

MINUTES

Ordinary Council Meeting Tuesday 17 December 2024



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

Time: 6:00 pm
Date: Tuesday 17 December 2024
Location: Council Chamber - Civic Centre
10 Watson Terrace, Mount Gambier

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

OFFICERS	IN Chief Executive Officer	- Mrs S Philpott
ATTENDANCE:	General Manager City Infrastructure	- Ms B Cernovskis
	General Manager Corporate and Regulatory Services	- Mrs J Fetherstonhaugh
	Manager Governance and Property	- Ms B Shelton
	Manager Engineering, Design and Assets	- Mr A Mahmud
	Media and Communications Coordinator	- Ms S McLean
	Councillor Support Officer	- Mrs M Telford

1 ACKNOWLEDGEMENT OF COUNTRY

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

2 APOLOGIES

RESOLUTION OCM 2024/221

Moved: Cr Frank Morello
Seconded: Cr Sonya Meziniec

That the apologies from Cr Mark Lovett and Cr Kate Amoroso be received.

CARRIED

3 LEAVE OF ABSENCE

Nil

4 CONFIRMATION OF COUNCIL MINUTES

4.1 CONFIRMATION OF COUNCIL MINUTES

RESOLUTION OCM 2024/222

Moved: Cr Max Bruins
Seconded: Cr Sonya Meziniec

That the minutes of the Ordinary Council Meeting held on 19 November 2024 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

5 MAYORAL REPORT

5.1 MAYORAL REPORT - DECEMBER 2024

- Triple M radio interview – Beacon Art Project
- Elected Member Mandatory Training Catch-Up Session with Cr Amoroso – Team Building
- LGA Mayor’s Forum (Adelaide)
- Meeting with Minister Clare Scriven MLC – impact of drought on agricultural and rural communities (Adelaide)
- LGA AGM, including welcome reception / SAROC Meeting (Adelaide)
- Blue Lake Fun Run – Welcome
- Radio interview with Llew Jones – 5GTRFM
- Mount Gambier Christmas Parade Presentations
- Photo with District Council of Grant Mayor, Kylie Boston, and Acting CEO, Gary Button, Riddoch Arts and Cultural Centre Director, Ashleigh Whatling and Curator, Chris Clements at Mount Gambier Regional Airport – *Flight Mode* exhibition launch
- Meeting with Fringe Committee Members, Louise Adams and Gavin Clarke, and Monica Hart and Maree Adams
- Elected Member Briefing – Presentation of Mount Gambier Regional Airport Masterplan
- Confidential Elected Member Briefing – Wulanda Update
- LGA Board / SAROC / GAROC Induction Workshop (Adelaide)
- Triple M radio interview – Mayor’s Christmas Appeal and Lighting of the Old Town Hall windows
- Meeting with Colin Byles – EO, LCLGA
- History Council of SA: Regional Lecture
- Unveiling Ceremony of Mount Gambier Prison Memorial
- ABC Regional Drive Program – Narelle Graham
- Mount Gambier Family Truck Show – judging
- Carols in Nine Languages
- Citizenship Ceremony
- Meeting with CEO, Sarah Philpott, and Chamber of Commerce President, Candice Fennell
- In-Home Hospice Care AGM
- Elected Member Briefing – Generations in Jazz
- Elected Member Briefing – CBD Activation and Masterplan
- SATC Regional Forum: 2030 Visitor Economy Sector Plan refresh
- SAROC Meeting and LGA Board Meeting (Adelaide)
- Volunteer Christmas Morning Tea
- Elected Member photo at Englebrecht Cave
- Tenison Woods College Middle School Awards Ceremony
- Radiotherapy Working Group Christmas Lunch
- Meeting with Allen Woodham, Mount Gambier City Band
- Meeting with Tony Pasin MP, with CEO, Sarah Philpott and Manager Economy, Strategy and Engagement, Biddie Shearing – Housing Infrastructure Program
- Elected Member Briefing – Briefing with the Hon. Minister Clare Scriven MLC - Minister for Primary Industries and Regional Development, Minister for Forest Industries
- Elected Member Briefing – General Update from SAPOL
- Elected Member Briefing – Briefing with Mr Troy Bell MP, Member for Mount Gambier
- Elected Member Briefing – Sponsorship for Pioneers
- Elected Member Briefing – Rating Review
- Citizen of the Year Selection Panel Meeting



- Mayor's Christmas Appeal – donation photos
- LCLGA General Meeting (Kingston)
- Riddoch Exhibition Program 2025 Launch
- Blue Lake Carols
- Mayor's Christmas Appeal – photo with Sensitive Santa
- Afternoon Tea – Celebration of 15 Years of the Mount Gambier Library

RESOLUTION OCM 2024/223

Moved: Mayor Lynette Martin
Seconded: Cr Jason Virgo

That the Mayoral Report be received.

