

**MINUTES OF CITY OF MOUNT GAMBIER
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON TUESDAY, 21 JUNE 2022 AT 6.00 P.M.**

PRESENT: Cr Sonya Meziniec, Cr Max Bruins, Cr Ben Hood, Cr Paul Jenner, Cr Frank Morello

OFFICERS IN ATTENDANCE:	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 Governance and Property	- Mr M McCarthy
	Manager Financial Services	- Mrs J Scoggins
	Media and Communications Coordinator	- Mrs A Watson
	Media and Communications Coordinator	- Mr J McDonald
	Communications Officer	- Ms M Brookes
	Executive Administrator	- Ms S Wilson

APPOINTMENT OF ACTING PRESIDING MEMBER - REPORT NO. AR22/33907

RESOLUTION 2022/55

Moved: Cr Ben Hood

Seconded: Cr Frank Morello

1. That Council Report AR22/33907 titled 'Acting Presiding Member' as presented on 21 June 2022 be noted.
2. That nominations be sought from Members present at the meeting to assume the role of acting Presiding Member for this meeting.
3. That, where only a single nomination is received, that Member shall assume the Chair as acting Presiding Member for the remainder of the meeting.
4. That, where more than one nomination is received, the acting Chief Executive Officer shall forthwith conduct a secret ballot for Council to choose the Member to assume the role of acting Presiding Member. The following provisions of the Local Government Act 1999 and Council Policy C410 shall apply to the secret ballot:
 - The acting Chief Executive Officer shall be the returning officer for the secret ballot and will declare the result and draw lots (if/as necessary).
 - Any Member present at the meeting may be nominated.
 - A Member not in their seat at the meeting does not vote.
 - The nominee with the highest number of votes (or where two or more nominees receive the equal highest number of votes, the last name drawn in a lot) shall assume the Chair as acting Presiding Member.
 - A division cannot be called on a secret ballot.
 - A motion is not required to endorse, and shall be of no effect, on the declared result of the secret ballot.

CARRIED



ACTING PRESIDING MEMBER

The General Manager City Infrastructure invited nominations for the position of Acting Presiding Member for this meeting.

Cr Hood nominated Cr Bruins as Acting Presiding Member for this meeting.

There being no further nominations Cr Bruins was nominated Acting Presiding Member and took the Chair for the remainder of the meeting.

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 2022/56

Moved: Cr Sonya Mezinec

Seconded: Cr Paul Jenner

That the apologies from Mayor Lynette Martin, Cr Kate Amoroso and Cr Christian Greco be received.

CARRIED

3 LEAVE OF ABSENCE

Nil

4 CONFIRMATION OF COUNCIL MINUTES

RESOLUTION 2022/57

Moved: Cr Frank Morello

Seconded: Cr Paul Jenner

That the minutes of the Ordinary Council meeting held on 17 May 2022 and the Special Council meeting held on 14 June 2022 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED



