

# MINUTES

## Ordinary Council Meeting

Tuesday 21 April 2026



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

**Time:** 6:00 pm  
**Date:** Tuesday 21 April 2026  
**Location:** Council Chamber, Civic Centre  
10 Watson Terrace, Mount Gambier

**PRESENT:** Mayor Lynette Martin (OAM)  
Cr Max Bruins  
Cr Paul Jenner  
Cr Mark Lovett  
Cr Josh Lynagh  
Cr Sonya Meziniec  
Cr Frank Morello

<b>OFFICERS IN ATTENDANCE:</b>	Chief Executive Officer	- Mr Paul Simpson
	General Manager City Infrastructure	- Ms B Cernovskis
	General Manager Corporate and Regulatory Services	- Mrs J Fetherstonhaugh
	General Manager People, Place and Liveability	- Mr C White
	Manager Governance and Property	- Ms B Shelton
	Manager Operations Infrastructure	- Mr K Manarangi
	Manager Waste, ReUse and Environment	- Mr J Martin
	Environmental Sustainability Business Partner	- Mr A Izzard
	Governance and Property Officer	- Mrs E Solly
	Media and Communications Coordinator	- Ms S McLean
	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 CONDUCT OF THE GALLERY

**MEMBERS OF THE GALLERY ARE REMINDED THAT THEY MUST NOT BEHAVE IN A DISORDERLY MANNER OR CAUSE AN INTERRUPTION TO THE MEETING. WHILST AUDIO RECORDING OF COUNCIL AND COMMITTEE MEETINGS IS PERMITTED, PHOTOGRAPHING, FILMING AND TELEVISIONING ARE PROHIBITED UNLESS EXPRESS PRIOR PERMISSION IS GRANTED BY THE PRESIDING MEMBER. WE ASK THAT YOU PLEASE PLACE YOUR PHONES ON SILENT. SHOULD AN EMERGENCY OCCUR AT ANY STAGE, PLEASE FOLLOW THE DIRECTION OF COUNCIL STAFF TO VACATE THE BUILDING.**

#### 3 APOLOGIES

Nil

#### 4 LEAVE OF ABSENCE

Nil



## 5 CONFIRMATION OF COUNCIL MINUTES

### 5.1 CONFIRMATION OF COUNCIL MINUTES

#### RESOLUTION OCM 2026/84

Moved: Cr Frank Morello

Seconded: Cr Max Bruins

That the minutes of the Ordinary Council Meeting held on 17 March 2026 be confirmed as an accurate record of the proceedings of the meeting.

**CARRIED**

## 6 MAYORAL REPORT

### 6.1 MAYORAL REPORT - APRIL 2026

- Street walk and engagement with business owners to promote CBD Master Plan consultation and Traders Breakfast
- Launch of "The Harmony Kitchen" (*Mount Gambier Library*)
- CBA Regional Circle Lunch
- LCLGA Mayors Catch Up (*virtual*)
- ABC TV Interview – Cast in Blue
- Regular meeting with Media and Communications Coordinator
- CBD Masterplan consultation session: "Future CBD – Setting our Vision"
- CBD Masterplan consultation session: meet the consultants
- CBD Masterplan consultation session: traders breakfast
- Weekly meeting with CEO
- Confidential Elected Member Briefing – Railway Lands Building Update
- Confidential Elected Member Briefing – Fees and Charges
- CBD Masterplan consultation session: community drop in / torchlight tour of the CBD
- Radio interview with Ewan Grant, Triple M – 150<sup>th</sup> Anniversary of Mount Gambier celebrations
- LCLGA meeting with SATC (*Adelaide*)
- Regional SAROC Committee Meeting (*Victor Harbor*)
- Regional LGA Board of Directors Meeting (*Victor Harbor*)
- LGA Board regional tour (*Victor Harbor*)
- LCLGA catch up with Executive Officer
- LCLGA meeting with RDALC Board Chair, Robyn Verrall and Acting CEO, Loretta Dedonatis
- Weekly meeting with CEO
- Internal meeting with CEO – LCLGA Charter
- Meeting with The Ryan Bowman Foundation
- Elected Member Briefing – LCLGA Charter Review
- Elected Member Briefing – External Grants Policy Review
- Radio interview with Llew Jones, 5GTR-FM
- LGA Mayors and CEOs Webinar – fuel crisis
- Audit and Risk Committee Workshop
- Audit and Risk Committee Meeting
- LCLGA Mayors Catch up (*virtual*)



