

MINUTES

Ordinary Council Meeting

Tuesday 19 August 2025



Minutes of the City of Mount Gambier Ordinary Council Meeting held at:

Time: 6:00 pm

Date: Tuesday 19 August 2025

Location: City Hall

Cave Gardens/Thugi, Mount Gambier

PRESENT: Mayor Lynette Martin (OAM)
Cr Max Bruins
Cr Paul Jenner
Cr Mark Lovett
Cr Josh Lynagh
Cr Sonya Meziniec
Cr Frank Morello

OFFICERS IN	Interim Chief Executive Officer	- Ms B Cernovskis
ATTENDANCE:	Acting General Manager City Infrastructure	- Mr J Martin
	General Manager Corporate and Regulatory Services	- Mrs J Fetherstonhaugh
	General Manager People, Place and Liveability	- Mr C White
	Manager Governance and Property	- Ms B Shelton
	Environmental Sustainability Business Partner	- Mr Aaron Izzard
	Team Leader Community Events	- Mrs Xarnia Keding
	Councillor Support Officer	- Mrs M Telford
	Executive Administrator	- Mrs S Spears

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 FIRST NATIONS PEOPLES HAVE WITH THE LAND.

2 MEMBERS OF THE GALLERY ARE REMINDED THAT THEY MUST NOT BEHAVE IN A DISORDERLY MANNER OR CAUSE AN INTERRUPTION TO THE MEETING. WHILST AUDIO RECORDING OF COUNCIL AND COMMITTEE MEETINGS IS PERMITTED, PHOTOGRAPHING, FILMING AND TELEVISIONING ARE PROHIBITED UNLESS EXPRESS PRIOR PERMISSION IS GRANTED BY THE PRESIDING MEMBER. WE ASK THAT YOU PLEASE PLACE YOUR PHONES ON SILENT. SHOULD AN EMERGENCY OCCUR AT ANY STAGE, PLEASE FOLLOW THE DIRECTION OF COUNCIL STAFF TO VACATE THE BUILDING.

3 APOLOGIES

RESOLUTION OCM 2025/188

Moved: Cr Max Bruins

Seconded: Cr Mark Lovett

That the apology from Cr Jason Virgo be received.

CARRIED

4 LEAVE OF ABSENCE

Nil



5 CONFIRMATION OF COUNCIL MINUTES

5.1 CONFIRMATION OF COUNCIL MINUTES

RESOLUTION OCM 2025/189

Moved: Cr Josh Lynagh

Seconded: Cr Frank Morello

That the minutes of the Ordinary Council Meeting held on 16 July 2025 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

6 MAYORAL REPORT

6.1 MAYORAL REPORT - AUGUST 2025

- Meeting with Office for Recreation and Sport – Connected and Active Communities Evaluation
- Cast in Blue unveiling
- Live radio interview – ABC South East – Cast in Blue
- Out of School Hours Care (OSHC) at the Riddoch – Cast in Blue
- Confidential Meeting with proponents – Unsolicited proposal
- Interview with 5AA – Cast in Blue
- Live appearance on the Today Show and interview with Karl & Sarah – Cast in Blue
- Meeting with Tony Elletson
- Meeting with Charlotte Edmunds, LCLGA
- Limestone Coast Academy future meeting with Tony Elletson, with LCLGA Mayors and CEOs (virtual)
- Monthly catch up with General Manager City Infrastructure
- Weekly Meetings with CEO
- Special LCLGA Board Meeting
- Elected Member Briefing – Partnership and Priorities and Advocacy 2025/2026
- Pioneers Basketball – 2025 Scott-Serle Medal Night
- LGA Board Due Diligence Training (Adelaide)
- LGA Board Dinner (Adelaide)
- LGA Board Meeting & SAROC Meeting (Adelaide)
- Meeting with Charlotte Edmunds, LCLGA
- Mount Gambier Community RSL 108th Annual Formal Luncheon
- Radio interview with Llew Jones – 5GTR-FM
- Regular meeting with Media and Communications Coordinator
- Meeting with CEO Recruitment consultants (virtual)
- Internal planning meeting – Mayor's Christmas Appeal Committee
- Elected Member Meet and Greet – New LCLGA EO Charlotte Edmunds
- Confidential Elected Member Briefing – Unsolicited Proposal
- Confidential Elected Member Briefing – Leasing and Licensing
- CEO farewell dinner
- Photo with the Border Watch (Charlotte Varcoe) – Regional Transport
- Chamber of Commerce Strategic Planning discussion
- Mayors Christmas Appeal 2025 Committee Meeting
- Internal planning meeting – Yerkalalpata Community Reference Group

