

MINUTES

Ordinary Council Meeting

Tuesday 17 September 2024



Minutes of City of Mount Gambier Ordinary Council Meeting held at:

Time: 6:00 pm
Date: Tuesday 17 September 2024
Location: Council Chamber - Civic Centre
10 Watson Terrace, Mount Gambier

PRESENT: Mayor Lynette Martin (OAM)
Cr Kate Amoroso
Cr Max Bruins
Cr Paul Jenner
Cr Mark Lovett
Cr Josh Lynagh
Cr Sonya Meziniec
Cr Frank Morello
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	- Ms B Shelton
	Media and Communications Coordinator	- Ms S McLean
	Manager Economy, Strategy and Engagement	- Mrs B Shearing
	Director Riddoch Arts and Cultural Centre	- Ms A Whatling
	Community Events Officer	- Ms T Smith
	Community Events Officer	- Ms L Golubic
	Economy, Strategy and Engagement Project Officer	- Miss M Brookes
	Manager Operations Infrastructure	- Mr K Manarangi
	Governance and Property Officer	- Mrs K Berry
	Communications Officer	- Miss T Hill
	Councillor Support Officer	- Mrs M Telford
	Executive Administrator	- Ms S Wilson
	Executive Administrator	- Miss T Chant

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

4.1 CONFIRMATION OF COUNCIL MINUTES

RESOLUTION OCM 2024/108

Moved: Cr Sonya Meziniec
Seconded: Cr Max Bruins

That the minutes of the Ordinary Council Meeting held on 20 August 2024 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED



5 MAYORAL REPORT

5.1 MAYORAL REPORT - SEPTEMBER 2024

- Official Opening of the Independent Learning Centre Art Exhibition
- Meeting with CEO, Sarah Philpott and LCLGA Executive Officer, Deb Brokenshire
- Sneak Peek of Leadership Program with RDALC – held at the Apple Farm
- Informal catch up with LCLGA Mayors
- Catch up with LCLGA Executive Officer, Deb Brokenshire (virtual)
- Tenison Woods Year 5 student excursion to Council Chambers – Mayoral address regarding Mayor and Council roles and civic responsibilities
- Meeting with Christine Schloithe – CEO, Music SA
- LCLGA Special Board Meeting (virtual)
- Meeting with CEO, Sarah Philpott, Ben Kilsby and Shadow Assistant Minister for Regional South Australia Ben Hood – public transport in Mount Gambier
- Interview – The Border Watch – Coat of Arms
- Radiation Therapy Working Group meeting
- Meeting with Troy Bell MP and Travis Fatchen
- Women’s Health Week event – Wulanda
- Elected Member Briefing – LCLGA Future Priorities and Directions
- Elected Member Briefing (confidential) – Country Arts SA
- Pioneer’s Basketball President’s Lunch
- NBL Pre-Season @ Wulanda – Adelaide 36ers v Brisbane Bullets
- Elected Member training – New Agenda Management System
- Meeting with internal staff – briefing prior to LCLGA Tourism Discussion meeting
- *Ghosts from the Collection* exhibition opening – Riddoch Trust event (by invitation to previous donors)
- Meeting with CEO, Sarah Philpott and LCLGA Destination Development Manager, Kate Napper – LCLGA Tourism Discussion
- Webinar: Local Government financial sustainability
- Elected Member Briefing – Council’s Strategic Plan 2024-2028 – Workshop 2
- Meeting with Nathan Paine (SAFPA) – Wood Work Working Group
- LCLGA Mayor’s Catch-up (virtual)
- R U OK? Day – Speed Chat – The Haven event with Superintendent Cheryl Brown (SAPOL)
- LCLGA Workshop / Strategic Discussion – Naracoorte
- 2024 International Soccer Club Senior Presentation Night



- Coffee with Commissioner of Royal Commission into Domestic, Family and Sexual Violence

RESOLUTION OCM 2024/109

Moved: Mayor Lynette Martin
Seconded: Cr Mark Lovett

That the Mayoral report be received.

CARRIED

6 REPORTS FROM COUNCILLORS

6.1 REPORTS FROM COUNCILLORS

Cr Sonya Meziniec	Opening of Ghosts from the Collection - Riddoch Arts and Cultural Centre, Christmas Parade Advisory Committee.
Cr Jason Virgo	Site visit to Tallabrook Court and Wireless Road West to view erosion and tree concerns.
Cr Josh Lynagh	Cheque presentation to Bree Ridding and Kai Arbery for the Junior Sports Assistance Fund, Metropolitan Fire Service visit to the Mount Gambier Library, NBL game at Wulanda - Adelaide 36ers vs Brisbane Bullets.
Cr Frank Morello	Independent Learning Centre Art Exhibition, Grants and Sponsorship Program Assessment Panel.