CARRIED

6 REPORTS FROM COUNCILLORS

6.1 REPORTS FROM COUNCILLORS

- Cr Josh Lynagh Limestone Coast Local Health Network Annual Public Meeting, Tenison Woods College Year 12 Graduation, Citizenship Ceremony, Boandik Lodge "Food Forum", Blue Lake Fun Run, "Lose and Hope" Karenni Fundraiser Film Screening, Yahl Primary School Spring Fair, Mount Gambier Family Truck Show, Thungi Summer Markets
- Cr Jason Virgo North Terrace Property to view tree concerns; Blue Lake Fun Run Sponsors Dinner
- Cr Sonya Meziniec Book Launch of 'John Riddoch - Founder of Coonawarra' by Peter Rymill, Book in Homes Presentation at Library, Mount Gambier High School Presentation Night, 2025 Program Launch - Riddoch Arts and Cultural Centre, Post Christmas Parade Meeting, Afternoon Tea Celebration of 15 years of the Mount Gambier Library
- Cr Frank Morello Christmas Parade Presentation
- Cr Paul Jenner Rainbow Club at Country Health Connect, Mount Gambier Truck Show, Citizenship Ceremony, Australian Red Cross Women's Legal Service SA - Community Information Session, Limestone Coast Energy Park - Pacific Green, Christmas Twilight Market, Thungi Summer Market, Group Training Employment Board Meeting, Afternoon Tea Celebration of 15 years of the Mount Gambier Library

COUNCIL RESOLUTION OCM 2024/224

Moved: Cr Frank Morello
Seconded: Cr Paul Jenner

That the reports made by Councillors be received.

CARRIED



7 QUESTIONS WITH NOTICE

Cr Paul Jenner gave notice of his intention to ask the following questions:

7.1 BLUE LAKE WELCOME CENTRE - OPENING HOURS

Can Council please be updated on what will be the staffing times for the Blue Lake Welcome Centre opening hours for spring, summer and autumn?

Answer:

The endorsed Visitor Servicing Model is underway and involves Council strategically scaling from 1 to 4 operational sites within 12 months.

The priority for Council when endorsing the new model was to align private operator's retirements with transition of the site operations into Councils visitor servicing team in progressive steps. Engelbrecht Cave transitioned to Council operations in July followed by Umpherston/Balumbul in October.

With 4 sites within 6 months now included in Council operations the sites will be open as follows:

- Blue Lake Welcome Centre open daily 10am – 3pm over the peak Christmas/New Year period 26 Dec – 05 Jan and weekends and public holidays thereafter
- Engelbrecht Cave open daily from 10am – 3pm
- Umpherston/Balumbul open daily from 10am – 3pm
- The Lady Nelson Visitor Information Centre open daily 9am – 5pm M-F, 10am – 4pm weekends and public holidays

After the peak Christmas/New Year period the visitation insights from all sites will be reviewed to inform sustainable, best practice resourcing and operational requirements for each site.

Cr Frank Morello gave notice of his intention to ask the following questions:

7.2 SPRING CLEAN WEEKEND

Can the administration please provide an update on the success of the Spring Clean Weekend sponsored by OneFortyOne last month? The initiative allowed residents to drop-off tyres, beds and sofas at the Waste Transfer Station for free in an effort to promote responsible waste management practices.

Answer:

The Spring Clean initiative was a tremendous success, benefiting community members who took part in this incredible effort by the dedicated Waste Transfer Station Team & One Forty-One Team, together working tirelessly to ensure everything ran smoothly.

What We Collected

433 Mattresses

147 Couches



240 Armchairs
In Excess of 2000 Tyres

The Waste Transfer Station Team played a pivotal role in managing and organising traffic management and the waste material, working closely with the One Forty-One field staff, who brought their expertise supporting the event with on-the-ground services. Together, they made the disposal process efficient, organised, and accessible for all evident in their ability to serve 550 cars.

