

**MINUTES OF CITY OF MOUNT GAMBIER
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON TUESDAY, 15 JUNE 2021 AT 6.00 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Sonya Mezinec, Cr Kate Amoroso, Cr Max Bruins, Cr Christian Greco, Cr Ben Hood, Cr Paul Jenner, Cr Frank Morello, Cr Steven Perryman (arrived at 6:04 p.m.)

OFFICERS IN ATTENDANCE:	Chief Executive Officer	- Mrs S Philpott
	Acting 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
	Manager Governance and Property	- Mr M McCarthy
	Manager Development Services	- Mrs T Tzioutziouklaris
	Media and Communications Coordinator	- Ms S McLean
	Property Support Officer	- Mrs E Solly
	Executive Administrator Community Wellbeing	- Ms A Lavia
	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 2021/146

Moved: Mayor Lynette Martin
Seconded: Cr Max Bruins

That the minutes of the Ordinary Council meeting held on 18 May 2021 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED



5 MAYORAL REPORT

5.1 MAYORAL REPORT - JUNE 2021

- SATC Board Tour of Civic/Riddoch Precinct
- Junior Sports Assistance Fund Meeting
- Introductory Meeting with Shadow Minister Hon Emily Burke MLC
- Reception at Government House - Top Tourism Town Winners Announcement
- Meeting with Minister for Human Services' advisor and representatives of South Australian Housing Authority
- Opening of New Cover over "B" Green - Mount Gambier Bowls Club
- 2021 Red Bull UCI Pump Track World Qualifier event
- Elected Members Workshop - Wulanda Operating Model
- Australia's Biggest Morning Tea - Italo Australian Club
- Weekly LCLGA Mayor's Virtual Meeting
- Great South Coast Cross-Border Stakeholder Consultation
- Reconciliation Week Unveiling - Dual Naming Children's Cave, Mount Gambier Library
- Weekly LCLGA Mayor's Virtual Meeting
- Official Opening of The Haven, Mount Gambier Library
- Opening of The Waterfront Stage 2, Port MacDonnell
- Meeting to discuss Planet Youth
- Virtual Local Government Reconciliation Industry Network Group Meeting
- People and Place Committee Meeting
- RFDS Mount Gambier Patient Transfer Facility Official Opening
- Wulanda Recreation and Convention Centre Committee Meeting
- Chamber of Commerce and WiBRD Breakfast with Kate Carnell
- Launch of Digital Garden (Illuminate) in the Cave Garden
- Stand Like Stone & OneFortyOne Community Grants Virtual Celebration Ceremony
- LCLGA General Meeting - Kingston District Council
- Inaugural Gravity Enduro SA

RESOLUTION 2021/147

Moved: Mayor Lynette Martin

Seconded: Cr Christian Greco

That the Mayoral report made on 15 June 2021 be received.

CARRIED

6 REPORTS FROM COUNCILLORS

Cr Greco 'B' Green Opening.

Cr Steven Perryman entered the meeting at 6:04 pm

Cr Mezinec Riddoch Art Opening, WIBRD & CofC Breakfast with Kate Carnell, MG & DHAC.



Cr Jenner	2021 Red Bull UCI Pump Track World Qualifier Event, Public Lighting Workgroup x3, Blue Lake BMX Championships, Mount Gambier Mountain Bike Racing, GTE Board Meeting.
Cr Morello	Wulanda Recreation and Convention Centre Committee Meeting, Opening of new cover over 'B' Green at Mount Gambier Bowls Club, Riddoch Art Gallery Exhibition Launch.

RESOLUTION 2021/148

Moved: Cr Christian Greco
Seconded: Cr Sonya Meziniec

That the reports made by Councillors on 15 June 2021 be received.

CARRIED

7 QUESTIONS WITH NOTICE

7.1 QUESTION WITH NOTICE - LIGHTING STRATEGY

Question

Does the City of Mount Gambier have a lighting strategy or action plan, or policy or guidelines?

Response

Provided at the meeting by Acting General Manager City Infrastructure:

Whilst we do not have these in particular, we do have a number of projects underway that will inform their development.

