

**MINUTES OF CITY OF MOUNT GAMBIER  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE,  
MOUNT GAMBIER ON TUESDAY, 18 AUGUST 2020 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, Cr Frank Morello, Cr Steven Perryman

<b>OFFICERS IN ATTENDANCE:</b>	General Manager Community Wellbeing	- Ms B Cernovskis
	General Manager City Infrastructure	- Mr N Serle
	General Manager City Growth	- Dr J Nagy
	Communications Officer	- Mrs A Watson
	Manager Executive Administration	- Mr M McCarthy
	Executive Administration 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.**

## 2 APOLOGIES

### MOTION

Moved: Cr Paul Jenner

That the apology from Cr Kate Amoroso be received.

The motion lapsed for want of a seconder.

## 3 LEAVE OF ABSENCE

Nil

## 4 CONFIRMATION OF COUNCIL MINUTES

### RESOLUTION 2020/255

Moved: Cr Max Bruins

Seconded: Cr Sonya Meziniec

That the minutes of the Ordinary Council meeting held on 21 July 2020 be confirmed as an accurate record of the proceedings of the meeting.

**CARRIED**



## 5 MAYORAL REPORT

- With CEO, Meeting re Mount Gambier Private Hospital
- Reconnect to Recover Event Planning - Virtual
- Civic Centre COVID Code of Conduct Briefing
- Weekly LCLGA Mayor's Meeting - Virtual
- Reconnect to Recover Event - City Hall
- With CEO, presentation to Shadow Country Cabinet Meeting
- Elected Member Workshop - LCLGA Briefing and Bookmark Café Update
- Media Training
- Weekly LCLGA Mayor's Meeting - Virtual
- Migrant Resource Centre Commemorative Yazidi Event
- People and Place Committee Meeting
- Welcome to Premier Marshall, Professor Spurrier, Minister Wade and SA Police Commissioner Stevens at Mount Gambier Airport
- With CEO, meeting with Premier Marshall
- Visit to Riddoch Art Gallery with Premier Marshall
- Attendance with CEO at Briefing by Professor Spurrier
- Introductory Meeting with CEO, Executive Team from Krispy Kreme
- Host for the morning to Student from Mount Gambier High Entrepreneurial School
- Visit Mount Gambier Children's Centre of Early Childhood Development and Parenting
- Citizenship Ceremony - Virtual
- LGFSG COVID-19 Operational Briefing - Virtual
- Elected Member Workshop - Re-Use, Recycling and Waste
- ABC TV Interview regarding the 75 Year Friendship of Charlie Miller and Jack Hopgood
- LCLGA GM - Wattle Range Council (Penola)
- Vietnam Veterans Memorial Service and Wreath Laying

### **RESOLUTION 2020/256**

Moved: Mayor Lynette Martin

Seconded: Cr Christian Greco

That the Mayoral report made on 18 August 2020 be received.

**CARRIED**



## 6 REPORTS FROM COUNCILLORS

Cr Hood	July 2020 - Mount Gambier Airport Project Control Group August 2020 - Reconnect to Power
Cr Jenner	Planning Webinar - New PDI Act / Regulations Training LCLGA Regional Waste Management Meeting LCLGA General Meeting Vietnam Veteran Memorial Service Group Training Employment Board Meeting and Annual General Meeting Labour Country Shadow Cabinet Reconnect to Recover Event
Cr Mezinec	Labour Country Shadow Cabinet LCLGA Board Meeting Vietnam Veteran Memorial Service Reconnect to Recover Event
Cr Morello	Reconnect to Recover Event Labour Country Shadow Cabinet

### RESOLUTION 2020/257

Moved: Cr Christian Greco

Seconded: Cr Steven Perryman

That the reports made by Councillors on 18 August 2020 be received.

**CARRIED**

## 7 QUESTIONS WITH NOTICE

Nil

## 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 WORKSHOPS HELD 20 JULY 2020 TO 14 AUGUST 2020

#### RESOLUTION 2020/258

Moved: Cr Sonya Meziniec  
Seconded: Cr Christian Greco

1. That Council Report No. AR20/25147 titled 'Elected Member Workshops held 20 July 2020 to 14 August 2020' as presented on 18 August 2020 be noted.

**CARRIED**

## 13 ELECTED MEMBERS TRAINING AND DEVELOPMENT

Nil

## 14 COUNCIL ACTION ITEMS

### 14.1 ACTION ITEMS 21 JULY 2020

#### RESOLUTION 2020/259

Moved: Cr Ben Hood  
Seconded: Cr Max Bruins

1. That Council Report No. AR20/25198 titled 'Action Items 21 July 2020' as presented on 18 August 2020 be noted.

**CARRIED**

## 15 ECONOMIC AND ENVIRONMENT COMMITTEE MINUTES AND RECOMMENDATIONS

Nil

## 24 MOTIONS WITH NOTICE

### 24.1 NOTICE OF MOTION - MASTERPLAN FOR BLUE LAKE SPORTS PARK

#### RESOLUTION 2020/260

Moved: Cr Christian Greco  
Seconded: Cr Paul Jenner

1. That Council Report No. AR20/52439 titled 'Notice of Motion - Masterplan for Blue Lake Sports Park' as presented on 18 August 2020 be noted.
2. That Council allocate \$50k towards the provision of a standalone masterplan for the Blue Lake Sports Park and instruct the Chief Executive Officer to procure this service within 3 months.