8 QUESTIONS WITHOUT NOTICE

Nil

9 PETITIONS

9.1 PETITION - STOP THE BLUE BLOB

RESOLUTION OCM 2024/225

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

1. That Council report titled 'Petition - Stop the Blue Blob' as presented on Tuesday 17 December 2024 be noted.
2. The petition be received and noted.
3. Council notes that the Administration has enacted Council's resolution to proceed with the Beacon Art project following Council's consideration of a rescission motion (which was lost), and that a commissioning agreement (contract) has been therefore been entered into.
4. That the Administration write to the Petition Administrator offering to facilitate a meeting with the CEO and Mayor to present the current status of the Beacon Art Project, including the background of the project, the commissioning process, budget implications, and contractual obligations.

CARRIED

10 DEPUTATIONS

Nil



11 NOTICE OF MOTION TO REVOKE OR AMEND

11.1 NOTICE OF MOTION TO REVOKE OR AMEND - ADOPTION OF SCHEDULE OF FEES AND CHARGES 2024/2025

RESOLUTION OCM 2024/226

Moved: Cr Paul Jenner

Seconded: Cr Frank Morello

1. That the motion from Cr Paul Jenner as presented on Tuesday 17 December 2024 be noted.
2. That having further considered Item 19.5 Adoption of Schedule of Fees and Charges 2024/2025 tabled at the ordinary meeting of 21 May 2024, the Council hereby revoke part 8 of the Resolution 2024/104 as follows:
 8. That a further workshop be held on the Schedule of Fees and Charges before the end of this Calendar Year.

CARRIED

12 ELECTED MEMBERS INFORMATION BRIEFING SESSIONS

RESOLUTION OCM 2024/227

Moved: Cr Sonya Meziniec

Seconded: Cr Josh Lynagh

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

CARRIED

13 ELECTED MEMBERS TRAINING AND DEVELOPMENT

Nil



14 AUDIT AND RISK COMMITTEE

14.1 MINUTES OF AUDIT AND RISK COMMITTEE HELD ON 25 NOVEMBER 2025

RESOLUTION OCM 2024/228

Moved: Cr Paul Jenner

Seconded: Cr Jason Virgo

That the minutes of the Audit and Risk Committee meeting held on 25 November 2024 be noted.

CARRIED

14.2 ANNUAL WORK PLAN AND MEETING SCHEDULE

RESOLUTION OCM 2024/229

Moved: Cr Paul Jenner

Seconded: Cr Frank Morello

1. That Council report titled 'Annual Work Plan and Meeting Schedule' as presented on Monday 25 November 2024 be noted.
2. That the Audit and Risk Committee holds at minimum 6 meetings throughout 2025, noting that meeting dates are subject to change, including additional special meetings where required.

CARRIED

14.3 INTERNAL AUDIT: AMENDED PLAN, QUARTERLY UPDATE AND PROJECT SCOPE

RESOLUTION OCM 2024/230

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

1. That Council report titled 'Internal Audit: Amended Plan, Quarterly Update and Project Scope' as presented on Monday 25 November 2024 be noted.
2. That the Internal Audit Plan 2023/2024 - 2026/2027 (as amended), having been reviewed by the Audit and Risk Committee be adopted.



3. That it be noted that progress achieved on the actions resulting from the internal audit already completed will be reported in future quarterly updates.
4. That having reviewed the scope of works for the internal audit project for procurement and contract management, the Audit and Risk Committee are satisfied it is sufficient, and is amended to include
 - reference to a minimum sample size
 - training
 - delegations
5. That the next iteration of the Internal Audit Plan:
 - Incorporates a risk based approach, informed by the strategic risk register and internal financial controls review
 - Removes Item 2, penetration testing
 - Shifts item 13, Council Policies to the 2027/2028 financial year.

CARRIED

14.4 ANNUAL REVIEW BORROWINGS AND INVESTMENTS

RESOLUTION OCM 2024/231

Moved: Cr Paul Jenner

Seconded: Cr Josh Lynagh

1. That Council report titled 'Annual Review Borrowings and Investments' as presented on Monday 25 November 2024 be noted.

