

**MINUTES OF CITY OF MOUNT GAMBIER
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON TUESDAY, 19 NOVEMBER 2019 AT 6.00 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Kate Amoroso, Cr Max Bruins, Cr Christian Greco, Cr Ben Hood, Cr Paul Jenner, Cr Frank Morello, Cr Steven Perryman

OFFICERS IN ATTENDANCE:	Chief Executive Officer	- Mr A Meddle
	General Manager Community Wellbeing	- Ms B Cernovskis
	General Manager City Infrastructure	- Mr N Serle
	General Manager City Growth	- Dr J Nagy
	Acting General Manager Council Business Services	- Mr J Zwijnenburg
	Manager Development Services	- Mrs T Tzioutziouklaris
	Communications Officer	- Mrs A Watson
	Building Officer	- Mr P Gibbs
	Executive Administration Officer	- Mrs F McGregor

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

RESOLUTION 2019/291

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

That the apology(ies) from Cr Sonya Meziniec be received.

CARRIED

3 LEAVE OF ABSENCE

Nil

4 CONFIRMATION OF COUNCIL MINUTES

RESOLUTION 2019/292

Moved: Cr Christian Greco

Seconded: Cr Kate Amoroso

That the minutes of the Ordinary Council meeting held on 15 October 2019 be confirmed as an accurate record of the proceedings of the meeting.

That the minutes of the Confidential Council meeting held on 15 October 2019 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED



5 MAYORAL REPORT

- The Ultimate Renewable Forest Learning Pathway Program – Collaborative Learning Centre
- Mayor's Christmas Appeal Launch
- UniSA Networking Event
- Welcome speech to 1st ANZ Biochar Study Tour
- Media Opportunity at Works Depot – New Float for Christmas Parade
- Members Briefing with Member for Mount Gambier Mr Troy Bell MP
- Members Briefing on Community and Recreation Hub
- Chamber of Commerce Breakfast Meeting
- 2019 South East Primary Schools Music Festival Concert Series
- Members Briefing on Signage Strategy
- 2019 LGA Conference and AGM
- Women's Veterans Network South East SA Group Luncheon (as part of Veterans Health Month)
- Environment Resources and Development Committee - Recycling Industry Inquiry
- Members Briefing, Member for Barker Mr Tony Pasin MP
- Economic and Environment Committee Meeting
- Christmas Appeal Advisory Group Meeting
- Stand Like Stone AGM
- Meeting with Business SA
- Science Alive! – Schools Promotion
- Citizenship Ceremony
- Flag Off – Legends of the Lake Hill Climb
- Official Opening of Time Capsule and Hand Over of Bienvenu Stone to Mrs Joan Aikmann and family
- Mount Gambier St John Cadet Division Presentation Evening
- Remembrance Day Ceremony and Wreath Laying
- Members Briefing on Strategic Plan Themes and Projects
- Launch of Mount Gambier Gold Cup
- Regional Sport and Recreation Centre Committee Meeting
- Women's Employment and Leadership in Mount Gambier Forum
- K-Mart Wishing Tree Appeal Launch
- LCLGA Mayors Informal Gathering & Presentation of LCLGA Strategic Plan
- Mount Gambier Christmas Parade
- Official Opening of Science Alive!
- Chamber Visit – McDonald Park School Students
- High Tea at South East Junction

RESOLUTION 2019/293

Moved: Mayor Lynette Martin

Seconded: Cr Max Bruins

That the Mayoral report made on 19 November 2019 be received.

CARRIED



6 REPORTS FROM COUNCILLORS

Cr Amoroso	Mount Gambier Show, Christmas Parade.
Cr Hood	Mount Gambier Show book reading, Josh Fanning City Mag, Remembrance Day, Kmart Wishing Tree Appeal launch
Cr Jenner	Public Lighting Group, Mayors Christmas Appeal, Chamber Of Commerce Breakfast Meeting, Senior Citizens Public Meeting, Camp Quality Car Parade, Drift Car Challenge, Mount Gambier A & H Show, Mount Gambier Band Hall – Art And Craft Fair, Mount Gambier Unique And Classic Car Club, Local Government Association SA AGM, Australian Disc Gold Championship, State Government Environment Resources Development Committee Enquiry, Public Lighting Customer Forum, Public Lighting Webinar, Australian Citizenship Ceremony, Time Capsule and hand over of Bienvenu, Legends of the Lakes Hill Climb, Public Lighting Group, First anniversary of the ReUse market, Mount Gambier 60 th Anniversary Christmas Parade, Party in the Park, Survivors of Suicide Day – Stand By
Cr Morello	Time Capsule Launch, Mount Gambier Christmas Pageant, Book Launch Of Jim Ewing

RESOLUTION 2019/294

Moved: Cr Christian Greco

Seconded: Cr Kate Amoroso

That the reports made by Councillors on 19 November 2019 be received.

CARRIED

7 QUESTIONS WITH NOTICE

7.1 RAIL TRAIL AGREEMENTS, CONTRACTS, LEASES

REPORT RECOMMENDATION

THAT the response to the question regarding Rail Trail Agreements, Contracts and Leases raised by Councillor Jenner be received and noted.

8 QUESTIONS WITHOUT NOTICE

Nil recorded

9 PETITIONS

Nil



10 DEPUTATIONS

Nil

11 NOTICE OF MOTION TO RESCIND OR AMEND

Nil

Mayor Martin was presented with the Local Government Association Work Cover Scheme Regional Merit award from the recent Local Government Association Gala Dinner.

12 ELECTED MEMBERS WORKSHOPS

12.1 ELECTED MEMBER WORKSHOPS

RESOLUTION 2019/295

Moved: Cr Christian Greco

Seconded: Cr Steven Perryman

1. That Council Report No. AR19/60660 titled 'Elected Member Workshops' as presented on 19 November 2019 be noted, noting the change of time to Cr Greco's attendance to 7.40 p.m., not leaving at 7.40 p.m. as is recorded in the Community and Recreation Hub Record of Proceedings held on 22/10/2019 at 6.30 p.m.
2. Council write to the Member for Mount Gambier Mr Troy Bell MP and the Member for Barker Mr Tony Pasin MP thanking them both for a productive meeting and seeking to schedule another meeting in March 2020.

CARRIED

Cr Hood left the Chamber at 6.26 p.m.

Cr Hood returned to the meeting at 6.27 p.m.

13 ELECTED MEMBERS TRAINING AND DEVELOPMENT

13.1 CR PERRYMAN REQUEST FOR ACCOMMODATION RELATED TO STATE PLANNING COMMISSION TRAINING

RESOLUTION 2019/296

Moved: Cr Steven Perryman

Seconded: Cr Paul Jenner

1. That Council Report No. AR19/60976 titled 'Cr Perryman request for accommodation related to State Planning Commission training' as presented on 19 November 2019 be noted.
2. That, having considered the cost and benefit to Council, support the attendance of Cr Perryman to attend the State Planning Commission Training Event on 5 December 2019, with his accommodation costs to be borne by Council.
3. Cr Perryman to submit a report for presentation at the Member Reports agenda item at the January 2020 Council meeting, in accordance with Council Policy M500.