RESOLUTION OCM 2024/123

Moved: Cr Frank Morello
Seconded: Cr Paul Jenner

That the reports from Councillors be received.

CARRIED

7 QUESTIONS WITH NOTICE

7.1 QUESTIONS WITH NOTICE

The following question with notice was received from Cr Kate Amoroso:

Question - Basketball Mount Gambier

Could you please provide an update on the current lease arrangements, and any future lease discussions underway with Basketball Mount Gambier for the Icehouse?



Response - General Manager Corporate and Regulatory Services

The current lease with Basketball Mount Gambier is in a holding over period. We have had several meetings, phone calls and emails regarding their long-term use of the Icehouse. They have been invited to an Elected Member Briefing in late October to provide further details. However, despite staff following up, it has been challenging to get clear information or direction from Basketball Mount Gambier at this stage. We will continue to pursue this matter to ensure it progresses.

8 QUESTIONS WITHOUT NOTICE

Nil resolved.

8.2 QUESTION/S TAKEN ON NOTICE FROM PREVIOUS MEETING

Question - ALGA Motion for Youth Allowance

Can an update be provided on the ALGA Motion that Council submitted on Youth Allowance.

Response - Mayor Lynette Martin

The 2024 NGA resolutions that were submitted to the ALGA Board in July are currently being addressed by ALGA staff, who are drafting letters to the appropriate Ministers. The letters are expected to be dispatched in the coming weeks.

Additionally, ALGA will write to all councils that submitted NGA resolutions to inform them about the subsequent steps in the process. Council has not yet received this correspondence.

RESOLUTION OCM 2024/124

Moved: Cr Paul Jenner
Seconded: Cr Jason Virgo

That the response to the question regarding the ALGA Motion for Youth Allowance be received and recorded.

CARRIED

9 PETITIONS

Nil

10 DEPUTATIONS

Nil

11 NOTICE OF MOTION TO REVOKE OR AMEND

Nil



12 ELECTED MEMBERS INFORMATION BRIEFING SESSIONS

RESOLUTION OCM 2024/125

Moved: Cr Sonya Mezinec
Seconded: Cr Mark Lovett

That Council Report titled Elected Member Information Briefing Sessions held since the previous Council Meeting be noted.

CARRIED

13 ELECTED MEMBERS TRAINING AND DEVELOPMENT

Nil

14 AUDIT AND RISK COMMITTEE

Nil

15 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE

Nil

16 JUNIOR SPORTS ASSISTANCE FUND COMMITTEE

Nil

17 BUILDING FIRE SAFETY COMMITTEE

Nil

18 COUNCIL REPORTS

18.1 CHANGES TO AGENDA AND MINUTE DOCUMENTATION

RESOLUTION OCM 2024/110

Moved: Cr Frank Morello
Seconded: Cr Paul Jenner

1. That Council report titled 'Changes to Agenda and Minute Documentation' as presented on Tuesday 17 September 2024 be noted.

CARRIED



18.2 WULANDA RECREATION AND CONVENTION CENTRE - ANNUAL REPORT - OPERATING

RESOLUTION OCM 2024/111

Moved: Cr Paul Jenner

Seconded: Cr Frank Morello

1. That Council report titled 'Wulanda Recreation and Convention Centre - Annual Report - Operating' as presented on Tuesday 17 September 2024 be noted.
2. That the operational and financial key performance indicators of the Wulanda Recreation and Convention Centre will be incorporated into Council's Annual Report following the conclusion of each financial year.

CARRIED

18.3 GRANTS AND SPONSORSHIP PROGRAM 2024/2025 - ROUND 1

Pursuant to Section 74 and 75 of the Local Government Act 1999, Cr Josh Lynagh disclosed a material and general conflict of interest in Item 18.3.

In accordance with Section 75B Cr Lynagh informed the meeting:

Nature of Interest - Material:

1. *My wife manages the choirs for a number of schools participating in the South East Primary Schools Music Festival, which is an applicant for the Minor Events Grant.*
2. *I have previously been provided tickets for the Beer and BBQ Fest as media in Mount Gambier and in Adelaide as a performing artist and expect this may occur in the future, with the organisers of this festival applying for Corporate Sponsorship.*

Nature of Interest - General:

1. *My daughter is a student at Grant High School who have applied under the Minor/Major Community Strengthening Grant.*
2. *I work for Melaleuca Park Primary School, which is named under the Minor/Major Community Strengthening Grant for Basketball Mount Gambier as being a direct recipient of the program.*

In accordance with Section 75B of the Local Government Act 1999 Cr Lynagh left the meeting at 6:22pm.