CARRIED

14.5 POLICY UPDATE

RESOLUTION OCM 2024/232

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

1. That Council report titled 'Policy Update' as presented on Monday 25 November 2024 be noted.

CARRIED



14.6 POLICIES FOR REVIEW

RESOLUTION OCM 2024/233

Moved: Cr Paul Jenner

Seconded: Cr Sonya Meziniec

1. That Council report titled 'Policies for Review' as presented on Monday 25 November 2024 be noted.
2. That having been reviewed by the Audit and Risk Committee on 25 November 2024, the following reviewed and amended policies be endorsed:
 - (a) Emergency Management Policy
 - (b) Treasury Management Policy - T150
3. That having been reviewed by the Audit and Risk Committee on 25 November 2024, the content of the following reviewed and amended policies / procedures be endorsed:
 - (a) Request for Service and Complaint Procedure - C200
 - (b) Internal Review of Council's Decision - C290and that the administration determine prior to presentation to Council the relationship between the two (2) policies and whether they are more appropriately policies or procedures.
4. That the Chief Executive Officer (or delegate) be authorised to make minor administrative changes to the policies / procedures as required.

CARRIED

14.7 LEASE AND LICENCE UPDATE

RESOLUTION OCM 2024/234

Moved: Cr Paul Jenner

Seconded: Cr Sonya Meziniec

1. That Council report titled 'Lease and Licence Update' as presented on Monday 25 November 2024 be noted.

CARRIED



14.8 AUDIT AND RISK COMMITTEE MEETING REPORT

RESOLUTION OCM 2024/235

Moved: Cr Paul Jenner

Seconded: Cr Jason Virgo

1. That Council report titled 'Audit and Risk Committee Meeting Report' as presented on Monday 25 November 2024 be noted.

CARRIED

15 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE

Nil

16 JUNIOR SPORTS ASSISTANCE FUND COMMITTEE

16.1 JUNIOR SPORTS ASSISTANCE FUND COMMITTEE AGM HELD ON 4 DECEMBER 2024

RESOLUTION OCM 2024/236

Moved: Cr Josh Lynagh

Seconded: Cr Frank Morello

- That the minutes of the Junior Sports Assistance Fund Committee AGM held on 4 December 2024 be noted.

CARRIED

16.2 STATEMENT OF REVENUE AND EXPENDITURE - YEAR ENDED 30/06/2024

RESOLUTION OCM 2024/237

Moved: Cr Josh Lynagh

Seconded: Cr Max Bruins

1. That Council report titled 'Statement of Revenue and Expenditure - Year Ended 30/06/2024' as presented on Wednesday 4 December 2024 be noted.



2. The Statement of Income and Expenditure for period ended 30 June 2024 detailing payments to and from the Fund, with a 30 June 2024 cash balance of \$135,187.76 be received.

CARRIED

16.3 MEMBER ORGANISATION CONTRIBUTIONS

RESOLUTION OCM 2024/238

Moved: Cr Josh Lynagh

Seconded: Cr Sonya Meziniec

1. That the Junior Sports Assistance Fund Report titled 'Member Organisation Contributions' as presented on Wednesday 4 December 2024 be noted.
2. Member Organisations be advised that the Junior Sports Assistance Fund has the financial capacity to assist its members for the 2024/2025 financial year noting the cost of living crisis and as such member contributions to the Junior Sports Assistance Fund for the 2024/2025 financial year be waived.

CARRIED

16.4 PAYMENTS TO MEMBER ORGANISATIONS

RESOLUTION OCM 2024/239

Moved: Cr Josh Lynagh

Seconded: Cr Frank Morello

1. That the Junior Sports Assistance Fund report titled 'Payments to Member Organisations' as presented on Wednesday 4 December 2024 be noted.
2. Payments to Member Organisations be calculated based on 10% of the total cost of the principle event and capped at \$300 minimum and \$500 maximum.
3. That in the event of extenuating circumstances the determination will be at the discretion of the Committee.

CARRIED



16.5 GENERAL DEVELOPMENTS OF THE FUND FROM 01/07/2023 TO 30/06/2024

RESOLUTION OCM 2024/240

Moved: Cr Josh Lynagh

Seconded: Cr Paul Jenner

1. That the Junior Sports Assistance Fund report titled 'General Developments of the Fund from 01/07/2023 to 30/06/2024' as presented on Wednesday 4 December 2024 be noted.

CARRIED

16.6 COMMITTEE APPOINTMENTS

RESOLUTION OCM 2024/241

Moved: Cr Paul Jenner

Seconded: Cr Jason Virgo

1. That the Junior Sports Assistance Fund report titled 'Committee Appointments' as presented on Wednesday 4 December 2024 be noted.
2. The committee appointments to approve applications to the Junior Sports Fund Assistance Fund as referenced in Report titled 'Committee Appointments' be adopted.