- ShineHub Community Launch
- CEO farewell lunch
- Radiotherapy Working Group – LCLHN Draft Clinical Services Plan consultation
- Radio interview – ABC SE – Interim CEO
- Meeting with Charlotte Edmunds – LCLGA Draft Board Agenda
- CEO Recruitment Panel meeting (virtual)
- Meeting with Rebecca Tappert, SANFL
- Photograph for Media Release – Frew Park Upgrade Project
- Weekly Meetings with Interim CEO, Barbara Cernovskis
- Confidential Elected Member Briefing – Lady Nelson Expression of Interest – Submission Thumbprint
- Elected Member Briefing – CBD Activation
- Introductory Meeting with RU Ok? Day CEO (virtual)
- Introductory Meeting with Seventh-Day Adventist Church representative
- Audit and Risk Committee Briefing Session – Rating Review LGiQ
- Yerkalalpa Community Reference Group Meeting
- Catch up with LCLGA EO, Charlotte Edmunds and Ben Hood – LCLGA website discussion
- LCLGA General Meeting
- Elected Member Briefing – Introductory Meeting with Emma Polan LCLHN
- Confidential Elected Member Briefing – Lady Nelson Expression of Interest – Submission BeArtful
- Regional Growth Strategy Meeting (Naracoorte), with Interim CEO
- Webinar: Local Government Leadership and Behaviour Management Review (virtual)
- Regular catch up with current Interim CEO, Barbara Cernovskis and future Interim CEO, Andrew Aitken (virtual)
- Official Launch – Limestone Coast Academy of Sport
- Vietnam Veterans Day 2025 Service
- Council Meeting

RESOLUTION OCM 2025/190

Moved: Mayor Lynette Martin

Seconded: Cr Mark Lovett

That the Mayoral Report be received.

CARRIED

7 REPORTS FROM COUNCILLORS

7.1 REPORTS FROM COUNCILLORS

Cr Sonya Meziniec ac.care 2025 Limestone Coast Support Homeless People Luncheon,
Exhibition Opening: Jam Factory Icon Julie Blyheld - Chasing a
Passion, Exhibition Opening: I own a Phil Riley



Cr Josh Lynagh	Cast in Blue Unveiling, OSHC Activities for Cast in Blue, Mount Gambier Pioneers Preliminary Final, Community Renewables Program Community Information Session, LCLHN Clinical Services Plan Public Consultation, Mount Gambier Eisteddfod Music Division, Mount Gambier and Districts Horse Trials Award Presentation
Cr Frank Morello	Exhibition Opening: I own a Phil Riley
Cr Max Bruins	ac.care 2025 Limestone Coast Support Homeless People Luncheon
Cr Paul Jenner	ac.care 2025 Limestone Coast Support Homeless People Luncheon, Pioneers MVP Awards, Group Training Employment Board Meeting, Chief Executive Officer Farewell Dinner, Mount Gambier Eisteddfod

RESOLUTION OCM 2025/191

Moved: Cr Max Bruins

Seconded: Cr Josh Lynagh

That the reports made by Councillors be received.

CARRIED

8 QUESTIONS WITH NOTICE

Nil

9 QUESTIONS WITHOUT NOTICE

Nil

10 PETITIONS

Nil

11 DEPUTATIONS

Nil



12 NOTICE OF MOTION TO REVOKE OR AMEND

12.1 CHIEF EXECUTIVE OFFICER SELECTION PANEL

RESOLUTION OCM 2025/192

Moved: Cr Max Bruins

Seconded: Cr Sonya Meziniec

1. That the "Notice of Variation – Chief Executive Officer Performance Review Committee" from Interim Chief Executive Officer as presented on 19 August 2025 be noted.
2. That the Minutes of the 'Chief Executive Officer Performance Review Committee' for the meeting held on 11 June 2025 be amended to be titled the 'Chief Executive Officer Selection Panel' meeting Minutes.