CARRIED



14 COUNCIL ACTION ITEMS

14.1 COUNCIL ACTION ITEMS

RESOLUTION 2019/297

Moved: Cr Frank Morello
Seconded: Cr Christian Greco

1. That Council Report No. AR19/61372 titled 'Council Action Items' as presented on 19 November 2019 be noted.

CARRIED

15 ECONOMIC AND ENVIRONMENT COMMITTEE MINUTES AND RECOMMENDATIONS

15.1 MINUTES OF THE ECONOMIC AND ENVIRONMENT COMMITTEE HELD ON 4 NOVEMBER 2019

RESOLUTION 2019/298

Moved: Cr Christian Greco
Seconded: Cr Max Bruins

That the Minutes of the Economic and Environment Committee meeting held on 4 November 2019 as attached be noted.

CARRIED

15.2 CAROLINE LANDFILL GAS COLLECTION AND UTILISATION – REPORT NO. AR19/48837

MOTION

Moved: Cr Christian Greco
Seconded: Cr Max Bruins

1. That Economic and Environment Committee Report No. AR19/48837 titled 'Caroline Landfill Gas Collection and Utilisation' as presented on 04 November 2019 be noted.
2. That the Chief Executive Officer, or his delegates, be authorised to enter into negotiations and subsequently a contract with Tenderer 1 in relation to gas collection and utilisation at Caroline Landfill.

AMENDMENT

Moved: Cr Paul Jenner
Seconded: Cr Kate Amoroso

1. That Economic and Environment Committee Report No. AR19/48837 titled 'Caroline Landfill Gas Collection and Utilisation' as presented on 04 November 2019 be noted.
2. That the Chief Executive Officer, or his delegates, be authorised to enter into negotiations and subsequently a contract with Tenderer 1 in relation to gas collection and utilisation at Caroline Landfill.



3. Council authorise a tender process for solar generation and connection to SA Power Networks powerlines at and around the Caroline Landfill.
4. Submission to be considered at a future meeting of Economic and Environment Committee.

The Mayor sought the approval of at least two-thirds of the members present at the meeting to suspend meeting procedures:

Purpose of the Suspension: to discuss Item 15.2

Carried by more than two-thirds of the members present at the meeting.

Meeting Procedures were suspended at 6.48 p.m.

The Mayor determined that the period of suspension should be brought to an end;

Carried by more than two-thirds of the members present at the meeting.

The Period of Suspension came to an end and Meeting Procedures resumed at 6.50 p.m.

RESOLUTION 2019/299

Moved: Cr Paul Jenner

Seconded: Cr Kate Amoroso

1. That Economic and Environment Committee Report No. AR19/48837 titled 'Caroline Landfill Gas Collection and Utilisation' as presented on 04 November 2019 be noted.
2. That the Chief Executive Officer, or his delegates, be authorised to enter into negotiations and subsequently a contract with Tenderer 1 in relation to gas collection and utilisation at Caroline Landfill.
3. Council authorise a tender process for solar generation and connection to SA Power Networks powerlines at and around the Caroline Landfill.
4. Submission to be considered at a future meeting of Economic and Environment Committee.

CARRIED



15.3 REVIEW OF CAROLINE LANDFILL GATE AND WASTE TRANSFER STATION FEES – REPORT NO. AR19/48869

MOTION

Moved: Cr Christian Greco
Seconded: Cr Kate Amoroso

1. That Economic and Environment Committee Report No. AR19/48869 titled 'Review of Caroline Landfill Gate and Waste Transfer Station Fees' as presented on 04 November 2019 be noted.
2. That Council adopt recommended gate price for Caroline Landfill of \$190 effective from 1 January 2020 and authorise administration to:
 - (a) Notify all known regular users of the facility; and
 - (b) Update the fees and charges register.
3. That Council adopt a decrease of 40% Waste Transfer Station fees effective from 1 January 2020 and authorise administration to:
 - (a) Notify the public who may use the facility; and
 - (b) Update the fees and charges register.
4. A further report be written for Council's consideration on implementing a separation of waste charge on Council's rate notices for 2020/2021.

AMENDMENT

Moved: Cr Max Bruins
Seconded: Cr Frank Morello

1. That Economic and Environment Committee Report No. AR19/48869 titled 'Review of Caroline Landfill Gate and Waste Transfer Station Fees' as presented on 04 November 2019 be noted.
2. That Council adopt recommended gate price for Caroline Landfill of \$190 effective from 1 January 2020 and authorise administration to:
 - (a) Notify all known regular users of the facility; and
 - (b) Update the fees and charges register.
3. That Council maintain the Waste Transfer Station fees at the current level until 30 June 2020 and consider the fees and category of fees as part of the 2020/21 Budget Process.
4. A further report be written for Council's consideration on implementing a separation of waste charge on Council's rate notices for 2020/2021.

The Amendment was put and
The original Motion was put and

LOST
CARRIED



RESOLUTION 2019/300

Moved: Cr Christian Greco

Seconded: Cr Kate Amoroso

1. That Economic and Environment Committee Report No. AR19/48869 titled 'Review of Caroline Landfill Gate and Waste Transfer Station Fees' as presented on 04 November 2019 be noted.
2. That Council adopt recommended gate price for Caroline Landfill of \$190 effective from 1 January 2020 and authorise administration to:
 - (a) Notify all known regular users of the facility; and
 - (b) Update the fees and charges register.
3. That Council adopt a decrease of 40% Waste Transfer Station fees effective from 1 January 2020 and authorise administration to:
 - (a) Notify the public who may use the facility; and
 - (b) Update the fees and charges register.
4. A further report be written for Council's consideration on implementing a separation of waste charge on Council's rate notices for 2020/2021.

CARRIED

Cr Bruins left the Chamber at 7.07 p.m.

Cr Bruins returned to the meeting at 7.10 p.m.

15.4 STREET TREE PROGRAM OVERVIEW – REPORT NO. AR19/48845

MOTION:

Moved: Cr Christian Greco

Seconded: Cr Kate Amoroso

1. That Economic and Environment Committee Report No. AR19/48845 titled 'Street Tree Program Overview' as presented on 04 November 2019 be noted.
2. That Council approve the annual planting of 150 advanced mature street trees instead of the current 300 standard sized street trees.
3. That Council allow the implementation of a rolling street tree planting program instead of the current street methodology to allow Council Officers the flexibility of meeting an annual gain of 150 mature sized street trees on an annual basis.
4. That Council update its Land Division Policy (L130) to include a standard condition that a street tree be planted adjacent to each vacant lot as part of that development and that the Policy be returned to Council for endorsement.

AMENDMENT

Moved: Cr Steven Perryman

Seconded: Cr Paul Jenner

1. That Economic and Environment Committee Report No. AR19/48845 titled 'Street Tree Program Overview' as presented on 04 November 2019 be noted.
2. That Council approve the annual planting of 250 advanced mature trees instead of the current 300 standard sized trees.
3. That Council allow the implementation of a rolling tree planting program instead of the



current street methodology to allow Council Officers the flexibility of meeting an annual gain of 250 mature sized trees on an annual basis.

