



Civic Centre, 10 Watson Terrace
Mount Gambier SA 5290

PO Box 56
Mount Gambier SA 5290

Telephone 08 87212555
Facsimile 08 87249791
city@mountgambier.sa.gov.au

mountgambier.sa.gov.au

**I hereby give notice that a Regional Sport and Recreation Centre
Committee Meeting will be held on:**

Date: Tuesday, 10 March 2020
Time: 5.30 p.m.
Location: Council Chamber
Civic Centre
10 Watson Terrace
Mount Gambier

AGENDA

Regional Sport and Recreation Centre Committee Meeting 10 March 2020

A handwritten signature in black ink, appearing to read 'A Meddle', is positioned above the printed name and title.

Andrew Meddle
Chief Executive
Officer 5 March 2020

Order Of Business

1	Acknowledgement of Country	3
2	Apology(ies).....	3
3	Confirmation of Minutes.....	3
4	Questions without Notice.....	3
5	Reports.....	4
5.1	Community and Recreation Hub Development Application Update – Report No. AR20/14297.....	4
5.2	Community and Recreation Hub Procurement Process – Report No. AR20/14298.....	43
5.3	Community and Recreation Hub - Tenancies Update – Report No. AR20/14510.....	53
6	Urgent Motions without Notice	56
7	Confidential Items.....	57
8	Meeting Close	58
	Attachments Item 3 Regional Sport and Recreation Centre Committee Meeting - 10 December 2019.....	59



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 APOLOGY(IES)

Cr Kate Amoroso

3 CONFIRMATION OF MINUTES

[Regional Sport and Recreation Centre Committee Meeting - 10 December 2019](#)

RECOMMENDATION

That the minutes of the Regional Sport and Recreation Centre Committee meeting held on 10 December 2019 be confirmed as an accurate record of the proceedings of the meeting.

4 QUESTIONS WITHOUT NOTICE



5 REPORTS

5.1 COMMUNITY AND RECREATION HUB DEVELOPMENT APPLICATION UPDATE – REPORT NO. AR20/14297

Committee:	Regional Sport and Recreation Centre Committee
Meeting Date:	10 March 2020
Report No.:	AR20/14297
CM9 Reference:	AF18/175
Author:	Andrew Meddle, Chief Executive Officer
Authoriser:	Andrew Meddle, Chief Executive Officer
Summary:	A report providing an update on the development application lodged with the State Government.
Community Plan Reference:	Goal 1: Our People Goal 2: Our Location Goal 3: Our Diverse Economy Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage

REPORT RECOMMENDATION

1. That Regional Sport and Recreation Centre Committee Report No. AR20/14297 titled 'Community and Recreation Hub Development Application Update' as presented on 10 March 2020 be noted.



BACKGROUND

The Council has lodged a Development Application with the State Government for the Community and Recreation Hub. Whilst the matter could technically have been dealt with by the Council Assessment Panel (CAP) there would have been issues with transparency, conflicts of interest and predetermination.

As such the State Government have handled the application, which is moving towards determination. As part of this process public notification was undertaken and it is believed two informal referrals were undertaken to State Government agencies (ODASA and State Heritage). There were four responses to the public notification, one of which was in support of the proposal. The others were from Mark Teakle (in his role a private person not as a member of the CAP), Nick Fletcher and Neville Moody (on behalf of the National Trust of South Australia).

Two responses were provided to the State Government. The first addressed the architectural matters raised by ODASA. The second addressed the responses to the public notification and also the State Heritage response. The ODAS representation and Design Inc's response (less the plans) can be found as **Attachment 1**. The other representations and the Council's response can be found as **Attachment 2**.

The case officers responsible for our application visited Mount Gambier on 28 February 2020. The Manager – Development Services and Chief Executive Officer hosted them and gave them a guided tour of the site and its environs. This has enabled the case officers to have a fully rounded context when preparing their report for consideration by the State Commission Assessment Panel (SCAP). The timeframe for this consideration was that the matter would be put before SCAP on 12 March 2020. However, due to a backlog in SCAP matters, the application will be considered on 19 March 2020. The week delay will not have any impact on the timeframes for completing the Community and Recreation Hub.

Whilst the case officers were positive about the matter, the final decision rests with the SCAP. The SCAP may approve (usually with conditions), approve with reserved matters (i.e. items which require further information to be provided prior to work commencing), they may defer the matter or they may refuse it. If the Council unhappy with decision (in whole or in part) it has the right to appeal the matter through the Environment, Resources and Development Court, just the same as any other applicant.

Risks still exist should the SCAP make some of these decisions, but at this stage there is little preparation that can be undertaken. Officers and Design Inc will attend the SCAP hearing and will have the opportunity to address any representors or other questions from the Panel.

The Council requested that the SCAP undertake a site visit and make their decision at a meeting held in Mount Gambier. A representor also requested to be heard in Mount Gambier. However, the SCAP have decided that the meeting will be held in Adelaide, as this is not expected to be the only item on the agenda.

DISCUSSION

Development Plan Consent is the first of a three stage process. The architects, project management team and head contractor will deal with much of the second stage pre-construction and during construction. The third stage is likely to be completed during the operationalisation phase of works.

The Council submitted a well-designed and locally supported project that was steeped in context and its locality in terms of design, but also its palette of materials. The objections to the project from individuals and from the State Government referrals have been addressed.

CONCLUSION

Elected Members will be advised by Memo of the SCAP decision as soon as possible after it is made, together with any advice as to implications for the project.



ATTACHMENTS

1. The ODAS representation and Design Inc's response [↓](#)
2. Other representations and Council response [↓](#)



**OFFICE FOR
DESIGN +
ARCHITECTURE SA**

File No:
2019/17843/01

14 January 2020

Ref No:
14904669

Janine Philbey
Planning Officer – Major Development
Planning and Land Use Services
Department of Planning, Transport and Infrastructure
Level 5, 50 Flinders Street
Adelaide SA 5000

janine.philbey@sa.gov.au

For the attention of the State Commission Assessment Panel

City of Mount Gambier Community & Recreation Hub

Further to the referral 381/E012/19 received 4 December 2019 and additional information received 20 December 2019 pertaining to the development application at the above address and in my capacity as a statutory referral in the State Commission Assessment Panel, I would like to offer the following comments for your consideration.