CARRIED

16.7 REVIEW OF TERMS OF REFERENCE

RESOLUTION OCM 2024/242

Moved: Cr Josh Lynagh

Seconded: Cr Sonya Meziniec

1. That Council report titled 'Review of Terms of Reference' as presented on Wednesday 4 December 2024 be noted.
2. That the proposed amended Junior Sports Assistance Fund Terms of Reference to be presented for adoption at the next meeting of Council be noted.

CARRIED



16.8 JUNIOR SPORTS ASSISTANCE FUND COMMITTEE MEETING HELD ON 4 DECEMBER 2024

RESOLUTION OCM 2024/243

Moved: Cr Josh Lynagh

Seconded: Cr Sonya Meziniec

That the minutes of the Junior Sports Assistance Fund Committee meeting held on 4 December 2024 be noted.

CARRIED

16.9 ROTARY CLUB OF MOUNT GAMBIER LAKES - YOUTH EMPOWERMENT SPORTS PROGRAM - SECOND CALL

RESOLUTION OCM 2024/244

Moved: Cr Josh Lynagh

Seconded: Cr Sonya Meziniec

1. That Council report titled 'Rotary Club of Mount Gambier Lakes - Youth Empowerment Sports Program - Second Call' as presented on Wednesday 4 December 2024 be noted.
2. The funding be made available to the Member Organisations named below to assist the identified juniors to achieve their fullest participation with the specific purpose donation from the Rotary Club of Mount Gambier Lakes – Youth Empowerment Sports Program initiative, to be used in accordance with their respective confidential application:

(a) Mount Gambier and District Pony Club	\$600
(b) Basketball Mount Gambier	\$600
3. A social media post be prepared following the cheque handover presentation at the Blue Lake Fun Run with Mayor Lynette Martin, Cr Josh Lynagh and Members of the Rotary Club of Mount Gambier Lakes to show the Funds appreciation for their ongoing support to the Youth Empowerment Sports Program.

CARRIED

17 BUILDING FIRE SAFETY COMMITTEE

Nil



18 COUNCIL REPORTS

18.1 CBD ACTIVATION AND MASTER PLAN

RESOLUTION OCM 2024/245

Moved: Cr Frank Morello

Seconded: Cr Max Bruins

1. That Council report titled 'CBD Activation and Master Plan' as presented on Tuesday 17 December 2024 be noted.
2. That administration utilises remaining 2024/2025 operational CBD Activation budget allocation for the pursuit of test and trial place-activation initiatives that directly align to the feedback and priorities highlighted through recent studies.
3. That Council endorse the allocation of funds for the delivery of a CBD Master Plan, as follows:
 - (i) An initial allocation of \$75,000 from 2024/2025 operating budget provision for "Strategic Work Plan Delivery" to be adjusted at budget review 2
 - (ii) The commitment of a further allocation of \$75,000 within the 2025/2026 annual budget from the operating budget capacity provision for "Strategic Work Plan Delivery".
4. That administration progress with the development of a project scope for the engagement of suitably positioned industry experts to deliver the CBD Master Plan.

CARRIED

18.2 SUBMISSION - SOUTH AUSTRALIAN GOVERNMENT TRANSPORT STRATEGY - PUBLIC CONSULTATION

RESOLUTION OCM 2024/246

Moved: Cr Paul Jenner

Seconded: Cr Sonya Meziniec

1. That Council report titled 'Submission - South Australian Government Transport Strategy - Public Consultation' as presented on Tuesday 17 December 2024 be noted.
2. That the attached submission to the South Australian Government Transport Strategy be approved.
3. That the Chief Executive Officer or Delegate be authorised to make any necessary changes to the 'Submission - South Australian Government Transport Strategy - Public Consultation' arising from this meeting, together with any typographical corrections, amendments from Elected Members, amendments to position or organisation titles, and finalisation of the document's formatting that do not materially alter the integrity of the document.

