

**MINUTES OF CITY OF MOUNT GAMBIER ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE,
MOUNT GAMBIER ON TUESDAY, 19 APRIL 2022 AT 6.00 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Sonya Meziniec, Cr Max Bruins, Cr Christian Greco, Cr Ben Hood, Cr Paul Jenner (arrived at 6.02 p.m.)

OFFICERS IN ATTENDANCE:

Chief Executive Officer	- Mrs S Philpott
General Manager City Infrastructure	- Ms B Cernovskis
General Manager Corporate and Regulatory Services	- Mr D Barber
General Manager City and Community Growth	- Mr T Coote
Manager Finance	- Mrs J Scoggins
Manager Waste and Re-use	- Mr M McDonald
Acting Media and Communications Coordinator	- Mrs A Watson
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 INDIGENOUS PEOPLES HAVE WITH THIS LAND.

Cr Jenner arrived at 6.02 p.m.

2 APOLOGIES

RESOLUTION 2022/65

Moved: Cr Christian Greco

Seconded: Cr Sonya Meziniec

That the apology from Cr Frank Morello and Cr Kate Amoroso be received.

CARRIED

3 LEAVE OF ABSENCE

Nil

4 CONFIRMATION OF COUNCIL MINUTES

RESOLUTION 2022/66

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

That the minutes of the Ordinary Council meeting held on 15 March 2022 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED



5 MAYORAL REPORT

5.1 MAYORAL REPORT - APRIL 2022

- Virtual Pre-Election Forum with Hon Josh Teague, Minister for Planning and Local Government
- 2022 Interschool Athletics Carnival – Mount Gambier High School
- Opening Night Fringeland Event
- Wave the Starter Flag – Mount Gambier 8 Hour Pedal Prix
- Audit and Risk Committee Meeting
- 2022 SA PGA Seniors Championship
- Meeting with Acting CEO and Nigel Smart, CEO - Crime Stoppers SA
- SAPOL 40th Anniversary Commemoration – Loss of two local Police Officers
- Official Opening new Naracoorte Library
- Teleconference with Member for Barker – Local Roads and Community Infrastructure Phase 3 Extension
- Citizenship Ceremony
- LCLGA Board Meeting – Tatiara District Council
- Opening of South East Society Open Art Awards Exhibition
- Interfaith Service -Pray for Ukraine
- LGA/YMCA Zoom Meeting with Deputy Mayor, Mr Andriy Pizhevskyy, from Ukrainian City of Vinnytsia
- Elected Member Briefing – Budget Workshop 2
- LGA 2022 Best Practice Showcase and OGM
- Opening of Needham 2022 Faithful Gifts Exhibition
- Meeting with GM City and Community Growth and Member for Mount Gambier
- Yerkalalpata Community Reference Group – Crater Lakes Lunch
- Elected Member Briefing – Budget Workshop 3
- Meeting with GM City and Community Growth with representatives from OneFortyOne

RESOLUTION 2022/67

Moved: Mayor Lynette Martin

Seconded: Cr Christian Greco

That the Mayoral report made on 19 April 2022 be received.

CARRIED



6 REPORTS FROM COUNCILLORS

Cr Max Bruins	Fringe Opening
Cr Ben Hood	Pioneers Basketball Season Launch 2022
Cr Paul Jenner	Pioneers Basketball Season Launch 2022, Group Training Employment Board Meeting
Cr Sonya Meziniec	Meeting with Mr Troy Bell MP - Homelessness and Affordable Housing in Mount Gambier, Key to Kindness Charity Ball, Meeting with Maureen Klintberg - former Presiding Member of Mount Gambier HAC, Planet Youth Q&A Session regarding City of Mount Gambier, District Council of Grant and Tatiara District Council Reports, Fringe Opening, SAPOL 40 th Anniversary Commemoration - death of 2 Police Officers while on duty, WIBRD Empowering Women in Business Breakfast with Australia's E-Safety Commissioner Julie Inman-Grant, LGA 2022 Best Practise Showcase and AGM.

