

**MINUTES OF CITY OF MOUNT GAMBIER
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON TUESDAY, 18 JUNE 2024 AT 6.02 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 Mezinec, 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
	Manager Governance and Property	- Mr M McCarthy
	Manager Financial Services	- Mrs J Scoggins
	Manager Economy, Strategy and Engagement	- Mrs B Shearing
	Strategic Development and Visitor Economy Coordinator	- Mrs A Stevens
	Media and Communications Coordinator	- Ms S McLean
	Manager Engineering, Design and Assets	- Mr A Mahmud
	Manager Operations Infrastructure	- Mr K Manarangi
	Manager Development Services	- Mrs T Tzioutziouklaris
	Para Planner	- Miss B Shaughnessy
	CEO and Mayoral Executive Support	- Mrs K Gilmore
	Councillor Support Officer	- Mrs M Telford
	Executive Administrator	- Ms S Wilson

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 FIRST NATIONS PEOPLES HAVE WITH THE LAND.

2 APOLOGIES

Nil

3 LEAVE OF ABSENCE

Nil

4 CONFIRMATION OF COUNCIL MINUTES

RESOLUTION 2024/104

Moved: Cr Josh Lynagh

Seconded: Cr Max Bruins

That the minutes of the Ordinary Council meeting held on 21 May 2024 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED



5 MAYORAL REPORT

5.1 MAYORAL REPORT - JUNE 2024

- Memorial Service for Kelvin Smibert
- LCLGA Mayors Catch-up (virtual)
- Overnight stay at Government House including afternoon tea and breakfast with Her Excellency Frances Adamson AC, the Governor of South Australia and Mr Rod Bunten
- LGA Ordinary General Meeting – Adelaide Town Hall
- Mount Gambier 2035 Budget discussions
- Mount Gambier 2035 final Community Panel Session
- Installation of Feast of Vesak Lanterns with Srilankan community
- Radio Interview with Llew Jones – 5GTR FM
- LCLGA Workshops – Destination Development Review and Budget Review
- South Australian Business Chamber dinner at The Barn
- Introductory meeting with Jonathan Navalta, elected member visiting from the Philippines
- Limestone Coast Regional Sporting Academy – Uniform Presentations
- Elected Member Briefing – Presentation from Mount Gambier 2035 Community Panel
- Meeting with Minister Champion (by phone)
- Catch-up with Adrian Maywald, LCLGA Executive Officer
- Catch up with Mayor Jeff Pope, Mayor of Kingston District Council
- Catch up with tourism staff
- Special LCLGA Board Meeting
- Meeting with David Walker (Flipout / Kaboom Entertainment) and General Manager Corporate and Regulatory Services
- Meeting with LCLGA Executive Officer, Adrian Maywald
- Audit and Risk Committee Meeting
- Meeting with Mount Gambier Residents and Ratepayers Association
- Meet with LCLGA Destination Development Manager, Kate Napper
- Elected Member Briefing – Strategic Planning Session – Workshop Draft Plan
- Meeting with Michael Kelledy (Kelledy Jones Lawyers) – on behalf of LCLGA
- Radiotherapy Working Group Meeting with new Limestone Coast Local Health Network CEO
- LCLGA Mayors Catch-up (virtual)
- Drop In Sessions x2 – Draft Annual Business Plan & Budget
- LCLGA Special Board Meeting
- Elected Member Briefing – Planet Youth – Presentation by Sophie Boucher (Substance Misuse Limestone Coast)
- Elected Member Briefing – Summer on Watson and CBD Activation Debrief



- Elected Member Briefing – Railway Lands Play Space
- Morning tea with residents of Hallmont Estate
- Audit and Risk Committee Meeting
- City of Mount Gambier Meeting with Minister Bettison
- LCLGA Meeting with Minister Bettison
- Exhibition Launch at the Riddoch Art Gallery – Clarice Beckett, Natalya Hughes and Beth Kay
- Attend Changeover Lunch Lions Club of Blue Lake Lioness
- CEO Performance Review Committee Meeting
- Special Council Meeting – Budget

RESOLUTION 2024/105

Moved: Mayor Lynette Martin

Seconded: Cr Sonya Meziniec

That the Mayoral report made on 18 June 2024 be received.