5 MAYORAL REPORT

5.1 MAYORAL REPORT - JUNE 2022

- National Volunteer Week Morning Tea
- WHS Presentation at Works Depot
- Mayoral Reception for Tour of Honour for 2022 South Australians of the Year
- Presentation at Australia Day Council of South Australia – Tour of Honour Forum at Tenison Woods College
- Weekly Virtual LCLGA Mayor's Meeting
- With CEO and GM City and Community Growth, Introductory Virtual Meeting with Mr Allan Sommerville, Regional Manager SA & NT – Qantas Airways
- Presentation of Awards at 100 Mile Cycling Classic
- Innovation Ecosystem Leadership Dinner
- Launch of Pop Up Drop In Community Support Space
- Citizenship Ceremony
- 2022 ac.Care Limestone Coast National Reconciliation Week Celebration
- Reconciliation Week Smoking Ceremony and Introduction to Cultural Governance
- Reconciliation Week Introduction to Bunganditj Language
- Elected Member Briefing: Economy, Strategy and Engagement
- Virtual LCLGA Mayor's Meeting
- Morning Tea - Women's Support Groups with Hon Katrine Hildyard MP, Minister for Women & the Prevention of Domestic and Family Violence
- Meeting with Minister Nat Cook, Minister for Human Services
- Meeting with Mr Rodney Harrex, CE South Australian Tourism Commission
- Meeting with Minister Chris Picton, Minister for Health and Wellbeing
- Meeting with Minister Joe Szakacs – Minister for Police, Emergency Services
- Site Visit to Wulanda Recreation and Convention Centre with Minister Katrine Hildyard – Minister for Recreation, Sport and Racing
- With District Council of Grant, Meeting with Minister Tom Koutsantonis, Minister for Infrastructure
- Country Cabinet Meeting
- Meeting with Hon Peter Malinauskus MP, Premier
- Country Cabinet Premier's Afternoon Tea at the Gambier Club
- Green Triangle Timber Industry Awards Event
- Welcome to 2022 Australian Highland Cattle Society 30th National Show
- Special Council Meeting – Annual Business Plan and Budget – Community Consultation Submissions 2022/2023
- GIJ Improvised Encore Event
- LCLGA Board Meeting – Naracoorte Lucindale Council
- With CEO, attendance at 2022 ALGA National General Assembly in Canberra



RESOLUTION 2022/58

Moved: Cr Sonya Mezinec

Seconded: Cr Frank Morello

That the Mayoral report made on 21 June 2022 be received.

CARRIED

6 REPORTS FROM COUNCILLORS

Cr Mezinec	Exhibition Opening 'Take Me With You' Riddoch ACC, 175 Year Digital Timeline at Mount Gambier, Pop Up Drop In Community Support Space Launch, Workshop to co-design a suicide prevention response framework for Mount Gambier, Riddoch Arts and Cultural Trust meeting, Disability Inclusion training, Smoking Ceremony and Introduction to Cultural Governance, Introduction to Bunganditj language, Meeting (dinner) with Nat Cook Minister for Human Services, Housing for All meeting with Minister Nat Cook, Wulanda Tour - Katrine Hildyard Minister for Recreation Sport and Racing, Country Cabinet Forum, Consumer Engagement Training for HAC members.
Cr Hood	RDALC, Leadership Program Planning Workshop, Van Schaik Bio Gro, Generations in Jazz Gala Concert, Wulanda Tour.
Cr Jenner	National Volunteer Week - City Hall, Australia Day Council of SA -Tour of Honour with recipients, 85 th Mount Gambier Cycling Club - 100 Mile Cycling Classic, Public Lighting Working Group meeting in Adelaide at LGA House, Reconciliation Week - Cultural Ceremony, Governance, Care for Country and Seasonal Calendar, Introduction to Bunganditj language, Liz Wheller - wellbeing advocate RSL Veterans, South Australia Country Cabinet Meeting - Limestone Coast Community BBQ and Forum - Blue Lake Golf Club, LCLGA Regional Waste Management SC Meeting, Generations in Jazz at Sir Robert Helpmann Theatre, District Council of Grant Council Meeting, Group Training Employment Board Meeting.
Cr Morello	Reconciliation Week - Introduction to Bunganditj language, Country Cabinet - Community Forum.
Cr Bruins	Exhibition Opening at Riddoch, Dinner - Innovation Hub, Green Triangle/Limestone Coast.

7 QUESTIONS WITH NOTICE

7.1 LOCAL FOOTBALL AND NETBALL LEAGUES

Question:

Can Council be provided with an update from the Western Border Football and Netball Leagues as well as representatives from the four Mount Gambier based clubs regarding the future of the leagues, potential impacts on clubs and subsequently Council assets and services?



Answer:

The General Manager City and Community Growth has met with the President of the Western Border Football League and have been advised there have been meetings with the SANFL on propositions for an expanded competition to strengthen the league and the regional profile of Australian Rules Football.

Although in current discussion, there would be no change to the City of Mount Gambier teams in the competition, the opportunity to present an overview of discussions and potential impacts to the Elected Members in an upcoming briefing has been organised for 12 July 2022 at 5:30pm.