RESOLUTION 2022/68

Moved: Cr Christian Greco

Seconded: Cr Sonya Meziniec

That the reports made by Councillors on 19 April 2022 be received.

CARRIED

7 QUESTIONS WITH NOTICE

7.1 QUESTION WITH NOTICE - LIBRARY CAFÉ

Question:

What is Council doing with the cafe space in the library. Could it be leased out for a teaching space for students to use their skills at ?

Answer:

The café refurbishment will commence in early May. In the meantime we are exploring a trial for coffee cart to be placed in Watson Terrace for library customers who want to access a coffee without venturing too far notably from programs with parents and children. Options are currently being explored for the leasing of the cafe, including similar ideas to the one you have mentioned for its use once the refurbishment is complete.

REPORT RECOMMENDATION

That the response to the question regarding use of the Library Cafe raised by Councillor Paul Jenner be received and noted.



7.2 QUESTION WITH NOTICE - BLUE LAKE WELCOME CENTRE

Question:

What is Council doing with the coffee shop at the Blue Lake ?

Answer:

The Blue Lake Welcome Centre has not been reactivated as a coffee shop but a temporary space to provide visitor information services with a range of merchandise. The visitation through the Blue Lake Welcome Centre has been an objective success with numbers comparable and, on average higher, than the Visitor Information Centre over the same period.

REPORT RECOMMENDATION

That the response to the question regarding use of Blue Lake Welcome Centre raised by Councillor Paul Jenner be received and noted.

7.3 QUESTION WITH NOTICE - CO-CUSTODIANSHIP OF THE BLUE LAKE

Question:

Has the lease issue with the Blue Lake through SA Water and City Council been fixed?

Answer:

Whilst not an issue to be fixed as such, the license for the Blue Lake Welcome Centre in its previous iteration expired. The management plan is currently being drafted after the gazetting of the co-custodianship of the Blue Lake between the City of Mount Gambier and SA Water and will be provided to Council for review once complete in preparation for public consultation. This is the reason for the temporary nature of having visitor information services activating the Blue Lake Welcome Centre space as a pop-up for the summer period until Easter.

REPORT RECOMMENDATION

That the response to the question regarding co-custodianship of the Blue Lake raised by Councillor Paul Jenner be received and noted.

8 QUESTIONS WITHOUT NOTICE

Nil

9 PETITIONS

Nil

10 DEPUTATIONS

Nil

11 NOTICE OF MOTION TO RESCIND OR AMEND

Nil



12 ELECTED MEMBERS WORKSHOPS

12.1 ELECTED MEMBER INFORMATION/BRIEFING SESSIONS FROM 07/03/2022 TO 11/04/2022

RESOLUTION 2022/69

Moved: Cr Sonya Mezinec

Seconded: Cr Max Bruins

1. That Council Report No. AR21/71016 titled 'Elected Member Information/Briefing Sessions from 07/03/2022 to 11/04/2022' as presented on 19 April 2022 be noted.

CARRIED

13 ELECTED MEMBERS TRAINING AND DEVELOPMENT

Nil

14 COUNCIL ACTION ITEMS

14.1 COUNCIL ACTION ITEMS - 15/03/2022

RESOLUTION 2022/70

Moved: Cr Paul Jenner

Seconded: Cr Sonya Mezinec

1. That Council Report No. AR21/71031 titled 'Council Action Items - 15/03/2022' as presented on 19 April 2022 be noted.

CARRIED

15 ECONOMIC AND ENVIRONMENT COMMITTEE MINUTES AND RECOMMENDATIONS

Nil

16 PEOPLE AND PLACE COMMITTEE MINUTES AND RECOMMENDATIONS

Nil

17 COUNCIL ASSESSMENT PANEL MINUTES

Nil

18 JUNIOR SPORTS ASSISTANCE (SECTION 41) COMMITTEE MINUTES AND RECOMMENDATIONS

Nil



19 AUDIT AND RISK COMMITTEE MINUTES AND RECOMMENDATIONS

19.1 MINUTES OF THE AUDIT AND RISK COMMITTEE HELD ON 28 MARCH 2022

RESOLUTION 2022/71

Moved: Cr Sonya Mezinec

Seconded: Cr Ben Hood

That the Minutes of the Audit and Risk Committee meeting held on 28 March 2022 as attached be noted.

