

**MINUTES OF CITY OF MOUNT GAMBIER COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON TUESDAY, 20 JUNE 2023 AT 6.00 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Frank Morello, Cr Josh Lynagh, Cr Kate Amoroso, Cr Mark Lovett, Cr Max Bruins, Cr Paul Jenner, Cr Sonya Meziniec, Cr Jason Virgo

OFFICERS IN ATTENDANCE:

Chief Executive Officer	- Mrs S Philpott
General Manager City Infrastructure	- Ms B Cernovskis
General Manager Corporate and Regulatory Services	- Mrs J Fetherstonhaugh
General Manager City and Community Growth	- Mrs S La Grace
Manager Governance and Property	- Mr M McCarthy
Manager Financial Services	- Mrs J Scoggins
Media and Communications Coordinator	- Ms S McLean
Communications Officer	- Ms M Brookes
Executive Administrator	- Mrs S Dohnt

23.3 NOTICE OF MOTION - STRATEGIC PROPERTY MANAGEMENT – REPORT NO. AR23/32078

RESOLUTION 2023/112

Moved: Cr Max Bruins

Seconded: Cr Sonya Meziniec

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except the Mayor, Councillors and S Philpott, B Cernovskis, J Fetherstonhaugh, S La Greca, M McCarthy, J Scoggins, S McLean, M Brookes and S Dohnt be excluded from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 23.3 AR23/32078 Notice of Motion - Strategic Property Management.

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 includes property valuation information that could benefit a 3rd party with whom Council may seek to conduct business and prejudice the Council's commercial position. the public interest in the matter being considered in a place open to the public is outweighed in the circumstances where disclosure would be likely to affect the Council's ability to get best value for the community.

CARRIED

Cr Mark Lovett left the meeting at 9:13 pm

Cr Mark Lovett returned to the meeting at 9:14 pm

RESOLUTION 2023/113

Moved: Cr Max Bruins

Seconded: Cr Paul Jenner

1. That Council Report No. AR23/32078 titled 'Notice of Motion - Strategic Property Management' as presented on 20 June 2023 be noted.



2. In accordance with Clause 8 of Council's Procurement and Disposal of Land and Assets Policy P420, an independent valuation be obtained to establish a reserve price (auction) or appropriate market value (open market sale) for the following properties:
 - 1 Lawrence Street, Mount Gambier
 - 3 Lawrence Street, Mount Gambier
 3. Council note that on 29 July 2021 a public road declaration was gazetted for a portion of Lawrence Street which previously would have been an inhibiting factor in the sale of these properties and there are no community land implications that prevent the properties listed in (2) above from being sold.
 4. Should the independent valuation for 1 Lawrence Street be equal to or in excess of the most recent valuation and the valuation for 3 Lawrence Street be equal to or in excess of the most recent valuation that the Chief Executive Officer be authorised to enter into a sales process to dispose of these 2 properties, ensuring the reserve sum is equal to the valuation at a minimum.
 5. Should the sale of the properties proceed, all proceeds received from the sale of 1 Lawrence Street & 3 Lawrence Street be utilised for asset renewal and maintenance work on other council owned built infrastructure.
- CARRIED**

Cr Lovett called a division.

The declaration was set aside.

Voting by division being:

In Favour: Crs Frank Morello, Josh Lynagh, Max Bruins, Paul Jenner and Sonya Mezinec

Against: Crs Kate Amoroso, Mark Lovett and Jason Virgo

The PRESIDING MEMBER declared the motion

CARRIED 5/3

RESOLUTION 2023/114

Moved: Cr Max Bruins
Seconded: Cr Mark Lovett

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 23.3 AR23/32078 Notice of Motion - Strategic Property Management and its attachments, 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 contracts have been executed and settled for all of the subject matter contained in the report and resolutions, with the resolutions/minutes only to be released immediately following consideration by Council.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CARRIED

