

**MINUTES OF CITY OF MOUNT GAMBIER  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT  
GAMBIER  
ON TUESDAY, 15 MARCH 2022 AT 6.00 P.M.**

**PRESENT:** Mayor Lynette Martin (OAM), Cr Sonya Mezinec, Cr Kate Amoroso, Cr Max Bruins, Cr Christian Greco, Cr Paul Jenner, Cr Frank Morello, Cr Steven Perryman (entered the meeting at 6:01 pm)

**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 Governance and Property	- Mr M McCarthy
Executive Administrator	- Mrs A Pasquazzi

**OFFICERS AS OBSERVERS:** Media and Communications Coordinator (virtual) - Ms S McLean

**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**

**RESOLUTION 2022/42**

Moved: Cr Paul Jenner

Seconded: Cr Sonya Mezinec

That leave of absence from Cr Ben Hood be noted.

**CARRIED**

**4 CONFIRMATION OF COUNCIL MINUTES**

Cr Steven Perryman entered to the meeting at 6:01 pm



**RESOLUTION 2022/43**

Moved: Cr Max Bruins  
Seconded: Cr Sonya Meziniec

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

**CARRIED**

**5 MAYORAL REPORT**

**5.1 MAYORAL REPORT - MARCH 2022**

- Meeting with Jason Wallace – ac.care
- Wulanda Recreation and Convention Centre Site Tour
- EM Briefing with SA Ombudsman Mr Wayne Lines
- Chamber of Commerce Breakfast Meeting
- Briefing / National Farmers Federation Regionalisation Precincts Launch
- RSL Tank Painting
- With CEO, meeting with Mr Tony Pasin, Member for Barker, re Regional Development Plan
- Virtual Meeting with LCLGA – National Farmers Federation Regionalisation
- Weekly Virtual LCLGA Mayor’s Meeting
- Audit and Risk Committee Workshop
- Audit and Risk Committee Meeting
- EM Briefing – Public Art Strategy
- EM Briefing – Remuneration Tribunal
- Junior Sports Assistance Fund Committee Meeting
- Planet Youth Limestone Coast Workshop 2 – 2022 – Information Session - Virtual
- Plant Youth Limestone Coast Workshop – Virtual
- Weekly Virtual LCLGA Mayor’s Meeting
- Association of Eisteddfod Societies Bi-Annual Conference
- Vision for Regional South Australia Webinar with Hon Peter Malinauskas MP
- Webinar ALGA Pre-Federal Election with Hon Shadow Minister for Local Government Hon Jason Clare MP
- Live Music Roundtable
- Local Government Reconciliation Industry Network Group Virtual Meeting
- Chamber of Commerce Meet the Candidates – Mix and Mingle
- WiBRD International Women’s Day Breakfast
- Weekly Virtual LCLGA Mayor’s Meeting



**RESOLUTION 2022/44**

Moved: Mayor Lynette Martin  
Seconded: Cr Christian Greco

That the Mayoral report made on 15 March 2022 be received.

**CARRIED**

**6 REPORTS FROM COUNCILLORS**

- Cr Sonya Meziniec Meeting of Limestone Coast Local Health Network, Combined Advisory Council meeting, Wulanda Recreation and Convention Centre Site Tour, Chamber of Commerce Breakfast, Homelessness and Affordable Housing Discussion hosted by Troy Bell, Mount Gambier Health Advisory, The Great Debate hosted by Women in Business and Regional Development.
- Cr Paul Jenner Elected Members Briefing with SA Ombudsman, GTE Board meeting, Chamber of Commerce Breakfast, Boundary Roads Advisory Group, Wulanda Recreation and Convention Centre CRG meeting, Wulanda site visit, Public Lighting Working Group, Planet Youth, Building Fire Safety Committee, Live Music Roundtable.
- Cr Frank Morello Live Music Roundtable, Chamber of Commerce Meet the Candidates.
- Cr Max Bruins Chamber of Commerce Breakfast, Women in Business and Regional Development Great Debate, SE Voice Candidate Debate, Live Music Roundtable.