7.2 MEDICAL PRACTITIONERS IN REGIONAL AREAS

Question:

What discussion and agreement was made with regards to retaining GP's in regional areas (especially Mount Gambier) with the Minister of Health and Wellbeing, with regard to what both the State Government and the City of Mount Gambier might do to achieve a better outcome. Did any of the thoughts have financial implications that need to be looked at for Council's Budget?

Answer:

This response has been provided for the Agenda as the Mayor and CEO (who were in attendance at the meeting with Minister Picton) are apologies for the Council meeting as they are representing Council at the ALGA General Assembly in Canberra.

The Mayor and CEO arranged a meeting with Minister Picton (and member of his departmental and ministerial team) to discuss a number of health related matters, which reflect Council's advocacy position as outlined in the *Partnership Priorities and Advocacy* document adopted by Council in November 2021. Minister Picton outlined the State Government's position on immediate priorities for our regional hospital, including emergency presentations, mental health and ambulance services, which have all been the subject of budget allocations and announcements.

The matter of workforce attraction and retention was also discussed, including the State Government's intentions to undertake various recruitment campaigns to attract nursing and medical practitioners to the entire state.

With regard to the role for local government, the discussion with the Minister centred on how best to coordinate retention efforts between the Local Health Network and the City of Mount Gambier in terms of connection and integration into our community. Doctors may find it difficult to connect with other professionals when coming to a new community, and the Minister and Mayor agreed that it is also important that their families are connected into other networks.

Over time, there have been various groups such as Young Professionals networks, and there are also other organisations, such as the Mount Gambier Chamber of Commerce and Women in Business and Regional Development that provide opportunities for professional connection.

The next steps following this discussion will be to arrange a further discussion with the Local Health Network to progress opportunities to support connection and to "wrap around" medical professionals who are new to our community.

In terms of budgetary impact, none is anticipated at this point, as we believe it is more about how we link people into existing services and opportunities and make new community members feel welcome, given their busy and essential roles in supporting the health and wellbeing of our community.



7.3 MOUNT GAMBIER MUSEUM

Question:

What is The City of Mount Gambier's position with building, gathering items for a First Nations and Post-European Settlement Museum?

With previous work that Council has looked at, was there any financial modelling done and worked through with a proper cost benefit analysis?

Answer:

The term 'museum' is used interchangeably with gallery - lots of universities have art museums and collect a range of materials. Museum is an all-encompassing term in Europe and is being increasingly adopted as a term in Australia e.g. Rockhampton Museum of Art; Griffith University Art Museum; Shepparton Art Museum.

The City of Mount Gambier is currently working on a collection management plan. This plan outlines the Riddoch's collecting areas, which does include First Nations materials, however this would be done with considerable consultation to ensure the appropriate level of expertise. The South Australian Museum Aboriginal and Torres Strait Islander Curator has been contacted to assist with a donation offer received of items with unknown provenance.

In expanding the Riddoch's remit to include other museum objects - items of social, or historical significance to the region, The City of Mount Gambier do not currently have the capacity to store, research, catalogue, or display such items. We are in the process of obtaining costing information to undertake a feasibility study for re-housing or providing new storage for the Riddoch collection. An offsite climate controlled, security monitored, pest-free storage facility which could also be used by the Library, for its photography collection would be key to facilitating the management of these collections.

A Museum of Human History proposal initiated and tabled at Council in July 2006 and subsequent proposal of a Mount Gambier Museum in 2011 or ensuing Museum proposals outside of informal conversation have not been resubmitted for financial cost benefit analysis work or applied financial modelling to date.

7.4 CRATER LAKES POST FIRE PLAN

Question:

When can Council expect the Crater Lakes post fire report that was promised soon after the Fire event occurred in our beautiful State Heritage Listed Area?

There has been some work done between the fire and now, however Council is about to approve the 2022/2023 Budget and I believe Councillors need to be aware of work (major or minor) that will be needed to be done, costings and timings. There are still tracks closed that the public need to know approximate timing of any reopening?