The project was not presented to the Design Review panel.

I support the City of Mount Gambier's aspiration to provide a new community and recreational facility that aims to improve wellbeing and support an increasing demand for opportunities for social and recreational activities for the local community and the surrounding regional areas. I also acknowledge the consultation and community engagement undertaken by the City of Mount Gambier regarding this proposal.

The subject site is located within 'Olympic Park', bounded by Margaret Street to the north and O'Halloran Terrace to the south, and includes the existing outdoor swimming pool to be retained. There are a number of buildings, outbuildings and structures as well as two netball courts that are proposed to be demolished as part of this development. Civic and commercial use properties are located to the north of the subject site, including the Mount Gambier Railway Station and Mount Gambier Central Shopping Centre. To the south of the subject site, the predominant built form character is single storey detached houses, including a number of Local heritage listed and Contributory places. To the east of the site, fronting Bay Road are the State heritage listed Old Courthouse and the SA Police buildings. Existing tennis and netball courts are located along the site's western boundary adjacent the Old Mount Gambier Gaol, a State heritage listed place. Other notable features within the subject site include a sink hole at the south west corner.

The proposed building is positioned parallel to Margaret Street and located to the south of the existing outdoor swimming pool. It includes a new indoor pool area with four separate pools and a multi-purpose facility that accommodates six indoor basketball courts. The existing car parking area at the north west corner of the site

Level 1
26-28 Leigh Street
Adelaide SA 5000

GPO Box 1533
Adelaide SA 5001

DX 171

T- +61(0)8 8402 1884
E- odasa@sa.gov.au



**OFFICE FOR
DESIGN +
ARCHITECTURE SA**

File No:
2019/17843/01

Ref No:
14904669

is proposed to be extended to increase capacity. The southern car parking area is also proposed to be extended. New landscaped areas are proposed to the north and south of the new building, including a playground and entry plaza. Along the eastern edge of the building, a service access lane connects the two street frontages. I acknowledge the complex site constraints, including the site topography and retention of the existing facilities such as the outdoor swimming pool. However in my opinion, the submitted documents are yet to demonstrate a convincing rationale for the proposed site organisation, including location of the approximately 140 metre wide built form on the southern half of the project site with an interface to the low scale residential area. I am also concerned by the proximity of the building to O'Halloran Street at the building's south east corner, where the building corner abuts the site boundary and the landscaping buffer is interrupted. In my opinion, thorough analysis of the site and the wider surrounding area is required to demonstrate the proposal presents a positive relationship between the development, the site and the existing context of the wider community. I also recommend review of the arrangement at the building's south east corner to mitigate the impact of a large built form on O'Halloran Terrace and the low scale residential properties to the south.

The proposed building is composed of three built form elements, including an 11.4 metre tall singular form to the south, a double storey tall indoor pool element at the north east corner and a single storey element at the north west corner. I acknowledge the built form composition is informed by the internal functional layouts, including accommodation of six basketball courts in a linear arrangement. However, I am concerned by the resultant impact of the extensive building width, which in my view has the potential to pose as a barrier between the residential neighbourhood to the south and the civic and community assets. In my opinion, an opportunity exists to increase breakdown of the southern built form and improve visual connections through the building, with the view to maximise the opportunity for the building to engage with the surrounding lower scale streetscape along the southern elevation.

The main entry to the new building is proposed centrally on the northern side of the building. A large entry forecourt, playground and landscape area are proposed on the Margaret Street frontage between the extended car parking area and the existing outdoor swimming pool. To the south of the building, a pedestrian path from O'Halloran Terrace is located between the extended car parking area to the west and a triangular landscaped area to the east. Along the eastern edge of the building, a service lane is proposed to provide access for the plant and refuse store areas. In principle, I support the provision of substantial landscaped areas along the street frontages. However, the submitted documents do not include any design details of the open and landscaped areas. I recommend provision of further information, including planting selections and sizes, material palette, confirmation of design elements, and maintenance strategies, to ensure delivery of the envisaged integrated outcome. I support the location of the back of house and services functions away from the street frontages. Acknowledging the existing open condition to the east of the service access path, I note potential Crime Prevention through Environmental Design (CPTED) issues along the inactive eastern elevation. I recommend review of the eastern elevation with the view to maximise opportunities for passive surveillance, balanced with the functional requirements such as glare control.

I strongly support the civic architectural expression of the proposed building, supported by high quality pre finished materials. To that end, I support the inclusion of the lime stone facade treatment. However I am yet to be convinced by the raised

Level 1
26-28 Leigh Street
Adelaide SA 5000

GPO Box 1533
Adelaide SA 5001

DX 171

T- +61(0)8 8402 1884
E- odasa@sa.gov.au



**OFFICE FOR
DESIGN +
ARCHITECTURE SA**

File No:
2019/17843/01

Ref No:
14904669

positioning of the masonry elements away from the ground. I recommend review of the facade composition, with the view to strengthening the solidity of the stone clad sections and anchoring the masonry sections to the ground plane. I also recommend further information be provided regarding the stone facade element, including the size of stone segments, bond pattern and joint details. In principle I support the architectural expression of the southern elevation, which includes a curved bottom edge to the metal clad wall to reveal the increased height of the glazed wall section below. However in my opinion, the relationship of the facade feature with the internal function and external landscaped area has not yet been demonstrated. I am also of the view that the feature element is limited to a small section of the elevation and the facade treatment of the majority of the southern elevation remains an extensive linear element with minimal articulation. In my opinion, an opportunity exists to review the composition of the southern elevation, with the view to mitigating the visual impact of the extensive elevation and providing further articulation that is consistent with the original design intent for the architectural expression of the southern facade.

The proposal includes substantial landscaped areas to the north and south of the new building. In my opinion, the delivery of high quality soft landscaping areas is critical to the success of the development overall. This is particularly important given the open and natural character of the site in its current condition. I urge the project team to continue the design development of the public open spaces as the critical and defining feature of this development as a community asset. I also recommend exploration of Water Sensitive Urban Design (WSUD) principles to inform the landscape strategy.