4. That Council update its Land Division Policy (L130) to include a standard condition that a street tree be planted adjacent to each vacant lot as part of that development and that the Policy be returned to Council for endorsement. The tree policy T120 also be updated and returned to Council for endorsement.
5. The General Manager City Infrastructure provide to the Economic and Environment Committee on a 6 monthly basis a summary and location of the trees removed, lost from disease, storm or other reasons.
- 6 Officers continue to provide to Council on an annual basis a tree planting program.

The Amendment became the Motion and was put and

CARRIED

RESOLUTION 2019/301

Moved: Cr Steven Perryman

Seconded: Cr Paul Jenner

1. That Economic and Environment Committee Report No. AR19/48845 titled 'Street Tree Program Overview' as presented on 04 November 2019 be noted.
2. That Council approve the annual planting of 250 advanced mature trees instead of the current 300 standard sized trees.
3. That Council allow the implementation of a rolling tree planting program instead of the current street methodology to allow Council Officers the flexibility of meeting an annual gain of 250 mature sized trees on an annual basis.
4. That Council update its Land Division Policy (L130) to include a standard condition that a street tree be planted adjacent to each vacant lot as part of that development and that the Policy be returned to Council for endorsement. The tree policy T120 also be updated and returned to Council for endorsement.
5. The General Manager City Infrastructure provide to the Economic and Environment Committee on a 6 monthly basis a summary and location of the trees removed, lost from disease, storm or other reasons.
- 6 Officers continue to provide to Council on an annual basis a tree planting program.

CARRIED



**15.5 COUNCIL PRIORITISATION OF WORKS TO DPTI ROADS AND PLEC UPDATE –
REPORT NO. AR19/55582**

RESOLUTION 2019/302

Moved: Cr Paul Jenner

Seconded: Cr Christian Greco

1. That Economic and Environment Committee Report No. AR19/55582 titled 'Council Prioritisation of Works to DPTI Roads and PLEC Update' as presented on 04 November 2019 be noted.
2. That Council note the list of priorities for interventions on DPTI roads and agrees equal priority for them and that the Chief Executive Officer write to DPTI to this effect.
3. The General Manager City Infrastructure provide a report to the Economic & Environment Committee for review in the final quarter of each calendar year. This report is to include recommendations on additional locations to add to the priority works list, and recommendations for budget consideration for the following financial year.
4. Council endorse the projects contained in Operational Standing Committee Report AR19/10220 titled 'Future PLEC Schemes', (received by council in March 2019) with the amended order of priority as listed below, and the additional section on Wehl St (Margaret St to 74 Wehl St South):
 1. 2020/2021 - O'Halloran Tce, Bay Road, Wehl St, Margaret St - details to be confirmed in report from PLEC
 2. 2021/2022 - Wehl Street South [Wehl St (south of James St to Margaret St), Eleanor St (full length)]
 3. 2022/2023 - Bay Road – Heriot St [Bay Rd (south of Sturt St to Margaret St), Heriot St (Bay Rd to Ferrers St), Ferrers St (south of Sturt St to south of Heriot St)]
 4. 2023/2024 - Railway Tce – Elizabeth St [Railway Tce (Elizabeth St to Bay Rd), Elizabeth St (south of Helen St to Railway Tce)]
 5. 2024/2025 - Commercial St East [East of Crouch St to Mark St]
 6. 2025/2026 - Crouch St – Sturt St [Crouch St (south of Commercial St to Heriot St), Sturt St (Anthony St to Krummel St)]
 7. 2026/2027 - Percy St – Crouch St [Percy St (Hedley St to Crouch St), Crouch St (Percy St to John St)]

CARRIED

Item 15.6 is superseded by Item 22.8 and was not discussed.



**15.6 REMOVAL OF PARKING SPACES AND INSTALLATION OF NO STOPPING AREAS
ON FERRERS STREET AND COMPTON STREET – REPORT NO. AR19/56020**

RECOMMENDATION

1. That Economic and Environment Committee Report No. AR19/56020 titled 'Removal of parking spaces and installation of No Stopping areas on Ferrers Street and Compton Street' as presented on 04 November 2019 be noted.
2. The Traffic Impact Statement attached to the Economic and Environment Committee Report be endorsed by Council.
3. That the following parking restrictions become effective upon the installation of appropriate signage;
 - (a) The City of Mount Gambier, pursuant to Ministerial delegation resolves the following:

Prohibited area	NO STOPPING
1.1.505	
 - (b) FERRERS STREET (Western Side) – From 44 metres to 75 metres south of the intersection with Commercial Street East- to apply at all times.

Prohibited area	NO STOPPING
1.1.506	
 - (c) FERRERS STREET (Eastern Side) - From 71 metres to 82 metres south of the intersection with Commercial Street East-to apply at all times.

Prohibited area	NO STOPPING
1.1.507	
 - (d) COMPTON STREET (Western Side) - From 97metres to 152 metres south of the intersection with Commercial Street East-to apply at all times.

15.7 RED BULL WORLD CUP QUALIFIER EVENT – REPORT NO. AR19/57120

RESOLUTION 2019/303

Moved: Cr Christian Greco

Seconded: Cr Ben Hood

1. That Economic and Environment Committee Report No. AR19/57120 titled 'Red Bull World Cup Qualifier Event' as presented on 04 November 2019 be noted.
2. That Council support the Red Bull World Cup qualifier event to be hosted in Mount Gambier to the value of \$18,000 cash and up to the value of \$5,000 in kind.
3. That endorsed fund allocation be presented as a variation in the next budget review.
4. That an evaluation report be provided to Council.

CARRIED



16 PEOPLE AND PLACE COMMITTEE MINUTES AND RECOMMENDATIONS

Nil

17 REGIONAL SPORT AND RECREATION CENTRE COMMITTEE MINUTES AND RECOMMENDATIONS

17.1 MINUTES OF THE REGIONAL SPORT AND RECREATION CENTRE COMMITTEE HELD ON 12 NOVEMBER 2019

RESOLUTION 2019/304

Moved: Cr Ben Hood
Seconded: Cr Christian Greco

That the Minutes of the Regional Sport and Recreation Centre Committee meeting held on 12 November 2019 as attached be noted.

CARRIED

17.2 COMMUNITY AND RECREATION HUB TENANCIES - GIRL GUIDES RELOCATION – REPORT NO. AR19/54195

RESOLUTION 2019/305

Moved: Cr Ben Hood
Seconded: Cr Frank Morello

1. That Regional Sport and Recreation Centre Committee Report No. AR19/54195 titled 'Community and Recreation Hub Tenancies - Girl Guides Relocation' as presented on 12 November 2019 be noted.
2. That an amount of up to \$37,000 be allocated as a capital works variation in the 2019/2020 Budget to accommodate the Girl Guides in the former ParaQuad Clubrooms at Hastings Cunningham Reserve.
3. That the expenditure determined in resolution (2) be conditional upon the Girl Guides relocation to clubrooms at Hastings Cunningham Reserve, which occupancy may commence on the execution of an agreement to surrender the Girl Guides Hall on O'Halloran Terrace in January 2020.
4. That rental for the Girl Guides initial term in the Hastings Cunningham Reserve facility be waived in accordance with Council Policy R200 in light of the exceptional circumstances associated with the relocation for a period of 2 years from execution.
5. That the Girl Guides be granted salvage rights to any fixtures and fittings located within the O'Halloran Terrace Hall for re-use in the clubrooms at Hastings Cunningham Reserve.