CARRIED

**18.3 SUBMISSION - LIMESTONE COAST REGIONAL GROWTH STRATEGY 2024-2029
- PUBLIC CONSULTATION**

RESOLUTION OCM 2024/247

Moved: Cr Paul Jenner

Seconded: Cr Sonya Meziniec

1. That Council report titled 'Submission - Limestone Coast Regional Growth Strategy 2024-2029 - Public Consultation' as presented on Tuesday 17 December 2024 be noted.
2. That the attached submission to the draft Limestone Coast Regional Growth Strategy be approved.
3. That one dynamic image/photo from each Council area be included in the final document.
4. That the Chief Executive Officer or Delegate be authorised to make any necessary changes to the 'Submission - Limestone Coast Regional Growth Strategy 2024-2029 - Public Consultation' arising from this meeting, together with any typographical corrections, amendments from Elected Members, amendments to position or organisation titles, and finalisation of the document's formatting that do not materially alter the integrity of the document.

CARRIED

Pursuant to Section 74 of the Local Government Act 1999, Cr Frank Morello disclosed a general conflict of interest in Item 18.4.

In accordance with Section 75B Cr Morello informed the meeting:

Nature of Interest:

I am employed by Country Arts SA, which administers the Sir Robert Helpmann Theatre.

Intention to Participate:

I intend to stay in the meeting and vote on the matter. I will not move or second the motion, nor will I be engaging in discussion or debate on the matter.

Reason for Participating:

The action I am taking is sufficient to address and deal with my conflict adequately by not moving or seconding the motion or speaking to the motion. I intend to vote and represent the community with my vote as I feel that is important.

In accordance with Section 75B of the Local Government Act 1999 Cr Frank Morello remained in the meeting for Item 18.4.



18.4 SUBMISSION - SELECT COMMITTEE ON LIVE AND CREATIVE VENUES

RESOLUTION OCM 2024/248

Moved: Cr Sonya Meziniec

Seconded: Cr Jason Virgo

1. That Council report titled 'Submission - Select Committee on Live and Creative Venues' as presented on Tuesday 17 December 2024 be noted.
2. That Council authorise administration to provide the submission for the consideration of the Select Committee of the Legislative Council for local and live creative venues.
3. That the Chief Executive Officer or Delegate be authorised to make any necessary changes to the 'Submission - Select Committee on Live and Creative Venues' arising from this meeting, together with any typographical corrections, amendments from Elected Members, amendments to position or organisation titles, and finalisation of the document's formatting that do not materially alter the integrity of the document.

CARRIED

Having participated in the meeting for Item 18.4 Cr Morello voted in favour of the motion.

18.5 VALLEY LAKES TOILET BLOCK ACCESSIBLE PARKING

RESOLUTION OCM 2024/249

Moved: Cr Jason Virgo

Seconded: Cr Sonya Meziniec

1. That Council report titled 'Valley Lakes Toilet Block Accessible Parking' as presented on Tuesday 17 December 2024 be noted.
2. (a) That Council endorse Traffic Impact Assessment and proposed area shown on the aerial map as attached to this report.

(b) That Council, in accordance with the power delegated by the Minister under Section 17(1) and (2) of the Road Traffic Act (Instrument of Delegation dated 22 August 2013), resolves the following:

Prohibited Area Disabled Permit Parking Only

Ref No. 2.3.108

Valley Lakes Toilet Block Accessible Parking adjacent to the Northern Accessible Ramp.

To apply at all times."

CARRIED



18.6 COMMUNITY LAND REVOCATION PROPOSAL - JUBILEE HIGHWAY WEST, SUTTONTOWN

RESOLUTION OCM 2024/250

Moved: Cr Paul Jenner

Seconded: Cr Jason Virgo

1. That Council report titled 'Community Land Revocation Proposal - Jubilee Highway West, Suttontown' as presented on Tuesday 17 December 2024 be noted.
2. That Council hereby endorses community consultation on the Community Land Revocation Proposal Report for the parcel of land identified as Allotment 212 in Deposited Plan 125742, Jubilee Highway West, Suttontown in accordance with section 194 of the Local Government Act 1999.
3. That the transfer of the subject land be on the condition that at the applicants cost is amalgamated into the adjoining parcel existing titles.

CARRIED

18.7 CITY OF MOUNT GAMBIER JUNIOR SPORTS ASSISTANCE FUND - REVIEW OF TERMS OF REFERENCE

RESOLUTION OCM 2024/251

Moved: Cr Josh Lynagh

Seconded: Cr Sonya Mezinec

1. That Council report titled 'City of Mount Gambier Junior Sports Assistance Fund - Review of Terms of Reference' as presented on Tuesday 17 December 2024 be noted.
2. That the amended Junior Sports Assistance Fund Terms of Reference be adopted.