**CARRIED**



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

**16.1 MINUTES OF THE PEOPLE AND PLACE COMMITTEE HELD ON 3 AUGUST 2020**

**RESOLUTION 2020/261**

Moved: Cr Frank Morello

Seconded: Cr Christian Greco

That the Minutes of the People and Place Committee meeting held on 3 August 2020 as attached be noted.

**CARRIED**

**16.2 PROPOSED UPDATE TO THE COUNCIL / COMMITTEE REPORT TEMPLATE –  
REPORT NO. AR20/38226**

**RESOLUTION 2020/262**

Moved: Cr Frank Morello

Seconded: Cr Max Bruins

1. That People and Place Committee Report No. AR20/38226 titled 'Proposed Update to the Council / Committee Report Template' as presented on 03 August 2020 be noted.

**CARRIED**

**16.3 THE RIDDOCH ARTS AND CULTURAL TRUST INCORPORATED – REPORT NO.  
AR20/42200**

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### **RESOLUTION 2020/263**

Moved: Cr Frank Morello

Seconded: Cr Paul Jenner

1. That People and Place Committee Report No. AR20/42200 titled 'The Riddoch Arts and Cultural Trust Incorporated' as presented on 03 August 2020 be noted.
2. That Council endorse the renaming and branding of the 'Main Corner' and 'Riddoch Art Gallery and associated facilities to the 'Riddoch Arts & Cultural Centre.
3. That the Draft Constitution for 'The Riddoch Arts and Cultural Trust Incorporated' as tabled with Report No. AR20/42200 be endorsed for the purpose of forming the association, subject to any immaterial amendments or corrections as considered necessary by the Chief Executive Officer (or delegate/s) for the formation and incorporation of the association, including populating the list of Initial Board Members at Schedule 1.
4. That Council hereby forms The Riddoch Arts and Cultural Trust Incorporated which is to operate under the Constitution endorsed in resolution 2 for educational, charitable and recreational purposes and for the purpose of promoting art, with the defined objects and purpose of the operation of the Riddoch Art Gallery in order to provide inspiration, and to challenge, educate and present the visual arts in a way that promotes an understanding of the world with a local, national and international perspective for the benefit if the public.
5. That application be made to the Corporate Affairs Commission under the Associations Incorporations Act 1985 for registration of The Riddoch Arts and Cultural Trust Incorporated with Council as the sole member to operate in accordance with the Constitution endorsed in resolution 3.
6. That the Chief Executive Officer (or delegate/s) proceed with identifying potential Initial Board Members that meet the eligibility criteria for The Riddoch Arts and Cultural Trust Incorporated, for presentation to a subsequent meeting of Council.
7. That, in accordance with the Constitution, Council appoints the following Senior Officer as the Council Representative:
  - Chief Executive Officer
8. That, in accordance with the Constitution, Council appoints the following persons for their areas of professional knowledge and expertise as Council Board Observers for The Riddoch Arts and Cultural Trust Incorporated to provide oversight on behalf of Council during the establishment and initial Board operation stages:
  - Ms Barbara Cernovskis
  - Dr Judy Nagy
  - Mr Michael McCarthy
9. That, subject to registration of The Riddoch Arts and Cultural Trust Incorporated as an association and the issuance of a certificate of incorporation and any other requisite activities of the association;
  - All applications necessary (including for Deductible Gift Recipient status) be made to any relevant regulatory body (including the Australian Taxation Office and/or Australian Charities and Not-for-Profit Commission); and,
  - Eligibility, application and appointment procedures be prepared for non-voting associates including Friends of the Riddoch, Riddoch Ambassadors and Patrons; and,
  - Administration documentation be prepared for the holding of Ordinary and Special Board Meetings, Committee Meetings and Special and Annual General Meetings; and,

