Special Confidential Meeting of Council : Wulanda Recreation and Convention Centre Loan Structure
- LCLGA General Meeting – City of Mount Gambier Hosting

#### RESOLUTION 2021/233

Moved: Mayor Lynette Martin

Seconded: Cr Christian Greco

That the Mayoral report made on 17 August 2021 be received.

**CARRIED**

## 6 REPORTS FROM COUNCILLORS

Cr Steven Perryman entered the meeting at 6:03 pm

Cr Sonya Mezinec

Pride in Your Stride - Walk for Homelessness Week, MG&DHAC Meeting, Christmas Parade Advisory Group

Cr Frank Morello

Elected Members Workshop - Committee Structures, Members Informal Briefing - CEO Observations

#### RESOLUTION 2021/234

Moved: Cr Christian Greco

Seconded: Cr Kate Amoroso

That the reports made by Councillors on 17 August 2021 be received.

**CARRIED**

## 7 QUESTIONS WITH NOTICE

Nil

**8 QUESTIONS WITHOUT NOTICE**

Nil

**9 PETITIONS**

Nil

**10 DEPUTATIONS**

Nil

**11 NOTICE OF MOTION TO RESCIND OR AMEND****11.1 NOTICE OF RESCISSION/AMENDMENT - WEHL STREET THEATRE AND REIDY PARK CENTRE LEASES****MOTION**

Moved: Cr Paul Jenner

Seconded: Cr Kate Amoroso

1. That Council Report No. AR21/36403 titled 'Notice of Rescission/Amendment - Wehl Street Theatre and Reidy Park Centre Leases' as presented on 17 August 2021 be noted.
2. Noting Parts 2 and 3 of Resolution 2020/283 associated with Report No AR20/56190 titled 'CentreStage and Reidy Park Centre Constitutions' that were passed on 15 September 2020 as follows:

*"2. That, in light of the proposed conduct of a Sports, Recreation and Open Space Plan and progression of the Community and Recreation Hub, the Wehl Street Theatre and Reidy Park Centre leases be allowed to continue on a monthly tenancy basis until further notice.*

*3. That Council will reconsider the leasing arrangements and operating models for the Wehl Street Theatre/Centrestage and Reidy Park Centre in a broader strategic context when a Sports, Recreation and Open Space Plan and Community and Recreation Hub projects have been completed."*

that Parts 2 and 3 be rescinded and replaced with:

*"2. That the Wehl Street Theatre be offered a 2 year lease on the same terms and conditions as their expired arrangements.*

*3. That, in light of current development of a Sports, Recreation and Open Space Plan and progression of the Wulanda Recreation and Convention Centre, the Reidy Park Centre lease be allowed to continue on a monthly tenancy until the Wulanda Recreation and Convention Centre is completed and the Recreation and Open Space Plan is adopted by Council.*

**LOST****11.2 NOTICE OF RESCISSION/AMENDMENT - ADVERTISING SIGNAGE****RESOLUTION 2021/235**

Moved: Cr Christian Greco

Seconded: Cr Max Bruins

1. That Council Report No. AR21/48302 titled 'Notice of Rescission/Amendment - Advertising Signage ' as presented on 17 August 2021 be noted.
2. The resolution 2021/71 titled Council Advertising and Signage Policy A170 that was passed on 16 March 2021 be amended as follows:
  - Parts 1-3 of the resolution remain:
    1. That Council Report No. AR21/9953 titled 'Council Advertising and Signage Policy A170' as presented on 16 March 2021 be noted.
    2. That, having considered its position on the erection of advertising and sponsorship signage on leased properties, Council hereby revokes Advertising and Signage Policy A170.
    3. That Council grants 'deemed consent' for the installation of signage by community and sporting lessees occupying land owned by Council, except for signage that requires development approval.
  - Parts 4 and 5 of the resolution be amended, from:
    4. Council administration to assess any proposals for the installation of signage that require building rules consent.
    5. That a policy be developed for the granting of landowner consent for those signs that require development approval.to:
    4. that the Chief Executive Officer (or sub-delegate):
      - a) assess and exercise relevant delegated authority to grant conditional lessor consent to any proposals for the installation of signage by community and sporting lessees occupying land owned by Council that require development approval.
      - b) refer to Council any proposals for the installation of signage on Council owned or controlled land for which consent is required but has not been granted or the applicant has not accepted the conditions imposed, under resolution 4(a), including the reasons for not granting consent and/or the proposed conditions and reasoning for their imposition.
    5. That a policy be developed for the granting of landowner consent for future signage on Council property, following resolution of all current unapproved signs located on Council land requiring development approval.
  - The following Parts 6-7 of the resolution:
    6. That for the purpose of clarity Council does not consent to any sponsorship signage logos being placed on fences gates or other structures so as to face externally to the leased land or in the view of Council being so as to view externally to the leased land.
    7. Clause 6 above is to be a key feature of the new landowner consent policy.

be rescinded.

**CARRIED**

**12 ELECTED MEMBERS WORKSHOPS****12.1 ELECTED MEMBERS WORKSHOPS FROM 17/07/2021 TO 13/08/2021****RESOLUTION 2021/236**

Moved: Cr Max Bruins  
Seconded: Cr Sonya Meziniec

That the Record of Proceedings for the listed Workshops be received and noted.

**CARRIED****13 ELECTED MEMBERS TRAINING AND DEVELOPMENT**

Nil

**14 COUNCIL ACTION ITEMS****14.1 COUNCIL ACTION ITEMS - 20/07/2021****RESOLUTION 2021/237**

Moved: Cr Steven Perryman  
Seconded: Cr Ben Hood

1. That Council Report No. AR21/42548 titled 'Council Action Items - 20/07/2021' as presented on 17 August 2021 be noted.