7.2 QUESTION WITH NOTICE - REGIONAL ASSESSMENT PANEL

Question

Could Council please be advised of the status of the southern Regional Assessment Panel?

Response

Provided at the meeting by General Manager City Growth:

- Work has been undertaken to prepare and finalise the supporting documentation to be forwarded to the Minister for Planning to seek the Minister's agreement to form a Regional Assessment Panel. This documentation currently includes:
 - Memorandum of Understanding
 - Assessment Manager Agreement
 - Terms of Reference



- At the initiation of the District Council of Wattle Range the draft documentation was reviewed by Norman Waterhouse Lawyers, with the advice received from Norman Waterhouse Lawyers on 4 June 2021.
- The draft documentation is currently being amended in accordance with the advice received from Norman Waterhouse Lawyers.
- The documentation will then be endorsed by all four Council's and forwarded to the Minister for Planning to seek agreement to form a Regional Assessment Panel.
- Upon obtaining the agreement of the Minister for Planning, the recruitment process will be undertaken to seek Members for the Regional Assessment Panel.

8 QUESTIONS WITHOUT NOTICE

Pursuant to Section 75A of the Local Government Act 1999, Cr Perryman disclosed a perceived conflict of interest in a Question Without Notice - Cr Jenner asked about the State Government Electric Vehicle Charging Funding Program.

"A business I own submitted an expression of interest to the State Government application process."

Cr Perryman informed the meeting of the manner in which they intend to deal with the perceived conflict of interest in Item 8 as follows:

"It was a question only and no decision was made in respect to this matter. I remained in the room for the question and the answer."

In accordance with Section 75A of the Local Government Act 1999 Cr Perryman stayed in the meeting for Item 8.

9 PETITIONS

Nil

10 DEPUTATIONS

10.1 DEPUTATION - MR STEPHEN SMITH - BLUE LAKE GOLF CLUB

RESOLUTION 2021/149

Moved: Cr Sonya Mezinac

Seconded: Cr Paul Jenner

1. That Council Report No. AR21/36218 titled 'Deputation - Mr Stephen Smith - Blue Lake Golf Club' as presented on 15 June 2021 be noted.

CARRIED

The Presiding Member determined to bring forward Council Report - Item 24.1.



24.1 BLUE LAKE GOLF CLUB - GREENKEEPERS SHED & DRIVING RANGE WORKS

Pursuant to Section 75A of the Local Government Act 1999, Cr Greco disclosed a perceived conflict of interest in Item 24.1:

“Member of the Golf Club through business sponsorship.”

Cr Greco informed the meeting of the manner in which they intend to deal with the perceived conflict of interest in Item 24.1 as follows:

“Leave the meeting and not participate in discussion or vote.”

In accordance with Section 75A of the Local Government Act 1999 Cr Greco did not participate in the meeting for Item 24.1.

Cr Christian Greco left the meeting at 6:33 p.m.

RESOLUTION 2021/150

Moved: Cr Max Bruins

Seconded: Cr Sonya Meziniec

1. That Council Report No. AR21/31194 titled ‘Blue Lake Golf Club - Greenkeepers Shed & Driving Range Works’ as presented on 15 June 2021 be noted.
2. That the requests from the Blue Lake Golf Club in relation to funding for works undertaken to the Greenkeepers Shed, and proposed electrical, lighting, security and car park works at the Driving Range be:
 - * incorporated for consideration in Council’s final 2021/22 Budget deliberations.

CARRIED

Cr Christian Greco returned to the meeting at 6:48 p.m.

11 NOTICE OF MOTION TO RESCIND OR AMEND

Nil

12 ELECTED MEMBERS WORKSHOPS

12.1 ELECTED MEMBER WORKSHOP FROM 15/05/2021 TO 11/06/2021

RESOLUTION 2021/151

Moved: Cr Sonya Meziniec

Seconded: Cr Ben Hood

1. That Council Report No. AR21/1607 titled ‘Elected Member Workshop from 15/05/2021 to 11/06/2021’ as presented on 15 June 2021 be noted.