- Purple Orange SKILL Limestone Coast workshop – cuppa and chat (*Mount Gambier Library*)
- Meeting with Wendy Campana, Jill Scott and Maria Gentile
- Regular meeting with Media and Communications Coordinator
- Obedience / Rally / Agility / Jumping and Trick Dog Test Trials (*Blue Lake Dog Obedience Club*)
- Weekly meeting with CEO
- Elected Member Briefing – Visitor Servicing Data
- Elected Member Briefing – Master Plan Updates
- Meet with Mount Gambier High School Year 12 students – Library funding and youth programs
- LGA CEO Recruitment Selection Panel Meeting (*Adelaide*)
- LCLGA Board Meeting (*Robe*)
- LCLGA Limestone Coast Leadership Luncheon (*Robe*)
- State / Interstate Croquet Competition – meet and greet (*Mount Gambier Croquet Club*)
- Tapped Festival (*Woolstore Brewery*)
- Meeting with Travis Fatchen MP, Member for Mount Gambier
- Introductory Meeting with Nigel Brito, Education Director, Mount Gambier 1 Portfolio, Department of Education
- Weekly meeting with CEO
- Meeting with Mayor Boston and CEO, Gary Button – District Council of Grant (with CEO Paul Simpson)
- Interview with Sam Bradbrook (ABC Limestone Coast) – Qantas decision to suspend Mt Gambier / Adelaide flights
- Interview with Gus McDonald (Nine News) – Qantas decision to suspend Mt Gambier / Adelaide flights (*virtual*)
- Interview with Charlotte Varcoe (Border Watch) – Qantas decision to suspend Mt Gambier / Adelaide flights
- Elected Member Briefing – BR3 – Capital and LTFP and Budget
- Elected Member Briefing – Wayfinding Strategy Implementation
- Interview with 5AA Adelaide – Qantas decision to suspend Mt Gambier / Adelaide flights
- Live interview with ABC TV National – Qantas decision to suspend Mt Gambier / Adelaide flights
- Internal meeting – Mayors Christmas Appeal – debrief and planning for 2026
- Monthly meeting with Cross Border Commissioner, Kelly-Anne Saffin
- Interview with Georgia Westgarth (A Current Affair) – Qantas decision to suspend Mt Gambier / Adelaide flights (*virtual*)
- Citizenship Ceremony
- Interview with Narelle Graham (ABC 891 Adelaide Statewide Drive) – ‘Sydney peeps want a Blue Blob’
- ANZAC Accolade (wreath laying)
- LCLGA Mayors Catch up (*virtual*)
- Regular meeting with Media and Communications Coordinator
- LGA Board Workshop (*Adelaide*)
- LGA CEO Interviews (LGA Board) (*Adelaide*)
- LGA CEO Recruitment Selection Panel Meeting (*Adelaide*)
- Fantasy Medieval Fair (*Mount Gambier Showgrounds*)
- Agenda discussion with CEO
- Monthly catch up with General Manager City Infrastructure
- Meeting with residents, Wendy Golebiowski and Gary Strong – waste matters (with General Manager City Infrastructure)
- Weekly meeting with CEO
- Council Meeting

**RESOLUTION OCM 2026/85**

Moved: Mayor Lynette Martin

Seconded: Cr Paul Jenner

That the Mayoral Report be received.