**CARRIED****15 ECONOMIC AND ENVIRONMENT COMMITTEE MINUTES AND RECOMMENDATIONS**

Nil

**16 PEOPLE AND PLACE COMMITTEE MINUTES AND RECOMMENDATIONS****16.1 MINUTES OF THE PEOPLE AND PLACE COMMITTEE HELD ON 2 AUGUST 2021****RESOLUTION 2021/238**

Moved: Cr Frank Morello  
Seconded: Cr Sonya Meziniec

That the Minutes of the People and Place Committee meeting held on 2 August 2021 as attached be noted.

**CARRIED****16.2 INFRASTRUCTURE PARTNERSHIP PROGRAM - SHARED PATH EXTENSION TO WIRELESS ROAD, TAFE SA PROJECT. – REPORT NO. AR21/42014****RESOLUTION 2021/239**

Moved: Cr Frank Morello

Seconded: Cr Max Bruins

1. That People and Place Committee Report No. AR21/42014 titled 'Infrastructure Partnership Program - shared path extension to Wireless Road, TAFE SA project.' as presented on 02 August 2021 be noted.
2. That Council amend the scope of the Infrastructure Partnership Program shared path extension to Wireless Road, TAFE SA project and stage the delivery.
3. That Council deliver Stage 1 - the \$1.6M solar lighting installation of the project scope as budgeted.
4. That new and amended community land management plans be prepared for public consultation purposes for the route of the proposed shared use path extension and railway corridor.
5. That a further report with completed designs and updated cost estimates be presented to Council that identifies the most suitable and cost-effective way to link the existing rail trail to the TAFE SA campus on Wireless Road.
6. That the report recommendation is aligned and integrates with Councils long term strategy and masterplans.

**CARRIED****16.3 SALVAGED ROUNDHOUSE TIMBER BEAMS FROM MOUNT GAMBIER RAILYARDS – REPORT NO. AR21/45126****RESOLUTION 2021/240**

Moved: Cr Frank Morello

Seconded: Cr Steven Perryman

1. That the People and Place Committee Report No. AR21/45126 titled 'Salvaged Roundhouse Timber Beams from Mount Gambier Railyards' as presented on 02 August 2021 be noted.
2. That Council keep a portion of the timber for a community related project reflecting the historical significance of our rail history and that the National Trust be consulted in the process, or other suitable purposes as determined by the Chief Executive Officer.
3. Council donate the remainder to the National Trust for the repair and restoration of the Roundhouse building at Peterborough. Delivery costs to be incurred by the National Trust.

**CARRIED****16.4 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM EXTENSION PHASE 2 - PROJECT NOMINATION – REPORT NO. AR21/46717**



**RESOLUTION 2021/241**

Moved: Cr Frank Morello  
 Seconded: Cr Sonya Meziniec

1. That People and Place Committee Report No. AR21/46717 titled 'Local Roads and Community Infrastructure Program Extension Phase 2 - Project Nomination' as presented on 02 August 2021 be noted.
2. That Council endorse the below project nominations for Phase 2 of the Local Roads and Community Infrastructure Program (LRCI) grant funding:

| Description   | Total project cost | LRCI Program Funding Required |
|---|--------------------|-------------------------------|
| New Valley Lakes Public Amenities   | \$490,000          | \$490,000                     |
| Refurbishment of existing Public Amenities adjoining State Heritage Railway Station building    | \$460,000          | \$460,000                     |
| Landscaping improvements at Cave Garden and Umpherston Sinkhole Community Recreational Reserves | \$50,000           | \$50,000                      |
| Umpherston Sinkhole Path Lighting   | \$40,000           | \$40,000                      |

**CARRIED**

### 16.5 MOTION WITHOUT NOTICE - INSTALLATION OF A NO PARKING ZONE - HEDLEY STREET (WESTERN SIDE)

**RESOLUTION 2021/242**

Moved: Cr Frank Morello  
 Seconded: Cr Max Bruins

1. That People and Place Committee Report No. AR21/45538 titled 'Installation of a No Parking Zone - Hedley Street (Western Side)' as presented on 02 August 2021 be noted.
2. Council write to the residents along the effected portion of Hedley Street seeking their views on the removal of carparking on the western side with a report to be brought back to Council.

**CARRIED**

## 17 WULANDA AND RECREATION AND CONVENTION CENTRE COMMITTEE MINUTES AND RECOMMENDATIONS

### 17.1 MINUTES OF THE WULANDA RECREATION AND CONVENTION CENTRE COMMITTEE HELD ON 10 AUGUST 2021

**RESOLUTION 2021/243**

Moved: Cr Ben Hood  
 Seconded: Cr Max Bruins

That the Minutes of the Wulanda Recreation and Convention Centre Committee meeting held on 10 August 2021 as attached be noted.

**CARRIED**

## **18 COUNCIL ASSESSMENT PANEL MINUTES**

### **18.1 MINUTES OF THE COUNCIL ASSESSMENT PANEL HELD ON 15 JULY 2021**

#### **RESOLUTION 2021/244**

Moved: Cr Paul Jenner

Seconded: Cr Ben Hood

That the Minutes of the Council Assessment Panel meeting held on 15 July 2021 as previously circulated be noted.

**CARRIED**

## **19 JUNIOR SPORTS ASSISTANCE (SECTION 41) COMMITTEE MINUTES AND RECOMMENDATIONS**

Nil

## **20 AUDIT COMMITTEE MINUTES AND RECOMMENDATIONS**

Nil

## **21 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MINUTES AND RECOMMENDATIONS**

Nil

## **22 BUILDING FIRE SAFETY COMMITTEE MINUTES**

Nil

## **23 COUNCIL REPORTS**

### **23.1 FREEDOM OF INFORMATION - UPDATE**

#### **RESOLUTION 2021/245**

Moved: Cr Paul Jenner

Seconded: Cr Frank Morello

1. That Council Report No. AR21/11356 titled 'Freedom of Information - Update' as presented on 17 August 2021 be noted.
2. That Council Policies '*D160 – Development Act Inspection and Copying of Documents*' and '*D140 - Development Act Delegations*' be revoked, having no further application following the repeal of the Development Act 1993.