The submitted drawings indicate installation of solar photovoltaic panels on the majority the southern roof. While I welcome the inclusion of solar panels, the visual impact of the installed panels is not yet demonstrated on the elevations or rendered perspective images. I recommend testing of long view perspective images to ensure effective and integrated management of services and plant elements. Other Ecologically Sustainable Development (ESD) measures, such as pool shell insulation, heat pumps and rainwater harvesting are indicated in the supporting documentation prepared by the City of Mount Gambier. In my view, this significant development has a rare opportunity to demonstrate a visible and overt response to sustainable built environment principles and deliver a leading sustainability precedent for the community. I support the project's ambition to significantly reduce water and energy consumption, however the project is yet to commit to a measurable benchmark for sustainability performance. I strongly recommend the project team explore opportunities for integrated ESD measures and set a defined goal for sustainability performance. I also recommend careful exploration of the glazing selections to balance environmental performance with visual impact on architectural expression, including transparency, colour and reflectivity of the glazing system.

Level 1
26-28 Leigh Street
Adelaide SA 5000

GPO Box 1533
Adelaide SA 5001

DX 171

T- +61(0)8 8402 1884
E- odasa@sa.gov.au

The Transport Impact Assessment report indicates the provision of 20 covered bicycle parking spaces in lieu of 53 spaces as envisaged by the Development Plan. While some bicycle racks are indicated on the site plan, some do not appear to be located under cover and others are proposed in front of doorways. I am not yet convinced by the rationale for providing a reduced number of bicycle parking spaces. I am also concerned that the consideration for convenience and safety of the cyclists is yet to be successfully demonstrated. I recommend review of the bicycle parking numbers and locations to encourage and support a sustainable transport infrastructure through convenient and safe access for cyclists.



**OFFICE FOR
DESIGN +
ARCHITECTURE SA**

File No:
2019/17843/01

Ref No:
14904669

To ensure the most successful design outcome is achieved, the State Commission Assessment Panel may like to consider particular aspects of the project, which benefit from protection as part of the planning permission, such as:

- Provision of further design details of the landscaped areas, including planting selections and sizes, material palette, confirmation of design elements, and maintenance strategies.
- Review of the eastern elevation with the view to maximise opportunities for passive surveillance.
- Review of the northern facade composition, with the view to strengthening the solidity of the stone clad sections and anchoring the masonry sections to the ground plane.
- Provision of additional information regarding the stone facade element, including the size of stone segments, bond pattern and joint details.
- Refinement of the southern facade composition, with the view to mitigating the visual impact of the extensive elevation.
- Provision of all building elevations.
- Integration of WSUD elements to the landscaped areas.
- Demonstration of effective and integrated management of services and plant elements, such as roof mounted solar panels.
- Development of the integrated ESD strategies, including a set defined goal for sustainability performance.
- Confirmation of glazing system, including transparency, colour and reflectivity of the glazing panels.
- Review of the sustainable transport infrastructure strategy, including bicycle parking numbers and locations.

Yours sincerely



Belinda Chan
Team Leader, Design

cc Kirsteen Mackay SA Government Architect kirsteen.mackay@sa.gov.au
Aya Shirai-Doull ODASA aya.shirai-doull@sa.gov.au

Level 1
26-28 Leigh Street
Adelaide SA 5000

GPO Box 1533
Adelaide SA 5001

DX 171

T- +61(0)8 8402 1884
E- odasa@sa.gov.au



DesignInc

Architecture
Urban Design
Interiors
designinc.com.au

DesignInc Adelaide Pty Ltd
Level 5, 351 Pirie Street
Adelaide SA 5000
+61 8 8233 2888
respon@adelaide.designinc.com.au

29 Jan 2020

Mr Andrew Meddle

City of Mount Gambier
Civic Centre
10 Watson Tce
Mount Gambier SA 5290

Dear Andrew,

**Re: City of Mount Gambier - Community & Recreation Hub
Design Team responses to ODASA Commentary**

Having reviewed the commentary received from the Office for Design & Architecture SA, we provide the following responses to provide further information where requested, and also additional background into the context to the items raised, as follows;

Provision of further design details of the landscaped areas, including planting selections and sizes, material palette, confirmation of design elements, and maintenance strategies.

- Please find attached landscaping documentation, including selections as requested.

Review of the eastern elevation with the view to maximise opportunities for passive surveillance.

- The general planning arrangement of the facility consolidates the service areas and plant to the eastern aspect to create a single area for back of house and plant access, to minimise the impact of these service activities to the rest of the Olympic Park site. Given the nature of the plant zones (both aquatic and building services (including mechanical, electrical and fire services) there is limited opportunity to create additional open façade elements to facilitate passive surveillance from within the centre. The adjacent scouts hall and meals on wheels building will continue to be actively used at alternate times of day, and additional security measures from cctv cameras will provide additional security and deterrent measures.

Review of the northern facade composition, with the view to strengthening the solidity of the stone clad sections and anchoring the masonry sections to the ground plane.

- The northern façade features the use of local limestone, a material that has historical ties with the region. The proportions and locations of the limestone are reserved and sympathetic to the limitations of the properties inherent of locally sourced limestone. The porosity of the local limestone make it susceptible to damage from weather exposure or human interaction. To be able to use the locally sourced material and maintain its integrity for whole of life, its use has been restricted to sheltered locations out of prevailing weather, and away from opportunity for interaction with the ground plane and people. The detailing and arrangement of the stone has been considered to be able to be installed by local stonemasons, using the local construction techniques and supply. The material is not suitable for the use suggested by ODASA.

A18-0050_AD02_Planning Response

We are an association of independent practices
with offices in Adelaide, Melbourne, Perth & Sydney.
DesignInc Adelaide Pty Ltd ABN 77 007 805 692 | 1 of 3



DesignInc

Architecture
Urban Design
Interiors
designinc.com.au

Provision of additional information regarding the stone façade element, including the size of stone segments, bond pattern and joint details.

- Please find attached stone façade specification as requested.

Refinement of the southern façade composition, with the view to mitigating the visual impact of the extensive elevation.

- The proportions of the façade are dictated by the functions within. Where it is possible and suitable to increase the glazed areas to reduce the visual mass, this has been included, and carefully considered with respect to glare from outside, and restricting acoustic and light transmission from within. The western end of the façade is adjacent the community hall, which can host events including amplified music, and as such the glazing elements have been restricted to low and high level, to allow sufficient mass for sound absorption, and to minimise light spill during these events.