CARRIED



18 COUNCIL ASSESSMENT PANEL MINUTES

RESOLUTION 2019/306

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

The Minutes of the Council Assessment Panel meeting held on 17 October 2019 be received and noted.

CARRIED

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

Nil

20 AUDIT COMMITTEE MINUTES AND RECOMMENDATIONS

Nil

21 BUILDING FIRE SAFETY COMMITTEE MINUTES

Nil

22 COUNCIL REPORTS

22.1 REVOCATION OF COMMUNITY LAND CLASSIFICATION INCLUDING A LAND TRANSFER AT LOT 204 WEHL STREET NORTH, MOUNT GAMBIER AND A LAND SWAP AT LOT 1107 WOODLANDS GROVE, MOUNT GAMBIER - MR VINCE VERSACE

RESOLUTION 2019/307

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

1. That Council Report No. AR19/58005 titled 'Revocation of community land classification including a land transfer at Lot 204 Wehl Street North, Mount Gambier and a land swap at Lot 1107 Woodlands Grove, Mount Gambier - Mr Vince Versace' as presented on 19 November 2019 be noted.
2. That, having considered the submission received in response to public consultation, Council proceed with submitting a proposal to the Minister seeking approval for the revocation and transfer of portion of Allotment 204 (Reserve) in Deposited Plan 93348.
3. That, having considered the submission received in response to public consultation, Council proceed with submitting a proposal to the Minister seeking approval for the revocation and transfer of portion of Allotment 1107 (Reserve) in Deposited Plan 82423.

CARRIED



Cr Amoroso left the Chamber at 7.35 p.m.

Cr Amoroso resumed the meeting at 7.38 p.m.

Pursuant to Section 74 of the Local Government Act 1999, Cr Jenner disclosed a material conflict of interest in Item 22.2:

"Member of C.A.P. (Mt. Gambier)".

In accordance with Section 74 of the Local Government Act 1999 Cr Jenner did not participate in the meeting for Item 22.2.

Cr Jenner left the meeting at 7.42 p.m.

22.2 COUNCIL ASSESSMENT PANEL REQUEST FOR ADVICE

RESOLUTION 2019/308

Moved: Cr Christian Greco

Seconded: Cr Frank Morello

1. That Council Report No. AR19/57346 titled 'Council Assessment Panel Request for Advice' as presented on 19 November 2019 be noted.
2. That the Chief Executive Officer also provide this advice to the Presiding Member of the Council Assessment Panel.

CARRIED

Cr Jenner returned to the meeting at 7.51 p.m.

Cr Perryman left the Chamber at 7.52 p.m.

Cr Perryman returned to the meeting at 7.54 p.m.

22.3 CITY OF MOUNT GAMBIER ANNUAL REPORT 2018/2019

RESOLUTION 2019/309

Moved: Cr Ben Hood

Seconded: Cr Frank Morello

1. That Council Report No. AR19/56776 titled 'City of Mount Gambier Annual Report 2018/2019' as presented on 19 November 2019 be noted.
2. That the City of Mount Gambier 2018/2019 Annual Report as tabled be adopted.
3. That the Chief Executive Officer be authorised to make any non-material changes as considered necessary prior to publication.
4. That copies of the 2018/2019 Annual Report be made available to those bodies and persons referred to in Section 131 of the Local Government Act 1999.

CARRIED

Cr Greco left the Chamber at 7.57 p.m.

Cr Greco returned to the meeting at 8.00 p.m.



22.4 BUDGET REVIEW QUARTER 1 FY2019-20

RESOLUTION 2019/310

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

1. That Council Report No. AR19/57176 titled 'Budget Review Quarter 1 FY2019-20' as presented on 19 November 2019 be noted.
2. That the Quarter 1 Budget Review revisions be adopted for the FY2019-20 financial year reflecting:
 - a (\$48,000) forecast operating deficit, representing a \$194,000 improvement from the original budget operating deficit of (\$367,000) including the \$125,000 operating carry over;
 - a (\$157,000) forecast net surplus, representing no change from the original budget net surplus;
 - a \$12,700,000 forecast capital expenditure, representing a \$5,000 change from the original budget capital expenditure of \$12,695,000;

with all the above original budget amounts including taking into account a \$125,000 operating carry over and a \$2,201,000 capital carry over per the Economic and Environment Committee 2 September 2019 resolution Work in Progress budget carry overs from 2018/19 – Report No. AR19/41788.

CARRIED

22.5 CORRECTION OF TRAVEL AND TRAINING EXPENSES

RESOLUTION 2019/311

Moved: Cr Christian Greco

Seconded: Cr Steven Perryman

1. That Council Report No. AR19/60411 titled 'Correction of Travel and Training Expenses' as presented on 19 November 2019 be noted.
2. That Council agree to pay Cr Jenner's air fare to attend the LGA Conference and AGM.

CARRIED

Pursuant to Section 74 of the Local Government Act 1999, Cr Jenner disclosed a material conflict of interest in Item 22.6:

"C.A.P. Member for Mount Gambier".

In accordance with Section 74 of the Local Government Act 1999 Cr Jenner did not participate in the meeting for Item 22.6.

Cr Jenner left the meeting at 8.07 p.m.



22.6 RESPONSE TO COUNCIL ASSESSMENT PANEL RESOLUTION RELATING TO THE TEMPORARY SITING OF A SHIPPING CONTAINER AND ADVERTISEMENT ADJACENT TO FREW PARK

MOTION:

Moved: Cr Steven Perryman

Seconded: Cr Christian Greco

1. That Council rejects the Report and conclusion in the report AR19/56380.
2. Council expresses its disappointment that the item was not recommended to be dealt with in confidence given that some Council staff may be identified given the small number of staff in the planning department.
3. Council is of the view that the CEO's Report was unnecessary given the referral was made directly to Council from the Council Assessment Panel.

TIED VOTE

Cr Perryman called for a division

In Favour: Crs Kate Amoroso, Christian Greco, Ben Hood and Steven Perryman

Against: Crs Max Bruins and Frank Morello

CARRIED 4/2

RESOLUTION 2019/312

Moved: Cr Steven Perryman

Seconded: Cr Christian Greco

1. That Council rejects the report and conclusion in the report AR19/56380.
2. Council expresses its disappointment that the item was not recommended to be dealt with in confidence given that some Council staff may be identified given the small number of staff in the planning department.
3. Council is of the view that the CEO's Report was unnecessary given the referral was made directly to Council from the Council Assessment Panel.

CARRIED

Cr Jenner resumed the meeting at 8.23 p.m.