**CARRIED**

**7 REPORTS FROM COUNCILLORS**

**7.1 REPORTS FROM COUNCILLORS**

- |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Cr Josh Lynagh    | Blue Lake Obedience Dog Club Easter Trials, Mount Gambier Easter Showjumping Carnival, Adelaide University Pedal Prix Racing Championship, Limestone Cup at Malseed Par, Fringeland (Friday and Saturday), CBD Master Plan meeting with consultant team, CBD Master Plan Wrap Up/Reflections, CBD Master Plan Moving through the City Session, Junior Sports Assistance Fund Cheque Handover with Commercial Club, Interview with The Border Watch regarding bin trial, Youth Activation Group Open Day, Citizenship Ceremony, Salvation Army ANZAC Accolade, Mount Gambier Pioneers first home game of the season, Fantasy Medieval Fair. |
| Cr Paul Jenner    | RAP Meeting (City Hall) - Sturt Street/Bay Road Heritage Wall, CBD Masterplan consultation sessions, GTE Apprentice and Trainee of the Year Awards, Fringe in Cave Gardens and Ministry of Laughs, First Audit and Risk Committee Meeting with new chairman and member, Citizenship Ceremony in City Hall, Medieval Fair, Pioneers at Wulanda - Womens and Mens, GTE Board Meeting.                                                                                                                                                                                                                                                        |
| Cr Sonya Meziniec | Harmony Kitchen Community Recipes Launch, CBD Masterplan consultation sessions, Citizenship Ceremony, Fringe Opening.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Cr Frank Morello  | CBD Masterplan consultation session, Fringe Mount Gambier, Regional Assessment Panel Meeting.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

**RESOLUTION OCM 2026/86**

Moved: Cr Sonya Meziniec

Seconded: Cr Mark Lovett

That the reports made by Councillors be received.

**CARRIED**



## 8 QUESTIONS WITH NOTICE

### 8.1 QUESTION TAKEN ON NOTICE

The following question from Cr Paul Jenner was taken on notice at the Council Meeting held on Tuesday, 17 March 2026:

#### **Question - Fuel Supply**

What strategy has Council planned to secure supply of fuel to keep the organisation operating in the short term with the current fuel issues and most importantly across Waste Management?

#### **Answer - Chief Executive Officer**

Council administration has and will ensure its static fuel supplies (bulk storage tanks) are being regularly replenished to ensure maximised capacity. This enables Council to maintain its current level of service and operations (inclusive waste) for a period of approximately two months solely from stock supplies. Should fuel become 'less or not available' Council will consider service reductions to accommodate a greater period (longer than two months) that could be achieved from stocked fuel, this may involve prioritised services including waste.

### 8.2 QUESTIONS WITH NOTICE

Cr Max Bruins gave notice of his intention to ask the following question:

#### **Question - Personal Mobility Devices (PMD)**

Personal Mobility Devices (PMD), including e-scooters, will be legal to use in South Australia from Sunday 13 July 2025 and there are quite a number of rules and regulations regarding use of these devices on SA roads and paths. Whilst I understand that SAPOL will be responsible for enforcement of the laws relating to PMD's, what plans to council have in place regarding education campaigns around the safe and legal use of PMD's and are there any joint initiatives or education sessions with SAPOL planned around the use of PMD's from July onwards?

#### **Answer - Chief Executive Officer**

Council administration can program some notifications to the Council social media sites with appropriate links to the SA Government sites, this ensures that information is in line with the education and enforcement of the SAPOL. Summarising police education and or legislation can inadvertently lead to context being lost or unintended inaccuracies, which may result in misinformation to the community.

Council staff have been liaising with local SAPOL during regular operational meetings to ensure a coordinated approach to the implementation of signage and associated education and enforcement.

## 9 QUESTIONS WITHOUT NOTICE

Nil resolved.