CARRIED

13 ELECTED MEMBERS TRAINING AND DEVELOPMENT

Nil



14 COUNCIL ACTION ITEMS

14.1 COUNCIL ACTION ITEMS - 18/05/2021

RESOLUTION 2021/152

Moved: Cr Steven Perryman

Seconded: Cr Christian Greco

1. That Council Report No. AR21/1591 titled 'Council Action Items - 18/05/2021' as presented on 15 June 2021 be noted.

CARRIED

Cr Max Bruins left the meeting at 6:49 p.m.

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 7 JUNE 2021

RESOLUTION 2021/153

Moved: Cr Frank Morello

Seconded: Cr Christian Greco

That the Minutes of the People and Place Committee meeting held on 7 June 2021 as attached be noted.

CARRIED

Cr Max Bruins returned to the meeting at 6:50 p.m.

16.2 LAGUNARIA TREES - MITCHELL STREET – REPORT NO. AR21/31705

RESOLUTION 2021/154

Moved: Cr Frank Morello

Seconded: Cr Sonya Mezinac

1. That People and Place Committee Report No. AR21/31705 titled 'Lagunaria Trees - Mitchell Street' as presented on 07 June 2021 be noted.
2. Empak Homes and the property owner of 8/6 Jardine Street be advised:
 - (a) After an extensive investigation into the health and risk assessment of the Lagunaria patersonia (Norfolk Island Hibiscus) planted along the western side of Mitchell Street, the trees are not considered by Council to warrant their removal.



- (b) The trees are considered to be in good and fair overall condition with extended useful life expectancies. None of the trees display features that indicate they are in health or structural decline or that they are not suited to the environment. The trees are street trees and are part of a historic planting that provides an important heritage link with the history of the area.

CARRIED

16.3 NOTICE OF MOTION - OLD RAILWAY STATION BUILDING – REPORT NO. AR21/33923

RESOLUTION 2021/155

Moved: Cr Frank Morello

Seconded: Cr Ben Hood

1. That People and Place Committee Report No. AR21/33923 titled 'Notice of Motion - Old Railway Station Building' as presented on 07 June 2021 be noted.
2. That Council:
 - (a) writes to the chair of the Mount Gambier Branch of the National Trust of South Australia, Nathan Woodruff, thanking them for their initiative.
 - (b) Informs the Trust of its decision, at this time, to decline the offer to transfer ownership or occupancy of the Railway Station to the National Trust of SA.
 - (c) convenes an Elected Member workshop to discuss future options for the Old Railway Station building, including temporary initiatives, in the broader context of the surrounding Railway Land and Olympic Park precincts.

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 8 JUNE 2021

RESOLUTION 2021/156

Moved: Cr Ben Hood

Seconded: Cr Paul Jenner

That the Minutes of the Wulanda Recreation and Convention Centre Committee meeting held on 8 June 2021 as attached be noted.

CARRIED



18 COUNCIL ASSESSMENT PANEL MINUTES

18.1 MINUTES OF THE COUNCIL ASSESSMENT PANEL HELD ON 20 MAY 2021

RESOLUTION 2021/157

Moved: Cr Paul Jenner
Seconded: Cr Christian Greco

That the Minutes of the Council Assessment Panel meeting held on 20 May 2021 as previously circulated be noted.

CARRIED

18.2 MINUTES OF THE COUNCIL ASSESSMENT PANEL HELD ON 27 MAY 2021

RESOLUTION 2021/158

Moved: Cr Paul Jenner
Seconded: Cr Christian Greco

That the Minutes of the Council Assessment Panel meeting held on 27 May 2021 as previously circulated be noted.

CARRIED

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

19.1 MINUTES OF THE JUNIOR SPORTS ASSISTANCE FUND HELD ON 19 MAY 2021

RESOLUTION 2021/159

Moved: Mayor Lynette Martin
Seconded: Cr Ben Hood

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

CARRIED

19.2 CORRESPONDENCE RECEIVED – REPORT NO. AR21/22260

RESOLUTION 2021/160

Moved: Mayor Lynette Martin
Seconded: Cr Kate Amoroso

1. That Junior Sports Assistance Fund Report No. AR21/22260 titled 'Correspondence Received' as presented on 19 May 2021 be noted.