Pursuant to Section 74 of the Local Government Act 1999, Cr Mark Lovett disclosed a general conflict of interest in Item 18.3.

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

Nature of Interest:

My son plays junior basketball with Basketball Mount Gambier.

Intention to Participate:

I will participate and vote.



In accordance with Section 75B of the Local Government Act 1999 Cr Lovett remained in the meeting for Item 18.3.

Pursuant to Section 74 of the Local Government Act 1999, Cr Frank Morello disclosed a general conflict of interest in Item 18.3.

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

Nature of Interest:

I am an assessment panel member of the Grants and Sponsorship Program.

Intention to Participate:

I intend to stay in the meeting and vote on the matter. I will not move or second the motion, not will I be engaging in discussion or debate on the matter.

Reason for Participating:

The action that I am taking is sufficient to address and deal with my conflict adequately by not moving or seconding the motion or speaking to the motion. I intend to vote and represent the community with my vote as I feel that is important.

In accordance with Section 75B of the Local Government Act 1999 Cr Morello remained in the meeting for Item 18.3.

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 allow further discussion on Item 18.3.

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

Meeting Procedures were suspended at 6:23pm.

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 6:40pm.

RESOLUTION OCM 2024/112

Moved: Cr Mark Lovett

Seconded: Cr Jason Virgo

1. That Council report titled 'Grants and Sponsorship Program 2024/2025 - Round 1' as presented on Tuesday 17 September 2024 be noted.
2. That \$239,805 cash plus \$40,328 in kind be endorsed for distribution for round one of the 2024/2025 Grants and Sponsorship program.
3. All applicants be notified accordingly, advising that the provision and acquittal of these grant funds will be subject to:

- (a) all necessary land holder and development approvals being obtained; and
 - (b) all works being completed in accordance with all relevant legislative and compliance standards.
4. That Council invite the Generations in Jazz committee to present a three to five year business plan and funding model at an Elected Member briefing to be held before the end of the current calendar year.
 5. That Council invite the Fringe Mount Gambier committee to present a three to five year business plan and funding model at an Elected Member briefing to be held before the end of the current calendar year.
 6. That Council seeks further information from Mount Gambier Community Management Inc. and Mount Gambier Swimming Club regarding their applications to be presented to the assessment panel for recommendation.
- CARRIED**

Cr Kate Amoroso called a division.

The declaration was set aside.

Voting by division being:

In Favour: Cr Paul Jenner, Cr Mark Lovett, Cr Sonya Meziniec, Cr Frank Morello and Cr Jason Virgo

Against: Cr Kate Amoroso and Cr Max Bruins

The Mayor declared the motion

CARRIED

Having participated in the meeting for Item 18.3 Cr Lovett voted in favour for the motion.

Having participated in the meeting for Item 18.3 Cr Morello voted in favour for the motion.

Cr Josh Lynagh returned to the meeting at 6:41pm.

18.4 2024 CAPITAL WORK IN PROGRESS CARRYFORWARDS

RESOLUTION OCM 2024/113

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

1. That Council report titled '2024 Capital Work in Progress Carryforwards' as presented on Tuesday 17 September 2024 be noted.
2. That Council approves the proposed total carry forwards of \$1.746m for capital expenditure items as at 30 June 2024 and revised annual net impact to the financing activities of \$1.693m.



3. That Council adopts the revised capital expenditure budgets for the year ending 30 June 2024.

CARRIED

18.5 CITY INFRASTRUCTURE - CAPITAL WORKS PROGRAM 2023/2024 UPDATE

RESOLUTION OCM 2024/114

Moved: Cr Mark Lovett
Seconded: Cr Josh Lynagh

1. That Council report titled 'City Infrastructure - Capital Works Program 2023/2024 Update' as presented on Tuesday 17 September 2024 be noted.

CARRIED

18.6 ELECTOR REPRESENTATION REVIEW - REPRESENTATION REPORT

RESOLUTION OCM 2024/115

Moved: Cr Max Bruins
Seconded: Cr Sonya Meziniec

1. That Council report titled 'Elector Representation Review - Representation Report' as presented on Tuesday 17 September 2024 be noted.
2. The Elector Representation Review - Representation Report attached, having been prepared by a person who in the opinion of the Council is qualified to address the requirements and governance issues that may arise with respect to the matters under review, be received and endorsed for public consultation purposes.
3. Public Consultation on the Elector Representation Review - Representation Report be conducted in accordance with the requirements of the Local Government Act 1999 and any resultant submissions be the subject of a further report to Council for consideration.

CARRIED

18.7 ELECTION OF 2024 LGFA REPRESENTATIVE MEMBERS

RESOLUTION OCM 2024/116

Moved: Cr Max Bruins
Seconded: Cr Sonya Meziniec

1. That Council report titled 'Election of 2024 LGFA Representative Members' as presented on Tuesday 17 September 2024 be noted.