## 10 PETITIONS

Nil



**11 DEPUTATIONS**

Nil

**12 NOTICE OF MOTION TO REVOKE OR AMEND**

Nil

**13 ELECTED MEMBERS INFORMATION BRIEFING SESSIONS**

**RESOLUTION OCM 2026/87**

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

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

**CARRIED**

**14 ELECTED MEMBERS TRAINING AND DEVELOPMENT**

Nil

**15 AUDIT AND RISK COMMITTEE**

**15.1 MINUTES OF AUDIT AND RISK COMMITTEE HELD ON 1 APRIL 2026**

**RESOLUTION OCM 2026/88**

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

Council receive and note the minutes of the Audit and Risk Committee meeting held on 1 April 2026.

**CARRIED**

**16 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE**

Nil

**17 JUNIOR SPORTS ASSISTANCE FUND COMMITTEE**

Nil

**18 BUILDING FIRE SAFETY COMMITTEE**

Nil



## 19 COUNCIL REPORTS

### 19.1 RESIGNATION OF COUNCILLOR JASON VIRGO

#### RESOLUTION OCM 2026/89

Moved: Cr Josh Lynagh

Seconded: Cr Paul Jenner

1. That Council report titled 'Resignation of Councillor Jason Virgo' as presented on Tuesday 21 April 2026 be noted.
2. That Council acknowledge the resignation of Cr Jason Virgo by virtue of his successful election to the House of Assembly, effective from 30 March 2026, and thank him for his service to the City of Mount Gambier Council and community during his time as an Elected Member.

**CARRIED**

### 19.2 CBD MASTERPLAN CONSULTATION AND SUMMARY

#### RESOLUTION OCM 2026/90

Moved: Cr Frank Morello

Seconded: Cr Sonya Meziniec

1. That Council report titled 'CBD Masterplan Consultation and Summary' as presented on Tuesday 21 April 2026 be noted.

**CARRIED**

### 19.3 EARLY SATISFACTION OF SPECIAL CONDITIONS FOR WULANDA RECREATION AND CONFERENCE CENTRE BORROWINGS

#### RESOLUTION OCM 2026/91

Moved: Cr Paul Jenner

Seconded: Cr Mark Lovett

1. That Council report titled 'Early Satisfaction of Special Conditions for Wulanda Recreation and Conference Centre Borrowings' as presented on Tuesday 21 April 2026 be noted.
2. That Council acknowledges the Local Government Finance Authority of South Australia's confirmation that the Special Conditions attached to Debenture Nos. 106, 107, 109, 110, 112 and 114 have been satisfied as at 30 June 2025.

3. That Council notes the early achievement of the required financial covenants as clear evidence of Council's strong financial management, governance and long-term planning.

**CARRIED**

#### **19.4 CRATER LAKES BUSHFIRE REHABILITATION PLAN**

Pursuant to Section 75 of the Local Government Act 1999, Cr Mark Lovett disclosed a material conflict of interest in Item 19.4 Crater Lakes Bushfire Rehabilitation Plan.

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

Nature of Interest:

*I declare a material conflict of interest in relation to the agenda item concerning Council's partnership with Burrandies Aboriginal Corporation for the Crater Lakes Bushfire Rehabilitation Plan.*

*The nature of my interest is that I am a Director of Burrandies Aboriginal Corporation. While this role is voluntary and unpaid, my eldest son is employed by the organisation and derives income from it.*

*Accordingly, I have a material conflict of interest as a Director of Burrandies Aboriginal Corporation, and as my son receives wages from the organisation and therefore has a direct financial interest in matters affecting it.*

*I will not participate in discussion or decision-making in relation to this agenda item and will leave the room while the matter is considered.*

In accordance with Section 75C(1)(b) I will be leaving the meeting room such that I cannot view or hear any discussion (including questions) or voting at the meeting.

Cr Mark Lovett left the meeting at 6:27pm.

