

**MINUTES OF COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON TUESDAY, 17 NOVEMBER 2020 AT 6.00 P.M.**

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

OFFICERS IN ATTENDANCE:

Acting Chief Executive Officer	- Ms B Cernovskis
General Manager City Infrastructure	- Mr N Serle
Media and Communications Coordinator	- Ms S McLean
Manager Governance and Property	- Mr M McCarthy
Manager Finance and Customer Service	- Mr J Zwijnenburg
Executive Administration Officer	- Mrs F McGregor

RESOLUTION 2020/383

Moved: Cr Steven Perryman

Seconded: Cr Sonya Mezinec

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 Mezinec, K Amoroso, B Hood, P Jenner, F Morello and S Perryman and Council Officers B Cernovskis, N Serle, M McCarthy, S McLean, J Zwijnenburg and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.4 AR20/73063 Mount Gambier Community and Recreation Hub Project Budget.

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

- information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is
 - conducting business; or
 - proposing to conduct business; or
 - to prejudice the commercial position of the Council

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

- commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected:
 - to prejudice the commercial position of the person who supplied the information, or
 - to confer a commercial advantage on a third party

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because specifically, the present matter

relates to the discussion of information contained in a contract with Badge for the construction of the Mount Gambier Community and Recreation Hub, this disclosure of which could confer advantage on a 3rd party and prejudice the position of Council.

CARRIED

RESOLUTION 2020/384

Moved: Cr Ben Hood

Seconded: Cr Steven Perryman

1. That Regional Sport and Recreation Centre Committee Report No. AR20/73063 titled 'Mount Gambier Community and Recreation Hub Project Budget ' as presented on 10 November 2020 be noted.
2. That Council confirm the Final Construction & DLP Phase Only Project Budget for the Mount Gambier Community and Recreation Hub project at \$65,284,377.42 as clarified in this report.

CARRIED

RESOLUTION 2020/385

Moved: Cr Ben Hood

Seconded: Cr Steven Perryman

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 27.4 AR20/73063 Mount Gambier Community and Recreation Hub Project Budget and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b), (d) be kept confidential and not available for public inspection and that the item be reviewed 12 months after successful execution of the contract.
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