CARRIED

6 REPORTS FROM COUNCILLORS

- | | |
|-------------------|--|
| Cr Josh Lynagh | Meeting with Cr Jonathan Navalta from Umingan, Philippines, along with Mayor Lynette Martin and Shaun Mulick. |
| Cr Paul Jenner | Riddoch Art Gallery Exhibition Launch - Clarice Beckett, Natalya Hughes and Beth Kay, LGA Freight Forum - Transport Strategy and SA High Productivity Vehicle forum with Department of Infrastructure and Transport. |
| Cr Sonya Meziniec | Community Panel, Exhibition Opening - Clarice Beckett, Natalya Hughes and Beth Kay - Riddoch Art Gallery. |
| Cr Frank Morello | Beacon Arts Selection Panel, Community Panel meeting. |

RESOLUTION 2024/106

Moved: Cr Frank Morello

Seconded: Cr Sonya Meziniec

That the reports made by Councillors on 18 June 2024 be received.

CARRIED



7 QUESTIONS WITH NOTICE

7.1 QUESTION WITH NOTICE - UMPHERSTON SINKHOLE/BALAMBUL - MASTER PLAN

The following question on notice was received from Councillor Josh Lynagh.

Question

While acknowledging there is still work to be done with Umpherston Sinkhole/Balambul through the master plan, has Council historically or in recent years given consideration to the other Sinkhole just 120m south east of Umpherston/Balambul on private land?

Response

Historically, approximately 25 years ago an approach was made with the previous owners of the site however due to operational requirements access was not possible. There has been no further consideration given to seeking access in recent times.

7.2 QUESTION WITH NOTICE - 2025/2026 LONG TERM FINANCIAL PLAN - TOP WASTE PRIORITIES

The following question on notice was received from Councillor Paul Jenner.

Question

What are the top seven things that are being considered in the 2025/2026 Long Term Financial Plan for the further approximation of the 20% increase in the City of Mount Gambier waste management charge?

Response

In October 2023 Council endorsed a 2023-2030 Waste and Resource Recovery Strategy.

This strategy identifies 3 key objectives:

- Objective 1: Increase landfill diversion
 - Divert 65% of kerbside materials from landfill by 2030.
 - Minimum of 60% of residences utilise the FOGO service.
 - Sorting of commercial loads prior to arrival at the landfill.
- Objective 2: Provide high quality waste and resource recovery services and infrastructure that support the local economy
 - Develop an infrastructure plan that will encourage efficient and effective resource recovery and waste management through its implementation.
 - Undertaking educational activities to reduce contamination in all three waste streams.
- Objective 3: Financially sustainable waste services
 - Costs do not exceed revenue from the landfill gate fee and waste service charge.

This strategy underpins the Waste and Resource Recovery Masterplan that is currently being developed that will reshape our current waste and resource recovery system and will include:

- Federal and State Government policy changes.
- Site management, service management and improvement strategies.
- Improved Cell design and management.



- Research and Development for:
 - Advanced Leachate Management (including PFAS).
 - LMS Energy - Landfill gas management (flaring and energy generation).
 - Hard waste collection/management.
- Fleet Management.
- Contaminated Waste reduction strategies.
- Community and contractor education.

7.3 QUESTION WITH NOTICE - AIRBNB'S AND LONG TERM RENTAL ACCOMMODATION

The following question on notice was received from Councillor Kate Amoroso.

Question

Given the apparent number of Airbnb's and other short-term rental approvals in our community, has there been a noticeable uptick in the number of approvals for these types of rentals over the past 24 months and if so how many? How is the Council monitoring and managing the impact of these rentals on our local housing market, including concerns like housing availability, affordability, and neighbourhood stability?

Response

The table below identifies the number of applications for short-term tourist accommodations and detached dwellings within the city of Mount Gambier for the last three financial years.

Financial year	No. of Tourist accommodation	No. of dwellings
23/24	4	84
22/23	3	104
21/22	4	70

As the table above shows council receives a limited number of applications for short-term tourist accommodation in comparison to the number of applications for new dwellings.

- Short-term tourist accommodation if operated on a commercial basis such as from an investment property, development approval is required.
- Short-term tourist accommodation if operated from a private residence such as when someone is away on holidays, development approval is not required.
- The policies within the Planning and Design Code envisage a range of developments within residential type zones with short-term tourist accommodation able to occur.
- Council officers do follow up on enquiries about properties being used for short-term tourist accommodation. This is included in the number of applications identified in the table.
- A lot of work is being undertaken in respect to housing as an issue within Australia by all levels of government and other organisations.
- It is anticipated that change will occur within the housing space over the next few years, of which Council will have a part to play from a number of perspectives.