22.7 REQUEST FOR FUNDING FROM THE ROYAL FLYING DOCTOR SERVICE

MOTION:

Moved: Cr Steven Perryman
Seconded: Cr Paul Jenner

1. That Council Report No. AR19/61211 titled 'Request for Funding from the Royal Flying Doctor Service' as presented on 19 November 2019 be noted.
2. That Council contribute \$10,000 to be used exclusively towards the RFDS Hangar Conversion at Mount Gambier Airport.
3. Council seek for its contribution to be acknowledged with appropriate signage at the site (at Council's cost)

AMENDMENT

Moved: Cr Kate Amoroso
Seconded: Cr Christian Greco

1. That Council Report No. AR19/61211 titled 'Request for Funding from the Royal Flying Doctor Service' as presented on 19 November 2019 be noted.
2. That Council contribute \$15,000 to be used exclusively towards the RFDS Hangar Conversion at Mount Gambier Airport.
3. Council seek for its contribution to be acknowledged with appropriate signage at the site (at Council's cost).

the Amendment became the Motion and as the Motion was put and

CARRIED

RESOLUTION 2019/313

Moved: Cr Kate Amoroso
Seconded: Cr Christian Greco

1. That Council Report No. AR19/61211 titled 'Request for Funding from the Royal Flying Doctor Service' as presented on 19 November 2019 be noted.
2. That Council contribute \$15,000 to be used exclusively towards the RFDS Hangar Conversion at Mount Gambier Airport.
3. Council seek for its contribution to be acknowledged with appropriate signage at the site (at Council's cost).

CARRIED

REPORT RECOMMENDATION

Moved: Cr Christian Greco
Seconded: Cr Ben Hood

1. That Council Report No. AR19/61664 titled 'Removal of Parking Spaces and Installation of No Stopping Areas on Ferrers Street and Compton Street' as presented on 19 November 2019 be noted.
2. The Traffic Impact Statement attached to the Council Report be endorsed by Council.
3. That the following parking restrictions become effective upon the installation of appropriate



signage and supersede previous recommendations:

- (a) The City of Mount Gambier, pursuant to Ministerial delegation resolves the following:
Prohibited area NO STOPPING
1.1.505
- (b) FERRERS STREET (Western Side) – From 44 metres to 75 metres south of the intersection with Commercial Street East- to apply at all times.
Prohibited area NO STOPPING
1.1.506
- (c) FERRERS STREET (Eastern Side) - From 71 metres to 82 metres south of the intersection with Commercial Street East-to apply at all times.
Prohibited area NO STOPPING
1.1.507
- (d) COMPTON STREET (Western Side) - From 48 metres to 70 metres south of the intersection with Commercial Street East-to apply at all times.
Prohibited area NO STOPPING
1.1.508
- (e) COMPTON STREET (Eastern Side) - From 42 metres to 56 metres south of the intersection with Commercial Street East-to apply at all times.
Prohibited area NO STOPPING

AMENDMENT

Moved: Cr Steven Perryman
Seconded: Cr Paul Jenner

1. That Council Report No. AR19/61664 titled 'Removal of Parking Spaces and Installation of No Stopping Areas on Ferrers Street and Compton Street' as presented on 19 November 2019 be noted.
2. The Traffic Impact Statement attached to the Council Report be endorsed by Council.
3. That the following parking restrictions become effective upon the installation of appropriate signage and supersede previous recommendations:
 - (a) The City of Mount Gambier, pursuant to Ministerial delegation resolves the following:
Prohibited area NO STANDING
1.1.505 from 9.00 pm to 8.00 am
 - (b) FERRERS STREET (Western Side) – From 44 metres to 75 metres south of the intersection with Commercial Street East- to apply at all times.
Prohibited area NO STANDING
1.1.506 from 9.00 pm to 8.00 am
 - (c) FERRERS STREET (Eastern Side) - From 71 metres to 82 metres south of the intersection with Commercial Street East-to apply at all times.
Prohibited area NO STOPPING
1.1.507



- (d) COMPTON STREET (Western Side) - From 48 metres to 70 metres south of the intersection with Commercial Street East-to apply at all times.

Prohibited area

NO STOPPING

1.1.508

- (e) COMPTON STREET (Eastern Side) - From 42 metres to 56 metres south of the intersection with Commercial Street East-to apply at all times.

Prohibited area

NO STANDING

from 9.00 pm to 8.00 am

4. The CEO be instructed to write to Aldi and Coles advising them of this resolution, and that the resolution comes into effect on the 1st December, 2019.

The Amendment became the Motion and as the Motion was put and

CARRIED

RESOLUTION 2019/314

Moved: Cr Steven Perryman

Seconded: Cr Paul Jenner

1. That Council Report No. AR19/61664 titled 'Removal of Parking Spaces and Installation of No Stopping Areas on Ferrers Street and Compton Street' as presented on 19 November 2019 be noted.
2. The Traffic Impact Statement attached to the Council Report be endorsed by Council.
3. That the following parking restrictions become effective upon the installation of appropriate signage and supersede previous recommendations:
 - (a) The City of Mount Gambier, pursuant to Ministerial delegation resolves the following:

Prohibited area NO STANDING

1.1.505 from 9.00 pm to 8.00 am
 - (b) FERRERS STREET (Western Side) – From 44 metres to 75 metres south of the intersection with Commercial Street East- to apply at all times.

Prohibited area NO STANDING

1.1.506 from 9.00 pm to 8.00 am
 - (c) FERRERS STREET (Eastern Side) - From 71 metres to 82 metres south of the intersection with Commercial Street East-to apply at all times.

Prohibited area NO STOPPING

1.1.507
 - (d) COMPTON STREET (Western Side) - From 48 metres to 70 metres south of the intersection with Commercial Street East-to apply at all times.

Prohibited area NO STOPPING

1.1.508
 - (e) COMPTON STREET (Eastern Side) - From 42 metres to 56 metres south of the intersection with Commercial Street East-to apply at all times.

Prohibited area NO STANDING

from 9.00 pm to 8.00 am



4. The CEO be instructed to write to Aldi and Coles advising them of this resolution, and that the resolution comes into effect on the 1st December, 2019.

CARRIED

Cr Morello left the Chamber at 9.21 p.m.
Cr Morello returned to the meeting at 9.25 p.m.

Cr Greco left the Chamber at 9.22 p.m.
Cr Greco returned to the meeting 9.24 p.m.



23 MOTIONS WITH NOTICE

23.1 NOTICE OF MOTION - MFS EQUIPMENT

MOTION

Moved: Cr Steven Perryman

Seconded: Cr Paul Jenner

1. That Council Report No. AR19/58877 titled 'Notice of Motion - MFS Equipment' as presented on 19 November 2019 be noted.
2. That Council:
 - (a) Work with the Member for Mount Gambier, Troy Bell MP, to arrange meeting with the Minister and senior Emergency Services staff to secure new MFS appliances and related equipment with improved capacities and capabilities (including a pod truck and a 3000 litre urban interface pumper/rescue appliance or similar), which will improve the flexibility and range of services for the City of Mount Gambier; and
 - (b) Instruct the Chief Executive Officer arrange a delegation consisting of the CEO, the Mayor and Cr Jenner and request an urgent meeting with the Minister and Member for Mount Gambier, as a matter of urgency.
 - (c) All costs for travel to Adelaide for the meeting be met by council.

AMENDMENT

Moved: Mayor Lynette Martin

1. That Council Report No. AR19/58877 titled 'Notice of Motion - MFS Equipment' as presented on 19 November 2019 be noted.
2. That Council:
 - (a) Work with the Member for Mount Gambier, Troy Bell MP, to arrange meeting with the Minister and senior Emergency Services staff to secure new MFS appliances and related equipment with improved capacities and capabilities (including a pod truck and a 3000 litre urban interface pumper/rescue appliance or similar), which will improve the flexibility and range of services for the City of Mount Gambier; and
 - (b) Instruct the Chief Executive Officer arrange a delegation consisting of the CEO, the Mayor and Cr Jenner and request an meeting with the Minister and Member for Mount Gambier.
 - (c) That Council request Minister Wingard come to Mount Gambier to discuss the matter with Council and review the MFS Station and its equipment .