**CARRIED**

### 23.2 2022 STREET TREE PROGRAM

#### RESOLUTION 2021/246

Moved: Cr Ben Hood  
Seconded: Cr Max Bruins

1. That Council Report No. AR21/44369 titled '2022 Street Tree Program' as presented on 17 August 2021 be noted.
2. That Council approves the proposed schedule of trees that have been selected for removal to allow for uniformity in the 2022 Street Tree Program as outlined in Council's Street Tree Policy (T120).
3. That Council notifies all residents and utilities affected by the plantings and invite comment on same (in accordance with Council's Public Consultation Policy).
4. That Council adopts the 2022 Street Tree Program as outlined in the discussion so that the proposed species of trees may be pre-ordered.

**CARRIED**

Chief Executive Officer, Mrs Sarah Philpott, declared a conflict of interest and left the meeting at 6:48 pm for Item 23.3 - Chief Executive Officer Performance Review Committee.

### 23.3 MEMBERSHIP OF CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE

#### RESOLUTION 2021/247

Moved: Cr Max Bruins  
Seconded: Cr Christian Greco

1. That Council Report No. AR21/47908 titled 'Membership of Chief Executive Officer Performance Review Committee' as presented on 17 August 2021 be noted.
2. That the membership provisions in clause 7 of the Chief Executive Officer Performance Review Committee Terms of Reference be amended to read as follows:
  - 7.1 Membership of the Committee will be comprised of **five** Elected Members being the Mayor (Presiding Member), Deputy Mayor, the Presiding Members of the Economic & Environment and the People & Place Committees, **and otherwise as resolved by Council.**
  - 7.2 Should any one or more of the positions specified in 7.1 be filled by the same Elected Member Council may appoint other Elected Members to fill up to the full membership of **five.**
3. That Crs Paul Jenner and Sonya Meziniec be appointed to the CEO Performance Review Committee.

**CARRIED**

Mrs Sarah Philpott returned to the meeting at 6:50 pm.

**24 MOTIONS WITH NOTICE****24.1 NOTICE OF MOTION - MOUNT GAMBIER MFS ISSUES****RESOLUTION 2021/248**

Moved: Cr Paul Jenner

Seconded: Cr Christian Greco

1. That Council Report No. AR21/50269 titled 'Notice of Motion - Mount Gambier MFS Issues' as presented on 17 August 2021 be noted.
2. That Council urgently write to the Minister for Police, Emergency Services and Correctional Services, Vincent Tarzia, with a copy to The Premier, Troy Bell MP, Claire Scriven MLC & The opposition spokesperson for Emergency Services the Leader of the Opposition Peter Malinauskas and United Fire Fighters Union of SA Inc with regards to the ongoing problem of the Mount Gambier Fire Station having a 22 year old pumper appliance as its main vehicle.
3. That Council invite the Minister for Police, Emergency Services and Correctional Services, Vincent Tarzia and/or the Premier to Mount Gambier to urgently provide a solution to this problem.

**CARRIED****24.2 NOTICE OF MOTION - STRATEGIC SUSTAINABILITY REPORT****RESOLUTION 2021/249**

Moved: Cr Paul Jenner

Seconded: Cr Frank Morello

1. That Council Report No. AR21/50719 titled 'Notice of Motion - Strategic Sustainability Report' as presented on 17 August 2021 be noted.
2. That Council Officers prepare a report on our current strategic sustainability direction including energy efficiency initiatives and associated budget allocation.

**CARRIED****25 MOTIONS WITHOUT NOTICE**

Nil

**26 CONFIDENTIAL ITEMS OF COMMITTEES****26.1 CONFIDENTIAL ITEMS OF THE WULANDA RECREATION AND CONVENTION CENTRE COMMITTEE HELD ON 10 AUGUST 2021****26.2 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #9 - AS AT 03/08/2021 – REPORT NO. AR21/48748****RESOLUTION 2021/250**

Moved: Cr Max Bruins

Seconded: Cr Sonya Meziniec

### **CONSIDERATION FOR EXCLUSION OF THE PUBLIC**

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Mayor L Martin, Councillors S Meziniec, K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officers S Philpott, B Cernovskis, D Barber, T Coote, G Davison, S McLean, M McCarthy, J Scoggins and S Wilson be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 26.2 AR21/48748 Project Control Group (PCG) Progress Report #9 - As at 03/08/2021.

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

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

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.

- 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.

- information concerning matters that must be considered in confidence in order to ensure that the Council does not:
  - breach any law, order or direction of a court or tribunal constituted by law,
  - breach any duty of confidence, or
  - breach any other legal obligation or duty

The 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 contained within the report and attachments presents matters relating to contracts between Council and contractors associated with the construction and operation of the Wulanda Recreation and Convention Centre. The disclosure of information contained in this report and attachments could reasonably be expected to prejudice the commercial position of Council or the third parties and is considered on balance to be contrary to the public interest as it could prejudice the Council's position in obtaining best value project delivery on behalf of the community.

**CARRIED**

Cr Christian Greco left the meeting at 7:19 pm and did not return.

**RESOLUTION 2021/251**

Moved: Cr Max Bruins  
Seconded: Cr Paul Jenner

**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 5.1 AR21/48748 Project Control Group (PCG) Progress Report #9 - As at 03/08/2021 and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b), (d) and (g) be kept confidential and not available for public inspection until 12 months after completion of the project.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

**CARRIED**

**27 NEW CONFIDENTIAL ITEMS**

Nil

**28 MEETING CLOSE**

The Meeting closed at 7:28 pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 21 September 2021.