8 QUESTIONS WITHOUT NOTICE

Nil resolved.

9 PETITIONS

Nil

10 DEPUTATIONS

Nil

11 NOTICE OF MOTION TO RESCIND OR AMEND

Nil

12 ELECTED MEMBERS INFORMATION BRIEFING SESSIONS

12.1 ELECTED MEMBER INFORMATION/BRIEFING SESSIONS FROM 20/05/2024 TO 14/06/2024

RESOLUTION 2024/107

Moved: Cr Mark Lovett
Seconded: Cr Frank Morello

1. That Council Report No. AR23/81514 titled 'Elected Member Information/Briefing Sessions from 20/05/2024 to 14/06/2024' as presented on 18 June 2024 be noted.

CARRIED

13 ELECTED MEMBERS TRAINING AND DEVELOPMENT

Nil

14 COUNCIL ACTION ITEMS

14.1 COUNCIL ACTION ITEMS - 21/05/2024

RESOLUTION 2024/108

Moved: Cr Sonya Meziniec
Seconded: Cr Max Bruins

1. That Council Report No. AR23/81541 titled 'Council Action Items - 21/05/2024' as presented on 18 June 2024 be noted.

CARRIED



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

15.1 MINUTES OF THE JUNIOR SPORTS ASSISTANCE FUND HELD ON 12 JUNE 2024

RESOLUTION 2024/109

Moved: Cr Josh Lynagh
Seconded: Cr Kate Amoroso

That the Minutes of the Junior Sports Assistance Fund meeting held on 12 June 2024 as attached be noted.

CARRIED

15.2 CORRESPONDENCE RECEIVED – REPORT NO. AR24/35733

RESOLUTION 2024/110

Moved: Cr Josh Lynagh
Seconded: Cr Jason Virgo

1. That Junior Sports Assistance Fund Report No. AR24/35733 titled 'Correspondence Received' as presented on 12 June 2024 be noted.

CARRIED

Cr Frank Morello left the meeting at 6:20 pm

15.3 STATEMENT OF REVENUE AND EXPENSES - AS AT 31 MAY 2024 – REPORT NO. AR24/35735

RESOLUTION 2024/111

Moved: Cr Josh Lynagh
Seconded: Cr Max Bruins

1. That Junior Sports Assistance Fund Report No. AR24/35735 titled 'Statement of Revenue and Expenses - as at 31 May 2024' as presented on 12 June 2024 be noted.
2. The financial statement of the Fund as at 31 May 2024 be received, noting a cash balance of \$126,593.90

CARRIED



15.4 APPLICATIONS FOR FINANCIAL ASSISTANCE FOR JUNIOR AND PAYMENTS FROM THE FUND - 01/11/2023 - 31/05/2024 – REPORT NO. AR24/35736

RESOLUTION 2024/112

Moved: Cr Josh Lynagh

Seconded: Cr Paul Jenner

1. That Junior Sports Assistance Fund Report No. AR24/35736 titled 'Applications for Financial Assistance for Junior and Payments from the Fund - 01/11/2023 - 31/05/2024' as presented on 12 June 2024 be noted.

CARRIED

15.5 ROTARY CLUB OF MOUNT GAMBIER LAKES - YOUTH EMPOWERMENT SPORTS PROGRAM (FORMERLY THE DISADVANTAGED JUNIOR SPORTS PROGRAM) – REPORT NO. AR24/35742

RESOLUTION 2024/113

Moved: Cr Josh Lynagh

Seconded: Cr Kate Amoroso

1. That Junior Sports Assistance Fund Report No. AR24/35742 titled 'Rotary Club of Mount Gambier Lakes - Youth Empowerment Sports Program (formerly the Disadvantaged Junior Sports Program)' as presented on 12 June 2024 be noted.
2. The funding be made available to the Member Organisations named below to assist the identified juniors to achieve their fullest participation with the specific purpose donation from the Rotary Club of Mount Gambier Lakes – Youth Empowerment Sports Program initiative, to be used in accordance with their respective confidential application:
 - (a) Basketball Mount Gambier \$600
 - (b) Limestone Coast Football Association \$300
 - (c) Mount Gambier Netball Association \$600
 - (d) Mount Gambier Swimming Club \$300