The layering of the façade treatment to minimise the mass of the elevation, feature both transitions of cladding materials as well as the façade depth, to provide reduce the single large mass, into 6 separate elements. These elements undulate across the façade, as a representation of the rolling natural landscapes of the Mount Gambier region. The movement in the façade is amplified as it becomes closer to the street interface. The intent was to draw the eye vertically across the façade, so to reduce the impact of the building height, which is set out by the functions with.

In relation to the proximity of the south eastern corner to O'Halloran Tce, while not ideal, the siting of the building was determined through both key adjacent functional relationships, uniting interior and exterior functions, as well as the topography of the site. For efficiencies and security, the aquatic zones are grouped together, with the new indoor aquatic facilities located adjacent the existing outdoor pool. Similarly, the new court halls align on the axis of the existing outdoor courts, to preserve the existing relationship and connection of the courts.

The East – West siting of the building cannot be moved further west away from O'Halloran Tce due to the sporting regulation court run-off zone requirements of both the indoor and outdoor courts. The siting on the North-south axis is governed by the topography of the site. At it currents siting, the siteworks require approx. 70% cut and 30% fill, moving further North dramatically increases this, as the aquatic excavation moves further into the higher zone on the site. Changes in the building level will also have a negative impact on the stormwater system, as, at the current level, the majority of the discharge is able to be treated and drained into the aquifer via the existing sink hole (approved by local authorities as common local practice), rather than having to be captured and the discharge controlled to be managed back into an artificial bore on the northern half of the site.

Provision of all building elevations.

- Please find attached more detailed elevations as requested.

Integration of WSUD elements to the landscaped areas

- Council has standard practice of WSUD elements with a commitment to include these features on council sites.

Demonstration of effective and integrated management of services and plant elements, such as roof mounted solar panels.

Development of the integrated ESD strategies, including a set defined goal for sustainability performance.

- Please find attached ESD summary outlining the ESD provisions specific to the proposed development.

Confirmation of glazing system, including transparency, colour and reflectivity of the glazing panels.

- Please find attached specification of glazing elements as requested.



DesignInc

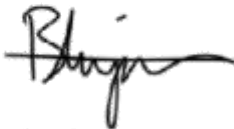
Architecture
Urban Design
Interiors
designinc.com.au

Review of the sustainable transport infrastructure strategy, including bicycle parking numbers and locations

- Council have committed to increasing the number of bike parking to 50 in total, and are in consultation with local public transport operators to alter existing services to serve the new facility. Provisions for large bus drop off zones are also provided to cater for large groups.

Yours Sincerely

DesignInc Adelaide Pty Ltd



Ben Luppino

Senior Associate



DesignInc

Architecture
Urban Design
Interiors
designinc.com.au

ESD Summary

		Distribution
Project #	A18-0050	Contractor
Project Name	Mount Gambier Community & Recreation Hub	X Client
Project Leader	Ben Luppino	Consultant
		Other
Date	30 January 2020	X File

This report outlines the sustainable design concepts proposed for the Mount Gambier Community and Recreation Hub which features community facilities, indoor multiuse stadium and aquatic centre.

The design intent of the development is to aim for significant cuts in both water and energy use and to improve the sustainability credentials compared with the existing facilities. The existing facilities present both constraints and opportunities for responsible and leading sustainable design.

The summary presents the proposed sustainability initiatives incorporated into each part of the development.

DAYLIGHTING

Daylighting is a crucial part of healthy indoor environments. Effective natural lighting improves light quality and lowers or even eliminates lighting energy requirements. Where artificial lighting is required, the use of high efficiency LED lighting and light sensor controllers minimise the energy usage. External views help to create a better visual connection to the outdoor spaces. Strategies to assure effective natural lighting proposed for this development are:

Efficient glazing and façade design to maximise internal daylight levels;

External shading design that reduces heat loads due to direct solar radiation while maximising internal daylight level;

External shading design that reduces or eliminates glare. Glare can be a significant problem for life guards;

Installation of skylights or light tubes for spaces that have limited access to façade glazing.

It is important to coordinate daylighting with any obstructions to light such as roof structure or ductwork

Design of both the multipurpose spaces and the aquatic centre reduces full height glazing in preference for both ground level glazing and high level glazing. This balances visual connection and views across the precinct and good internal light quality with reductions in heat gain and heat loss.

POOL SHELL INSULATION

While the majority of heat from the pools are lost through the water surface, a considerable amount of heat loss also occurs through the pool shell. The ground adjacent to the shell typically has a constant temperature of approximately 17°C and continues to draw heat out of the pool irrespective of the ambient conditions. Consideration will be made to ensure as high levels of pool shell insulation as possible to make significant savings in energy loss.

Rigid closed-cell foam board or polystyrene board insulation with an R-rating of 1.0 is recommended for the pool walls as well as the base slab. And is planned for this development.



MECHANICAL SYSTEMS & HEAT PUMPS

The design of the centre allows for areas to be shut down when not in use, while other areas remain conditioned. Large openable doors to the pool halls can be used to ventilate the space when outdoor conditions are suitable. This would be particularly beneficial on hot summer days to release excess heat from the pool hall.

The mechanical systems used in the facility will use a heat pump system for the development. A heat pump works like a refrigerator or air conditioner. Refrigerant is used to remove heat from one area and to transfer this heat to another area. In the case of a pool heat pump, the very cold refrigerant absorbs heat from the air and transfers this heat to the pool water. If the air temperature is very warm more heat is absorbed and more heat is transferred to the pool water.

Heat pumps should be rated at an average air temperature of 15°C and a pool temperature of 27°C. This is most indicative of pool heating needs in Australia at the time of the year when pool heating is really needed. At these temperatures, heat pumps can produce over 4 times more heating than the power that is consumed. The integration of the aquatic and mechanical systems re-uses heat energy that would otherwise be lost, reducing the demand for additional energy use. By using all electric systems (mechanical and water heating, not a traditional gas boiler) for heating, all of the energy demands for the building are available to be sourced from renewable energy supplies, of which is largely offset by the roof mounted photovoltaic array.