.....  
**PRESIDING MEMBER**

**MINUTES OF CITY OF MOUNT GAMBIER  
JUNIOR SPORTS ASSISTANCE FUND COMMITTEE MEETING  
HELD AT THE LEVEL 1 CONFERENCE ROOM , CIVIC CENTRE, 10 WATSON TERRACE,  
MOUNT GAMBIER  
ON WEDNESDAY, 18 AUGUST 2021 AT 5.31 P.M.**

**PRESENT:** Mayor Lynette Martin (OAM), Cr Christian Greco, Cr Megan Dukalskis (arrived at 5:35 pm), Mrs Jeanette Elliott, Ms Karen Cunningham, Ms Felicity Walker

**OFFICERS IN ATTENDANCE:** Acting General Manager Community Wellbeing - Mrs G Davison  
Executive Administrator Community Wellbeing - Ms A Lavia

**1 ACKNOWLEDGEMENT OF COUNTRY**

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

**2 APOLOGY(IES)**

**COMMITTEE RESOLUTION**

Moved: Karen Cunningham

Seconded: Jeanette Elliott

That the apology from Ms Jenny Burston be received.

**CARRIED**

**3 CONFIRMATION OF MINUTES**

**COMMITTEE RESOLUTION**

Moved: Karen Cunningham

Seconded: Felicity Walker

That the minutes of the Junior Sports Assistance Fund meeting held on 19 May 2021 be confirmed as an accurate record of the proceedings of the meeting.

**CARRIED**

**4 QUESTIONS WITHOUT NOTICE**

Nil

Cr Megan Dukalskis entered the meeting at 5:35 pm

## 5 REPORTS

### 5.1 COMMERCIAL CLUB INC. - ANNUAL DONATIONS - EXCEPTIONAL JUNIOR PROGRAM 2020

#### COMMITTEE RESOLUTION

Moved: Karen Cunningham

Seconded: Cr Christian Greco

1. That Junior Sports Assistance Fund Report No. AR21/48295 titled 'Commercial Club Inc. - Annual Donations - Exceptional Junior Program 2020' as presented on 18 August 2021 be noted.
2. For the 2020 year the following junior received the Commercial Club Inc. donation to assist that junior to advance in their chosen sport and to achieve their potential:  
Awardee: Emily Lynch, Mount Gambier and District Little Athletics
3. The presentation of the Commercial Club Inc. donation take place at a time convenient to the recipient, member organisation and a representative of the Commercial Club Inc.
4. The media be invited to attend the presentation.

**CARRIED**

## 6 MEETING CLOSE

The Meeting closed at 5:38 pm.

The minutes of this meeting were confirmed at the Junior Sports Assistance Fund held on 27 October 2021.

.....  
**PRESIDING MEMBER**



**19.2 COMMERCIAL CLUB INC. - ANNUAL DONATIONS - EXCEPTIONAL JUNIOR PROGRAM 2020 – REPORT NO. AR21/48295**

|                                  |  |
|----------------------------------|--|
| <b>Committee:</b>                | <b>Junior Sports Assistance Fund</b>   |
| <b>Meeting Date:</b>             | <b>18 August 2021</b>  |
| <b>Report No.:</b>               | <b>AR21/48295</b>  |
| <b>CM9 Reference:</b>            | <b>AF11/725</b>  |
| <b>Author:</b>                   | <b>Melissa Telford, Councillor Support Officer</b>   |
| <b>Authoriser:</b>               | <b>Georgina Davison, Acting General Manager Community Wellbeing</b>  |
| <b>Summary:</b>                  | The Commercial Club Inc. provides funding to assist the Junior Sports Assistance Fund to facilitate a program to acknowledge, financially assist and celebrate an exceptional junior who has excelled in their chosen sport. Member Organisations are invited to submit up to two confidential nominations for consideration of the Committee. |
| <b>Strategic Plan Reference:</b> | <b>Goal 1: Our People</b>  |

**REPORT RECOMMENDATION**

1. That Junior Sports Assistance Fund Report No. AR21/48295 titled 'Commercial Club Inc. - Annual Donations - Exceptional Junior Program 2020' as presented on 18 August 2021 be noted.
2. For the 2020 year the following junior received the Commercial Club Inc. donation to assist that junior to advance in their chosen sport and to achieve their potential:  
Awardee:
3. The presentation of the Commercial Club Inc. donation take place at a time convenient to the recipient, member organisation and a representative of the Commercial Club Inc.
4. The media be invited to attend the presentation.



## TYPE OF REPORT

Other

## BACKGROUND

The Commercial Club Inc. have provided ongoing support to the Junior Sports Fund in its endeavours to provide meaningful assistance to our talented young sportspeople for numerous years.

The Annual Exceptional Junior Program provides the resource to acknowledge a junior sportsperson who has displayed the ideals, enthusiasm, skills and abilities to develop their fullest potential in their chosen sport and could advance to the highest levels of achievement.

The Commercial Club's donations to the Junior Sports Fund over many years are a magnificent contribution and we are truly indebted to the Club for their continued support and interest in the Program.

## PROPOSAL

Member Organisations were invited to submit up to two (2) confidential nominations to the Committee in accordance with the guidelines and the application form detail, closing on Friday 23 July 2021.

As at Friday 23 July 2021 the following nominations were received:

### (i) **Applicant 1**

Mount Gambier and District Cricket Association - Nominee Aged 13 years:

Applicant 1 was a representative of the South East Country Cup in 2019 and in 2020 he was selected in the SA Primary School Amateur Sports Association Team. He is a talented junior who through 2020/2021 made his debut in South Gambier Senior B Grade.

Applicant 1 is an active Club member assisting with coaching for South Gambier Junior Blasters Program 2020/2021. He is also a canteen volunteer.