CARRIED



16 AUDIT AND RISK COMMITTEE MINUTES AND RECOMMENDATIONS

16.1 MINUTES OF THE AUDIT AND RISK COMMITTEE HELD ON 3 JUNE 2024

Cr Frank Morello returned to the meeting at 6:23 pm

RESOLUTION 2024/114

Moved: Cr Paul Jenner

Seconded: Cr Mark Lovett

That the Minutes of the Audit and Risk Committee meeting held on 3 June 2024 as attached be noted.

CARRIED

16.2 2024/2025 DRAFT ANNUAL BUSINESS PLAN AND BUDGET – REPORT NO. AR24/29751

RESOLUTION 2024/115

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

1. That Audit and Risk Committee Report No. AR24/29751 titled '2024/2025 Draft Annual Business Plan and Budget' as presented on 03 June 2024 be noted.
2. That the Audit and Risk Committee feedback on Council's Draft 2024/2025 Draft Annual Business Plan and Budget and/or the associated processes and risks, as follows:
 - The Audit and Risk Committee acknowledge the significant work Council's administration have undertaken to prepare the Annual Business Plan and Budget 2024/2025.
 - The Audit and Risk Committee acknowledge the importance of maintaining financial sustainability and recognises the proposed rate increase is required to support financial sustainability.
 - The Audit and Risk Committee encourage Council to closely monitor the financial performance throughout the year in the context of the financial ratio targets.
 - The use of the average residential rate and the waste service charge by comparison to other Council's should be considered as a guide only.

be incorporated with the public consultation feedback to be presented to the Special Council meeting to be held on the 18 June 2024 for consideration of the adoption of the Draft 2024/2025 Annual Business Plan and Budget.

CARRIED



16.3 DRAFT LONG TERM FINANCIAL PLAN 2025-2034 – REPORT NO. AR24/36612

RESOLUTION 2024/116

Moved: Cr Paul Jenner

Seconded: Cr Sonya Meziniec

1. That Audit and Risk Committee Report No. AR24/36612 titled 'Draft Long Term Financial Plan 2025-2034' as presented on 03 June 2024 be noted.
2. That the Audit and Risk Committee feedback on Council's Draft Long Term Financial Plan 2025-2034 and/or the associated processes and risks, as follows:
 - The Audit and Risk Committee recommends that Council considers the future impact of new and upgraded assets on the financial sustainability.
 - The level of financial and operational risk that is posed by waste and the Audit and Risk Committee seeks a further update on waste financial modelling.
 - The Audit and Risk Committee notes that the Long Term Financial Plan financial sustainability ratios are trending in the right direction of the plan.
 - The Audit and Risk Committee notes the importance of the rating review in informing the future rating forecasts in the Long Term Financial Plan.
 - That the outer years of the Long Term Financial Plan be considered in the next version of the Long Term Financial Plan in terms of the application of the 2% sustainability index.

be incorporated with the public consultation feedback to be presented to the Special Council meeting to be held on 25 June 2024 for consideration of the adoption of the Draft Long Term Financial Plan 2025-2034.

CARRIED



16.4 DRAFT ASSET MANAGEMENT PLANS (AMPS) 2025-2034 – REPORT NO. AR24/37154

RESOLUTION 2024/117

Moved: Cr Paul Jenner

Seconded: Cr Josh Lynagh

1. That Audit and Risk Committee Report No. AR24/37154 titled 'Draft Asset Management Plans (AMPs) 2025-2034' as presented on 12 June 2024 be noted.
2. That the Audit and Risk Committee feedback on Council's Draft Asset Management Plans (AMPs) 2025-2034 and/or the associated processes and risks, as follows:
 - Acknowledges the work undertaken to date on asset planning and the increasing maturity of the assets data.
 - Notes the allocation of new planning and delivery of assets in the building and structures asset management plan, and suggests Council consider the proportion of new versus renewal in future iterations of the plan as the asset planning and master planning progresses.
 - Recommends that Council continues to consider any underutilised buildings and structures and notes the strategic work plan projects will inform this consideration.
 - Notes the plant asset management plan and that the plan allows for some redundancy in plant due to difficulty in supply of new equipment and parts.
 - Recommends that future iterations of the infrastructure asset management plans provide a breakdown of proposed recommended expenditure for key asset classes.
 - Notes the variance between depreciation and proposed asset renewal expenditure and recommend that further context to the variation between depreciation and proposed asset renewal expenditure be provided to Council.
 - The Administration provide an update to the Audit and Risk Committee on a half yearly basis on the further refinement of the asset management planning process.

be incorporated with the public consultation feedback to be presented to the Special Council meeting on 25 June 2024, for consideration of the adoption of the Draft Asset Management Plans (AMPs) 2025-2034.