CARRIED



19.3 STATEMENT OF REVENUE AND EXPENSES - 01/07/2020 - 30/04/2021 – REPORT NO. AR21/22323

RESOLUTION 2021/161

Moved: Mayor Lynette Martin

Seconded: Cr Sonya Meziniec

1. That Junior Sports Assistance Fund Report No. AR21/22323 titled 'Statement of Revenue and Expenses - 01/07/2020 - 30/04/2021' as presented on 19 May 2021 be noted.
2. The financial statement of the Fund as 30 April 2021 be received, noting a cash balance of \$116,166.64.

CARRIED

19.4 APPLICATIONS FOR FINANCIAL ASSISTANCE FOR JUNIORS AND PAYMENTS FROM THE FUND - 01/09/2020 TO 30/04/2021 – REPORT NO. AR21/26424

RESOLUTION 2021/162

Moved: Mayor Lynette Martin

Seconded: Cr Steven Perryman

1. That Junior Sports Assistance Fund Report No. AR21/26424 titled 'Applications for Financial Assistance for Juniors and Payments from the Fund - 01/09/2020 to 30/04/2021' as presented on 19 May 2021 be noted.

CARRIED

19.5 PROCESSING OF APPLICATIONS FOR FUNDING – REPORT NO. AR21/26592

RESOLUTION 2021/163

Moved: Mayor Lynette Martin

Seconded: Cr Frank Morello

1. That Junior Sports Assistance Fund Report No. AR21/26592 titled 'Processing of Applications for Funding' as presented on 19 May 2021 be noted.
2. To ensure fairness and consistency to all applicants the Junior Sports Assistance Fund Committee recommends that applications are:
 - (i) manage applications in bulk where possible, averaging expenses and any late applications received matched regardless of expenses outlaid.

CARRIED

Cr Steven Perryman left the meeting at 7:01 p.m.



19.6 COACHING CLINIC APPLICATIONS - ANNUAL CALL – REPORT NO. AR21/26456

RESOLUTION 2021/164

Moved: Mayor Lynette Martin
Seconded: Cr Sonya Meziniec

1. That Junior Sports Assistance Fund Report No. AR21/26456 titled 'Coaching Clinic Applications - Annual Call' as presented on 19 May 2021 be noted.
2. The following funding be made available to the Member Organisation named below to assist in the conduct of specialised coaching clinics in accordance with the guidelines for such Clinics:

(i) Blue Lake Y Swim Club	\$2,000
(ii) Mount Gambier Swimming Club	\$2,000
(iii) Basketball Mount Gambier	\$1,200
(iv) Mount Gambier Cycling Club	\$2,000
(v) Mount Gambier and District Pony Club	\$2,100
3. In corresponding with the successful applicants advice be given that the increase in coaching clinic funding has occurred in 2021 due to excess funds not expended in 2020 due to COVID-19. 2022 Coaching Clinic Funding will revert to the normal figure of \$5,000.

CARRIED

Cr Steven Perryman returned to the meeting at 7:02 p.m.

19.7 ROTARY CLUB OF MOUNT GAMBIER LAKES – DONATION TO FINANCIALLY DISADVANTAGED JUNIOR SPORTSPERSONS – REPORT NO. AR21/26466

RESOLUTION 2021/165

Moved: Mayor Lynette Martin
Seconded: Cr Kate Amoroso

1. That Junior Sports Assistance Fund Report No. AR21/26466 titled 'Rotary Club of Mount Gambier Lakes - Donation to Financially Disadvantaged Junior Sportspeople' as presented on 19 May 2021 be noted.
2. The following applications/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 - Donations to Financially Disadvantaged Junior Sportspeople initiative, to be used strictly in accordance with their respective confidential application:

(a) Limestone Coast Football Association	\$300
(b) Basketball Mount Gambier	\$600
(c) East Gambier Football Club	\$600
3. A second round of applications for the remaining \$1,500 be advertised in October, 2021.