- Such other activities as are necessary to ensure the proper administration of the association including but not limited to financial and insurance arrangements.
10. That the costs and expenses associated with the establishment, registration and application for Deductible Gift Recipient status for The Riddoch Arts and Cultural Trust Incorporated and in its first two years of operation, or until the earlier arrangement of alternate arrangements, be borne by Council from within the existing Riddoch Art Gallery operational budget.
  11. That the Chief Executive Officer (and/or such other Senior Officer as appointed under resolution 7) or delegate/s (and the Mayor as necessary) be authorised to deal with the Corporate Affairs Commission in relation to the application under the Associations Incorporations Act 1985 and to execute any documentation necessary to give effect to the establishment, registration and initial operations of The Riddoch Arts and Cultural Trust Incorporated.
  12. That further reports be presented to Council on:
    - The progress of the establishment, registration and application for Deductible Gift Recipient status for The Riddoch Arts and Cultural Trust Incorporated; and,
    - Incurred expenses (and revenues received – if applicable) that are solely attributable to The Riddoch Arts and Cultural Trust Incorporated in the first two years of operation; and
    - Proposed arrangements for the transition of the Riddoch Art Gallery, Main Corner and associated business unit activities into The Riddoch Arts and Cultural Trust Incorporated Board's Annual Plan.
- CARRIED**

#### **16.4 INTERNAL REVIEW OF COUNCIL ACTIONS 2019/2020 – REPORT NO. AR20/45145**

##### **RESOLUTION 2020/264**

Moved: Cr Frank Morello

Seconded: Cr Steven Perryman

1. That People and Place Committee Report No. AR20/45145 titled 'Internal Review of Council Actions 2019/2020' as presented on 03 August 2020 be noted.
2. That the background and discussion material contained in Council Report No. AR20/45145 relating to Section 270 of the Local Government Act 1999 be included in Council's 2019/2020 Annual Report.

**CARRIED**

Cr Ben Hood left the meeting at 6:41 pm

Cr Ben Hood returned to the meeting at 6:42 pm



**16.5 LIMESTONE COAST LOCAL GOVERNMENT ASSOCIATION - BUSINESS PLAN  
2020-2021 – REPORT NO. AR20/46518**

**RESOLUTION 2020/265**

Moved: Cr Frank Morello

Seconded: Cr Paul Jenner

1. That People and Place Committee Report No. AR20/46518 titled 'Limestone Coast Local Government Association - Business Plan 2020-2021' as presented on 03 August 2020 be noted.
2. That Council endorse the Limestone Coast Local Government Association Business Plan 2020-2021.

**CARRIED**

**16.6 COUNCIL OWNED TOURISM ASSETS – REPORT NO. AR20/45204**

**RESOLUTION 2020/266**

Moved: Cr Frank Morello

Seconded: Cr Sonya Meziniec

1. That People and Place Committee Report No. AR20/45204 titled 'Council Owned Tourism Assets' as presented on 03 August 2020 be noted.
2. That Council endorses commencement of a procurement process for a Tourism Assets Masterplan. That upon completion of the tender element of the process, a report be brought back to Council for endorsement and a budget variation.

**CARRIED**

**17 REGIONAL SPORT AND RECREATION CENTRE COMMITTEE MINUTES AND  
RECOMMENDATIONS**

Nil

**18 COUNCIL ASSESSMENT PANEL MINUTES**

**18.1 MINUTES OF THE COUNCIL ASSESSMENT PANEL HELD ON 23 JULY 2020**

**RESOLUTION 2020/267**

Moved: Cr Paul Jenner

Seconded: Cr Christian Greco

That the Minutes of the Council Assessment Panel meeting held on 23 July 2020 as previously circulated be noted.

**CARRIED**





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

Nil

**20 AUDIT COMMITTEE MINUTES AND RECOMMENDATIONS**

Nil

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

Nil

**22 BUILDING FIRE SAFETY COMMITTEE MINUTES**

Nil

**23 COUNCIL REPORTS**

**23.1 LOCAL GOVERNMENT ASSOCIATION - PRESIDENT NOMINATIONS**

**RESOLUTION 2020/268**

Moved: Cr Christian Greco

Seconded: Cr Ben Hood

1. That Council Report No. AR20/45729 titled 'Local Government Association - President Nominations' as presented on 18 August 2020 be noted.

**CARRIED**

**23.2 SA REGIONAL ORGANISATION OF COUNCILS (SAROC) - MEMBERSHIP NOMINATIONS**

**RESOLUTION 2020/269**

Moved: Cr Paul Jenner

Seconded: Cr Christian Greco

- 1) That Council Report No. AR20/50215 titled 'SA Regional Organisation of Councils (SAROC) - Membership Nominations' as presented on 18 August 2020 be noted.
- 2) That the nomination of Limestone Coast Local Government Association President, Mayor Erika Vickery and Vice President, Mayor Richard Sage are supported for the two Limestone Coast representative positions on the SA Regional Organisation of Councils.
- 3) That, for the purpose of voting in any election to appoint two Limestone Coast representatives to the SA Regional Organisation of Councils, Council supports the following proposed nominees in order of preference:
  - LCLGA President – Mayor Erika Vickery
  - LCLGA Vice President – Mayor Richard Sage

