

**MINUTES OF CITY OF MOUNT GAMBIER
SPECIAL COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON THURSDAY, 12 AUGUST 2021 AT 5.15 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Sonya Meziniec, Cr Max Bruins, Cr Ben Hood,
Cr Frank Morello, Cr Steven Perryman

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| OFFICERS IN ATTENDANCE: | Chief Executive Officer | - Mrs S Philpott |
| | General Manager City Infrastructure | - Ms B Cernovskis |
| | General Manager Shared Services | - Mr D Barber |
| | General Manager City Growth | - Mr T Coote |
| | Acting General Manager Community Wellbeing | - Mrs G Davison |
| | Executive Administrator Community Wellbeing | - Ms A Lavia |
| | Executive Administrator City Growth | - Ms 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 INDIGENOUS PEOPLES HAVE WITH THIS LAND.

2 APOLOGIES

RESOLUTION 2021/200

Moved: Cr Frank Morello
Seconded: Cr Sonya Meziniec

That the apologies from Cr Kate Amoroso, Cr Christian Greco and Cr Paul Jenner be received.

CARRIED

3 LEAVE OF ABSENCE

Nil



4 NEW CONFIDENTIAL ITEMS

4.1 WULANDA RECREATION AND CONVENTION CENTRE LOAN STRUCTURES – REPORT NO. AR21/50825

RESOLUTION 2021/201

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 Mayor L Martin, Councillors S Mezinec, M Bruins, B Hood, F Morello and S Perryman and Council Officers S Philpott, B Cernovskis, D Barber, T Coote, G Davison, T Chant and A Lavia be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 4.1 AR21/50825 Wulanda Recreation and Convention Centre Loan Structures.

The Council is satisfied that, pursuant to section 90(3) (b) 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
- 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 to be discussed relates to the lending arrangements associated with funding for the Wulanda Recreation and Convention Centre project. The information to be discussed includes information that is subject to an existing confidential order of Council that remains in operation. The disclosure of which could prejudice Council's commercial position and could impact on obtaining best value for the community.

CARRIED



RESOLUTION 2021/202

Moved: Cr Max Bruins
Seconded: Cr Steven Perryman

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 4.1 AR21/50825 Wulanda Recreation and Convention Centre Loan Structures and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b) and (g) be kept confidential and not available for public inspection until relevant loan contracts are fully amortised 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

5 MEETING CLOSE

The Meeting closed at 5:25 pm.

The minutes of this meeting were confirmed at the Ordinary Meeting of the City of Mount Gambier held on 17 August 2021.

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PRESIDING MEMBER