SOLAR PHOTOVOLTAIC (PV)

With the large availability of roof space, solar panels have been reviewed and included into the design of the facility. The large array, with a peak capacity of 600kWp with an estimated annual generation of 700 MWh, which will offset approx. 357 tonnes of green house gasses. In conjunction with the electric heating and cooling and integrated heat exchange between aquatic and mechanical systems, these systems will enable the centre to produce the majority of the energy it consumes.

The effectiveness of PV's will be further enhanced as used on such a large area they will effectively be used as shade structures over the buildings roof reducing heat gain from the roof surface. They have been design to sit parallel with the roof.

SOLAR HOT WATER

Solar hot water heaters are widely used throughout Australia in domestic and commercial applications. For this technology to be effective the panels generally need to be orientated towards the north at a pitch of approximately 30° (for southern states) to ensure maximum exposure to solar radiation. Depending on system size and technology the solar contribution for hot water can be between 30% and 85%.

In this project solar hot water heaters are intended to be utilized in combination with PV and standalone units for showers only.

WATER SAVING INITIATIVES – POOL

Water is a precious and high-demand resource, essential for all living beings. Reducing water consumption is a critical part of alleviating pressure on water sources and maintaining water availability.

Public pools by nature have a very high water usage. Most of the water is lost through evaporation, spillage and filter backwash. There are a number of initiatives that can reduce the water usage, methods that do not consume additional energy are preferred over those that do.

Evaporation

The proposed pool installations have a relatively large water surface to volume ratio due in part to the shallow splash pool. Evaporation of pool water is therefore a significant cause of water loss. The following initiatives are intended to reduce evaporation losses:

Appropriately shaded pool areas

Control of air flow over the pools through careful design of the ventilation systems

Control of wind ingress around the pool areas during times when the facility is opened up for natural ventilation



DesignInc

Architecture
Urban Design
Interiors
designinc.com.au

ACOUSTIC ENVIRONMENT

Noise from public facilities is a common complaint, the main noise sources being large events, pool plant and vocal noise generated by some patrons. This can impact on surrounding buildings and/or disrupt other patrons within the precinct.

Acoustic control is achieved through:

Locating pool equipment away from neighbouring buildings.

Provide noise reducing architectural features such as perforated acoustic panels, noise barriers, enclosures and wall treatments.

The design ensures that pools are orientated away from the residential interface of the facility with the multipurpose spaces facing the residential interface instead. Glazing has also been reduced to the residential interface of the facility with internal spaces to be treated to provide a high level of acoustic performance and reduce noise transmission.

SUSTAINABLE TRANSPORT

Provision of secure cyclists facilities at the site will enhance the ability of occupants to ride to the centre thereby offsetting the use of cars in the vicinity. Facilities include racks for locking both the frame and wheels and with good passive surveillance and/or cameras.

MATERIALS

Where achievable, the use of low embodied energy materials such as locally sourced renewable timber has been considered to reduce the environmental impact of the centre. The use of local materials reduced energy wastage in transportation, and renewable materials require less energy to manufacture. These selections will be balanced with whole of life assessments, to minimise the need for materials to be replaced during the life of the building.

RECYCLING

Where existing environmental technologies had been integrated into the existing facilities, these have been identified to be removed and reinstated at other council operated sites. These technologies include the existing PV array and energy inverters, and the woodchip boiler that currently heats the existing pools. This technology is not best suited to be used as a water heater for the pools, however is being decommissioned and handed back to the council, for use as an electrical generator to run off the by products of the local timber industry.





South Australian
DEVELOPMENT ACT, 1993
REPRESENTATION ON APPLICATION – CATEGORY 3

Applicant: City of Mount Gambier
Development Number: 381/E012/19
Nature of Development: Construction of an integrated multi-purpose community sport, events/function and recreation hub
Development Type: Merit
Zone / Policy Area: Recreation Zone
Subject Land: 10 – 18 O'Halloran Terrace, Mount Gambier (Olympic Park)
Contact Officer: Janine Philbey
Phone Number: 08 7109 7062
Close Date: 17 January 2020

My Name: ROBERT WILLIAM SHORR My phone number: 0499 336087

Primary method(s) of contact: Email: blueflake1008@gmail.com
Postal Address: 13 O'Halloran Tce Postcode: 5290
Mt Gambier

You may be contacted via your nominated PRIMARY METHOD(s) OF CONTACT if you indicate below that you wish to be heard by the State Commission Assessment Panel in support of your submission.

My interests are: (please tick one)
 owner of local property
 occupier of local property
 a representative of a company/other organisation affected by the proposal
 a private citizen

The address of the property affected is: 13 O'HALLORAN TCE MT GAMBIER Postcode 5290

My interests are: (please tick one)
 I support the development
 I support the development with some concerns
 I oppose the development

The specific aspects of the application to which I make comment on are: _____

I: (please tick one)
 wish to be heard in support of my submission
 do not wish to be heard in support of my submission (Please tick one)

By: (please tick one)
 appearing personally
 being represented by the following person (Please tick one)

Signature: R. W. Shorr
Date: 3/1/2020

Return Address: The Secretary, State Commission Assessment Panel, GPO Box 1815, Adelaide, SA 5001 /or
Email: scapreps@sa.gov.au

South Australian
DEVELOPMENT ACT, 1993
REPRESENTATION ON APPLICATION – CATEGORY 3

Applicant: City of Mount Gambier
Development Number: 381/E012/19
Nature of Development: Construction of an integrated multi-purpose community sport, events/function and recreation hub
Development Type: Merit
Zone / Policy Area: Recreation Zone
Subject Land: 10 – 18 O'Halloran Terrace, Mount Gambier (Olympic Park)
Contact Officer: Janine Philbey
Phone Number: 08 7109 7062
Close Date: 17 January 2020

My Name: MARK TEAKLE My phone number: 0418 854 103

Primary method(s) of contact: Email: mteakle@alexander.com.au
Postal Address: _____ Postcode: _____

You may be contacted via your nominated PRIMARY METHOD(s) OF CONTACT if you indicate below that you wish to be heard by the State Commission Assessment Panel in support of your submission.