CARRIED

18.8 POLICY REVIEWS

RESOLUTION OCM 2024/252

Moved: Cr Paul Jenner

Seconded: Cr Jason Virgo

1. That the CEO or delegate be authorised to make the following additional amendments to the Request for Service and Complaint Policy and Procedure C200 (the Policy):



- a. That a standardised Complaint Form be created in a similar structure to the Customer Request Form, and the methods of submitting a complaint under item 5 of the Policy be updated accordingly.
- b. That the 'related policies, procedures and documents' schedule of the Policy be amended to further remove:
 - i. Behavioural Standards for Council Members
2. That the CEO or delegate be authorised to make the following additional amendments to the Internal Review of Council's Decisions C290 (the Policy):
 - a. That the 'related policies, procedures and documents' schedule of the Policy be amended to further include:
 - i. Related Policies:
 1. Request for Service and Complaint Policy and Procedure C200
 2. Fraud, Corruption, Misconduct and Maladministration Prevention Policy F225
 3. Records Management R180
 4. Public Interest Disclosure Policy P900
 - ii. Related Procedures:
 1. Unreasonable Complainant Conduct
 2. Records Management Procedures
 - iii. Related Documents:
 1. Managing Unreasonable Complainant Conduct - Practice Manual
 2. Behavioural Standards Code of Conduct for Council Members

CARRIED

19 MOTIONS WITH NOTICE

Nil

20 URGENT MOTIONS WITHOUT NOTICE

Nil

21 CONFIDENTIAL ITEMS OF COMMITTEES

Nil



22 NEW CONFIDENTIAL ITEMS

22.1 ELECTRICITY CONTRACT

RESOLUTION OCM 2024/253

Moved: Cr Max Bruins

Seconded: Cr Josh Lynagh

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 S Philpott, B Cernovskis, J Fetherstonhaugh, B Shelton, A Mahmud, S McLean and M Telford be excluded from attendance at the meeting for the receipt and consideration in confidence of Electricity Contract.

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:

- (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.

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 discussed in this item relates to future contracts between Council and suppliers associated with the supply of energy for city services. The disclosure of information in association with this item 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

RESOLUTION OCM 2024/255

Moved: Cr Frank Morello

Seconded: Cr Sonya Meziniec

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 Electricity Contract and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:



- (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.

be kept confidential and not available for public inspection until 12 months after a contract has been executed for the relevant supply.

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

22.2 ROADS RECONSTRUCTION PROJECT - RAMSAY AVENUE, SHEPHERDSON ROAD AND ANTHONY STREET

RESOLUTION OCM 2024/256

Moved: Cr Frank Morello

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 (Council Officers) be excluded from attendance at the meeting for the receipt and consideration in confidence of Roads Reconstruction Project - Ramsay Avenue, Shepherdson Road and Anthony Street.

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:

- (k) tenders for the supply of goods, the provision of services or the carrying out of works

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information to be discussed in this item relates to a contract between Council and the successful tenderer.

CARRIED



RESOLUTION OCM 2024/258

Moved: Cr Josh Lynagh

Seconded: Cr Sonya Mezinec

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 Roads Reconstruction Project - Ramsay Avenue, Shepherdson Road and Anthony Street and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:
(k) tenders for the supply of goods, the provision of services or the carrying out of works

be kept confidential and not available for public inspection until 12 months after the execution of the contract, with the name of the successful tenderer to be disclosed upon execution.
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

22.3 WULANDA RECREATION AND CONVENTION CENTRE - PROJECT UPDATE

RESOLUTION OCM 2024/259

Moved: Cr Jason Virgo

Seconded: Cr Josh Lynagh

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 S Philpott, B Cernovskis, J Fetherstonhaugh, B Shelton, A Mahmud, S McLean and M Telford be excluded from attendance at the meeting for the receipt and consideration in confidence of Wulanda Recreation and Convention Centre - Project Update.

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.
- (h) legal advice.

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

RESOLUTION OCM 2024/261

Moved: Cr Max Bruins

Seconded: Cr Sonya Mezinac

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 Wulanda Recreation and Convention Centre - Project Update 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.
 - (h) legal advice.

be kept confidential and not available for public inspection until the latter of two years after the satisfactory resolution of any outstanding commercial contractual dispute, or two years after the conclusion of any legal proceedings, and Council has been released from its duty of confidence.

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

23 MEETING CLOSE: 7:31 p.m.