Answer:

Preparation is underway for the reopening of Haig Drive and trails within the Blue Gum area. It is anticipated that these areas will be safe to reopen in the next 3-4 weeks. The pine area at the back of Carinya Gardens and the trail from Centenary Tower to the base of the stairs will remain closed to the public.



The commissioned reports to inform the post fire recovery work for the Crater Lake Precinct have been received. Council Officers are engaging with key stakeholders to review and prepare a report for Council to consider in Budget Review 1.

8 QUESTIONS WITHOUT NOTICE

9 PETITIONS

Nil

10 DEPUTATIONS

Nil

11 NOTICE OF MOTION TO RESCIND OR AMEND

Nil

12 ELECTED MEMBERS WORKSHOPS

12.1 ELECTED MEMBER INFORMATION/BRIEFING SESSIONS FROM 11/05/2022 TO 15/06/2022

RESOLUTION 2022/59

Moved: Cr Ben Hood

Seconded: Cr Sonya Mezinec

1. That Council Report No. AR21/71018 titled 'Elected Member Information/Briefing Sessions from 11/05/2022 to 15/06/2022' as presented on 21 June 2022 be noted.

CARRIED

13 ELECTED MEMBERS TRAINING AND DEVELOPMENT

Nil

14 COUNCIL ACTION ITEMS

14.1 COUNCIL ACTION ITEMS - 17/05/2022

RESOLUTION 2022/60

Moved: Cr Frank Morello

Seconded: Cr Paul Jenner

1. That Council Report No. AR21/71036 titled 'Council Action Items - 17/05/2022' as presented on 21 June 2022 be noted.

CARRIED



15 ECONOMIC AND ENVIRONMENT COMMITTEE MINUTES AND RECOMMENDATIONS

Committee in Recess

16 PEOPLE AND PLACE COMMITTEE MINUTES AND RECOMMENDATIONS

Committee in Recess

17 COUNCIL ASSESSMENT PANEL MINUTES

17.1 MINUTES OF THE COUNCIL ASSESSMENT PANEL HELD ON 19 MAY 2022

RESOLUTION 2022/61

Moved: Cr Paul Jenner

Seconded: Cr Ben Hood

That the Minutes of the Council Assessment Panel meeting held on 19 May 2022 as previously circulated be noted.

CARRIED

17.2 MINUTES OF THE COUNCIL ASSESSMENT PANEL HELD ON 15 JUNE 2022

RESOLUTION 2022/62

Moved: Cr Paul Jenner

Seconded: Cr Ben Hood

That the Minutes of the Council Assessment Panel meeting held on 15 June 2022 as previously circulated be noted.

CARRIED

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

Nil

19 AUDIT AND RISK COMMITTEE MINUTES AND RECOMMENDATIONS

19.1 MINUTES OF THE SPECIAL AUDIT AND RISK COMMITTEE HELD ON 6 JUNE 2022

RESOLUTION 2022/63

Moved: Cr Sonya Meziniec

Seconded: Cr Frank Morello

That the Minutes of the Special Audit and Risk Committee meeting held on 6 June 2022 as attached be noted.

CARRIED



19.2 2022/2023 DRAFT ANNUAL BUSINESS PLAN AND BUDGET – REPORT NO. AR22/35077

RESOLUTION 2022/64

Moved: Cr Sonya Meziniec

Seconded: Cr Paul Jenner

1. That Audit and Risk Committee Report No. AR22/35077 titled '2022/2023 Draft Annual Business Plan and Budget' as presented on 06 June 2022 be noted.
2. That the Audit and Risk Committee feedback on Council's Draft 2022/2023 Draft Annual Business Plan and Budget and/or the associated processes and risks, as follows:
 - Note commending the format and structure of the Annual Business Plan and budget
 - Noting the impact of CPI which will require monitoring throughout the financial year and will be monitored over the next Financial Year in preparation of the next Annual Business plan budget and Long Term Financial Plan
 - Note there will be value throughout the course of the next Financial Year to undertake a review of rating sustainability including benchmarking
 - The deficit position and the net financial liabilities ratio are above target but taken account of in the Long Term Financial Plan

be incorporated with the public consultation feedback to be presented to the Special Council meeting to be held on the 28 June 2022 for consideration of the adoption of the Draft 2022/2023 Annual Business Plan and Budget.