**RESOLUTION 2022/45**

Moved: Cr Max Bruins  
Seconded: Cr Sonya Meziniec

That the reports made by Councillors on 15 March 2022 be received.

**CARRIED**

**7 QUESTIONS WITH NOTICE**

**7.1 QUESTION WITH NOTICE - LED STREET LIGHTING PROGRAM**

Cr Paul Jenner asked the following question:

Where is the LED Street Lighting Program at as far as planning with Ironbark and expectation of a start and finish date on the project?

**RESPONSE**

Council signed the Grant Agreement on 22 July 2020 and received approval from the Local Roads and Community Infrastructure Program to undertake this project on 25 November 2020. An agreement with SA Power Networks (SAPN) has been signed by the CEO and returned on 2 February 2022 and we are awaiting SAPN to confirm a start date once they have procured the luminaires.



SAPN will be undertaking the procurement and installation process, for efficiency of supply (by procuring lights through SAPN, they will internally monitor inventory and adjust based on use), meaning Council will only be invoiced for the exact number of lights that are installed).

**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 11/02/2022 TO 09/03/2022**

**RESOLUTION 2022/46**

Moved: Cr Frank Morello

Seconded: Cr Steven Perryman

1. That Council Report No. AR21/71014 titled 'Elected Member Information/Briefing Sessions from 11/02/2022 to 09/03/2022' as presented on 15 March 2022 be noted.

**CARRIED**

**13 ELECTED MEMBERS TRAINING AND DEVELOPMENT**

Nil

**14 COUNCIL ACTION ITEMS**

**14.1 COUNCIL ACTION ITEMS - 15/02/2022**

**RESOLUTION 2022/47**

Moved: Cr Christian Greco

Seconded: Cr Steven Perryman

1. That Council Report No. AR21/71030 titled 'Council Action Items - 15/02/2022' as presented on 15 March 2022 be noted.

**CARRIED**



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

Committee In Recess

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

Committee in Recess

**17 COUNCIL ASSESSMENT PANEL MINUTES**

Nil

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

**18.1 MINUTES OF THE JUNIOR SPORTS ASSISTANCE FUND HELD ON 2 MARCH 2022**

**RESOLUTION 2022/48**

Moved: Cr Christian Greco

Seconded: Cr Kate Amoroso

That the Minutes of the Junior Sports Assistance Fund meeting held on 2 March 2022 as attached be noted.

**CARRIED**

**18.2 CORRESPONDENCE RECEIVED – REPORT NO. AR22/13971**

**RESOLUTION 2022/49**

Moved: Cr Christian Greco

Seconded: Cr Steven Perryman

1. That Junior Sports Assistance Fund Report No. AR22/13971 titled 'Correspondence Received' as presented on 02 March 2022 be noted.

**CARRIED**

**18.3 STATEMENT OF REVENUE AND EXPENSES - AS AT 31 JANUARY 2022 – REPORT NO. AR22/13972**

**RESOLUTION 2022/50**

Moved: Cr Christian Greco

Seconded: Cr Paul Jenner

1. That Junior Sports Assistance Fund Report No. AR22/13972 titled 'Statement of Revenue and Expenses - as at 31 January 2022' as presented on 02 March 2022 be noted.
2. The financial statement of the Fund as 30 September 2021 be received, noting a cash balance of \$126,036.64.

**CARRIED**



**18.4 APPLICATIONS FOR FINANCIAL ASSISTANCE FOR JUNIORS AND PAYMENTS FROM THE FUND - 01/10/2021 - 31/01/2022 – REPORT NO. AR22/13973**

**RESOLUTION 2022/51**

Moved: Cr Christian Greco

Seconded: Cr Frank Morello

1. That Junior Sports Assistance Fund Report No. AR22/13973 titled 'Applications for Financial Assistance for Juniors and Payments from the Fund - 01/10/2021 - 31/01/2022' as presented on 02 March 2022 be noted.