### (ii) **Applicant 2**

Mount Gambier and District Cricket Association - Nominee Aged 13 years

Applicant 2 was selected in the U12 State Team in 2019. He has been a representative of the South East Country Cup in 2019, 2020 and 2021. In 2020 Applicant 2 was selected in the Victorian Youth Premier League, Western Waves and is currently trialling for the same League for 2021. Applicant 2 is another talented junior who through 2020/2021 made his A Grade debut for South Gambier Cricket Club.

Applicant 2 has also assisted with coaching for the South Gambier Junior Blasters Program for 2020/2021.

### (iii) **Applicant 3**

Mount Gambier and District Little Athletics Centre - Nominee Aged 13 years

Applicant 3 has competed at a State and National level winning gold at the Little Athletics State Championships in the 1,500m race walk and gold at the SA Athletics Championships in the 3,000m race walk. She placed 6<sup>th</sup> at the Australian Athletics Championships held in Sydney in the U15 3,000m race walk.



Applicant 3 assists with set up and Friday nights and also takes the Athletes for warm up. She tries to teach the younger athletes how to race walk.

**LEGAL IMPLICATIONS**

N/A

**STRATEGIC PLAN**

Our People

**COUNCIL POLICY**

N/A

**ECONOMIC IMPLICATIONS**

N/A

**ENVIRONMENTAL IMPLICATIONS**

N/A

**SOCIAL IMPLICATIONS**

The Junior Sports Assistance Fund provides financial assistance to local junior sportspersons of Mount Gambier and District who have achieved as a minimum, selection in a formal State team and who compete at National sporting events (or equivalent) and who are a member of an Affiliated Sporting Organisation to aid in the financial burden these events place on regional families.

The Fund provides an ongoing pool of money for distribution to those juniors selected to represent the State or to represent Australia or equivalent and it also provides additional funding sourced from external sponsorship which is awarded to an exceptional junior on an annual basis.

**CULTURAL IMPLICATIONS**

N/A

**RESOURCE IMPLICATIONS**

The Junior Sports Assistance Fund places no additional financial implications for Council.

**VALUE FOR MONEY**

N/A

**RISK IMPLICATIONS**

N/A

**EQUALITIES AND DIVERSITY IMPLICATIONS**

N/A



**ENGAGEMENT AND COMMUNICATION STRATEGY**

Communication with Member Organisations is ongoing. Applications for funding for State or National Funding can be received at any time. Specialised programs run on an annual basis such as Coaching Clinics, Disadvantaged Juniors and Exceptional Junior are promoted to the Members of the Fund as they arise.

**IMPLEMENTATION STRATEGY**

Upon adoption, funding will be disbursed to the successful Exceptional Junior for 2020.

**CONCLUSION AND RECOMMENDATION**

This report presents the applications received for consideration of the Junior Sports Assistance Fund. The Exceptional Junior 2020 will be determined at the meeting.

**ATTACHMENTS**

Nil



**MINUTES OF CITY OF MOUNT GAMBIER  
SPECIAL JUNIOR SPORTS ASSISTANCE FUND COMMITTEE MEETING  
HELD AT THE CIVIC CENTRE, 10 WATSON TERRACE, MOUNT GAMBIER  
ON THURSDAY, 19 AUGUST 2021 AT 5.05 P.M.**

**VIRTUAL MEETING WAS AVAILABLE FOR LIVE STREAMING,  
<https://www.youtube.com/user/cityofmountgambier/live>**

**PRESENT:** Cr Christian Greco, Cr Megan Dukalskis, Mrs Jeanette Elliott, Ms Jenny Burston

**OFFICERS IN ATTENDANCE:** Acting General Manager Community Wellbeing - Mr G Davison  
Executive Administrator Community Wellbeing - Ms A Lavia

## 1 ACKNOWLEDGEMENT OF COUNTRY

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

## 2 APOLOGY(IES)

### COMMITTEE RESOLUTION

Moved: Cr Christian Greco  
Seconded: Cr Megan Dukalskis

That the apologies from Mayor Lynette Martin and Ms Karen Cunningham be received.

**CARRIED**

## 3 QUESTIONS WITHOUT NOTICE

Nil

## 4 REPORTS

### 4.1 ADDITIONAL FUNDING FOR EXCEPTIONAL JUNIOR PROGRAM 2020 - GENERAL FUND

### COMMITTEE RESOLUTION

Moved: Jeanette Elliott  
Seconded: Cr Megan Dukalskis

1. That Junior Sports Assistance Fund Report No. AR21/52486 titled 'Additional Funding for Exceptional Junior Program 2020 - General Fund' as presented on 19 August 2021 be noted.
2. For the 2020 year the Junior Sports Assistance Fund (to be funded in 2021) will match the Commercial Club Inc. donation to assist an additional junior to advance in their chosen sport and to achieve their potential:  
Awardee: Elwood Geary, Mount Gambier & District Cricket Association
3. The media be invited to attend the presentation.

**CARRIED**

**5 MEETING CLOSE**

**The Meeting closed at 5:10 pm.**

**The minutes of this meeting were confirmed at the Junior Sports Assistance Fund held on 27 October 2021.**

.....  
**PRESIDING MEMBER**

**19.4 ADDITIONAL FUNDING FOR EXCEPTIONAL JUNIOR PROGRAM 2020 - GENERAL FUND – REPORT NO. AR21/52486**

**Committee:** Junior Sports Assistance Fund  
**Meeting Date:** 19 August 2021  
**Report No.:** AR21/52486  
**CM9 Reference:** AF11/725  
**Author:** Ashlee Lavia, Executive Administrator Community Wellbeing  
**Authoriser:** Georgina Davison, Acting General Manager Community Wellbeing  
**Summary:** Provision of additional funding for the Exception Junior Program from the general fund.  
**Strategic Plan Reference:** Goal 1: Our People

**REPORT RECOMMENDATION**

1. That Junior Sports Assistance Fund Report No. AR21/52486 titled 'Additional Funding for Exceptional Junior Program 2020 - General Fund' as presented on 19 August 2021 be noted.
2. For the 2020 year the Junior Sports Assistance Fund (to be funded in 2021) will match the Commercial Club Inc. donation to assist an additional junior to advance in their chosen sport and to achieve their potential:

Awardee:

3. The media be invited to attend the presentation.



**TYPE OF REPORT**

Other

**BACKGROUND**

The Annual Exceptional Junior Program provides the resource to acknowledge a junior sportsperson who has displayed the ideals, enthusiasm, skills and abilities to develop their fullest potential in their chosen sport and could advance to the highest levels of achievement.