My interests are: (please tick one)
 owner of local property
 occupier of local property
 a representative of a company/other organisation affected by the proposal
 a private citizen

The address of the property affected is: _____

Postcode _____

My interests are: (please tick one)
 I support the development
 I support the development with some concerns
 I oppose the development

The specific aspects of the application to which I make comment on are: SEE FOLLOWING
SABOT

I: wish to be heard in support of my submission
 do not wish to be heard in support of my submission
(please tick one) (Please tick one)

By: appearing personally
 being represented by the following person
(please tick one) (Please tick one)

Signature: M Teakle
Date: 15/1/20

Return Address: The Secretary, State Commission Assessment Panel, GPO Box 1815, Adelaide, SA 5001 /or
Email: scapreps@sa.gov.au

Comments on Hub application

1. Service road to go past Scout hall will this create any safety issues with the through traffic. The roadway will need upgrading to allow bigger vehicles to access the site Will road be one-way
2. The larger vehicles on O`Halloran Terrace will add noise along the road as I notice access is only from the west. Why not from the east maybe it will not work due to the trucks coming up the hill. I find it hard to believe that the trucks will be able to turn in the new carpark given the layout. Access should be only from Margaret street and use the identified bus route. Once concerts are over packing up of equipment usually takes place straight after. This will mean the houses on O`Halloran will be subject to noise late at night.
3. Refuse should be collected on Margaret street not O`Halloran Terrace to lessen the heavy vehicles along O`Halloran terrace
4. For national/state matches courts are only line marked for the sport that is due to be played on them so at least 3 courts will only be available for basketball/tennis/netball and what else is played on them, hence we go from 6 to 3 before we start.



Jessie Surace
Acting Secretary
State Commission Assessment Panel
GPO Box 1815
Adelaide SA 5001
Email: scapreps@sa.gov.au

Re: Development Number – 381/E012/19

Dear Acting Secretary,

I oppose the Application For Consent To Development for the proposed Mt Gambier Recreation Hub, Dev No. - 381/E012/19, as advertised in The Border Watch on Friday 3rd January 2020.

I also apply to appear before the SCAP to explain the complex nature of my opposition and submission, and request that any such SCAP hearing would be held here in Mt Gambier.

I only became aware of this Application mid-week, and several people I have spoken to are completely unawares that this Application is pending. The short submission period and timing of the announcement during the New Years/school holidays period is less than ideal.

Like myself, people assume that any required Development Approvals would have been finalised before Mt Gambier City Council conducted extensive and costly 'Consultations' and their hugely expensive 'MGCC Public Vote', or commissioned multiple Architects designs and/or reports, used hundreds of hours of Council staff time on information Booths, massive advertising and promotional campaigns, or applied for (and were granted) Federal and State funding, etc.

I have been through the entire 153 page Application as available on the SA Planning Portal website, and have many concerns about;

- 1) the vagueness or absence of information on critical issues, eg, design specifications;
- 2) the deliberate misinformation and carefully constructed deceptions that MGCC have included in that Application, eg, issues of funding, alleged levels of public support;
- 3) and critical problems with several of the planning/design specifications.

This is just what I have discerned in one read-through, but I also have pre-existing concerns.

I have started a detailed submission, but it will take several days to condense and collate and to retrieve the associated documentation that I have.

I request that the Commission accept this letter as my official submission and I will forward my completed submission and associated documentation as an addendum by Friday 24th January 2020.

Yours,

Nick Fletcher
11/16 Kooringa St
Mt Gambier SA 5290
0419 823 996
Email: nf.fletcher@bigpond.com

Thursday 16th January 2020



South Australian
DEVELOPMENT ACT, 1993
REPRESENTATION ON APPLICATION – CATEGORY 3

Applicant: City of Mount Gambier
Development Number: 381/E012/19
Nature of Development: Construction of an integrated multi-purpose community sport, events/function and recreation hub
Development Type: Merit
Zone / Policy Area: Recreation Zone
Subject Land: 10 – 18 O'Halloran Terrace, Mount Gambier (Olympic Park)
Contact Officer: Janine Philbey
Phone Number: 08 7109 7062
Close Date: 17 January 2020

My Name: NEVILLE MOODY *REPRESENTING THE MOUNT GAMBIER BAHNH NATIONAL TRUST OF SOUTH AUSTRALIA*
My phone number: 0421 989 667

Primary method(s) of contact: Email: ntsamountgambier42@gmail.com
Postal Address: 42a BAY Rd
Mt GAMBIER S.A. Postcode: 5290

You may be contacted via your nominated PRIMARY METHOD(S) OF CONTACT if you indicate below that you wish to be heard by the State Commission Assessment Panel in support of your submission.

My interests are: (please tick one)
 owner of local property
 occupier of local property
 a representative of a company/other organisation affected by the proposal
 a private citizen

The address of the property affected is:

42a BAY Rd Mt GAMBIER S.A. Postcode 5290

My interests are: (please tick one)
 I support the development
 I support the development with some concerns
 I oppose the development

The specific aspects of the application to which I make comment on are:

PLEASE SEE ATTACHED SUBMISSION

I: (please tick one)
 wish to be heard in support of my submission
 do not wish to be heard in support of my submission (Please tick one)
By: (please tick one)
 appearing personally
 being represented by the following person (Please tick one)

Signature: [Handwritten Signature]
Date: 17/1/2020

WE ACTUALLY WOULD LIKE TO BE HEARD IN SUPPORT OF OUR SUBMISSION BUT TRAVELLING TO ADELAIDE IS NOT AN OPTION FOR US. PERHAPS MEETINGS SHOULD BE HEARD IN THE PLACE THE DEVELOPMENT IS TO OCCUR

Return Address: The Secretary, State Commission Assessment Panel, GPO Box 1815, Adelaide, SA 5001 /or
Email: scapreps@sa.gov.au

Development No. 381/E012/19

Construction of an integrated multi-purpose community sport, events/function and recreation hub.

Applicant: City of Mount Gambier

Submission by: Neville Moody representing

The Mount Gambier Branch of The National Trust of South Australia.

We are not in support of this Development.

We have listed our comments as they relate to the different sections of the City of Mount Gambier Development Plan

Design and Appearance

We do not think this development is sympathetic to the character and scale of other developments in this locality as it has a very large footprint and is much larger and higher than other buildings in the vicinity.