**CARRIED**

**18.5 ROTARY CLUB OF MOUNT GAMBIER LAKES - DONATION TO FINANCIALLY DISADVANTAGED JUNIOR SPORTSPERSONS – REPORT NO. AR22/13974**

**RESOLUTION 2022/52**

Moved: Cr Christian Greco

Seconded: Cr Kate Amoroso

1. That Junior Sports Assistance Fund Report No. AR22/13974 titled 'Rotary Club of Mount Gambier Lakes - Donation to Financially Disadvantaged Junior Sportspersons' as presented on 02 March 2022 be noted.
2. The following funding be made available to the Member Organisations named below to assist the identified junior(s) to achieve their fullest participation with the donation from the Rotary Club of Mount Gambier Lakes - Donations to Financially Disadvantaged Junior Sportspersons initiative, to be used strictly in accordance with their respective confidential application:
  - (a) Blue Lake Y Swim - \$300
  - (b) Basketball Mount Gambier - \$600

**CARRIED**

**19 AUDIT AND RISK COMMITTEE MINUTES AND RECOMMENDATIONS**

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

**RESOLUTION 2022/53**

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

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

**CARRIED**



## 19.2 CORRESPONDENCE RECEIVED – REPORT NO. AR21/74812

### RESOLUTION 2022/54

Moved: Cr Sonya Meziniec  
Seconded: Cr Frank Morello

1. That Audit and Risk Committee Report No. AR21/74812 titled 'Correspondence Received' as presented on 28 February 2022 be noted.

**CARRIED**

## 19.3 EXTERNAL AUDIT MANAGEMENT REPORT – REPORT NO. AR21/69921

### RESOLUTION 2022/55

Moved: Cr Sonya Meziniec  
Seconded: Cr Paul Jenner

1. That Audit and Risk Committee Report No. AR21/69921 titled 'External Audit Management Report' as presented on 28 February 2022 be noted.
2. That:
  - (a) A report be provided to the Audit and Risk Committee at least on a quarterly basis throughout the financial year to provide an update on the progress against the recommendations raised by the External Auditors.

**CARRIED**

## 19.4 AUDIT AND RISK COMMITTEE WORK PROGRAM & MEETING SCHEDULE 2022 – REPORT NO. AR21/85164

### RESOLUTION 2022/56

Moved: Cr Sonya Meziniec  
Seconded: Cr Max Bruins

1. That Audit and Risk Committee Report No. AR21/85164 titled 'Audit and Risk Committee Work Program & Meeting Schedule 2022' as presented on 28 February 2022 be noted.
2. That the Audit and Risk Committee meet on the following dates in 2022 noting that the meeting dates are subject to change, including if an additional meeting is required:
  - (a) Monday 28 February 2022;
  - (b) Monday 28 March 2022;
  - (c) Monday 2 May 2022
  - (d) Monday 25 July 2022
  - (e) Monday 19 September 2022
  - (f) Monday 28 November 2022
3. That the draft work program for the Audit and Risk Committee for calendar year 2022 (attached) be adopted, noting the meeting dates and schedule are subject to change, including if an additional meeting is required.

**CARRIED**



## 19.5 PRESIDING MEMBER NOMINATION – REPORT NO. AR22/12567

### RESOLUTION 2022/57

Moved: Cr Sonya Meziniec  
Seconded: Cr Kate Amoroso

1. That Audit and Risk Committee Report No. AR22/12567 titled 'Presiding Member Nomination' as presented on 28 February 2022 be noted.
2. The term of office for the position of Audit and Risk Committee Presiding Member be 2 year(s).
3. That Mr Paul Duka be the Presiding Member of the Audit and Risk Committee on and from 15 March 2022.