**PROPOSAL**

Member Organisations were invited to submit up to two (2) confidential nominations to the Committee in accordance with the guidelines and the application form detail, closing on Friday 23 July 2021.

As at Friday 23 July 2021 the following nominations were received:

**(i) Applicant 1**

Mount Gambier and District Cricket Association - Nominee Aged 13 years:

Applicant 1 was a representative of the South East Country Cup in 2019 and in 2020 he was selected in the SA Primary School Amateur Sports Association Team. He is a talented junior who through 2020/2021 made his debut in South Gambier Senior B Grade.

Applicant 1 is an active Club member assisting with coaching for South Gambier Junior Blasters Program 2020/2021. He is also a canteen volunteer.

**(ii) Applicant 2**

Mount Gambier and District Cricket Association - Nominee Aged 13 years

Applicant 2 was selected in the U12 State Team in 2019. He has been a representative of the South East Country Cup in 2019, 2020 and 2021. In 2020 Applicant 2 was selected in the Victorian Youth Premier League, Western Waves and is currently trialling for the same League for 2021. Applicant 2 is another talented junior who through 2020/2021 made his A Grade debut for South Gambier Cricket Club.

Applicant 2 has also assisted with coaching for the South Gambier Junior Blasters Program for 2020/2021.

**(iii) Applicant 3**

Mount Gambier and District Little Athletics Centre - Nominee Aged 13 years

Applicant 3 has competed at a State and National level winning gold at the Little Athletics State Championships in the 1,500m race walk and gold at the SA Athletics Championships in the 3,000m race walk. She placed 6<sup>th</sup> at the Australian Athletics Championships held in Sydney in the U15 3,000m race walk.

Applicant 3 assists with set up and Friday nights and also takes the Athletes for warm up. She tries to teach the younger athletes how to race walk.





At its meeting held 18 August 2021, the Junior Sports Assistance Fund Committee resolved:

1. That Junior Sports Assistance Fund Report No. AR21/48295 titled 'Commercial Club Inc. - Annual Donations - Exceptional Junior Program 2020' as presented on 18 August 2021 be noted.
2. For the 2020 year the following junior received the Commercial Club Inc. donation to assist that junior to advance in their chosen sport and to achieve their potential:  
Awardee: Applicant 3
3. The presentation of the Commercial Club Inc. donation take place at a time convenient to the recipient, member organisation and a representative of the Commercial Club Inc.
4. The media be invited to attend the presentation.

The Committee give consideration to additional funding being provided from general funds to match the funding from the Commercial Club Inc. to assist an additional applicant.

### **LEGAL IMPLICATIONS**

N/A

### **STRATEGIC PLAN**

Our People

### **COUNCIL POLICY**

N/A

### **ECONOMIC IMPLICATIONS**

N/A

### **ENVIRONMENTAL IMPLICATIONS**

N/A

### **SOCIAL IMPLICATIONS**

The Junior Sports Assistance Fund provides financial assistance to local junior sportspersons of Mount Gambier and District who have achieved as a minimum, selection in a formal State team and who compete at National sporting events (or equivalent) and who are a member of an Affiliated Sporting Organisation to aid in the financial burden these events place on regional families.

The Fund provides an ongoing pool of money for distribution to those juniors selected to represent the State or to represent Australia or equivalent and it also provides additional funding sourced from external sponsorship which is awarded to an exceptional junior on an annual basis.

### **CULTURAL IMPLICATIONS**

N/A

### **RESOURCE IMPLICATIONS**

The Junior Sports Assistance Fund places no additional financial implications for Council.



**VALUE FOR MONEY**

N/A

**RISK IMPLICATIONS**

N/A

**EQUALITIES AND DIVERSITY IMPLICATIONS**

N/A

**ENGAGEMENT AND COMMUNICATION STRATEGY**

Communication with Member Organisations is ongoing. Applications for funding for State or National Funding can be received at any time. Specialised programs run on an annual basis such as Coaching Clinics, Disadvantaged Juniors and Exceptional Junior are promoted to the Members of the Fund as they arise.

**IMPLEMENTATION STRATEGY**

Upon adoption, funding will be disbursed to the successful Exceptional Junior for 2020.

**CONCLUSION AND RECOMMENDATION**

This report presents the applications received for consideration of the Junior Sports Assistance Fund. Additional funding for the Exceptional Junior 2020 will be determined at the meeting.

**ATTACHMENTS**

Nil



**MINUTES OF CITY OF MOUNT GAMBIER  
ECONOMIC AND ENVIRONMENT COMMITTEE MEETING  
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT  
GAMBIER  
ON MONDAY, 6 SEPTEMBER 2021 AT 5.30 P.M.**

**PRESENT:** Mayor Lynette Martin (OAM), Cr Christian Greco (Presiding Member), Cr Kate Amoroso, Cr Max Bruins, Cr Paul Jenner, Cr Sonya Mezinac, Cr Frank Morello

|                                |   |                   |
|--------------------------------|---|-------------------|
| <b>OFFICERS IN ATTENDANCE:</b> | Chief Executive Officer                     | - Mrs S Philpott  |
|                                | General Manager City Infrastructure         | - Ms B Cernovskis |
|                                | General Manager Shared Services             | - Mr D Barber     |
|                                | General Manager City Growth                 | - Mr T Coote      |
|                                | Acting General Manager Community Wellbeing  | - Mrs G Davison   |
|                                | Executive Administrator Community Wellbeing | - Ms A Lavia      |

### 1 ACKNOWLEDGEMENT OF COUNTRY

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

### 2 APOLOGY(IES)

**COMMITTEE RESOLUTION**

Moved: Cr Paul Jenner

Seconded: Cr Frank Morello

That the apology from Cr Ben Hood be received.