CARRIED

16.5 UNAUDITED INFRASTRUCTURE VALUATION AS AT 1 JULY 2023 – REPORT NO. AR24/10208

RESOLUTION 2024/118

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

1. That Audit and Risk Committee Report No. AR24/10208 titled 'Unaudited Infrastructure Valuation as at 1 July 2023' as presented on 12 June 2024 be noted.

CARRIED



16.6 POLICY REVIEW - ASSET ACCOUNTING – REPORT NO. AR24/36754

RESOLUTION 2024/119

Moved: Cr Paul Jenner
Seconded: Cr Mark Lovett

1. That Audit and Risk Committee Report No. AR24/36754 titled 'Policy Review - Asset Accounting' as presented on 12 June 2024 be noted.
2. That the Asset Accounting Policy as attached to Report No. AR24/36754 having been reviewed by the Audit and Risk Committee on 12 June 2024 be adopted.
3. That the Chief Executive Officer or Delegate be authorised to make any necessary changes to the policies arising from this meeting, together with any typographical corrections, amendments to position or organisation titles, and finalisation of the document's formatting that do not materially alter the integrity of the document.

CARRIED

16.7 POLICY REVIEW - RISK MANAGEMENT – REPORT NO. AR24/38120

RESOLUTION 2024/120

Moved: Cr Paul Jenner
Seconded: Cr Mark Lovett

1. That Audit and Risk Committee Report No. AR24/38120 titled 'Policy Review - Risk Management' as presented on 12 June 2024 be noted.
2. That the Risk Management Policy as attached to Report No. AR24/38120 having been reviewed by the Audit and Risk Committee on 12 June 2024 be adopted.
3. That the Chief Executive Officer or Delegate be authorised to make any necessary changes to the policies arising from this meeting, together with any typographical corrections, amendments to position or organisation titles, and finalisation of the document's formatting that do not materially alter the integrity of the document.

CARRIED



16.8 RISK MANAGEMENT REPORT JANUARY - MARCH 2024 – REPORT NO. AR24/36616

RESOLUTION 2024/121

Moved: Cr Paul Jenner

Seconded: Cr Sonya Meziniec

1. That Audit and Risk Committee Report No. AR24/36616 titled 'Risk Management Report January - March 2024' as presented on 12 June 2024 be noted.
2. That an update on the Leases and Licences and Policy Reviews be presented to the July Audit and Risk Committee meeting.
3. That the environmental compliance inherent risk be increased from high to extreme.

CARRIED

16.9 WORK HEALTH SAFETY (WHS) AND WELLBEING QUARTERLY REPORT - JANUARY - MARCH 2024 – REPORT NO. AR24/36617

RESOLUTION 2024/122

Moved: Cr Paul Jenner

Seconded: Cr Frank Morello

1. That Audit and Risk Committee Report No. AR24/36617 titled 'Work Health Safety (WHS) and Wellbeing Quarterly Report - January - March 2024' as presented on 12 June 2024 be noted.

CARRIED

16.10 QUARTERLY INTERNAL AUDIT UPDATE REPORT – REPORT NO. AR24/36613

RESOLUTION 2024/123

Moved: Cr Paul Jenner

Seconded: Cr Josh Lynagh

1. That Audit and Risk Committee Report No. AR24/36613 titled 'Quarterly Internal Audit Update Report' as presented on 12 June 2024 be noted.