CARRIED

13 ELECTED MEMBERS INFORMATION BRIEFING SESSIONS

RESOLUTION OCM 2025/193

Moved: Cr Sonya Meziniec

Seconded: Cr Frank Morello

That Council Report titled Elected Member Information Briefing Sessions held since the previous Council Meeting be noted.

CARRIED

14 ELECTED MEMBERS TRAINING AND DEVELOPMENT

Nil

15 AUDIT AND RISK COMMITTEE

Nil

16 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE

Nil

17 JUNIOR SPORTS ASSISTANCE FUND COMMITTEE

Nil

18 BUILDING FIRE SAFETY COMMITTEE

Nil



19 COUNCIL REPORTS

19.1 WASTE AND RESOURCE RECOVERY MASTER PLAN

RESOLUTION OCM 2025/194

Moved: Cr Paul Jenner

Seconded: Cr Josh Lynagh

1. That Council report titled 'Waste and Resource Recovery Master Plan' as presented on Tuesday 19 August 2025 be noted.
2. That the Waste and Resource Recovery Master Plan be adopted.
3. That the Chief Executive Officer, or her delegate, be authorised to make minor grammatical changes in finishing the strategy.
4. That Elected Members be briefed on progress as required.

CARRIED

19.2 LIMESTONE COAST LOCAL GOVERNMENT ASSOCIATION (LCLGA) BUSINESS PLAN 2025/2026

Pursuant to Section 75 of the Local Government Act 1999, Mayor Lynette Martin disclosed a material conflict of interest in Item 19.2.

In accordance with Section 75B Mayor Lynette Martin informed the meeting:

Nature of Interest:

I am the President of the LCLGA and receive a small honorarium in that capacity.

Intention to Participate:

I will leave the meeting for this Agenda item.

In accordance with Section 75B of the Local Government Act 1999 Mayor Lynette Martin left the meeting at 6.20 p.m.

In the absence of Mayor Lynette Martin, Deputy Mayor Josh Lynagh took the chair for Item 19.2.

RESOLUTION OCM 2025/195

Moved: Cr Sonya Meziniec

Seconded: Cr Frank Morello

1. That Council report titled 'Limestone Coast Local Government Association (LCLGA) Business Plan 2025/2026' as presented on Tuesday 19 August 2025 be noted.

2. That Council endorses the Limestone Coast Local Government Association (LCLGA) 2025/2026 Annual Business Plan as presented.
3. That Council notes the LCLGA's transition to a streamlined, advocacy-focused model from 1 July 2025.
4. That Council supports continued participation in the LCLGA as a regional voice for shared strategic priorities.

CARRIED

Mayor Lynette Martin returned to the meeting at 6.21 p.m. and resumed the Chair.

19.3 MOUNT GAMBIER COMMUNITY MAYOR'S CHRISTMAS APPEAL

RESOLUTION OCM 2025/196

Moved: Cr Mark Lovett

Seconded: Cr Josh Lynagh

1. That Council report titled 'Mount Gambier Community Mayor's Christmas Appeal' as presented on Tuesday 19 August 2025 be noted.
2. That the Mount Gambier Community Mayor's Christmas Appeal Assessment Panel (the Committee) be established pursuant to section 41 of the Local Government Act 1999 (the Act).
3. That the following documents be endorsed and adopted and the Chief Executive Officer or delegate be authorised to make any amendments required in line with the Australian Tax Office advice:
 - (a) Mount Gambier Community Mayor's Christmas Appeal Assessment Panel Terms of Reference;
 - (b) Mount Gambier Community Mayor's Christmas Appeal Funding Assessment Guidelines; and
 - (c) Mount Gambier Community Mayor's Christmas Appeal Fund Rules.
4. That the Mayor be appointed as the Presiding Member of the Committee.
5. That the following members be appointed to the Committee for a 12-month term:
 - (a) Independent member – Sue Roberts
 - (b) Independent member – Jane Read
 - (c) Uniting Care representative – Laura Kilsby
 - (d) Salvation Army representative – Tim Frost
 - (e) ac.care representative – Deanne Swift
 - (f) St Vincent de Paul representative – John D'Souza