**CARRIED**

### 3 CONFIRMATION OF MINUTES

**COMMITTEE RESOLUTION**

Moved: Cr Max Bruins

Seconded: Mayor Lynette Martin

That the minutes of the Economic and Environment Committee meeting held on 3 May 2021 be confirmed as an accurate record of the proceedings of the meeting.

**CARRIED**

### 4 QUESTIONS WITHOUT NOTICE

Nil

## 5 CONFIDENTIAL ITEMS

### 5.1 COMMUNITY HEALTH INFORMATION – REPORT NO. AR21/51525

#### COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Sonya Meziniec

#### CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Economic and Environment Committee orders that all members of the public, except Mayor L Martin, Councillors C Greco, K Amoroso, M Bruins, B Hood, P Jenner, S Meziniec and F Morello and Council Officers S Philpott, B Cernovskis, D Barber, T Coote, G Davison and A Lavia be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 5.1 AR21/51525 Community Health Information.

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

- information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is
  - conducting business; or
  - proposing to conduct business; or
  - to prejudice the commercial position of the Council
- commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected:
  - to prejudice the commercial position of the person who supplied the information, or
  - to confer a commercial advantage on a third party
- information concerning matters that must be considered in confidence in order to ensure that the Council does not:
  - breach any law, order or direction of a court or tribunal constituted by law,
  - breach any duty of confidence, or
  - breach any other legal obligation or duty

The Economic and Environment Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information to be considered includes third party commercial information provided to Council in confidence which, if released, could confer an advantage or prejudice the commercial position of a third party and breach a duty of confidence.

**CARRIED**

**COMMITTEE RESOLUTION**

Moved: Cr Max Bruins  
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 5.1 AR21/51525 Community Health Information and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b), (d) and (g) be kept confidential and not available for public inspection until a further order is made by Council, to be reviewed at least once every 12 months.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

**CARRIED****5.2 SALE OF LAND FOR NON-PAYMENT OF RATES – REPORT NO. AR21/53732****COMMITTEE RESOLUTION**

Moved: Cr Max Bruins  
Seconded: Cr Sonya Meziniec

**CONSIDERATION FOR EXCLUSION OF THE PUBLIC**

Pursuant to section 90(2) of the *Local Government Act 1999* the Economic and Environment Committee orders that all members of the public, except Mayor L Martin, Councillors C Greco, K Amoroso, M Bruins, B Hood, P Jenner, S Meziniec and F Morello and Council Officers S Philpott, B Cernovskis, D Barber, T Coote, G Davison and A Lavia be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 5.2 AR21/53732 Sale of Land for Non-Payment of Rates.

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

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)

The Economic and Environment Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

**CARRIED****COMMITTEE RESOLUTION**

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

#### **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 5.2 AR21/53732 Sale of Land for Non-Payment of Rates and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (a) be kept confidential and not available for public inspection until the latter of:- 12 months, or the matter being settled.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

**CARRIED**

### **5.3 SALE OF LAND FOR NON-PAYMENT OF RATES – REPORT NO. AR21/53765**

#### **COMMITTEE RESOLUTION**

Moved: Cr Christian Greco

Seconded: Cr Sonya Meziniec

#### **CONSIDERATION FOR EXCLUSION OF THE PUBLIC**

Pursuant to section 90(2) of the *Local Government Act 1999* the Economic and Environment Committee orders that all members of the public, except Mayor L Martin, Councillors C Greco, K Amoroso, M Bruins, B Hood, P Jenner, S Meziniec and F Morello and Council Officers S Philpott, B Cernovskis, D Barber, T Coote, G Davison and A Lavia be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 5.3 AR21/53765 Sale of Land for Non-Payment of Rates.

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

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)

The Economic and Environment Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

**CARRIED**

#### **COMMITTEE RESOLUTION**

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

#### **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 5.3 AR21/53765 Sale of Land for Non-Payment of Rates and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (a) be kept confidential and not available for public inspection until the latter of:- 12 months, or the matter being settled.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

**CARRIED**

## **6 MEETING CLOSE**

**The Meeting closed at 5:59 pm.**

**The minutes of this meeting were confirmed at the Economic and Environment Committee held on 1 November 2021.**

.....  
**PRESIDING MEMBER**

**MINUTES OF CITY OF MOUNT GAMBIER  
WULANDA RECREATION AND CONVENTION CENTRE COMMITTEE MEETING  
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT  
GAMBIER  
ON TUESDAY, 14 SEPTEMBER 2021 AT 5.30 P.M.**

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

|                                |   |                   |
|--------------------------------|---|-------------------|
| <b>OFFICERS IN ATTENDANCE:</b> | Chief Executive Officer                     | - Mrs S Philpott  |
|                                | General Manager City Infrastructure         | - Ms B Cernovskis |
|                                | General Manager Shared Services             | - Mr D Barber     |
|                                | General Manager City Growth                 | - Mr T Coote      |
|                                | Acting General Manager Community Wellbeing  | - Mrs G Davison   |
|                                | Executive Administrator City Infrastructure | - Ms S Wilson     |

### 1 ACKNOWLEDGEMENT OF COUNTRY

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

### 2 APOLOGY(IES)

**COMMITTEE RESOLUTION**

Moved: Cr Paul Jenner

Seconded: Cr Sonya Meziniec

That the apology from Cr Christian Greco be received.