CARRIED



16.11 DRAFT REVISED INTERNAL AUDIT PROGRAM – REPORT NO. AR24/36992

RESOLUTION 2024/124

Moved: Cr Paul Jenner

Seconded: Cr Sonya Meziniec

1. That Audit and Risk Committee Report No. AR24/36992 titled 'Draft Revised Internal Audit Program' as presented on 12 June 2024 be noted.
2. That the Revised Internal Audit Plan as attached to Report No. AR24/36992, having been reviewed by the Audit and Risk Committee on 12 June 2024, be adopted.
3. That plant and fleet be subject to a future internal audit in a later iteration of the Internal Audit program.
4. That the Chief Executive Officer or Delegate be authorised to make any necessary changes to the Draft Revised Internal Audit Plan arising from this meeting, together with any typographical corrections, amendments to position or organisation titles, and finalisation of the document's formatting that do not materially alter the integrity of the document.

CARRIED

16.12 EXTERNAL AUDIT MANAGEMENT REPORT – REPORT NO. AR24/36615

RESOLUTION 2024/125

Moved: Cr Paul Jenner

Seconded: Cr Frank Morello

1. That Audit and Risk Committee Report No. AR24/36615 titled 'External Audit Management Report' as presented on 12 June 2024 be noted.

CARRIED

16.13 REVIEW OF 2024 AUDIT AND RISK PROGRAM – REPORT NO. AR24/36971

RESOLUTION 2024/126

Moved: Cr Paul Jenner

Seconded: Cr Sonya Meziniec

1. That Audit and Risk Committee Report No. AR24/36971 titled 'Review of 2024 Audit and Risk Program' as presented on 12 June 2024 be noted.
2. That the revised work program as reviewed by the Audit and Risk Committee for the calendar year 2024 (attached) be adopted, with the addition of the presentation of the quarterly budget review to the Audit and Risk Committee following its presentation to the Council meeting.

CARRIED



16.14 AUDIT AND RISK COMMITTEE MEETING REPORT – REPORT NO. AR24/29748

RESOLUTION 2024/127

Moved: Cr Paul Jenner
Seconded: Cr Max Bruins

1. That Audit and Risk Committee Report No. AR24/29748 titled 'Audit and Risk Committee Meeting Report' as presented on 12 June 2024 be noted.

CARRIED

16.15 Motion - Thank You to Manager Financial Services

RESOLUTION 2024/128

Moved: Cr Paul Jenner
Seconded: Cr Sonya Meziniec

1. That the Audit and Risk Committee thank Julie Scoggins, Manager Financial Services for her support and professional expertise provided to the Audit and Risk Committee during her tenure.

CARRIED

17 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MINUTES AND RECOMMENDATIONS

Nil

18 BUILDING FIRE SAFETY COMMITTEE MINUTES

Nil

19 COUNCIL REPORTS

19.1 DRAFT VISION DOCUMENT - MOUNT GAMBIER 2035: A COMMUNITY VISION FOR OUR REGIONAL CAPITAL

RESOLUTION 2024/129

Moved: Cr Josh Lynagh
Seconded: Cr Sonya Meziniec

1. That Council Report No. AR24/39050 titled 'Draft Vision Document - Mount Gambier 2035: A Community Vision for our Regional Capital' as presented on 18 June 2024 be noted.
2. That Council endorse the draft vision document – Mount Gambier 2035: A Community Vision for our Regional Capital for broad community engagement as attached to Report No. AR24/39050.

CARRIED



19.2 RAILWAY LANDS - LEARN TO RIDE, NATURE PLAY AND YOUTH SPACE - COMMUNITY CONSULTATION

RESOLUTION 2024/130

Moved: Cr Josh Lynagh

Seconded: Cr Paul Jenner

1. That Council Report No. AR24/32732 titled 'Railway Lands - Learn to Ride, Nature Play and Youth Space - Community Consultation' as presented on 18 June 2024 be noted.
2. That Council endorses the final concept plan of the Learn to Ride space as attached to this report AR24/30771 for delivery on the western railway platform at the Railway Lands.
3. That Council appropriately commemorates the contribution made by Mount Gambier Out of School Hours Care to the Learn to Ride project.
5. That community consultation commence on the draft concept plans for the Railway Lands - Nature Play and Youth Space, with community feedback being presented to a future Council meeting for final endorsement.

CARRIED

Pursuant to Section 75 of the Local Government Act 1999, Cr Mark Lovett disclosed a material conflict of interest in Item 19.3.

In accordance with Section 75C Cr Lovett informed the meeting:

Nature of Interest:

My wife is a dog breeder.