2. That Council endorse the following two candidates for the 2024 election of Local Government Finance Authority Representative Members:
- (a) Michael Sedgman
 - (b) John Smedley
- and the ballot paper be marked, sealed and returned to the Returning Officer accordingly.

CARRIED

18.8 POLICY REVIEWS

RESOLUTION OCM 2024/117

Moved: Cr Paul Jenner
Seconded: Cr Max Bruins

1. That Council report titled 'Policy Reviews' as presented on Tuesday 17 September 2024 be noted.
2. That the following reviewed and updated policy be endorsed:
 - (a) W125 Waste Management - Kerbside Refuse Collection.

CARRIED

18.9 PERIODIC REVIEW OF CONFIDENTIAL ITEMS - SEPTEMBER 2024

Cr Jason Virgo left the meeting at 6:57 pm and did not return.

RESOLUTION OCM 2024/118

Moved: Cr Sonya Meziniec
Seconded: Cr Josh Lynagh

1. That Council report titled 'Periodic Review of Confidential Items - September 2024' as presented on Tuesday 17 September 2024 be noted.
2. That the following Confidential Orders as specified in Attachment 1, having been reviewed by Council, be amended to alter their duration and release conditions:

Nil.
3. That the following Confidential Orders as specified in Attachment 1, having been reviewed by Council, be released as soon as practicable following the Council meeting on 17 September 2024:

Nil.
4. That all Confidential Orders as specified in Attachment 1, excluding those amended or released in resolutions (2) or (3) above, having been reviewed by Council, remain in operation on the grounds and durations/release conditions as specified.

CARRIED



19 MOTIONS WITH NOTICE

19.1 MOTION WITH NOTICE - BLOOD DONOR SERVICES MOUNT GAMBIER

Pursuant to Section 74 of the Local Government Act 1999, Cr Josh Lynagh disclosed a general conflict of interest in Item 19.1.

In accordance with Section 75B Cr Lynagh informed the meeting:

Nature of Interest:

The motion requests a copy of the letter also be sent to Minister Clare Scriven who I am employed by.

Intention to Participate:

I intend to stay in the meeting and vote on the matter. I will not move or second the motion, nor will I be engaging in discussion or debate on the matter.

Reason for Participating:

The action that I am taking is sufficient to address and deal with my conflict adequately by not moving or seconding the motion or speaking to the motion. I intend to vote and represent the community with my vote as I feel that is important.

In accordance with Section 75B of the Local Government Act 1999 Cr Lynagh remained in the meeting for Item 19.1.

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 allow further discussion on Item 19.1.

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

Meeting Procedures were suspended at 7:05pm.

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 7:12pm.

RESOLUTION OCM 2024/119

Moved: Cr Kate Amoroso
Seconded: Cr Mark Lovett

1. That the motion from Cr Kate Amoroso as presented on Tuesday 17 September 2024 be noted.
2. That Council write to the Australian Red Cross, Hon Mark Butler MP - Minister for Health and Aged Care and Minister Chris Picton MP – Minister for Health and Wellbeing advocating for a permanent blood collection service for Mount Gambier.



3. That a copy of the letter be sent to the Hon Clare Scriven – Minister for Regional Development, Mr Tony Pasin MP - Federal Member for Barker, Mr Troy Bell MP - Member for Mount Gambier and the Limestone Coast Local Area Health Network to seek their support in advocating for a permanent blood collection service.

CARRIED

Having participated in the meeting for Item 19.1 Cr Lynagh voted in favour of the motion.

19.2 MOTION WITH NOTICE - CBD ACTIVATION OPPORTUNITIES

RESOLUTION OCM 2024/121

Moved: Cr Max Bruins

Seconded: Cr Mark Lovett

1. That the motion from Cr Max Bruins as presented on Tuesday 17 September 2024 be noted.
2. That Council staff undertake some early stage preliminary research into the “Riverside Markets” communal market/dining space in Christchurch, New Zealand and the “Elliot Stables” communal dining space in Auckland, New Zealand, paying particular attention to things such as:
 - Venue Size / Number of proprietors
 - Venue design/layout
 - Operating model
3. That a brief report be brought back to Council by the end of the 2024 calendar year with some background on both venues and whether Council wishes to proceed with undertaking some more detailed investigations into these venues and similar and gauge the potential for something similar to be considered for Mount Gambier, in either the Railway Station building or an alternative location.

CARRIED

20 URGENT MOTIONS WITHOUT NOTICE

Nil.