6. That Council grants the delegation of powers and functions of the Council as provided for in the tables presented to the Committee pursuant to section 44(2)(a) of the Act.
7. The delegations granted in resolution 6 above are subject to the following conditions and limitations:
 - (a) If two or more delegates are nominated in respect of a power or function, then each nominated person or position is granted a delegation and may exercise the power or function independently of any other delegate.
 - (b) The delegate must exercise a delegated function or power in accordance with and due regard to:
 - (i) applicable legislative and other legal requirements; and
 - (ii) relevant policies and guidelines adopted by the Council.
 - (b) Each delegation of a power or function is granted independent of, and severable from, every other delegation granted under this or any other resolution or instrument.
 - (c) A delegation of a power or function determined to be invalid or unlawful will be deemed to be severed from the delegations granted under this or any other resolution or instrument and remaining delegations will continue to operate according to their terms.
 - (d) These delegations will come into operation on Wednesday 20 August 2025 and remain in force until varied or revoked by resolution of the Council.
8. That the Chief Executive Officer or delegate be authorised to do all things necessary to obtain tax deductible gift recipient (DGR) status, including but not limited to making application to the Australian Taxation Office (ATO), registering a business name for the Mount Gambier Community Mayor's Christmas Appeal and opening a separate bank account to quarantine funds.

CARRIED

19.4 2025/2026 GRANTS AND SPONSORSHIP PROGRAM - ROUND ONE

Item 19.4 withdrawn.

19.5 CAPITAL WORK IN PROGRESS CARRY FORWARDS 2024/2025

RESOLUTION OCM 2025/197

Moved: Cr Paul Jenner

Seconded: Cr Mark Lovett

1. That Council report titled 'Capital Work in Progress Carry forwards 2024/2025' as presented on Tuesday 19 August 2025 be noted.
2. That Council approves the proposed total carry forward amount of \$2.805m for capital expenditure items as at 30 June 2025 resulting in a revised annual net impact to financing activities for the 2025/2026 financial year.

3. That Council adopts the revised capital expenditure budget from 2024/2025 to be carried forward to 2025/2026 financial year.

CARRIED

19.6 REQUEST FOR INTERNAL REVIEW OF COUNCIL DECISION

RESOLUTION OCM 2025/198

Moved: Cr Max Bruins

Seconded: Cr Sonya Meziniec

1. That Council report titled 'Request for Internal Review of Council Decision' as presented on Tuesday 19 August 2025 be noted.
2. That Council, having considered the within request for internal review of council decisions, having undertaken the requisite process as set out in Council's Internal Review of Council's Decisions Policy C290 and having contemplated the findings and recommendations as set out in the Final Review Report as presented by Kelledy Jones Lawyers, in accordance with section 270 of the Local Government Act 1999, determine that no further action be taken in respect of the request for review.
3. That the Applicant be notified of the decision at resolution 2 above, along with reasons for same, and provided with a copy of the Final Review Report for their information.

CARRIED

20 MOTIONS WITH NOTICE

Nil

21 URGENT MOTIONS WITHOUT NOTICE

Nil

22 NEW CONFIDENTIAL ITEMS

22.1 PERCY STREET UNSOLICITED PROPOSAL

RESOLUTION OCM 2025/199

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 the Mayor, Councillors and B Cernovskis, C White, J Fetherstonhaugh, J Martin, M Telford and S Spears and be excluded from attendance at the meeting for the receipt and consideration in confidence of Percy Street Unsolicited Proposal.

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

- (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
 - (i) 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; and
 - (ii) would, on balance, be contrary to the public interest.
- (g) 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, any duty of confidence, or 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 regarding the Percy Street Unsolicited Proposal contains commercial information of a confidential nature, provided to Council in-confidence and therefore creating a duty of confidence, the consideration of which if conducted in an open meeting could prejudice the position of Council, as well as the third party that provided the information, and impact Council's ability to achieve commercially advantages outcomes for the community.

CARRIED



RESOLUTION OCM 2025/200

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

In accordance with Sections 91(7) and 91(9) of the Local Government Act 1999 the Council orders that the report Percy Street Unsolicited Proposal and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:

- (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
 - (i) 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; and
 - (ii) would, on balance, be contrary to the public interest.
- (g) 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, any duty of confidence, or other legal obligation or duty.

be kept confidential and not available for public inspection until the latter of two years after the expiry of an agreement entered into in relation to the matter, or two years after the proposal has been abandoned, and Council has been released from its duty of confidence.

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

23 MEETING CLOSE

Meeting closed at 6:43 pm.