Hazard Minimisation

We draw your attention to Principals of Development Control (PDC) item 2

"Where recreational development is proposed on land which has previously been used for non residential purposes no development should be undertaken until site contamination clearances have been obtained."

We have not seen in the application where such clearances have been obtained.

Heritage Conservation Area

We realise that the land on which this development is situated is not part of the heritage conservation area but it adjoins it. We feel that no consideration has been given to the heritage value of buildings and trees etc. that will be demolished.

We draw your attention to Objective 4 in the Development Plan

"The retention and conservation of places such as land, buildings structures and landscape elements that contribute positively to the historic character of the area."

Of particular concern are the building currently used as a Church which was originally built in 1933 as the Show Society Luncheon hall showing great faith in the future of Mt. Gambier at the height of the Depression, as well as the building which We believe is locally known as the Pigeon Loft and is currently used as a storage shed by the Scouts, this was one of the original Show Society buildings.

Page 1 of 3



With the removal of these buildings there will be nothing remaining of the original Show Society infrastructure which utilised this area from 1859 until the mid 50's.

Also the removal of nearly all the trees on the O'Halloran Tce side of the development, of particular note a large mature and healthy London Plane tree and a nearby mature Ash.

Interface between land uses

Noise

"Development should be consistent with the relevant provisions in the current environment protection (noise) policies."

We note with concern that this development will only comply with the intent of the noise policy and some residences may experience noise levels slightly in excess of the requirements.

Since the adjoining area is a residential area we feel this is quite unreasonable and using the excuse that open air concerts have been held in the vicinity to support exceeding the noise requirements is not acceptable.

Natural Resources

Ref. Dev. Plan Objective 13

We have concerns that this development will detract from the scenic qualities of the "Blowhole" by placing such a large structure so close

Transport & Access

PDC cycling and walking 19 c

We believe bicycle parking should be provided as detailed in Table MtG(C)/3

This council is promoting "Park and Stride" as well as cycling to encourage walking and cycling so we find it unacceptable that they would only provide 20 spaces and not provide the 56 bicycle parking spaces as are required by their own Development plan.

Dev. Plan Objective 2c "Provide off street parking"

PDC Vehicle Parking 32



“Development should provide off-street vehicle parking and specifically marked disabled car parking places to meet anticipated demand in accordance with Table MtG(C)/3 car and bicycle parking requirements.”

It is quite unacceptable that the proposed development will only provide an additional 29 car parking spaces when it only removes 3 Netball courts from the original facilities and introduces 6 new Basketball courts as well as function rooms, gym facilities and community meeting rooms etc. The calculations provided in the application take no account of any spectators that would be attending weekly Basketball games and there is no provision for what is understood to be a 1000 seat show court or the western court area used for functions with 600 seats as shown on the plans.

There is no expectation that the on-site car parking should cater for the quite rare proposal of a 2500 spectator music event or similar.

The table MtG(C)3 does not specifically show car parking requirements for a Indoor Recreation Centre but we would have thought the requirements listed under Cinema, Community Centre, Concert Hall, Exhibition Hall or Stadium would have provided guidance for the requirements for this development

Not having adequate on-site parking would also increase the noise disturbance to the residential areas on O'Halloran Tce.

Recreation Zone

The points we note from Councils Development Plan under Recreation Zone are that it should primarily be open space and uses should preserve and enhance the open character and amenity of the land and buildings and structures should be of low profile and screened by native vegetation.

A building of this footprint and approximately 11.5 m in height definitely does not preserve or enhance the open character of this zone as it covers a very large proportion of the land, could hardly be considered low profile as it is higher than any other building on the block and not possible to screen so as to preserve the open nature of the area.

Public transport

We note there is no current public transport to the proposed facility and the nearest bus stop is 500m away this is unacceptable as this distance is too far for the elderly and handicapped that often only have public transport as a means of accessing such facilities.



CITY OF MOUNT GAMBIER RESPONSES TO THE REPRESENTATIONS RECEIVED

General Context

Of the four respondents, three have been critical of the idea of the scheme and the Council's participation. The representation made by Heritage SA is also made by someone who has been publicly unsupportive of the scheme, well before a development application was lodged. Their representations follow through on their consistent position of opposition, which is contrary to the position of the community and Council as evidenced by the plebiscite in 2018. In responding to the points raised the Council's response focuses on whether the matters raised are even material planning consideration and, where they are, an explanation of the Council's position is given.

REPRESENTOR	REPRESENTOR'S COMMENTS	COUNCIL RESPONSE
Robert Smith	Supportive of the proposal.	The Council thanks Mr Smith, the only person impacted directly by the proposal who has responded to the public notification, for his statement of support.
Mark Teakle	1. Service road to go past Scout hall will this create any safety issues with the through traffic. The roadway will need upgrading to allow bigger vehicles to access the site Will road be one way?	The service road is not a thoroughfare. The road is truncated by bollards protecting the rear of the facility. Access through the road requires the manual lowering of sets of bollards. The Council does not agree with Mr Teakle's comments.
	2. The larger vehicles on O'Halloran Terrace will add noise along the road as I notice access is only from the west. Why not from the east maybe it will not work due to the trucks coming up the hill. I find it hard to believe that the trucks will be able to turn in the new carpark given the layout. Access should be only from Margaret street and use the identified bus route. Once concerts are over packing up of equipment usually takes place straight after. This will mean the houses on O'Halloran will be subject to noise late at night.	For concerts, expos, etc. at the centre the car park from O'Halloran Terrace is intended to be closed off. This will become the dedicated service area for support activities. Access to this part of the site is from both the east and west, hence the deflection on both access/ egress points on O'Halloran Terrace. This reduces the potential for conflict between vehicles and pedestrians and increases safety. The frequency of events and the impact on residential amenity is not considered to have a significant impact. The location is within the city centre and so the background level of disturbance is already higher than for suburban areas. No objections have been received from surrounding residents, who have been visited and individually letter dropped about the proposals. The Council does not agree with Mr Teakle's comments.