CARRIED

19.2 RISK REPORT – REPORT NO. AR21/74818

RESOLUTION 2022/72

Moved: Cr Sonya Mezinec

Seconded: Cr Max Bruins

1. That Audit and Risk Committee Report No. AR21/74818 titled 'Risk Report' as presented on 28 March 2022 be noted.

CARRIED

19.3 WORK HEALTH, SAFETY AND WELLBEING – REPORT NO. AR21/74819

RESOLUTION 2022/73

Moved: Cr Sonya Mezinec

Seconded: Cr Paul Jenner

1. That Audit and Risk Committee Report No. AR21/74819 titled 'Work Health, Safety and Wellbeing' as presented on 28 March 2022 be noted.

CARRIED



19.4 ASSET ACCOUNTING AND ASSET MANAGEMENT POLICIES – REPORT NO. AR22/19830

RESOLUTION 2022/74

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

1. That Audit and Risk Committee Report No. AR22/19830 titled 'Asset Accounting and Asset Management Policies' as presented on 28 March 2022 be noted.
2. That the Asset Accounting Policy as attached to Report No. AR22/19830 having been reviewed by the Audit and Risk Committee on 28 March 2022 be adopted with the following changes:
 - (a) the right of use of leases assets be included
 - (b) the purpose be altered to exclude Treasury Management
 - (c) the policy review date be changed to annually
3. That Policy A900 - Asset Management as attached to Report No. AR22/19830 having been reviewed by the Audit and Risk Committee on 28 March 2022 be adopted.
4. That Council Policy C375 Council Vehicles - Provision and Replacement as attached to Report No. AR22/19830 be revoked.

CARRIED

19.5 BUDGET REVIEW 1 & 2 - 2021/2022 – REPORT NO. AR22/19869

RESOLUTION 2022/75

Moved: Cr Sonya Meziniec

Seconded: Cr Paul Jenner

1. That Audit and Risk Committee Report No. AR22/19869 titled 'Budget Review 1 & 2 - 2021/2022' as presented on 28 March 2022 be noted.

CARRIED

19.6 LOCAL GOVERNMENT REFORM UPDATE – REPORT NO. AR22/20118

RESOLUTION 2022/76

Moved: Cr Sonya Meziniec

Seconded: Cr Ben Hood

1. That Audit and Risk Committee Report No. AR22/20118 titled 'Local Government Reform Update' as presented on 28 March 2022 be noted.

CARRIED



**19.7 POLICY REVIEW - P420 PROCUREMENT & DISPOSAL OF LAND AND ASSETS –
REPORT NO. AR22/20210**

RESOLUTION 2022/77

Moved: Cr Sonya Mezinec

Seconded: Cr Ben Hood

1. That Audit and Risk Committee Report No. AR22/20210 titled 'Policy Review - P420 Procurement & Disposal of Land and Assets' as presented on 28 March 2022 be noted.
2. That the revised P420 Procurement & Disposal of Land and Assets Policy as attached to Report No. AR22/20210 having been reviewed by the Audit and Risk Committee on 28 March 2022 be adopted with the following changes:
 - (a) clause 7.6 include social and community enterprises and indigenous enterprises
 - (b) clause 15 include (h) with reference to inclusion of considerations of one off purchases in a limited market
 - (c) clause 12 include reference to immediate family

CARRIED

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

Nil

21 BUILDING FIRE SAFETY COMMITTEE MINUTES

Nil

22 COUNCIL REPORTS

22.1 MOUNT GAMBIER SPORT, RECREATION AND OPEN SPACE STRATEGY

RESOLUTION 2022/78

Moved: Cr Paul Jenner

Seconded: Cr Sonya Mezinec

1. That Council Report No. AR22/22957 titled 'Mount Gambier Sport, Recreation and Open Space Strategy' as presented on 19 April 2022 be noted.
2. That the Mount Gambier Sport, Recreation and Open Space Strategy as attached to Report No. AR22/22957 be endorsed.