Amendment lapsed for want of a seconder

the original motion was put and

CARRIED

RESOLUTION 2019/315

Moved: Cr Paul Jenner

Seconded: Cr Steven Perryman

1. That Council Report No. AR19/58877 titled 'Notice of Motion - MFS Equipment' as presented on 19 November 2019 be noted.



2. That Council:

- (a) Work with the Member for Mount Gambier, Troy Bell MP, to arrange meeting with the Minister and senior Emergency Services staff to secure new MFS appliances and related equipment with improved capacities and capabilities (including a pod truck and a 3000 litre urban interface pumper/rescue appliance or similar), which will improve the flexibility and range of services for the City of Mount Gambier; and
- (b) Instruct the Chief Executive Officer arrange a delegation consisting of the CEO, the Mayor and Cr Jenner and request an urgent meeting with the Minister and Member for Mount Gambier, as a matter of urgency.
- (c) All costs for travel to Adelaide for the meeting be met by council.

CARRIED

Pursuant to Section 74 of the Local Government Act 1999, Cr Ben Hood disclosed a material conflict of interest in Item 23.2:

"Director – Stand Like Stone".

In accordance with Section 74 of the Local Government Act 1999 Cr Hood did not participate in the meeting for Item 23.2.

Cr Hood left the meeting at 9.31 p.m.

23.2 NOTICE OF MOTION - 9 PENOLA ROAD - STAND LIKE STONE

RESOLUTION 2019/316

Moved: Cr Max Bruins

Seconded: Cr Paul Jenner

- 1. That Council Report No. AR19/61504 titled 'Notice of Motion - 9 Penola Road - Stand Like Stone' as presented on 19 November 2019 be noted.
- 2. That the Chief Executive Officer be instructed to liaise with the Stand Like Stone Foundation to discuss if they are interested in occupying the building as per their "Expression of Interest" dated 13 January 2019 on the basis of a peppercorn lease for a period of five years with no right to renewal;
- 3. That the Chief Executive Officer write to the other six organisations who responded to the Expressions of Interest advising them of the offer to the Stand Like Stone Foundation;
- 4. That a lease to the Stand Like Stone Foundation include the following conditions:
 - a) Tenant to be fully responsible for the day to day operation and management of the building, including all building maintenance and upkeep;
 - b) Tenant responsibility for buildings and contents insurance and all outgoings, including any taxes, utilities or service costs incurred by Council;
 - c) The building management and use must accommodate other local community and / or Not For Profit organisations; and
 - d) Fees for other organisations to be nominal to cover administration for building management co-contribution towards taxes, utilities or service costs incurred.

CARRIED

Cr Amoroso left the meeting at 9.35 p.m.



Cr Hood returned to the meeting at 9.37 p.m.

Cr Amoroso returned to the meeting at 9.42 p.m.

23.3 NOTICE OF MOTION - SIGNAGE STRATEGY EXPENDITURE

RESOLUTION 2019/317

Moved: Cr Paul Jenner

Seconded: Cr Steven Perryman

1. That Council Report No. AR19/61625 titled 'Notice of Motion - Signage Strategy Expenditure' as presented on 19 November 2019 be noted.
2. That:
 - (a) Council endorses the spending of up to \$100,000 - immediately for the most urgent and immediate works.
 - (b) Council instructs the CEO that the \$300,000 - budgeted for the signage strategy in the 2019/2020 Budget is for actual works not consultancy.
 - (c) If further Consultants are needed, the CEO is to prepare a report is to come to Council detailing what further Consultancy works is recommended and the costs.

CARRIED

FORMAL MOTION

RESOLUTION 2019/318

Moved: Cr Steven Perryman

Seconded: Cr Paul Jenner

Cr Steven Perryman moved Item 23.4 be deferred to the end of the meeting.

CARRIED

24 URGENT MOTIONS WITHOUT NOTICE

24.1 ELECTED MEMBER TRAINING - MAYOR'S LEADERSHIP FORUM

RESOLUTION 2019/319

Moved: Mayor Lynette Martin

Seconded: Cr Christian Greco

Mayor Martin attend the Mayor's Leadership Forum on Wednesday, 4th of December at 4.00 p.m., with Council to cover the cost of attendance only which will be \$467.50.

CARRIED



Cr Amoroso left the Chamber at 9.59 p.m.

The Mayor sought the approval of at least two-thirds of the members present at the meeting to suspend meeting procedures:

Purpose of the Suspension: to discuss Item 25.1

Carried by more than two-thirds of the members present at the meeting.

Meeting Procedures were suspended at 10.01 p.m.

The Mayor determined that the period of suspension should be brought to an end;

Carried by more than two-thirds of the members present at the meeting.

The Period of Suspension came to an end and Meeting Procedures resumed at 10.02 p.m.

25 CONFIDENTIAL ITEMS OF COMMITTEES

25.1 CONFIDENTIAL ITEMS OF THE ECONOMIC AND ENVIRONMENT COMMITTEE HELD ON 4 NOVEMBER 2019

MOTION

MOTION

Moved: Cr Steven Perryman

Seconded: Cr Paul Jenner

That Item 25.2 be discussed in open session.

TIED VOTE

Mayor Martin exercised her right to a casting vote

LOST

Cr Amoroso returned the meeting at 10.07 p.m.

Cr Perryman made a personal statement – Cr Perryman was ambivalent as to whether this should be in confidence. Cr Perryman felt Cr Amoroso wanted to vote.

25.2 REVIEW OF COUNCIL KERBSIDE WASTE SERVICE – REPORT NO. AR19/48838

RESOLUTION 2019/320

Moved: Cr Steven Perryman

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 Mayor L Martin, Councillors S Meziniec, K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle, J Zwijnenburg, A Watson, T Tzioutziouklaris and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 25.2 AR19/48838 Review of Council kerbside waste service.

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

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 To ensure that information that would prejudice the ability of the Council to make a future commercial decision is not released prematurely.

CARRIED

The meeting broke for recess at 10.20 p.m.

The meeting resumed at 10.33 p.m.

RESOLUTION

Moved: Cr Steven Perryman
Seconded: Cr Frank Morello

1. That Economic and Environment Committee Report No. AR19/48838 titled 'Review of Council kerbside waste service' as presented on 04 November 2019 be noted.
2. A Designated Informal Gathering be held to discuss waste management issues in the first quarter of 2020.

CARRIED

RESOLUTION 2019/321

Moved: Cr Steven Perryman
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 costs contained in the report to Council having been considered by the Council in confidence under Section 90(2) & (3) (b) be kept confidential and not available for public inspection until 30 June 2021 except the resolution which can be released at the end



of the meeting.

2. Further that Council delegates the power to review, revoke, but not extension 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

25.3 CONDITION AND USE OF THE PROPERTY – REPORT NO. AR19/56339

RESOLUTION 2019/322

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 A Meddle, B Cernovskis, J Nagy, N Serle, J Zwijnenburg, A Watson, T Tzioutziouklaris and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 25.3 AR19/56339 Condition and use of the Property.