21 CONFIDENTIAL ITEMS OF COMMITTEES

Nil



22 NEW CONFIDENTIAL ITEMS

22.1 MICROMOBILITY (E-SCOOTER) UPDATE

RESOLUTION OCM 2024/122

Moved: Cr Frank Morello
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, B Shelton, S McLean, B Shearing, A Whatling, M Brookes, K Manarangi, M Telford, S Wilson and T Chant be excluded from attendance at the meeting for the receipt and consideration in confidence of Micromobility (e-scooter) Update.

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

- (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
 - (i) 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; and
 - (ii) would, on balance, be contrary to the public interest.
- (g) 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, any duty of confidence, or 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 regarding mobility devices contains commercial information of a confidential nature provided to Council in-confidence, and the consideration of which if conducted in open could prejudice the position of Council or the party that provided the information or confer a commercial advantage on a third party.

CARRIED

Cr Mark Lovett left the meeting at 7:19 pm and did not return.

RESOLUTION OCM 2024/126

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 Micromobility (e-scooter) Update and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:

- (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
 - (i) 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; and
 - (ii) would, on balance, be contrary to the public interest.
- (g) 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, any duty of confidence, or other legal obligation or duty.

be kept confidential and not available for public inspection until such time as the proponent has been formally advised of the outcome of their Unsolicited Proposal and Council has been released from its duty of confidence.

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

22.2 DELEGATION TO AWARD ELECTRICITY CONTRACT

RESOLUTION OCM 2024/127

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 and S Philpott, B Cernovskis, J Fetherstonhaugh, B Shelton, S McLean, B Shearing, A Whatling, M Brookes, K Manarangi, M Telford, S Wilson and T Chant be excluded from attendance at the meeting for the receipt and consideration in confidence of Delegation to Award Electricity Contract.

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

- (b) information the disclosure of which -



- (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
- (ii) would, on balance, be contrary to the public interest.

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 OCM 2024/128

Moved: Cr Sonya Meziniec
Seconded: Cr Max Bruins

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 Delegation to Award Electricity Contract and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:
 - (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.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

22.3 DISCRETIONARY RATE REBATE

RESOLUTION OCM 2024/129

Moved: Cr Frank Morello
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, B Shelton, S McLean, B Shearing, A Whatling, M Brookes, K Manarangi, M Telford, S Wilson and T Chant be excluded from attendance at the meeting for the receipt and consideration in confidence of Discretionary Rate Rebate.

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

- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
 - (i) 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; and
 - (ii) would, on balance, be contrary to the public interest.
- (j) information the disclosure of which -
 - (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
 - (ii) would, on balance, be contrary to the public interest.

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 as arrangements between the proponent and a Government authority are not yet public.

CARRIED

Pursuant to Section 74 of the Local Government Act 1999, Cr Max Bruins disclosed a general conflict of interest in Item 22.3.

In accordance with Section 75B Cr Bruins informed the meeting:

Nature of Interest:

I have had several meetings with the applicant regarding their development prior to them engaging Council and requesting the rebate.

In accordance with Section 75B of the Local Government Act 1999 Cr Bruins left the meeting at 7:27pm.

Cr Bruins returned to the meeting at 7:30pm.

RESOLUTION OCM 2024/130

Moved: Cr Sonya Meziniec
Seconded: Cr Kate Amoroso

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 Discretionary Rate Rebate and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:



- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
 - (i) 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; and
 - (ii) would, on balance, be contrary to the public interest.
- (j) information the disclosure of which -
 - (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
 - (ii) would, on balance, be contrary to the public interest.

be kept confidential and not available for public inspection until the arrangements between the proponent and Government authority have been made public.

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

Cr Kate Amoroso left the meeting at 7:30pm.

22.4 WULANDA RECREATION AND CONVENTION CENTRE – PROJECT UPDATE

RESOLUTION OCM 2024/134

Moved: Cr Josh Lynagh
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, B Shelton, S McLean, B Shearing, A Whatling, M Brookes, K Manarangi, M Telford, S Wilson and T Chant be excluded from attendance at the meeting for the receipt and consideration in confidence of Wulanda Recreation and Convention Centre - Project Update.

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

- (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
 - (i) 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; and



- (ii) would, on balance, be contrary to the public interest.
- (g) 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, any duty of confidence, or other legal obligation or duty.
- (h) legal advice.

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

Cr Kate Amoroso returned to the meeting at 7:33 pm.

RESOLUTION OCM 2024/135

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 Wulanda Recreation and Convention Centre - Project Update and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:

- (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
 - (i) 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; and
 - (ii) would, on balance, be contrary to the public interest.
- (g) 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, any duty of confidence, or other legal obligation or duty.
- (h) legal advice.

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

23 MEETING CLOSE

The meeting closed at 7:41 pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 15 October 2024.