CARRIED



22.2 CBD GUIDING PRINCIPLES

RESOLUTION 2022/79

Moved: Cr Ben Hood
 Seconded: Cr Max Bruins

1. That Council Report No. AR22/23841 titled 'CBD Guiding Principles' as presented on 19 April 2022 be noted.
2. That Council endorse CBD Guiding Principles document.

CARRIED

22.3 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM - GRANT FUNDING UPDATE - PHASE 1 AND 2

RESOLUTION 2022/80

Moved: Cr Sonya Mezinec
 Seconded: Cr Ben Hood

1. That Council Report No. AR22/24272 titled 'Local Roads and Community Infrastructure Program - Grant Funding Update - Phase 1 and 2' as presented on 19 April 2022 be noted.
2. That Council note the update provided for Phase 1 (Installation of LED Street Lighting) with works to be completed on schedule.
3. That Council endorse the below variation to project nominations for Phase 2 of the Local Roads and Community Infrastructure Program:

Project Name	Total Project Cost (100% Funding)	Funding Status
New Valley Lakes Public Amenities	\$490,000	Request for project to be withdrawn due to delays.
Refurbishment of existing Public Amenities adjoining State Heritage Railway Station building	\$460,000	Currently nominated Tenders closed on Tuesday, 8 February with a report prepared for the April Council meeting for decision
Landscaping improvements at Cave Garden and Umpherston Sinkhole Community Recreational Reserves	\$54,268.45	Currently nominated
Umpherston Sinkhole Path Lighting	\$19,504.55	Currently nominated
Reconstruction of Commercial Street - from Elizabeth Street to Gray Street	\$228,676	Alternate project proposal for withdrawal of Valley Lake Toilets from LRCI Phase 2 funding schedule
Shepherdson Road/Wehl Street Intersection upgrade	\$20,000	Alternate project proposal for withdrawal of Valley Lake Toilets from LRCI Phase 2 funding schedule
Calula Drive reconstruction - various sections including cul-de-sac and Bodey Circuit intersections	\$174,188	Alternate project proposal for withdrawal of Valley Lake Toilets from LRCI Phase 2 funding schedule



O'Leary Road - 50m long section - near BP service station exit point	\$35,000	Alternate project proposal for withdrawal of Valley Lake Toilets from LRCI Phase 2 funding schedule
Pinehall Avenue and Suttontown Road intersection upgrade	\$50,000	Alternate project proposal for withdrawal of Valley Lake Toilets from LRCI Phase 2 funding schedule
TOTAL	\$1,041,637	

CARRIED

22.4 POLICY REVIEW - W125 WASTE MANAGEMENT - KERBSIDE REFUSE COLLECTION

RESOLUTION 2022/81

Moved: Cr Sonya Meziniec
 Seconded: Cr Paul Jenner

1. That Council Report No. AR21/32591 titled 'Policy Review - W125 Waste Management - Kerbside Refuse Collection' as presented on 19 April 2022 be noted.
2. That the updated Council Policy W125 - Waste Management - Kerbside Refuse Collection as attached to Report No. AR21/32591 be endorsed.

CARRIED

22.5 POLICY REVIEW - T120 TREE POLICY

RESOLUTION 2022/82

Moved: Cr Max Bruins
 Seconded: Cr Sonya Meziniec

1. That Council Report No. AR22/22226 titled 'Policy Review - T120 Tree Policy' as presented on 19 April 2022 be noted.
2. That the updated Council Policy - T120 Tree Policy as attached to Report No. AR22/22226 be endorsed.

CARRIED

22.6 CR BEN HOOD - LEAVE OF ABSENCE - RESULT OF MARCH STATE ELECTION

RESOLUTION 2022/83

Moved: Cr Max Bruins
 Seconded: Cr Paul Jenner

1. That Council Report No. AR21/61979 titled 'Cr Ben Hood - Leave of Absence - Result of March State Election' as presented on 19 April 2022 be noted.