#### **RESOLUTION OCM 2026/92**

Moved: Cr Sonya Mezinec

Seconded: Cr Josh Lynagh

1. That Council report titled 'Crater Lakes Bushfire Rehabilitation Plan' as presented on Tuesday 21 April 2026 be noted.
2. That Council endorse the Bushfire Rehabilitation Plan by Landscape Architects Oxigen Pty Ltd and the methodologies outlined within to effectively rehabilitate the Crater Lakes Bushfire affected area to its natural state.
3. That Council endorse commencing implementation of the report methodology on the identified test site in the 2026/2027 financial year with the recommended cultural burn as a site management practice.

**CARRIED**

Cr Mark Lovett returned to the meeting at 6:34pm.



### 19.5 WEEKLY FOGO ROLL OUT

#### RESOLUTION OCM 2026/93

Moved: Cr Josh Lynagh

Seconded: Cr Sonya Meziniec

1. That Council report titled 'Weekly FOGO Roll Out' as presented on Tuesday 21 April 2026 be noted.
2. That Council:
  - (a) Endorse amending the kerbside collection configuration to weekly FOGO and fortnightly landfill, in accordance with the timeline outlined in this report, maintaining fortnightly recycling as per current service levels.
  - (b) Authorise Administration to proceed with procurement, community engagement and project delivery in accordance with this report in 2026/2027.
  - (c) Authorises Administration to notify the EPA and LGA of the collection configuration change and pursue supplementary funding options from Green Industries SA.
  - (d) Approve progressing the rollout of FOGO bins, including the supply of kitchen caddies and compostable liners to households that do not currently have a FOGO bin in 2028/2029.

**CARRIED**

### 19.6 CITY INFRASTRUCTURE QUARTERLY WORKS UPDATE - APRIL 2026

#### RESOLUTION OCM 2026/94

Moved: Cr Josh Lynagh

Seconded: Cr Sonya Meziniec

1. That Council report titled 'City Infrastructure Quarterly Works Update - April 2026' as presented on Tuesday 21 April 2026 be noted.

**CARRIED**

### 19.7 THIRD QUARTER REPORT ON ANNUAL OBJECTIVES 2025-2026

#### RESOLUTION OCM 2026/95

Moved: Cr Paul Jenner

Seconded: Cr Mark Lovett



1. That Council report titled 'Third Quarter Report on Annual Objectives 2025-2026' as presented on Tuesday 21 April 2026 be noted.

**CARRIED**

#### **19.8 EXPRESSION OF INTEREST TO PURCHASE UNMADE ROAD RESERVE - WALTERS ROAD, MOUNT GAMBIER**

##### **RESOLUTION OCM 2026/96**

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

1. That Council report titled 'Expression of Interest to Purchase Unmade Road Reserve - Walters Road, Mount Gambier' as presented on Tuesday 21 April 2026 be noted.
2. That Council approve Vincent Versace Nominees Pty Ltd expression of interest to acquire the unmade section of road reserve adjacent 26 Walters Road, Suttontown and amalgamate with their existing Certificate of Title.
3. That Council determine not to obtain an independent valuation in accordance with Council's Disposal of Land and Assets Policy, in recognition of the unique nature of the subject parcel.
4. Authorise the Chief Executive Officer or their delegate to seek a formal agreement with Vincent Versace Nominees Pty Ltd for the transfer of road reserve for the consideration of \$610.00, with the purchaser to be responsible for all associated transactional and processing costs.
5. Authorise the commencement of the road closure process for the subject road reserve in accordance with the Roads (Opening and Closing) Act 1991, including for the Mayor and Chief Executive Officer to execute all documentation required to effect said road closure and subsequent land transfer.