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MAYOR



24 ATTACHMENT 1 - ITEM 18.3

Documents tabled at the meeting:

- Summary of Applications for Grants and Sponsorship Program 2024/2025



Corporate Sponsorship Summary

Note: Applicant Name, Status, Weighted Score and Rank and automatically filled from Evaluation spreadsheet

Applicant Name	Conflict of Interest	Weighted Score	Rank	2024/25 Estimates									2023/24 Sponsorship (Actuals)			Outcome		
				Requested Cash	Requested In Kind	Allocated Cash	Allocated In Kind	Allocated Cash and In-Kind	Economic Benefit	Participation	Overnight Stays - per night	Days of Event	No. of Local Jobs	Cash	In Kind	Total	Successful/ Unsuccessful	Notes
Mount Gambier Community Management Inc - New Years Eve	Nil			\$17,600.00	\$1,287.00			\$0.00	\$909,016.00	4750	238/1 nights	1	10	\$5,000.00	\$8,000.00	\$13,000.00		Undetermined. More information and discussion required regarding budget.
Beer & BBQ Pty Ltd - South East Beer & BBQ Fest	Councillor Josh Lynagh, Manager Economy, Strategy and Engagement	387.50	2	\$15,000.00	\$10,000.00	\$15,000.00	\$10,000.00	\$25,000.00	\$2,408,480.00	4000	2320/2 nights	2	27			\$0.00	Successful	
Australian International Pedal Prix Inc - City of Mount Gambier 8 Hour Pedal Prix	Nil	305.00	4	\$15,000.00	\$365.00	\$15,000.00	\$625.00	\$15,625.00	\$1,098,720.00	1800	1080/2 nights	2	13	\$10,000.00	\$420.00	\$10,420.00	Successful	
South Eastern Automobile Club - Legend of the Lakes Hillclimb	Nil	265.00	5	\$10,000.00	\$6,000.00		\$5,400.00	\$5,400.00	\$1,604,064.00	1200	888/4 nights	4	20		\$4,000.00	\$4,000.00	Successful	In-kind only.
Limestone Coast Festivals & Events Inc - Fantasy Medieval	Nil	397.50	1	\$15,000.00	\$5,000.00	\$15,000.00	\$5,226.00	\$20,226.00	\$1,733,000.00	2500	2000/2 nights	2	22	\$1,000.00	\$2,000.00	\$3,000.00	Successful	
Generations in Jazz Inc - Generations in Jazz	Nil			\$35,000.00	\$5,000.00			\$0.00	\$5,664,750.00	5000	4750/2 nights	3	70	\$35,000.00	\$6,000.00	\$41,000.00		Undetermined. Surplus budget required, more discussion needed.
Fringe Berrin Inc - Fringe Mount Gambier	Nil			\$50,000.00	\$14,000.00			\$0.00	\$2,795,216.00	884	71/16 nights	16	37	\$35,000.00	\$5,000.00	\$40,000.00		Undetermined. Discussion of long-term sustainability required.
Mount Gambier Swimming Club - 2025 South Australian Country Swimming Championships	Nil			\$15,000.00				\$0.00	\$1,906,300.00	1100	220/5 nights	5	23			\$0.00		Undetermined. Application not complete at time of assessment.
				Requested Cash	Requested In Kind	Allocated Cash	Allocated In Kind	Allocated In Kind Total										
				\$172,600.00	\$41,652.00	\$45,000.00	\$21,251.00	\$66,251.00										

Major Events Grant Summary

Note: Applicant Name, Status, Weighted Score and Rank and automatically filled from Evaluation spreadsheet