CARRIED



22.7 RESIGNATION OF COUNCILLOR STEVEN PERRYMAN

RESOLUTION 2022/84

Moved: Mayor Lynette Martin
Seconded: Cr Sonya Meziniec

1. That Council Report No. AR22/21871 titled 'Resignation of Councillor Steven Perryman' as presented on 19 April 2022 be noted.
2. Council acknowledges the resignation of Cr Steven Perryman from 29 March 2022.
3. Council recognises and thanks Cr Steven Perryman for his service to this Council and to the Mount Gambier community for over 20 years including as Mayor between 2002 and 2014.

CARRIED

22.8 MEMBER POSITION APPOINTMENT VACANCIES

RESOLUTION 2022/85

Moved: Cr Paul Jenner
Seconded: Cr Ben Hood

1. That Council Report No. AR22/23677 titled 'Member Position Appointment Vacancies' as presented on 19 April 2022 be noted.
2. That Tourism Mount Gambier be notified of the resignation of Cr Steven Perryman as an Elected Member of the City of Mount Gambier, and that he is no longer Council's nominee for the position of Tourism Mount Gambier Board Observer.
3. That nominations for the positions of Tourism Mount Gambier nominee and Australia Day Celebrations Advisory Group representative be deferred until after the November 2022 local government elections, to be sought together with nominations for other Elected Member representative positions at that time.

CARRIED

23 MOTIONS WITH NOTICE

23.1 NOTICE OF MOTION - HASTINGS CUNNINGHAM RESERVE DOG PARK

RESOLUTION 2022/86

Moved: Cr Max Bruins
Seconded: Cr Ben Hood

1. That Council Report No. AR22/22282 titled 'Notice of Motion - Hastings Cunningham Reserve Dog Park' as presented on 19 April 2022 be noted.
2. That Council engages dog park users to seek their views on any desired capital works and how the dog park facilities should be managed and maintained, and feedback be incorporated into the annual maintenance program.



3. That Council schedules a review of the community land management plan of Hastings Cunningham Reserve to incorporate the views of dog park users and other users of the reserve.

CARRIED

23.2 NOTICE OF MOTION - HOMELESSNESS AND HOUSING ISSUES IN MOUNT GAMBIER

RESOLUTION 2022/87

Moved: Cr Sonya Mezinec

Seconded: Cr Paul Jenner

1. That Council Report No. AR22/25354 titled 'Notice of Motion - Homelessness and Housing Issues in Mount Gambier' as presented on 19 April 2022 be noted.
2. That Council writes to the Premier, the Hon Peter Malinauskas MP and the Hon Nat Cook MP, Minister for Human Services to:
 - (a) Acknowledge Labor's public housing policy and its pre-election promise to undertake the following over the next 4 years:
 - (i) build 400 new homes 150 of which would be built 5 regional areas including Mount Gambier
 - (ii) upgrade 350 currently vacant houses and improve a further 3000 public homes through a maintenance blitz
 - (b) Request that promised vacant housing upgrades be commenced immediately to help address the current chronic rental housing shortage in Mount Gambier.
 - (c) Request the following recommendations as identified by homelessness and associated services in Mount Gambier and the Limestone Coast region be implemented as a matter of urgency:
 - (i) Approvals for crisis accommodation funding be administered and allocated locally by the relevant homelessness services rather than through SAHA Adelaide to provide a more effective and timely response to requests emergency accommodation, thereby minimising additional stress and uncertainty already experienced by homeless clients in crisis.
 - (ii) Increase funding for crisis and emergency housing accommodation to enable services to meet increasing demand. Funding for this sector has only increased in line with CPI for the last 10 years, yet the breadth of services required to be provided by homelessness services has increased during that time.
 - (iii) When building new public and social housing ensure that one-bedroom and two bedroom properties with low maintenance requirements are included in the property mix.
 - (d) A copy of this letter be sent to the Mr Troy Bell MP, Member for Mount Gambier, the Hon Clare Scriven MLC and Mr Shane Maddox, CEO ac.care
3. That Council continue to liaise with local Homelessness sector services in advocating for improvements in social and community housing for our community.