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

- 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
- legal advice
- 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 This matter may result in legal action before the Environment, Resources and Development Court.

CARRIED

RESOLUTION 2019/323

Moved: Cr Christian Greco

Seconded: Cr Ben Hood



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 7.2 AR19/56339 Condition and use of the Property 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) (g), (h) and (i) be kept confidential and not available for public inspection until At the satisfactory resolution of the matter.
2. Further that Council delegates the power to review, revoke, but not extension 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

25.4 APPEAL TO THE ENVIRONMENT RESOURCES AND DEVELOPMENT COURT - DEVELOPMENT APPLICATION 381/053/2019 116 JUBILEE HIGHWAY WEST, MOUNT GAMBIER – REPORT NO. AR19/56264

RESOLUTION 2019/324

Moved: Cr Christian Greco

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 Mezinac, K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle, J Zwijsenburg, A Watson, T Tzioutziouklaris and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 25.4 AR19/56264 Appeal to the Environment Resources and Development Court - Development Application 381/053/2019 116 Jubilee Highway West, Mount Gambier.

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

- 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 impending legal action.

CARRIED

RESOLUTION 2019/325

Moved: Cr Christian Greco

Seconded: Cr Kate Amoroso



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 7.3 AR19/56264 Appeal to the Environment Resources and Development Court - Development Application 381/053/2019 116 Jubilee Highway West, Mount Gambier 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) (i) be kept confidential and not available for public inspection until 20 October 2020.
2. Further that Council delegates the power to review, revoke, but not extension 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



25.5 CONFIDENTIAL ITEMS OF THE REGIONAL SPORT AND RECREATION CENTRE COMMITTEE HELD ON 12 NOVEMBER 2019

Cr Bruins left the Chamber at 11.13 p.m.
Cr Bruins returned to the Meeting at 11.16 p.m.

25.6 SCOPE AND SPECIFICATIONS FOR THE CONSTRUCTION OF THE COMMUNITY AND RECREATION HUB PROJECT. – REPORT NO. AR19/54112

RESOLUTION 2019/326

Moved: Cr Ben Hood
Seconded: Cr Frank Morello

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 A Meddle, B Cernovskis, J Nagy, N Serle, J Zwijsenburg, A Watson, T Tzioutziouklaris and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 25.6 AR19/54112 Scope and Specifications for the construction of the Community and Recreation Hub project.

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 This information provides the detail, which if released in advance, would adversely impact on the Council's ability manage the next stages in the tender process.

CARRIED



RESOLUTION 2019/327

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 7.1 AR19/54112 Scope and Specifications for the construction of the Community and Recreation Hub project. 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 2 December 2019.
2. Further that Council delegates the power to review, revoke, but not extension 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

25.7 SUMMARY OF COSTING VARIATIONS – REPORT NO. AR19/56846

RESOLUTION 2019/328

Moved: Cr Christian Greco
Seconded: Cr Kate Amoroso

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 Mezinac, K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle, J Zwijnenburg, A Watson, T Tzioutziouklaris and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 25.7 AR19/56846 Summary of Costing Variations.

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 Confidential Item relating to tender.

CARRIED



RESOLUTION 2019/329

Moved: Cr Ben Hood
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 7.2 AR19/56846 Summary of Costing Variations 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 31 December 2021.
2. Further that Council delegates the power to review, revoke, but not extension 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

25.8 OPERATING MODEL SCENARIOS – REPORT NO. AR19/60159

RESOLUTION 2019/330

Moved: Cr Christian Greco
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 Mayor L Martin, Councillors S Mezinac, K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle, J Zwijsenburg, A Watson, T Tzioutziouklaris and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 25.8 AR19/60159 Operating Model Scenarios.

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

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 Information has been supplied on a confidential basis by a third party.

CARRIED



RESOLUTION 2019/331

Moved: Cr Christian Greco
Seconded: Cr Kate Amoroso

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 7.3 AR19/60159 Operating Model Scenarios 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 31 December 2021.
2. Further that Council delegates the power to review, revoke, but not extension 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

**25.9 GOVERNANCE STRUCTURE AND FINANCIAL DELEGATIONS FOR THE
COMMUNITY AND RECREATION HUB PROJECT – REPORT NO. AR19/54107**

RESOLUTION 2019/332

Moved: Cr Christian Greco
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 A Meddle, B Cernovskis, J Nagy, N Serle, J Zwijnenburg, A Watson, T Tzioutziouklaris and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 25.9 AR19/54107 Governance Structure and Financial Delegations for the Community and Recreation Hub Project.

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

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 To ensure that the commercial position of the Council is not disadvantaged by third parties understanding the scale of financial delegations



relating to this project.

CARRIED

RESOLUTION 2019/333

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 7.4 AR19/54107 Governance Structure and Financial Delegations for the Community and Recreation Hub Project 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 31 December 2021.
2. Further that Council delegates the power to review, revoke, but not extension 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

**25.10 UPDATE ON EXPRESSIONS OF INTEREST AND SELECT TENDER PROCESSES
FOR THE CONSTRUCTION OF THE COMMUNITY AND RECREATION HUB –
REPORT NO. AR19/54110**

RESOLUTION 2019/334

Moved: Cr Christian Greco

Seconded: Cr Kate Amoroso

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 Mezinac, K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle, J Zwijnenburg, A Watson, T Tzioutziouklaris and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 25.10 AR19/54110 Update on Expressions of Interest and Select Tender processes for the construction of the Community and Recreation Hub.

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 information provided relates to an



on-going two-stage procurement process, for which all who have participated to date are expected to continue their involvement.

CARRIED

RESOLUTION 2019/335

Moved: Cr Max Bruins
Seconded: Cr Kate Amoroso

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 7.5 AR19/54110 Update on Expressions of Interest and Select Tender processes for the construction of the 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) (k) be kept confidential and not available for public inspection until On the completion of the contract.
2. Further that Council delegates the power to review, revoke, but not extension 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

**25.11 UPDATE ON THE COMMUNITY AND RECREATION HUB DEVELOPMENT
APPLICATION – REPORT NO. AR19/56713**

RESOLUTION 2019/336

Moved: Cr Kate Amoroso
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 Mezinac, K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle, J Zwijnenburg, A Watson, T Tzioutziouklaris and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 25.11 AR19/56713 Update on the Community and Recreation Hub Development Application.

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 Confidential Item relating to tender.

CARRIED



RESOLUTION 2019/337

Moved: Cr Max Bruins
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 7.6 AR19/56713 Update on the Community and Recreation Hub Development Application 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 31 December 2021.
2. Further that Council delegates the power to review, revoke, but not extension 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

25.12 PUBLIC WORKS COMMITTEE REPORT - STATE GOVERNMENT FUNDING FOR THE COMMUNITY AND RECREATION HUB – REPORT NO. AR19/56700

RESOLUTION 2019/338

Moved: Cr Max Bruins
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 A Meddle, B Cernovskis, J Nagy, N Serle, J Zwijnenburg, A Watson, T Tzioutziouklaris and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 25.12 AR19/56700 Public Works Committee Report - State Government Funding for the Community and Recreation Hub.