Applicant Name	Conflict of Interest	Weighted Score	Rank	2024/25 Estimates									2023/24 Sponsorship (Actuals)			Outcome		
				Requested Cash	Requested In Kind	Allocated Cash	Allocated In Kind	Allocated Cash and In-Kind	Economic Benefit	Participation	Overnight Stays - per night	Days of Event	No. of Local Jobs	Cash	In Kind	Total	Successful/ Unsuccessful	Notes
Rotary Club of Mount Gambier West - Party in the Park	Nil	365.00	7	\$3,200.00	\$1,350.00	\$3,200.00	\$1,170.00	\$4,370.00	\$277,710.00	1500	30/1 night	1	3	\$2,700.00	\$1,000.00	\$3,700.00	Successful	In-kind was amended.
Mount Gambier A&H Society Inc - Mount Gambier 163rd Spring Show	Nil	327.50	9	\$5,000.00	\$2,500.00		\$2,243.00	\$2,243.00	\$4,218,200.00	7000	2100/3 nights	2	52	\$3,000.00	\$2,000.00	\$5,000.00	Successful	In-kind only.
Mount Gambier Disc Golf - 2024 Eruption	Nil	425.00	2	\$2,500.00	\$2,500.00	\$2,500.00	\$1,300.00	\$3,800.00	\$323,224.00	220	198/4 nights	4	4	\$2,000.00	\$2,000.00	\$4,000.00	Successful	
Mount Gambier Ministers Association - Blue Lake Carols	Nil	430.00	1	\$5,000.00	\$1,000.00	\$5,000.00	\$661.00	\$5,661.00	\$1,086,000.00	6000	0	1	14	\$5,000.00	\$1,000.00	\$6,000.00	Successful	
Basketball Mount Gambier Inc - Junior Basketball Tournament	Nil	365.00	7	\$9,500.00		\$2,000.00		\$2,000.00	\$2,079,600.00	3000	2400/2 nights	2	26	\$2,000.00		\$2,000.00	Successful	Cash was amended. Surplus cash evident in budget.
Lakes Rotary Mount Gambier - Blue Lake Fun Run	Nil	417.50	3		\$12,200.00	\$12,200.00		\$12,200.00	\$424,100.00	2000	300/1 night	1	5	\$8,000.00		\$8,000.00	Successful	In-kind was converted to cash.
South Gambier Football Club	Nil	380.00	5	\$6,900.00	\$1,000.00	\$6,900.00	\$947.00	\$7,847.00	\$287,025.00	1500	75/1 night	1	3			\$0.00	Successful	
Port MacDonnell Bayside Festival Association Inc - Port MacDonnell Bayside Festival	Manager Economy, Strategy and Engagement	325.00	10	\$11,170.00	\$1,957.00	\$3,850.00	\$1,957.00	\$5,807.00	\$660,990.00	3000	570/1 night	1	9			\$0.00	Successful	Cash was amended.
Mount Gambier Community RSL - Anzac Day Memorial Service and Parade	Nil	415.00	4	\$2,300.00	\$3,450.00	\$2,300.00	\$3,450.00	\$5,750.00	\$1,135,680.00	6000	240/1 night	1	15			\$0.00	Successful	
Mount Gambier Chamber of Commerce - Mount Gambier Christmas Parade Business Boost Event	Nil	370.00	6		\$3,865.00		\$3,865.00	\$3,865.00	\$1,435,125.00	7500	375/1 night	1	17			\$0.00	Successful	
				Requested Cash	Requested In Kind	Allocated Cash	Allocated In Kind	Allocated In Kind Total										
				\$45,570.00	\$29,822.00	\$37,950.00	\$15,593.00	\$53,543.00										

Minor Events Grant Summary

Note: Applicant Name, Status, Weighted Score and Rank and automatically filled from Evaluation spreadsheet

Applicant Name	Conflict of Interest	Weighted Score	Rank	2024/25 Estimates										2023/24 Sponsorship (Actuals)			Outcome	
				Requested Cash	Requested In Kind	Allocated Cash	Allocated In Kind	Allocated Cash and In-Kind	Economic Benefit	Participation	Overnight Stays - per night	Days of Event	No. of Local Jobs	Cash	In Kind	Total	Successful/ Unsuccessful	Notes
Department of Education - South East Primary Schools Music Festival	Councillor Josh Lynagh	347.50	5	\$2,000.00		\$2,000.00		\$2,000.00	\$558,540.00	600	60/3 nights	5	7	\$1,500.00		\$1,500.00	Successful	
The Inside Line Incorporated - Inside Line Downhill Mountain Bike	Nil	392.50	2	\$1,300.00	\$700.00	\$1,300.00	\$1,065.00	\$2,365.00	\$650,280.00	600	540/3 nights	2	8			\$0.00	Successful	In-kind was amended.
Mount Gambier Legends Baseball Club - Masters Baseball	Executive Administrator City and Community Growth	225.00	7	\$1,000.00	\$500.00	\$1,000.00	\$489.00	\$1,489.00	\$206,010.00	225	135/3 nights	3	3	\$500.00	\$500.00	\$1,000.00	Successful	In-kind was amended.
Basketball Mount Gambier - Country Basketball League South West Mens & Womens Comp	Nil	212.50	8	\$2,000.00				\$0.00	\$256,050.00	150	75/6 nights	6	2			\$0.00	Unsuccessful	No definitive dates provided for event. No budget for profit/loss.
South Coast Cycling - Track Cycling Carnival	Nil	275.00	6	\$2,000.00		\$900.00	\$400.00	\$1,300.00	\$106,232.00	250	38/1 night	2	1			\$0.00	Successful	Cash and in-kind was amended.
Mount Gambier Community RSL - Remembrance Day	Nil	362.50	3	\$1,100.00	\$660.00		\$1,130.00	\$1,130.00	\$333,525.00	1800	36/1 night	1	4			\$0.00	Successful	
Lake City Rodders - Valentines Rod Run	Nil	357.50	4	\$500.00		\$500.00		\$500.00	\$151,002.00	150	113/2 nights	3	2			\$0.00	Successful	
K9's with KAZ	Nil	397.50	1		\$500.00		\$400.00	\$400.00	\$57,405.00	300	15/1 night	1	1		\$198.50	\$198.50	Successful	
				Requested Cash	Requested In Kind	Allocated Cash	Allocated In Kind	Allocated Total										
				\$9,900.00	\$2,360.00	\$5,700.00	\$3,484.00	\$9,184.00										