**CARRIED**

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

Nil

## 21 BUILDING FIRE SAFETY COMMITTEE MINUTES

### 21.1 MINUTES OF THE BUILDING FIRE SAFETY COMMITTEE HELD ON 7 MARCH 2022

#### RESOLUTION 2022/58

Moved: Cr Paul Jenner  
Seconded: Cr Christian Greco

That the Minutes of the Building Fire Safety Committee meeting held on 7 March 2022 as previously circulated be noted.

**CARRIED**

## 22 COUNCIL REPORTS

### 22.1 REVIEW OF VALUATION AND RATING SYSTEM 2022/2023

#### RESOLUTION 2022/59

Moved: Cr Frank Morello  
Seconded: Cr Max Bruins

1. That Council Report No. AR21/72784 titled 'Review of Valuation and Rating System 2022/2023' as presented on 15 March 2022 be noted.
2. That the rating assumptions and directions referred to in Report No. AR21/72784 be used to prepare Council's draft Annual Business Plan and Budget for 2022/2023 for Council's future consideration.

**CARRIED**





## 22.2 ALGA JUNE 2022 NATIONAL GENERAL ASSEMBLY - CALL FOR MOTIONS

### RESOLUTION 2022/60

Moved: Cr Paul Jenner  
Seconded: Cr Sonya Meziniec

1. That Council Report No. AR22/11605 titled 'ALGA June 2022 National General Assembly - Call for Motions' as presented on 15 March 2022 be noted.
2. That:
  - (a) the Regionalisation Motion;
  - (b) the Housing Affordability Motion;
  - (c) the Waste and Circular Economy Motion; and
  - (d) the submission of the Motions as listed above (recommendations 2 (a),(b) & (c)) to the ALGA's 2022 National General Assembly.as attached to Report No. AR22/11605 be endorsed.
3. That the Regionalisation Motion include the below amendment:
  - (a) This national general assembly draws this governments attention to the recently released NNF Regionalisation Agenda.

**CARRIED**

## 22.3 MOUNT GAMBIER SPORT, RECREATION AND OPEN SPACE STRATEGY

### MOTION

Moved: Cr Sonya Meziniec  
Seconded: Cr Kate Amoroso

1. That Council Report No. AR22/16103 titled 'Mount Gambier Sport, Recreation and Open Space Strategy' as presented on 15 March 2022 be noted.
2. That the Mount Gambier Sport, Recreation and Open Space Strategy as attached to Report No. AR22/16103 be endorsed.

### AMENDMENT

Moved: Cr Steven Perryman  
Seconded: Cr Paul Jenner

1. That Council Report No. AR22/16103 titled 'Mount Gambier Sport, Recreation and Open Space Strategy' as presented on 15 March 2022 be noted.
2. That the CEO seek feedback from Elected Members on further refinements to the Mount Gambier Sport, Recreation and Open Space Strategy and a final draft be presented to the April Council meeting.

The Amendment was put and

**CARRIED**

The Amendment became the Motion



**RESOLUTION 2022/61**

Moved: Cr Steven Perryman  
Seconded: Cr Paul Jenner

1. That Council Report No. AR22/16103 titled 'Mount Gambier Sport, Recreation and Open Space Strategy' as presented on 15 March 2022 be noted.
2. That the CEO seek feedback from Elected Members on further refinements to the Mount Gambier Sport, Recreation and Open Space Strategy and a final draft be presented to the April Council meeting.