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 Information relating to confidential information.

CARRIED



RESOLUTION 2019/339

Moved: Cr Max Bruins
Seconded: Cr Kate Amoroso

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 7.7 AR19/56700 Public Works Committee Report - State Government Funding for the 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) (k) be kept confidential and not available for public inspection until 6 November 2020.
2. Further that Council delegates the power to review, revoke, but not extension 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

Cr Hood left the meeting at 11.51 p.m. and did not return.

26 NEW CONFIDENTIAL ITEMS

Pursuant to Section 74 of the Local Government Act 1999, Cr Bruins disclosed a material conflict of interest in Item 26.1:

"I am a Board Member of the QEPT".

In accordance with Section 74 of the Local Government Act 1999 Cr Bruins did not participate in the meeting for Item 26.1.

Cr Bruins left the meeting at 11.51 p.m.

26.1 BLUE LAKE HOLIDAY PARK - PROPERTY MATTERS – REPORT NO. AR19/54537

RESOLUTION 2019/340

Moved: Cr Steven Perryman
Seconded: Cr Kate Amoroso

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 A Meddle, B Cernovskis, J Nagy, N Serle, J Zwijnenburg, A Watson, T Tzioutziouklaris and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 26.1 AR19/54537 Blue Lake Holiday Park - Property Matters.

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
- 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 a proposal presented by a commercial tenant and discussion on including on potential commercial terms, the disclosure of which could give a commercial advantage to a 3rd party, prejudice the Council's position and reveal commercial in-confidence information regarding the tenants business activities.

CARRIED

Pursuant to Section 74 of the Local Government Act 1999, Mayor Lynette Martin disclosed a material conflict of interest in Item 26.1:

"I have a family member on the board of the QEPT".

In accordance with Section 74 of the Local Government Act 1999 Cr Mayor Martin did not participate in the meeting for Item 26.1.

Mayor Martin left the meeting at 11.53 p.m.

MOTION

RESOLUTION 2019/341

Moved: Cr Steven Perryman

Seconded: Cr Kate Amoroso

That Cr Frank Morello be appointed Chair in Mayor Martin's absence.

CARRIED

RESOLUTION 2019/342

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 26.1 AR19/54537 Blue Lake Holiday Park - Property Matters 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 have elapsed, or 12 months after an agreement has been entered into with the proponent, whichever is the later.



2. Further that Council delegates the power to review, revoke, but not extension 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

Cr Bruins resumed the meeting at 11.55 p.m.

Mayor Martin resumed the meeting and took the chair at 11.55 p.m.

26.2 BLUE LAKE GOLF COURSE - KPI REPORT SEPTEMBER QUARTER 2019 – REPORT NO. AR19/50348

RESOLUTION 2019/343

Moved: Cr Christian Greco

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 Mayor L Martin, Councillors S Mezinac, K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle, J Zwijnenburg, A Watson, T Tzioutziouklaris and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 26.2 AR19/50348 Blue Lake Golf Course - KPI Report September Quarter 2019.

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 information provided for consideration has been stated as containing commercial information on the operations of the Blue Lake Golf Course the disclosure of which could prejudice the commercial position of the Golf Club and/or confer a commercial advantage on other third party competitors.

The success of the Blue Lake Golf Club public golf club operations being in the interests of the City and community of Mount Gambier it is considered that, on balance, the potential implications associated with disclosing this information would be contrary to the public interest.

CARRIED



RESOLUTION 2019/344

Moved: Cr Max Bruins
Seconded: Cr Kate Amoroso

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 AR19/50348 Blue Lake Golf Course - KPI Report September Quarter 2019 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 12 months have elapsed or the Blue Lake Golf Clubs lease and operations of the Blue Lake Golf Course have ceased, whichever is the earlier.
2. Further that Council delegates the power to review, revoke, but not extension 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

Pursuant to Section 74 of the Local Government Act 1999, Cr Morello disclosed a material conflict of interest in Item 26.3:

"The proponent referred to in the report is a relative".

In accordance with Section 74 of the Local Government Act 1999 Cr Morello did not participate in the meeting for Item 26.3.

Cr Morello left the meeting at 11.58 p.m.



26.3 BOOKMARK CAFE - EXPRESSIONS OF INTEREST AND REQUEST – REPORT NO. AR19/58946

RESOLUTION 2019/345

Moved: Cr Kate Amoroso

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 A Meddle, B Cernovskis, J Nagy, N Serle, J Zwiijnenburg, A Watson, T Tzioutziouklaris and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 26.3 AR19/58946 Bookmark Cafe - Expressions of Interest and Request.

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
- 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 relates to the consideration of business operations and negotiations for the operation of the Library Cafe including a potential business model that has been presented confidentially to Council as well as a financial request from the current operator, all of which if considered in open could prejudice the position of Council and could benefit and/or detrimental to 3rd parties with whom Council is proposing to do business and potential market competitors.

CARRIED

RESOLUTION 2019/346

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 26.3 AR19/58946 Bookmark Cafe - Expressions of Interest and Request 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 Council has entered into a formal arrangements with regard to the subject matter and the Chief Executive has determined to publicly release details of such arrangements in anticipation of a proposed commencement date. All other details to be retained in-confidence until a period of 12 months has elapsed from the date of this report or any subsequent agreements arising from the subject matter, whichever is the later.

2. Further that Council delegates the power to review, revoke, but not extension 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

Cr Morello returned to the Chamber at 12.07 a.m.

23.4 NOTICE OF MOTION - CEO PERFORMANCE REVIEW COMMITTEE

MOTION

Moved: Cr Steven Perryman

Seconded: Cr Paul Jenner

1. That Council Report No. AR19/61631 titled 'Notice of Motion - CEO Performance Review Committee' as presented on 19 November 2019 be noted.
2. That a Special Meeting of Council be held 6:30pm Thursday 21st November 2019.

23.4 CONSIDERATION FOR EXCLUSION OF PUBLIC

RESOLUTION 2019/347

Moved: Cr Steven Perryman

Seconded: Cr Christian Greco

Cr Steven Perryman moved

The following Agenda Item be received, discussed and considered in confidence by excluding the public pursuant to Section 90(2) of the Local Government Act 1999, and an order be made that the public (with the exception of Mayor L Martin, Councillors – F Morello, S Perryman, P Jenner, C Greco, M Bruins and F Morello) be excluded from the meeting in order for the Agenda Item Notice of Motion – CEO Performance Review Committee.

The Council is satisfied that, pursuant to Section 90(2) & (3) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this agenda item is:

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).

The tenders being considered contain pricing information and other competitive service information, the release of which would prejudice the position of the provider(s) and Council in negotiation and use of the services.



Item No.	Subject Matter	S90(3) Grounds
23.4	Notice of Motion – CEO Performance Review Committee	(a)

CARRIED

All Staff left the meeting at 12.16 a.m.

23.4 MOTION TO GO BACK INTO OPEN SESSION

RESOLUTION 2019/348

Moved: Cr Steven Perryman

Seconded: Cr Kate Amoroso

Cr Steven Perryman moved that Council go back into open session.

CARRIED

27 MEETING CLOSE

The Meeting closed at 12.31 a.m.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 17 December 2019.

.....
PRESIDING MEMBER