**CARRIED**

### 3 CONFIRMATION OF MINUTES

**COMMITTEE RESOLUTION**

Moved: Cr Max Bruins

Seconded: Mayor Lynette Martin

That the minutes of the Wulanda Recreation and Convention Centre Committee meeting held on 10 August 2021 be confirmed as an accurate record of the proceedings of the meeting.

**CARRIED**



Cr Hood, as Presiding Member, sought the view of the meeting with regard to, and brought forward, Confidential Item 5.2.

Mark Booth, Director of BRM Advisory joined the meeting at 5:58 pm (via electronic means).

**5.2 WULANDA RECREATION AND CONVENTION CENTRE - MANAGEMENT AND OPERATION OF MOUNT GAMBIER COMMUNITY AND RECREATION HUB UPDATE – REPORT NO. AR21/57503**

**COMMITTEE RESOLUTION**

Moved: Cr Sonya Meziniec

Seconded: Cr Paul Jenner

**CONSIDERATION FOR EXCLUSION OF THE PUBLIC**

Pursuant to section 90(2) of the *Local Government Act 1999* the Wulanda Recreation and Convention Centre Committee orders that all members of the public, except Mayor L Martin, Councillors B Hood, M Bruins, P Jenner, S Meziniec and F Morello and Council Officers S Philpott, B Cernovskis, D Barber, T Coote, G Davison and S Wilson and Consultant Mark Booth be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 5.2 AR21/57503 Wulanda Recreation and Convention Centre - Management and Operation of Mount Gambier Community and Recreation Hub Update.

The Wulanda Recreation and Convention Centre Committee is satisfied that, pursuant to section 90(3) (b), (d) and (g) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is
  - conducting business; or
  - proposing to conduct business; or
  - to prejudice the commercial position of the Council
- commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected:
  - to prejudice the commercial position of the person who supplied the information, or
  - to confer a commercial advantage on a third party
- information concerning matters that must be considered in confidence in order to ensure that the Council does not:
  - breach any law, order or direction of a court or tribunal constituted by law,
  - breach any duty of confidence, or
  - breach any other legal obligation or duty

The Wulanda Recreation and Convention Centre Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information contained within the report and attachments presents matters relating to the negotiation and execution of a contract between Council and a contractor associated with the operation and management of the Wulanda Recreation and Convention Centre which is subject to an existing confidentiality order. The disclosure of information contained in this report and attachments could reasonably be expected to prejudice the commercial position of Council or the third parties and is considered on balance to be contrary to the public interest as it could prejudice the Councils position in obtaining best value on behalf of the community.

**CARRIED****COMMITTEE RESOLUTION**

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

**CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL**

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 5.2 AR21/57503 Wulanda Recreation and Convention Centre - Management and Operation of Mount Gambier Community and Recreation Hub Update and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b), (d) and (g) be kept confidential and not available for public inspection until a further order of Council to release.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

**CARRIED**

Resumed open meeting at 6:05 pm.

**4 QUESTIONS WITHOUT NOTICE**

Nil

**5 CONFIDENTIAL ITEMS****5.1 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #10 - AS AT 07/09/2021  
- REPORT NO. AR21/57494****COMMITTEE RESOLUTION**

Moved: Cr Sonya Meziniec

Seconded: Cr Frank Morello

**CONSIDERATION FOR EXCLUSION OF THE PUBLIC**

Pursuant to section 90(2) of the *Local Government Act 1999* the Wulanda Recreation and Convention Centre Committee orders that all members of the public, except Mayor L Martin, Councillors B Hood, M Bruins, P Jenner, S Meziniec and F Morello and Council Officers S Philpott, B Cernovskis, D Barber, T Coote, G Davison and S Wilson be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 5.1 AR21/57494 Project Control Group (PCG) Progress Report #10 - As at 07/09/2021.

The Wulanda Recreation and Convention Centre Committee is satisfied that, pursuant to section 90(3) (b), (d) and (g) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is
  - conducting business; or
  - proposing to conduct business; or
  - to prejudice the commercial position of the Council
- commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected:
  - to prejudice the commercial position of the person who supplied the information, or
  - to confer a commercial advantage on a third party
- information concerning matters that must be considered in confidence in order to ensure that the Council does not:
  - breach any law, order or direction of a court or tribunal constituted by law,
  - breach any duty of confidence, or
  - breach any other legal obligation or duty

The Wulanda Recreation and Convention Centre Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information contained within the report and attachments presents matters relating to contracts between Council and contractors associated with the construction of the Wulanda Recreation and Convention Centre. The disclosure of information contained in this report and attachments could reasonably be expected to prejudice the commercial position of Council or the third parties and is considered on balance to be contrary to the public interest as it could prejudice the Council's position in obtaining best value project delivery on behalf of the community.

**CARRIED**

### **COMMITTEE RESOLUTION**

Moved: Cr Sonya Meziniec  
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 5.1 AR21/57494 Project Control Group (PCG) Progress Report #10 - As at 07/09/2021 and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b), (d) and (g) be kept confidential and not available for public inspection until 12 months after completion of the project.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

**CARRIED**

Item - Close Council to Public - Item 5.2 - has been moved to another part of the document.

Item - 5.2 Wulanda Recreation and Convention Centre - Management and Operation of Mount Gambier Community and Recreation Hub Update - has been moved to another part of the document.

Item - Recommendation to keep 5.2 confidential - has been moved to another part of the document.

## **6 MEETING CLOSE**

**The Meeting closed at 6:31 pm.**

**The minutes of this meeting were confirmed at the Wulanda Recreation and Convention Centre Committee held on 12 October 2021.**

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**PRESIDING MEMBER**