**CARRIED**

#### **19.9 EXTENDED LEASE ARRANGEMENT - BLUE LAKE GOLF CLUB - COMMUNITY LAND CONSULTATION**

##### **RESOLUTION OCM 2026/97**

Moved: Cr Max Bruins

Seconded: Cr Mark Lovett

1. That Council report titled 'Extended Lease Arrangement - Blue Lake Golf Club - Community Land Consultation' as presented on Tuesday 21 April 2026 be noted.

2. That the proposed leasing structure comprising an initial term of five (5) years, with three (3) rights of renewal of five (5) years each, be endorsed as the basis for public consultation in accordance with Section 202 of the Local Government Act 1999 (SA).

**CARRIED**

#### **19.10 AUDIT AND RISK COMMITTEE MEETING REPORT - APRIL 2026**

##### **RESOLUTION OCM 2026/98**

Moved: Cr Paul Jenner

Seconded: Cr Frank Morello

1. That the Council report titled 'Audit and Risk Committee Meeting Report - April 2026' as presented on Tuesday 21 April 2026 be noted.
2. That Council note the report provided by the Audit and Risk Committee, summarises the work of the Committee:
  - (a) In the lead up to its meeting, held 1 April 2026;
  - (b) The broad observations and discussions of the Committee during the meeting.

**CARRIED**

#### **19.11 INTERNAL AUDIT PLAN 2025/2026 TO 2028/2029**

##### **RESOLUTION OCM 2026/99**

Moved: Cr Paul Jenner

Seconded: Cr Sonya Meziniec

1. That Council report titled 'Internal Audit Plan 2025/2026 to 2028/2029' as presented on Tuesday 21 April 2026 be noted.
2. That the Internal Audit Plan 2025/2026 - 2028/2029 (as amended), having been reviewed by the Audit and Risk Committee at their meeting 1 April 2026 be adopted.

**CARRIED**



## 19.12 PERIODIC REVIEW OF CONFIDENTIAL ITEMS - APRIL 2026

### RESOLUTION OCM 2026/100

Moved: Cr Mark Lovett

Seconded: Cr Max Bruins

1. That Council report titled 'Periodic Review of Confidential Items - April 2026' as presented on Tuesday 21 April 2026 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 21 April 2026:  
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**

## 19.13 DELEGATIONS UPDATE - APRIL 2026

### RESOLUTION OCM 2026/101

Moved: Cr Josh Lynagh

Seconded: Cr Mark Lovett

1. That Council report titled 'Delegations Update - April 2026' as presented on Tuesday 21 April 2026 be noted.
2. That Council grants the delegation of powers and functions of the Council as provided for in the tables at **Attachment 1**, to the person occupying or acting in the office of Chief Executive Officer of the Council pursuant to section 44 of the Local Government Act 1999.
3. The delegations granted in resolution (2) above pursuant to the Local Government Act 1999 to the Council's Chief Executive Officer, in accordance with sections 44(4)(b) and 101 of the Local Government Act, but subject to section 44(3a) of the Local Government Act may, unless indicated by resolution or in the tables accompanying the within council report, be further sub-delegated by the Chief Executive Officer or delegate.
4. Planning, Development and Infrastructure Act 2016 Delegations:
  - a) In exercise of the power contained in Section 100 of the Planning, Development and Infrastructure Act 2016 the powers and functions under the



Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the Instrument of Delegation (**Attachment 1** accompanying report titled 'Delegations update April 2026') are hereby delegated to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.