CARRIED

19.3 DRAFT LONG TERM FINANCIAL PLAN 2023-2032 – REPORT NO. AR22/35078

RESOLUTION 2022/65

Moved: Cr Sonya Meziniec

Seconded: Cr Paul Jenner

1. That Audit and Risk Committee Report No. AR22/35078 titled 'Draft Long Term Financial Plan 2023-2032' as presented on 06 June 2022 be noted.
2. That the Audit and Risk Committee feedback on Council's Draft Long Term Financial Plan 2023-2032 and/or the associated processes and risks, as follows:
 - Notes that targets set for 2027 are met but close monitoring of all indicators will be required given the constrained financial capacity over the Long Term Financial Plan
 - To include interest rate increases in the risk section of the Long Term Financial Plan
 - Additional scenario/sensitivity analysis in CPI and interest rates are recommended throughout the financial year to test financial resilience
 - Provide clarity about CPI, LGPI or alternative forecasts as a basis of assumptions for future long term financial plans
 - Add brief commentary to explain the relationship between the Long Term Financial Plan and the asset management plan in terms of renewals and upgrades/new assets



be incorporated with the public consultation feedback to be presented to the Special Council meeting to be held on 28 June 2022 for consideration of the adoption of the Draft Long Term Financial Plan 2023-2032.

CARRIED

19.4 DRAFT ASSET MANAGEMENT PLANS (AMPS) 2023-2032 – REPORT NO. AR22/36371

RESOLUTION 2022/66

Moved: Cr Sonya Meziniec

Seconded: Cr Ben Hood

1. That Audit and Risk Committee Report No. AR22/36371 titled 'Draft Asset Management Plans (AMPs) 2023-2032' as presented on 06 June 2022 be noted.
2. That the Audit and Risk Committee feedback on Council's Draft Asset Management Plans (AMPs) 2023-2032 and/or the associated processes and risks, as follows:
 - To note the work to date
 - Note that the Building Asset Management Plan will require additional information and condition assessments
 - To monitor the depreciation relative to the forecast asset management expenditure be incorporated with the public consultation feedback to be presented to the Special Council meeting to be held on 28 June 2022 for consideration of the adoption of the Draft Asset Management Plans (AMPs) 2023-2032.

CARRIED

20 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MINUTES AND RECOMMENDATIONS

Nil

21 BUILDING FIRE SAFETY COMMITTEE MINUTES

Nil

22 COUNCIL REPORTS

22.1 RIDDOCH ART GALLERY CRATE LOADER

RESOLUTION 2022/67

Moved: Cr Sonya Meziniec

Seconded: Cr Ben Hood

1. That Council Report No. AR22/36380 titled 'Riddoch Art Gallery Crate Loader' as presented on 21 June 2022 be noted.
2. That funds be allocated to gallery upgrades including but not limited to gallery wall restoration, movable wall redesign and showcase acquisitions.

CARRIED



22.2 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM PHASE 3 - PROJECT NOMINATIONS

RESOLUTION 2022/68

Moved: Cr Paul Jenner

Seconded: Cr Frank Morello

1. That Council Report No. AR22/38090 titled 'Local Roads and Community Infrastructure Program Phase 3 - Project Nominations' as presented on 21 June 2022 be noted.
2. That Council endorse the below project nominations for Phase 3 of the Local Roads and Community Infrastructure Program (LRCI) grant funding:

Description	Problem being addressed	Commence	Complete	Total project cost	LRCI Program Funding Required
<p>New Valley Lakes Public Amenities</p> <p>Design and construction of new public amenities facility that will be located adjacent to the community playground and bbq area.</p> <p>The scope of this project also includes demolition of two existing old non-compliant toilet blocks.</p>	<p>This will improve safety for children as they currently must cross internal access roads and public car parking areas to access amenities.</p> <p>The new toilets will be designed to increase accessibility for people with disabilities or impairment.</p>	<p>Aug 22</p>	<p>Jun 23</p>	<p>\$490,000</p>	<p>\$490,000</p>
<p>Frew Park Public Amenities</p> <p>Design and construction of new public amenities facility.</p> <p>The scope of this project also includes demolition of the existing toilet block and improvements to the existing RV dump station.</p>	<p>The new toilets will meet compliance standards and be designed to provide accessibility for people with disabilities or impairment.</p> <p>The existing RV dump station has been vandalised on many occasions. The new improvements will reduce vandalism and maintenance costs.</p>	<p>Jul 22</p>	<p>Jun 23</p>	<p>\$350,000</p>	<p>\$350,000</p>
<p>Shade Sail Structure for 50 metre Outdoor Pool</p> <p>This project is for the design, manufacture and installation of a shade sail structure for</p>	<p>The previous shade structure in the outdoor aquatic area were removed from site and have been assessed as unsuitable to be</p>	<p>Jul 22</p>	<p>Dec 22</p>	<p>\$133,990</p>	<p>\$133,990</p>



the outdoor 50 metre pool at Wulanda. The scope of this project also includes electrical access point.	refurbished to an accredited standard.				
				TOTAL	\$973,990
CARRIED					

22.3 PROPOSED ITEMS OF BUSINESS 2022 LGA ANNUAL GENERAL MEETING

RESOLUTION 2022/69

Moved: Cr Ben Hood
 Seconded: Cr Paul Jenner

1. That Council Report No. AR22/40057 titled 'Proposed Items of Business 2022 LGA Annual General Meeting' as presented on 21 June 2022 be noted.
2. That the following recommendations:
 - (a) the Regionalisation Motion;
 - (b) the EPA Solid Waste Levy Motion;
 as attached to Report No. AR22/40057 be endorsed for submission as agenda items to the 2022 LGA Annual General Meeting (AGM).

CARRIED

22.4 CESSATION OF COVID19 HEALTH EMERGENCY (MINISTERS) NOTICES

RESOLUTION 2022/70

Moved: Cr Ben Hood
 Seconded: Cr Sonya Mezinec

1. That Council Report No. AR22/36492 titled 'Cessation of COVID19 Health Emergency (Ministers) Notices' as presented on 21 June 2022 be noted.
2. That a revised Council Policy - C410 - Code of Practice for Access to Meeting and Documents / Meeting Procedures be presented for endorsement to the July 2022 Council meeting.
3. Elected Members are permitted to attending Information / Briefing Sessions by virtual means until the revised Council Policy - C410 - Code of Practice for Access to Meeting and Documents / Meeting Procedures has been endorsed.

CARRIED



23 MOTIONS WITH NOTICE

23.1 NOTICE OF MOTION - ADDITIONAL FUNDING ANNOUNCED BY PREMIER

RESOLUTION 2022/71

Moved: Cr Ben Hood

Seconded: Cr Paul Jenner

1. That Council Report No. AR22/40891 titled 'Notice of Motion - Additional Funding Announced by Premier' as presented on 21 June 2022 be noted.
2. That Council write to the Premier Peter Malinauskas and Minister for Tourism Zoe Bettison stating:
 - (a) That Council welcomes the additional \$45m funding announced by the Premier on May 25th, 2022 for South Australian Tourism marketing, and;
 - (b) That Council requests that the Government ensures that any campaign equitably features a diverse range of vision and/or imagery of attractions and experiences from all regions within South Australia, including the Mount Gambier region, and;
 - (c) That copies be of the letter be sent to Member for Mount Gambier Troy Bell and Minister for Regional Development the Hon. Clare Scriven MLC.