Intention to Participate:

I will be leaving the meeting room such that I cannot view or hear any discussion (including questions) or voting at the meeting.

In accordance with Section 75C(1)(b) of the Local Government Act 1999 Cr Mark Lovett left the meeting at 6:58 pm.

19.3 SUBMISSION - DOG AND CAT MANAGEMENT (BREEDER REFORMS) AMENDMENT BILL 2024 CONSULTATION

The meeting was adjourned at 7:04 pm due to a fire alarm causing evacuation of the building.

The meeting resumed at 7:22 pm.

RESOLUTION 2024/131

Moved: Cr Paul Jenner

Seconded: Cr Jason Virgo



1. That Council Report No. AR24/39003 titled 'Submission - Dog and Cat Management (Breeder Reforms) Amendment Bill 2024 Consultation' as presented on 18 June 2024 be noted.
2. That the submission Dog and Cat Management (Breeder Reforms) Amendment Bill 2024 as attached to Report No. AR24/39003 be approved, with the addition of a request for a review of the legislation as it pertains to greyhounds on leash in public areas and fenced dog parks.
3. That the Chief Executive Officer or Delegate be authorised to make any necessary changes to the document arising from feedback given at the meeting, and to make minor typographical or formatting corrections that do not materially impact the intention of the submission.

CARRIED

Cr Mark Lovett returned to the meeting at 7:23 pm.

19.4 THIRD QUARTER REPORT ON ANNUAL BUSINESS PLAN 2023/2024 ANNUAL OBJECTIVES

RESOLUTION 2024/132

Moved: Cr Frank Morello

Seconded: Cr Max Bruins

1. That Council Report No. AR24/33473 titled 'Third Quarter Report on Annual Business Plan 2023/2024 Annual Objectives' as presented on 18 June 2024 be noted.

CARRIED

19.5 ELECTOR REPRESENTATION REVIEW - PREFERRED STRUCTURE

RESOLUTION 2024/133

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

1. That Council Report No. AR24/40295 titled 'Elector Representation Review - Preferred Structure' as presented on 18 June 2024 be noted.
2. That the Discussion Paper pertaining to the Representation Review (Attachment 1 - dated May 2024) be received and noted.
3. That Council determine, in principle for the purpose of the preparation of a draft "Representation Report", the future composition and structure which it believes should come into effect at the next Local Government elections in 2026, be comprised of:
 - (a) The Council area be named The City of Mount Gambier.
 - (b) No Ward Structure.

(Note: If a ward structure is preferred, must include proposed structure inc. names/titles of each ward, level of ward representation, and whether area councillors are required in addition to ward councillors)

- (c) A Mayor as Principal Member elected as a representative of the area as a whole.

(Note: The alternative appointment of a Mayor may only occur by proclamation of the Governor under section 10 or by council in the case of a failed supplementary election)

(d) 8 or 9 Area Councillors.

(Note: In considering whether to retain, increase or decrease the number of area Councillors consideration should be given to the representation quota relative to other comparable Council's)

4. That a draft "Representation Report" be prepared presenting Council's proposed/preferred future elector representation arrangement for consideration and endorsement by Council prior to the initiation of the public consultation process.

CARRIED

19.6 NO PARKING BLACKWOOD STREET (NORTHERN AND SOUTHERN SIDES) FROM 7:30AM TO 9:30AM AND 2:00PM TO 5:00PM

RESOLUTION 2024/134

Moved: Cr Jason Virgo

Seconded: Cr Kate Amoroso

1. That Council Report No. AR24/39904 titled 'No Parking Blackwood Street (Northern and Southern Sides) from 7:30am to 9:30am and 2:00pm to 5:00pm' as presented on 18 June 2024 be noted.
2. That further consultation be undertaken with neighbouring businesses.
3. That a further report be provided to Council.

CARRIED

20 MOTIONS WITH NOTICE

20.1 NOTICE OF MOTION - CIVIC CENTRE

Pursuant to Section 74 of the Local Government Act 1999, Cr Frank Morello disclosed a general conflict of interest in Item 20.1.

In accordance with Section 75B Cr Frank Morello informed the meeting:

Nature of Interest:

I am employed by Country Arts SA, co-owner of the Civic Centre with the City of Mount Gambier.

Intention to Participate:

I propose not to participate in the meeting in relation to the matter.