CARRIED



20 AUDIT COMMITTEE MINUTES AND RECOMMENDATIONS

Nil

21 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MINUTES AND RECOMMENDATIONS

Nil

22 CHIEF EXECUTIVE OFFICER SELECTION PANEL COMMITTEE MINUTES AND RECOMMENDATIONS

Nil

23 BUILDING FIRE SAFETY COMMITTEE MINUTES

Nil

24 COUNCIL REPORTS

Item 24.1 - Blue Lake Golf Club - Greenkeepers Shed & Driving Range Works - Report No. AR21/31194 was considered and minuted after Item 10 - Deputations [Resolution 2021/152].

24.2 CAROLINE LANDFILL - COMMUNITY LAND CLASSIFICATION

RESOLUTION 2021/166

Moved: Cr Steven Perryman

Seconded: Cr Paul Jenner

1. That Council Report No. AR21/28549 titled 'Caroline Landfill - Community Land Classification' as presented on 15 June 2021 be noted.
2. That:
 - (a) the Community Land Management Plan for Caroline Landfill (Kain Road, Yahl – Lot 101 in Deposited Plan 45751 - Crown Record 5586/233) attached to Report No. AR21/28549 is endorsed for the purpose of public consultation being conducted in accordance with Council's Community Consultation and Engagement Policy P195.
 - (b) a further report be presented for consideration of submissions received and/or amendment or adoption of a Community Land Management Plan for Caroline Landfill.
3. That
 - (a) public consultation on a proposed lease of portion of Caroline Landfill for gas extraction service purposes (as set out in attachment to Report No. AR21/28549) be conducted in accordance with Council's Community Consultation and Engagement Policy P195.
 - (b) a further report to be presented for consideration of submissions received.
 - (c) in the event no submissions are received (or no submissions are received objecting to the proposal) the Chief Executive Officer be authorised to finalise and affix the Common Seal to any documents necessary to give effect to the lease, conditional upon the adoption of a Community Land Management Plan supporting the grant of a lease for business purposes and the consent of the (Crown Land) Minister.



4. That

- (a) the Section 194 Community Land Revocation Report for Caroline Landfill (Kain Road, Yahl – Lot 101 in Deposited Plan 45751 - Crown Record 5586/233) attached to Report No. AR21/28549 is endorsed for the purpose of public consultation being conducted in accordance with Council's Community Consultation and Engagement Policy P195.
- (b) a further report be presented for consideration of submissions received and whether to submit a report seeking Ministerial approval for the community land revocation.
- (c) in the event no submissions are received (or no submissions are received objecting to the proposal) the Chief Executive Officer be authorised, conditional upon consent having been obtained from the (Crown Land) Minister, to submit a report seeking (Local Government) Minister approval for the community land revocation, and a further report be presented consideration of the Ministers response including, if favourable, consideration to the making of a resolution to revoke the classification of Caroline Landfill as community land.

CARRIED

25 MOTIONS WITH NOTICE

25.1 NOTICE OF MOTION - ELECTED MEMBER ATTENDANCE RECORDS

MOTION

Moved: Cr Max Bruins

Seconded: Cr Ben Hood

1. That Council Report No. AR21/32604 titled 'Notice of Motion - Elected Member Attendance Records' as presented on 15 June 2021 be noted.
2. That a report be prepared by the administration to be presented to the next ordinary meeting of Council detailing Elected Member attendance records for the period 1 January 2021 to 30 June 2021 for all of the following events:
 - Ordinary Council Meetings
 - Special Council Meetings
 - Economic & Environment Committee Meetings
 - People & Place Committee Meetings
 - Wulanda Recreation & Convention Centre Committee Meetings
 - Elected Member Workshops / Informal Gatherings