CARRIED

24 MOTIONS WITHOUT NOTICE

24.1 MOTION WITHOUT NOTICE - RADIATION TREATMENT SERVICES IN MOUNT GAMBIER

RESOLUTION 2022/72

Moved: Cr Ben Hood

Seconded: Cr Frank Morello

1. That Council expresses its concern regarding the lack of radiation treatment services in Mount Gambier.
2. That noting recent media coverage, Council write to Grant King, CEO LCLHN requesting clarification as to why the LCLHN refused to support the proposal by the former Federal Government to establish a radiation treatment centre located in Mount Gambier to service patients within the Limestone Coast, and why there are no plans to review the current service model that requires residents to travel more than two hours to Warrnambool for radiation treatment.
3. That a copy of this letter be sent to Independent Member for Mount Gambier Troy Bell MP, Minister for Regional Development the Hon. Clare Scriven, Minister for Health Hon. Chris Picton MP and Federal Member for Barker Tony Pasin MP.

CARRIED



25 CONFIDENTIAL ITEMS OF COMMITTEES

Nil

26 NEW CONFIDENTIAL ITEMS

26.1 EXECUTION OF DEED - FIRST RIGHT OF REFUSAL – REPORT NO. AR22/38437

RESOLUTION 2022/73

Moved: Cr Sonya Mezinec

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 the Mayor, Councillors and Council Officers B Cernovskis, D Barber, T Coote, M McCarthy, J Scoggins, A Watson, J McDonald, M Brookes and S Wilson be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 26.1 AR22/38437 Execution of Deed - First Right of Refusal.

The Council is satisfied that, pursuant to section 90(3) (a), (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 would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)
- 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 the personal and commercial business affairs of the proponent and negotiation of business arrangements.

CARRIED



RESOLUTION 2022/74

Moved: Cr Ben Hood
Seconded: Cr Frank Morello

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 AR22/38437 Execution of Deed - First Right of Refusal 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) (a), (b) and (d) be kept confidential and not available for public inspection until 2 years have elapsed from the execution of arrangements or abandonment of negotiations associated with the proposal.
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

26.2 DELEGATION TO AWARD ELECTRICITY CONTRACT – REPORT NO. AR22/34770

RESOLUTION 2022/75

Moved: Cr Ben Hood
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 the Mayor, Councillors and Council Officers B Cernovskis, D Barber, T Coote, M McCarthy, J Scoggins, A Watson, J McDonald, M Brookes and S Wilson be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 26.2 AR22/34770 Delegation to award electricity contract.

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

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 discussed in this item relates to a contract between Council and LGA Procurement for the supply of energy. The disclosure of information in association with this item could reasonably be expected to prejudice the commercial position of Council or confer advantage on third parties and is considered on balance to be contrary to the public interest as it could prejudice the Councils position in obtaining best value on behalf of the community.

CARRIED



RESOLUTION 2022/76

Moved: Cr Sonya Meziniec

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 26.2 AR22/34770 Delegation to award electricity contract 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 a contract has been executed for the relevant supply.
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

**26.3 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #18 - AS AT 07/06/2022
– REPORT NO. AR22/38086**

RESOLUTION 2022/77

Moved: Cr Ben Hood

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 Council Officers B Cernovskis, D Barber, T Coote, M McCarthy, J Scoggins, A Watson, J McDonald, M Brookes and S Wilson be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 26.3 AR22/38086 Project Control Group (PCG) Progress Report #18 - As at 07/06/2022.

The Council is satisfied that, pursuant to section 90(3) (b), (d) and (g) 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

- 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

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 contained within the report and attachments presents matters relating to contracts between Council and contractors associated with the construction and operation of the Wulanda Recreation and Convention Centre. The disclosure of information contained in this report and attachments could reasonably be expected to prejudice the commercial position of Council or the third parties and is considered on balance to be contrary to the public interest as it could prejudice the Councils position in obtaining best value project delivery on behalf of the community.

CARRIED

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

Purpose of the Suspension: To further discuss Project Control Group (PCG) Progress Report #18.

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

Meeting Procedures were suspended at 6:48pm.

The Acting Presiding Member 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 7:11pm.

RESOLUTION 2022/78

Moved: Cr Ben Hood

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 AR22/38086 Project Control Group (PCG) Progress Report #18 - As at 07/06/2022 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) and (g) be kept confidential and not available for public inspection until 12 months after completion of the project.
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



27 MEETING CLOSE

The Meeting closed at 7:15pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 19 July 2022.

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PRESIDING MEMBER