- b) Such powers and functions delegated in resolution 4 (a) may be further subdelegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 and Section 100(2)(c) of the Planning, Development and Infrastructure Act 2016 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the relevant Instrument of Delegation.
5. General: The delegations granted in resolution 2 above are subject to the following conditions and limitations:
- a) If two or more delegates are nominated in respect of a power or function, then each nominated person or position is granted a delegation and may exercise the power or function independently of any other delegate.
  - b) the delegate must exercise a delegated function or power in accordance with and due regard to:
    - (i) applicable legislative and other legal requirements; and
    - (ii) relevant policies and guidelines adopted by the Council.
  - c) in regard to the following delegations under the Local Government Act:
    - (i) section 133: the power to obtain funds does not extend to imposing rates, borrowing money or obtaining other forms of financial accommodation or fixing or varying fees under sections 188(1)(d) to 188(1)(h) of the Local Government Act
    - (ii) section 137: the power to expend funds in the performance or discharge of the council's powers, functions or duties in accordance is limited to funds allocated as part of a budget adopted by the council and the financial sub-delegation limitations set by the Chief Executive Officer;
    - (iii) section 143(1): the power to write off debts is limited to debts not exceeding \$5,000;
    - (iv) section 188(3): the powers in regard to fees and charges are limited to fees and charges imposed under sections 188(1)(a), 188(1)(b) and 188(1)(c);
  - d) Each delegation of a power or function is granted independent of, and severable from, every other delegation granted under this or any other resolution or instrument.
  - e) A delegation of a power or function determined to be invalid or unlawful will be deemed to be severed from the delegations granted under this or any other resolution or instrument and remaining delegations will continue to operate according to their terms.
6. These delegations will come into operation on Wednesday 22 April 2026 and remain in force until varied or revoked by resolution of the Council.

7. Previous delegations granted by the Council of the powers and functions delegated under these resolutions are revoked with effect from Wednesday 22 April 2026.

**CARRIED**

**20 MOTIONS WITH NOTICE**

Nil

**21 URGENT MOTIONS WITHOUT NOTICE**

Nil

**22 NEW CONFIDENTIAL ITEMS**

**22.1 DISCRETIONARY RATE REBATE - 25 JAMES STREET, MOUNT GAMBIER**

**RESOLUTION OCM 2026/102**

Moved: Cr Max Bruins

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 P Simpson, B Cernovskis, J Fetherstonhaugh, C White, B Shelton, E Solly, S McLean and S Wilson be excluded from attendance at the meeting for the receipt and consideration in confidence of Discretionary Rate Rebate - 25 James Street, Mount Gambier.

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:

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).
- (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 to be discussed in this item relates to commercially sensitive information provided by a third party, to which Council has a duty of confidentiality, and which may prejudice the supply of



information to Council in future that enables informed strategic decision-making. The disclosure of information in association with this item 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 impact the Councils ability to obtain best value on behalf of the community.

**CARRIED**

#### **RESOLUTION OCM 2026/104**

Moved: Cr Max Bruins

Seconded: Cr Mark Lovett

#### **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 - 25 James Street, Mount Gambier and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:
  - (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).
  - (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 the latter of: two years after the conclusion of any rebate agreement period (in its entirety including any subsequent determination by Council for future rebates), or two years after the proposal has been abandoned, 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 RAILWAY STATION BUILDING PROPOSAL

### RESOLUTION OCM 2026/105

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 P Simpson, B Cernovskis, J Fetherstonhaugh, C White, B Shelton, E Solly, S McLean and S Wilson be excluded from attendance at the meeting for the receipt and consideration in confidence of Railway Station Building Proposal.

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.

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 where the information to be discussed contains commercial information of Council and a third party, the disclosure of which may prejudice Council's ability to achieve the best possible outcome on behalf of the community.

**CARRIED**

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 further discuss Item 22.2 Railway Station Building Proposal.

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

Meeting Procedures were suspended at 7:09pm.

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 7:19pm.

**RESOLUTION OCM 2026/107**

Moved: Cr Mark Lovett  
Seconded: Cr Josh Lynagh

**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 Railway Station Building Proposal 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.

be kept confidential and not available for public inspection until the latter of 12 months after any Expression of Interest process has been finalised and an occupancy arrangement entered into or the process abandoned and that this order be reviewed every 12 months.
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 7:20pm.**

**The minutes of this meeting confirmed at the Ordinary Council Meeting held on 19 May 2026.**

.....  
**MAYOR**