CARRIED



24 MOTIONS WITHOUT NOTICE

Nil

25 CONFIDENTIAL ITEMS OF COMMITTEES

Nil

26 NEW CONFIDENTIAL ITEMS

26.1 REQUEST FOR INTERNAL REVIEW OF COUNCIL DECISION – REPORT NO. AR22/21802

RESOLUTION 2022/88

Moved: Cr Ben Hood
Seconded: Cr Max Bruins

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, S Philpott, B Cernovskis, D Barber, T Coote, J Scoggins, M McDonald, A Watson and M Telford be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 26.1 AR22/21802 Request for Internal Review of Council Decision.

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

- 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 matter for consideration includes legal advice obtained in relation to the subject matter of the report.

CARRIED

RESOLUTION 2022/89

Moved: Cr Max Bruins
Seconded: Cr Christian Greco

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 26.1 AR22/21802 Request for Internal Review of Council Decision 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) (h) be kept confidential and not available for public inspection until further order of the Council, with the resolutions to be released upon Council's decision on the internal review request and appointment of a reviewer having been communicated to the applicant, and the report to be released following the matter to which the internal review request relates having been 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

**26.2 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #16 - AS AT 05/04/2022
– REPORT NO. AR22/24271**

RESOLUTION 2022/90

Moved: Cr Max Bruins

Seconded: Cr Paul Jenner

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, S Philpott, B Cernovskis, D Barber, T Coote, J Scoggins, M McDonald, A Watson and M Telford be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 26.2 AR22/24271 Project Control Group (PCG) Progress Report #16 - As at 05/04/2022.

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
- 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 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 Councils position in obtaining best value project delivery on behalf of the community.

CARRIED



RESOLUTION 2022/91

Moved: Cr Ben Hood
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 26.2 AR22/24271 Project Control Group (PCG) Progress Report #16 - As at 05/04/2022 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

26.3 PROPERTY MANAGEMENT - LEASING – REPORT NO. AR22/24354

RESOLUTION 2022/92

Moved: Cr Ben Hood
Seconded: Cr Paul Jenner

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, S Philpott, B Cernovskis, D Barber, T Coote, J Scoggins, M McDonald, A Watson and M Telford be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 26.3 AR22/24354 Property Management - Leasing.

The Council is satisfied that, pursuant to section 90(3) (a), (b) and (d) 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



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 personal and commercial business affairs of the proponent and negotiation of business arrangements that, if discussed in open session, could confer an advantage on the proponent with whom Council is proposing to conduct business and prejudice the commercial position of the Council in those negotiations.

CARRIED

RESOLUTION 2022/93

Moved: Cr Ben Hood
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 26.3 AR22/24354 Property Management - Leasing 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) and (d) be kept confidential and not available for public inspection until 2 years have elapsed from the execution of arrangements or abandonment of negotiations associated with the proposal.
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

26.4 AF20/530 TENDER - PROCUREMENT - TENDER FOR RAILWAY STATION BUILDING TOILETS REFURBISHMENT – REPORT NO. AR22/24421

RESOLUTION 2022/94

Moved: Cr Sonya Meziniec
Seconded: Cr Ben Hood

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, S Philpott, B Cernovskis, D Barber, T Coote, J Scoggins, M McDonald, A Watson and M Telford be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 26.4 AR22/24421 AF20/530 Tender - Procurement - Tender for Railway Station Building Toilets Refurbishment.

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 the matter to be considered relates to the consideration of a tender for works at Caroline Landfill - Capping of Cells 3A & B.

CARRIED

RESOLUTION 2022/95

Moved: Cr Paul Jenner
Seconded: Cr Christian Greco

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 26.4 AR22/24421 AF20/530 Tender - Procurement - Tender for Railway Station Building Toilets Refurbishment 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 after the completion of the tender works, with the name of the successful tenderer and the tender contract value to be disclosed following 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*.

CARRIED

27 MEETING CLOSE

The Meeting closed 8.20 p.m.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 17 May 2022.

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PRESIDING MEMBER