AMENDMENT

Moved: Cr Kate Amoroso

Seconded: Cr Steven Perryman

1. That Council Report No. AR21/32604 titled 'Notice of Motion - Elected Member Attendance Records' as presented on 15 June 2021 be noted.
2. That a report be prepared by the administration to be presented to the next ordinary meeting of Council detailing Elected Member attendance records for the period 1 January 2021 to 30 June 2021 for all of the following events:



- Ordinary Council Meetings
- Special Council Meetings
- Economic & Environment Committee Meetings
- People & Place Committee Meetings
- Wulanda Recreation & Convention Centre Committee Meetings
- Elected Member Workshops / Informal Gatherings

3. That the report:

- (i) Reflect the required duties under the Local Government Act of a Councillor specifically with attendance at meetings.
- (ii) Reflect the time frame given to Councillors for notice of meetings.

Cr Perryman tabled his attendance records - attached.

The Amendment was put and

CARRIED

The Amendment became the Motion

RESOLUTION 2021/167

Moved: Cr Kate Amoroso

Seconded: Cr Steven Perryman

1. That Council Report No. AR21/32604 titled 'Notice of Motion - Elected Member Attendance Records' as presented on 15 June 2021 be noted.
2. That a report be prepared by the administration to be presented to the next ordinary meeting of Council detailing Elected Member attendance records for the period 1 January 2021 to 30 June 2021 for all of the following events:
 - Ordinary Council Meetings
 - Special Council Meetings
 - Economic & Environment Committee Meetings
 - People & Place Committee Meetings
 - Wulanda Recreation & Convention Centre Committee Meetings
 - Elected Member Workshops / Informal Gatherings
3. That the report:
 - (i) Reflect the required duties under the Local Government Act of a Councillor specifically with attendance at meetings.
 - (ii) Reflect the time frame given to Councillors for notice of meetings.

CARRIED



25.2 NOTICE OF MOTION - CCTV AND SECURITY

RESOLUTION 2021/168

Moved: Cr Paul Jenner
Seconded: Cr Kate Amoroso

1. That Council Report No. AR21/35831 titled 'Notice of Motion - CCTV and Security' as presented on 15 June 2021 be noted.
2. That the administration prepare and present a report on CCTV and security within the City Centre and opportunities for further upgrade.

CARRIED

26 URGENT MOTIONS WITHOUT NOTICE

Nil

27 CONFIDENTIAL ITEMS OF COMMITTEES

27.1 CONFIDENTIAL ITEMS OF THE PEOPLE AND PLACE COMMITTEE HELD ON 7 JUNE 2021

27.2 ROAD OPENING PROCESS - PINEHALL AVENUE – REPORT NO. AR21/28521

RESOLUTION 2021/169

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 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, M McCarthy, S McLean, E Solly, A Lavia and S Wilson be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.2 AR21/28521 Road Opening Process - Pinehall Avenue.

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

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 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 of land and compensation for a compulsory acquisition of land for road opening purposes for which is reasonably considered will result in litigation.

CARRIED

RESOLUTION 2021/170

Moved: Cr Max Bruins
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 7.1 AR21/28521 Road Opening Process - Pinehall Avenue 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*.

CARRIED



27.3 CONFIDENTIAL ITEMS OF THE WULANDA RECREATION AND CONVENTION CENTRE COMMITTEE HELD ON 8 JUNE 2021

27.4 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT - AS AT 01/06/2021 – REPORT NO. AR21/32471

RESOLUTION 2021/171

Moved: Cr Steven Perryman

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 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, M McCarthy, S McLean, E Solly, A Lavia and S Wilson be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.4 AR21/32471 Project Control Group (PCG) Progress Report - As at 01/06/2021.

The Council is satisfied that, pursuant to section 90(3) (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 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.

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 disclosure of information associated with this report could reasonably be expected to prejudice the commercial position of the third party as the present matter relates to the signed contracts between Council, BADGE, Turner and Townsend, Design Inc and Rider Levett Bucknall for the construction of the Wulanda Recreation and Convention Centre. The disclosure of this information at this time is considered on



balance to be contrary to the public's interest as it would unreasonably expose the sensitive interest of the third party.