Sports and Recreation Capital Works Summary

Note: Applicant Name, Status, Weighted Score and Rank and automatically filled from Evaluation spreadsheet

Applicant Name	Weighted Score	Rank	2024/25 Estimates					Outcome
			Requested Cash	Requested In Kind	Allocated Cash	Allocated In Kind	Allocated Cash and In-Kind	Successful/ Unsuccessful
North Gambier Football & Netball Club	372.50	3	\$12,000.00		\$12,000.00		\$12,000.00	Successful
Apollo Football Club	445.00	2	\$50,000.00		\$50,000.00		\$50,000.00	Successful
Mount Gambier & District Tennis Association	452.50	1	\$35,000.00		\$35,000.00		\$35,000.00	Successful
			Requested Cash	Requested In Kind	Allocated Cash	Allocated In Kind	Allocated Total	
			\$97,000.00	\$0.00	\$97,000.00	\$0.00	\$97,000.00	

Creative Arts Fund Summary

Note: Applicant Name, Status, Weighted Score and Rank and automatically filled from Evaluation spreadsheet

Applicant Name	Conflict of Interest	Weighted Score	Rank	2024/25 Estimates					Outcome	
				Requested Cash	Requested In Kind	Allocated Cash	Allocated In Kind	Allocated Cash and In Kind	Successful/ Unsuccessful	Notes
Melinda Holtz	Nil	235.00	3	\$5,409.04				\$0.00	Unsuccessful	The project did not reflect the cultural/industrial heritage of the Rail Lands.
Louise Agnew & Lucy Bonnin	Nil	185.00	4	\$29,845.00				\$0.00	Unsuccessful	This artist was supported for a previous mural project. With the current funds we would like to diversity our support to other applicants.
Pariya Ziakas & Ruth Stephenson	Nil	302.50	2	\$23,500.00	\$9,000.00	\$23,500.00		\$23,500.00	Successful	Cash only.
Burrandies Aboriginal Corporation	Nil	307.50	1	\$19,155.00		\$19,155.00		\$19,155.00	Successful	
Kim Cella	Nil	160.00	5	\$3,000.00				\$0.00	Unsuccessful	Commercial endeavour.
				Requested Cash	Requested In Kind	Allocated Cash	Allocated In Kind	Allocated Total		
				\$80,909.04	\$9,000.00	\$42,655.00	\$0.00	\$42,655.00		

Minor/Major Community Strengthening Grants Summary

Note: Applicant Name, Status, Weighted Score and Rank and automatically filled from Evaluation spreadsheet

Applicant Name	Conflict of Interest	Weighted Score	Rank	2024/25 Estimates					Outcome	
				Requested Cash	Requested In Kind	Allocated Cash	Allocated In Kind	Allocated Cash and In-Kind	Successful/ Unsuccessful	Notes
Grant High School	Councillor Josh Lynagh	70.00	3	\$300.00				\$0.00	Unsuccessful	No evidence of greater Mount Gambier community benefit.
School Sports SA South East Zone	Nil	70.00	3	Unspecified				\$0.00	Unsuccessful	No budget provided.
Careflight	Nil	70.00	3	\$1,500.00		\$1,500.00		\$1,500.00	Successful	
Stand Like Stone Foundation	General Manager City Infrastructure	170.00	1	\$10,000.00		\$10,000.00		\$10,000.00	Successful	re-work community strengthening application to align with community outcomes ala back to school vouchers etc.
Basketball Mount Gambier	Councillor Josh Lynagh	110.00	2	\$10,000.00				\$0.00	Unsuccessful	Deemed as a marketing/promotion campaign.
Mount Gambier Chamber of Commerce - Membership Fee	Nil	70.00	3	\$550.00				\$0.00	Unsuccessful	Submitted application incomplete.
				Requested Cash	Requested In Kind	Allocated Cash	Allocated In Kind	Allocated Total		
				\$22,350.00	\$0.00	\$11,500.00	\$0.00	\$11,500.00		