

**MINUTES OF CITY OF MOUNT GAMBIER SPECIAL COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON TUESDAY, 23 AUGUST 2022 AT 5.30 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

OFFICERS IN ATTENDANCE:

Chief Executive Officer	- Mrs S Philpott
General Manager City Infrastructure	- Ms B Cernovskis
General Manager Corporate and Regulatory Services	- Mr D Barber
General Manager City and Community Growth	- Mr T Coote
Manager Financial Services	- Mrs J Scoggins
Media and Communications Coordinator	- Mr J McDonald
Communications Officer	- Miss M Brookes
Executive Administrator	- Mrs A Pasquazzi

RESOLUTION 2022/142

Moved: Cr Frank Morello

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 the Mayor, Councillors, Consultant C Foreman and Council Officers S Philpott, B Cernovskis, D Barber, T Coote, J Scoggins, J McDonald, M Brookes and A Pasquazzi be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 4.2 AR22/56817 Wulanda Recreation and Convention Centre - Contractual and Financial 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 received for consideration with this item relates to commercial contracts between Council and contractors for the construction and operation of the Wulanda Recreation and Convention Centre. The disclosure of information in association with this item could reasonably be expected to prejudice the commercial position of Council and third parties and is considered on balance to be contrary to the public interest as it could reasonably be expected to prejudice the Council's position in obtaining best value project delivery on behalf of the community.

CARRIED

Cr Ben Hood returned to the meeting at 6:12 pm

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 4.2 - Wulanda Recreation and Convention Centre - Contractual and Financial Matters.

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

Meeting Procedures were suspended at 6:13 pm.

Cr Ben Hood left the meeting at 6:22 pm

Cr Ben Hood returned to the meeting at 6:22 pm

Cr Max Bruins left the meeting at 6:43 pm

Cr Max Bruins returned to the meeting at 6:44 pm

Cr Christian Greco left the meeting at 6:54 pm

Cr Christian Greco returned to the meeting at 6:55 pm

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 7:00 pm



RESOLUTION 2022/143

Moved: Cr Ben Hood
Seconded: Cr Max Bruins

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6. That Council gives approval to the CEO to arrange a CAD facility of up to \$1.5M for the purposes of construction of Wulanda and the management of cash flow, subject to the approval of the LGFA Board on both quantum and financial ratios, if borrowings are required.

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CARRIED

RESOLUTION 2022/144

Moved: Cr Sonya Meziniec
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 4.2 AR22/56817 Wulanda Recreation and Convention Centre - Contractual and Financial 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 further order of Council, or determination by the Chief Executive Officer to release, in part or full, with the contract price to be released upon execution of relevant documents.
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