**CARRIED**



Cr Christian Greco left the meeting at 7:05 pm

Cr Christian Greco returned to the meeting at 7:07 pm

### **23.3 CHRISTMAS PARADE 2020**

#### **RESOLUTION 2020/270**

Moved: Cr Ben Hood

Seconded: Cr Sonya Mezinac

1. That Council Report No. AR20/50657 titled 'Christmas Parade 2020' as presented on 18 August 2020 be noted.
2. That Council notes the minutes of the Advisory Group and agrees to postpone the 2020 Christmas Parade.
3. That Council agrees to provide the balance of the Christmas Parade sponsorship to the Mayor's Appeal to ensure those community organisations that are likely to see additional requests for community funding are able to respond positively to them.
4. That Council seeks a solution to ensure that young people in our community do not feel that Christmas has been cancelled with the provision of some form of visit to the and around the City by Father Christmas.
5. That Council work with the Chamber of Commerce to secure an alternative launch of the Christmas season for local businesses.
6. That the Chief Executive Officer be instructed to discuss the Council's position with NF McDonnell and Sons and to determine options for support of item 4 above and for future years.

**CARRIED**

Cr Steven Perryman left the meeting at 7:17 pm and did not return.

### **23.4 REVOCATION OF COMMUNITY LAND CLASSIFICATION - LOT 204 WEHL ST AND LOT 1107 WOODLANDS DRIVE**

#### **RESOLUTION 2020/271**

Moved: Cr Christian Greco

Seconded: Cr Max Bruins

1. That Council Report No. AR20/52085 titled 'Revocation of Community Land Classification - Lot 204 Wehl St and Lot 1107 Woodlands Drive' as presented on 18 August 2020 be noted.
2. That, having received Ministerial approval and in accordance with Section 194(3)(b) of the Local Government Act 1999, the Community Land classification of the land identified as:
  - portion of Lot 204 Wehl Street, Mount Gambier in Deposited Plan 93348 and Certificate of Title Volume 6136 Folio 677; and,
  - portion of Lot 1107 Woodlands Drive, Mount Gambier in Deposited Plan 82423 and Certificate of Title Volume 6051 Folio 368,as shown in the plans attached to Council Report no. AR20/52085, be revoked.
3. The classification as community land being revoked, the portions of Lot 204 Wehl Street, Mount Gambier in Deposited Plan 93348 and Certificate of Title Volume 6136 Folio 677 and Lot 1107 Woodlands Drive, Mount Gambier in Deposited Plan 82423 and Certificate of Title Volume 6051 Folio 368 be transferred as part a land swap with the adjoining development by Mr Vince Versace.

4. That consideration payable for the land swap anticipated in resolution (3) be \$18,400+GST with the applicant to be responsible for all costs associated with the land transfer.
5. The Chief Executive Officer and Mayor be authorised to affix the Common Seal of the Council to any documentation necessary to give effect to resolutions (2), (3) and (4).

**CARRIED**

## **24 MOTIONS WITH NOTICE**

Item 24.1 Notice of Motion - Masterplan for Blue Lake Sports Park minuted before Item 16.

## **25 MOTIONS WITHOUT NOTICE**

Nil

## **26 CONFIDENTIAL ITEMS OF COMMITTEES**

Nil

## **27 NEW CONFIDENTIAL ITEMS**

### **27.1 BLUE LAKE GOLF CLUB - QUARTERLY KPI REPORT TO 31 MARCH 2020 – REPORT NO. AR20/39363**

#### **RESOLUTION 2020/272**

Moved: Cr Christian Greco

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, M Bruins, C Greco, B Hood, P Jenner and F Morello and Council Officers B Cernovskis, J Nagy, N Serle, A Watson, M McCarthy and M Telford be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.1 AR20/39363 Blue Lake Golf Club - Quarterly KPI Report to 31 March 2020.

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

- 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 report attachment includes commercial information relating to the operations of the Blue Lake Golf Club the premature disclosure of which could reasonably be expected to confer advantage on a 3rd party and prejudice the commercial position of the Blue Lake Golf Club.

The public interest in the disclosure of this information is considered to be outweighed by the public benefit provided by the maintenance and management of the public land on which the golf course is located which is reliant on the continued successful operations of the Blue Lake Golf Club.

**CARRIED**

**RESOLUTION 2020/273**

Moved: Cr Christian Greco

Seconded: Cr Paul Jenner

**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 27.1 AR20/39363 Blue Lake Golf Club - Quarterly KPI Report to 31 March 2020 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) (d) be kept confidential and not available for public inspection until 2 years have passed or the Blue Lake Golf Club has ceased operating, whichever is the earlier.
2. Further that Council delegates the power to review, revoke, but extend of 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 MEETING CLOSE**

**The Meeting closed at 7:29 pm.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 15 September 2020.**

.....  
**PRESIDING MEMBER**