In accordance with Section 75B(1)(b) of the Local Government Act 1999 Cr Frank Morello left the meeting at 7:38 pm.

RESOLUTION 2024/135

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins



1. That Council Report No. AR24/40625 titled 'Notice of Motion - Civic Centre' as presented on 18 June 2024 be noted.
2. That Council schedule an Information Briefing Session with the Chief Executive Officer and Chief Financial Officer of Country Arts to discuss the Civic Centre.

CARRIED

Cr Frank Morello returned to the meeting at 7:40 pm.

21 MOTIONS WITHOUT NOTICE

Nil

22 CONFIDENTIAL ITEMS OF COMMITTEES

Nil

23 NEW CONFIDENTIAL ITEMS

23.1 AF24/171 TENDER - PROCUREMENT - SUPPLY AND DELIVERY OF PREMIXED CONCRETE – REPORT NO. AR24/40482

RESOLUTION 2024/136

Moved: Cr Mark Lovett
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 the Mayor, Councillors and S Philpott, B Cernovskis, J Fetherstonhaugh, M McCarthy, J Scoggins, B Shearing, A Stevens, S McLean, K Gilmore, M Telford and S Wilson be excluded from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 23.1 AR24/40482 AF24/171 Tender - Procurement - Supply and Delivery of Premixed Concrete.

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 tenders for the supply of goods, or the provision of services, or the carrying out of works.

CARRIED



RESOLUTION 2024/137

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 23.1 AR24/40482 AF24/171 Tender - Procurement - Supply and Delivery of Premixed Concrete and its attachments, 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 12 months after the completion of the tender works, with the name of the successful tenderer and the tender contract value to be disclosed following execution of a 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

23.2 VISITOR SERVICING MODEL - UPDATE – REPORT NO. AR24/31997

RESOLUTION 2024/138

Moved: Cr Mark Lovett
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, M McCarthy, J Scoggins, B Shearing, A Stevens, S McLean, K Gilmore, M Telford and S Wilson be excluded from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 23.2 AR24/31997 Visitor Servicing Model - Update.

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 information relating to the personal affairs of persons with whom Council is conducting



business including information which is of a confidential commercial nature which, if disclosed, would prejudice the commercial position of the Council and other persons and could potentially confer advantage on a third party with whom Council is or is proposing to conduct business. The public interest in this matter being considered in open is considered to be outweighed by the public interest in protecting the commercial interests of Council and third parties and not conferring unfair advantage on third parties which could affect Council's capacity to achieve best value for the community.

CARRIED

RESOLUTION 2024/139

Moved: Cr Max Bruins
Seconded: Cr Sonya Meziniec

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 23.2 AR24/31997 Visitor Servicing Model - Update 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 such time that the Umpherston Kiosk and Souvenirs lease has expired including any subsequent actions that might arise in association with these activities, with relevant resolutions to be released to affected parties as considered necessary by the Chief Executive Officer in order to give effect to the proposals contained in the report, and other resolutions to be released publicly as determined appropriate by the Chief Executive Officer as the activities in the report are implemented.
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

23.3 LATE ITEM - UPDATE ON LEGAL MATTER – REPORT NO. AR24/42920

RESOLUTION 2024/140

Moved: Cr Mark Lovett
Seconded: Cr Josh Lynagh

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, M McCarthy, J Scoggins, B Shearing, A Stevens, S McLean, K Gilmore, M Telford and S Wilson be excluded from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 23.3 AR24/42920 Update on Legal Matter.

The Council is satisfied that, pursuant to section 90(3) (f), (g), (h) and (i) 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 prejudice the maintenance of law, including by affecting (or potentially affecting) the:
 - prevention, detection, or investigation of a criminal offence, or
 - the right to a fair trial
- 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 the information to be considered relates to litigation that has commenced and has been provided to Council on a strictly confidential basis.

CARRIED

RESOLUTION 2024/141

Moved: Cr Mark Lovett

Seconded: Cr Sonya Mezinec

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 AR24/42920 Update on Legal Matter and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (f), (g), (h) and (i) be kept confidential and not available for public inspection until further ordered by Council or released in part or full by the Chief Executive Officer under delegation, to be reviewed annually.
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

24 MEETING CLOSE

The Meeting closed at 7:55 pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 16 July 2024.

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PRESIDING MEMBER