CARRIED

RESOLUTION 2021/172

Moved: Cr Max Bruins
Seconded: Cr Steven Perryman

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 AR21/32471 Project Control Group (PCG) Progress Report - As at 01/06/2021 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) and (d) 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

27.5 REQUEST FOR EXPRESSIONS OF INTEREST - AF20/515 MANAGEMENT AND OPERATION OF MOUNT GAMBIER COMMUNITY AND RECREATION HUB – REPORT NO. AR21/34712

RESOLUTION 2021/173

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 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, M McCarthy, S McLean, E Solly, A Lavia and S Wilson be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.5 AR21/34712 Request for Expressions of Interest - AF20/515 Management and Operation of Mount Gambier Community and Recreation Hub.

The Council is satisfied that, pursuant to section 90(3) (b) and (k) 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.

- 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 relates to the tender for the management and operation of the Wulanda Recreation and Convention Centre and contains information the consideration of which in a public forum would prejudice the commercial position of the Council and confer advantage on third party participants.

CARRIED

RESOLUTION 2021/174

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 5.2 AR21/34712 Request for Expressions of Interest - AF20/515 Management and Operation of Mount Gambier Community and Recreation Hub 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) and (k) 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

28 NEW CONFIDENTIAL ITEMS

28.1 NOTICE OF MOTION - SURPLUS LAND DECLARATION – REPORT NO. AR21/34745

RESOLUTION 2021/175

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, M McCarthy, S McLean, E Solly, A Lavia and S Wilson be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 28.1 AR21/34745 Notice of Motion - Surplus Land Declaration.

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

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 property valuations the disclosure of which could prejudice the Council's commercial position and provide a benefit to any 3rd party with whom Council are negotiating if the properties proceed to sale.

CARRIED

RESOLUTION 2021/176

Moved: Cr Max Bruins
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 28.1 AR21/34745 Notice of Motion - Surplus Land Declaration 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) be kept confidential and not available for public inspection until settlement of a sales contract for both the subject properties, to be reviewed annually.
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

29 MEETING CLOSE

The Meeting closed at 7:59 p.m.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 20 July 2021.

.....
PRESIDING MEMBER



Monthly Council Meeting	
January	Attended
February	Attended
March	Attended
April	Did not attend
May	Attended
June	Attended

Standing Committees			
Month	Committee	Attendance	Agenda
January	Economic & Environment		Meeting cancelled at discretion of Presiding Member
February	People & Place	I was available but meeting was cancelled due to 5 other apologies	1 item, no questions
March	Economic & Environment		Meeting cancelled – no agenda items
April	People & Place	Did not attend	3 items, no questions
May	Economic & Environment	Did not attend	1 item, no questions - first meeting of this committee in 6 months
June	People & Place	Did not attend	2 items, no questions

Informal Workshops			
Month	Reason	Attendance	Comment
January 12	Public Transport Review	No	Attended a later workshop and gave significant feedback
January 20	Long Term Financial Plan	Attended	
January 27	SA Country Arts Plan	No	
January 28	Mt Gambier Private Hospital Feasibility Study	No	Indicated support for request at previous council meeting, did not need further information
February 2	Budget Review Meeting	Attended	
February 8	Policy C410 review	Attended	
February 22	141 Plantation Briefing	Attended	
March 2	Limestone Coast Tourism Plan	Attended	
March 11	LGFA / Rec Centre	No	
March 18	Public Transport Review	Attended	
March 24	Budget Workshop	No	
March 29	Rec Centre Return Brief	No	
March 30	Green Triangle Forestry Hub	No	

April 10	Full Day Strategic Planning Workshop	Attended	
April 12	Rec Centre External Audit Updater	No	
April 14	Budget Workshop	No	
April 27	Budget Workshop	No	
April 28	Rec Centre Branding	No	
May 4	Employee Survey Briefing	No	
May 7	1 on 1 meeting with Mr Barber	Attended	1 ½ hour meeting for update on budget workshop discussions
May 11	Waste Management	Attended	
May 24	Rec Centre Operating Model	No	