**CARRIED**

**23 MOTIONS WITH NOTICE**

**23.1 NOTICE OF MOTION - HARD WASTE TRIAL**

**RESOLUTION 2022/62**

Moved: Cr Paul Jenner  
Seconded: Cr Christian Greco

1. That Council Report No. AR22/16524 titled 'Notice of Motion - Hard Waste Trial' as presented on 15 March 2022 be noted.
2. That a report be provided to Council to make recommendations about the Hard Waste trial which was conducted during COVID, with the report to include considerations of cost, budget, long term financial plan implications, staff levels needed, any additional capital required as well as the overall impact on waste reuse, recovery or disposal.
3. The Report should consider different alternatives to program.
  - (a) Done yearly.
  - (b) Done every 2 years.
  - (c) Done yearly with options for reducing staff costs associated with the service.
  - (d) Done every 3 years.
  - (e) Not done at all.
4. That all of the alternatives should consider impacts on the community and on waste to landfill.
5. A copy of the Hard Waste Trial Report and the end Covid Report (that mentions Hard Waste) be attached.
6. That the information relevant to this report be presented to the Elected Member Briefing on Waste.

**CARRIED**



### **23.2 NOTICE OF MOTION - PIONEERS AND OTHER SPORTING GROUPS DISPLAY OF TROPHIES AND FLAGS**

#### **MOTION**

Moved: Cr Paul Jenner

Seconded: Cr Steven Perryman

1. That Council Report No. AR22/16531 titled 'Notice of Motion - Pioneers and other sporting groups display of Trophies and Flags' as presented on 15 March 2022 be noted.
2. That Council engage with the Pioneers and other sporting clubs and groups as appropriate, to consider appropriate display of pennants, trophies, flags and memorabilia in the Wulanda Recreation and Convention Centre.
3. That this is to be planned and implemented prior to the official opening of the centre.

**LOST**

### **23.3 NOTICE OF MOTION - LARGE GUM TREES ON THE CORNER OF JUBILEE HIGHWAY EAST AND RAMSAY AVENUE**

Cr Steven Perryman left the meeting at 7:19 pm and did not return.

#### **MOTION**

Moved: Cr Paul Jenner

Seconded: Cr Christian Greco

1. That Council Report No. AR22/16538 titled 'Notice of Motion - Large Gum Trees on the corner of Jubilee Highway East and Ramsay Avenue' as presented on 15 March 2022 be noted.
2. That a report be provided to Council to consider the removal of the large gum trees on the corner of Jubilee Highway East and Ramsay Avenue.
3. That the report consider the condition of the trees, the resourcing implications of removal, and options for plantings for the area if the trees are removed or retained, and include consultation with the impacted business.

The Motion was put and the voting was 3 For and 3 Against

**TIED VOTE**

The Mayor exercised her right to a casting vote and voted against the Motion

The Motion was declared

**LOST**

Cr Paul Jenner called a division.

The declaration was set aside.

Voting by division being:

In Favour: Crs Kate Amoroso, Christian Greco and Paul Jenner



Against: Crs Sonya Meziniec, Max Bruins and Frank Morello

**TIED VOTE**

The Mayor exercised her right to a casting vote and voted against the Motion

The Mayor declared the motion

**LOST 3/4**

## **24 MOTIONS WITHOUT NOTICE**

Nil

## **25 CONFIDENTIAL ITEMS OF COMMITTEES**

Nil

## **26 NEW CONFIDENTIAL ITEMS**

Cr Christian Greco left the meeting at 7:27 pm and did not return.

### **26.1 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #15 - AS AT 07/03/2022 – REPORT NO. AR22/16061**

#### **RESOLUTION 2022/63**

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, M McCarthy and A Pasquazzi be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 26.1 AR22/16061 Project Control Group (PCG) Progress Report #15 - As at 07/03/2022.

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 Council's position in obtaining best value project delivery on behalf of the community.

**CARRIED**

#### **RESOLUTION 2022/64**

Moved: Cr Max Bruins  
Seconded: Cr Frank Morello

#### **CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL**

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 26.1 AR22/16061 Project Control Group (PCG) Progress Report #15 - As at 07/03/2022 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**

## **27 MEETING CLOSE**

**The Meeting closed at 8.05 p.m.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 19 April 2022.**

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**PRESIDING MEMBER**