City of Mount Gambier response to representations and referrals

1



REPRESENTOR	REPRESENTOR'S COMMENTS	COUNCIL RESPONSE
	<p>3. Refuse should be collected on Margaret Street not O'Halloran Terrace to lessen the heavy vehicles along O'Halloran Terrace.</p>	<p>Access will be possible from either O'Halloran Terrace or Margaret Street. Refuse from the café and catering will be collected via the store close to the Margaret Street car park and would not be accessible from the service road. Other refuse will be collected from the store on the eastern side of the building close to the service road. The level of waste collection traffic is considered only a very small amount of the traffic using the road and not a significant change. The Council does not agree with Mr Teakle's comments.</p>
	<p>4. For national/state matches courts are only line marked for the sport that is due to be played on them so at least 3 courts will only be available for basketball/tennis/netball and what else is played on them, hence we go from 6 to 3 before we start.</p>	<p>This assertion is incorrect. Consultation was undertaken with the relevant state sporting bodies to ensure that the design maximised community use while addressing required competition compliance standards.</p> <p>The development includes six courts in total comprising of three timber courts and three multipurpose courts enabling a flexibility of use and provision of both recreational and competition sports and activities.</p> <p>The court markings across the six courts provides provision for the following court configurations:</p> <ul style="list-style-type: none"> 6 x Basketball 6 x Netball 4 x Futsal 5 x Volleyball 6 x Junior Volleyball 20 x Badminton 3 x Tennis <p>The Council does not agree with Mr Teakle's comments.</p>



REPRESENTOR	REPRESENTOR'S COMMENTS	COUNCIL RESPONSE
<p>Nick Fletcher</p>	<p>1. Like myself, people assume that any required Development Approvals would have been finalised before Mt Gambier City Council conducted extensive and costly 'Consultations' and their hugely expensive 'MGCC Public Vote', or commissioned multiple Architects designs and/or reports, used hundreds of hours of Council staff time on information Booths, massive advertising and promotional campaigns, or applied for (and were granted) Federal and State funding, etc.</p>	<p>This stance is symptomatic of Mr Fletcher's approach and opposition.</p> <p>The timing of approvals following a common-sense pragmatic approach undertaken by most major developments. In any event this is not a material planning consideration.</p> <p>The Council does not agree with Mr Fletcher's comments.</p>
	<p>2. The vagueness or absence of information on critical issues, eg, design specifications.</p>	<p>This is an application for Development Approval. The relevant level of information for this type of approval has been provided. The Council does not agree with Mr Fletcher's comment.</p>
	<p>3. The deliberate misinformation and carefully constructed deceits that MGCC have included in that Application, eg, issues of funding, alleged levels of public support.</p>	<p>It is difficult to understand what Mr Fletcher is stating in this comment. The Council does not agree with Mr Fletcher's allegation, nor is it considered a material planning consideration.</p>
	<p>4. Critical problems with several of the planning/design specifications.</p>	<p>It is difficult to understand what Mr Fletcher is stating in this comment as no examples are provided. If Mr Fletcher asserts in his second point that there is an absence of critical information (e.g. design specifications) how can he sure that there are critical problems with something he has not seen? The Council does not agree with Mr Fletcher's comments.</p>
<p>Neville Moody on behalf of the National Trust of South Australia</p>	<p>1. Design and Appearance We do not think this development is sympathetic to the character and scale of other developments in this locality as it has a very large footprint and is much larger and higher than other buildings in the vicinity.</p>	<p>The design and appearance of the building are significant as befitting a high regional standard community and recreational facility and a significant civic building.</p> <p>There are already large structures on Olympic Park, including a 50m outdoor swimming pool, a number of sports courts and a number of other structures. Given the existing sporting and community uses of the site, the historic development for this purpose and the existing structures on the site, the size and</p>

City of Mount Gambier response to representations and referrals

3



REPRESENTOR	REPRESENTOR'S COMMENTS	COUNCIL RESPONSE
		<p>scale are in proportion with the significance of the community investment and facility.</p> <p>It is interesting to think too, that the Gaol would have been significantly out of scale and considered unsympathetically located when it was constructed and when the poor-quality surrounding buildings were built and now is considered of heritage value.</p> <p>The Council does not agree with Mr Moody's comments.</p>
	<p>2. Hazard Minimisation We draw your attention to Principals of Development Control (PDC) item 2</p> <p>"Where recreational development is proposed on land which has previously been used for non-residential purposes no development should be undertaken until site contamination clearances have been obtained."</p> <p>We have not seen in the application where such clearances have been obtained.</p>	<p>The site is already used for recreational purposes and as there is no change in the proposed land use. There is no Council concern relating to this policy provision on this particular site.</p> <p>No incidents or issues with contaminated land have been identified through the current or historic uses of the site. Consultation with the EPA has not raised any concerns around contaminated land.</p> <p>The Geotechnical survey undertaken found a small pocket of contamination, which will be dealt with by the contractor through their construction methodology. The Council is currently undertaking the final stages of the tender processes.</p> <p>The Council does not agree with Mr Moody's comments.</p>
	<p>3. Heritage Conservation Area We realise that the land on which this development is situated is not part of the heritage conservation area but it adjoins it. We feel that no consideration has been given to the heritage value of buildings and trees etc. that will be demolished.</p> <p>We draw your attention to Objective 4 in the Development Plan</p>	<p>The development site lies outside any heritage designation and the development is not intended to have any adverse impact on heritage. The contemporary design is not a poor-quality pastiche mimicking some heritage reference. It is distinctive and different, but drawing local character (in terms of materials and features).</p> <p>The buffering interface between the heritage area (the Old Gaol) and Olympic Park remains unchanged. All the</p>



REPRESENTOR	REPRESENTOR'S COMMENTS	COUNCIL RESPONSE
	<p>"The retention and conservation of places such as land, buildings structures and landscape elements that contribute positively to the historic character of the area."</p> <p>Of particular concern are the building currently used as a Church which was originally built in 1933 as the Show Society Luncheon hall showing great faith in the future of Mt. Gambier at the height of the Depression, as well as the building which We believe is locally known as the Pigeon Loft and is currently used as a storage shed by the Scouts, this was one of the original Show Society buildings.</p> <p>With the removal of these buildings there will be nothing remaining of the original Show Society infrastructure which utilised this area from 1859 until the mid 50's.</p> <p>Also the removal of nearly all the trees on the O'Halloran Tce side of the development, of particular note a large mature and healthy London Plane tree and a nearby mature Ash.</p>	<p>screening between the two sites sits outwith the boundary of the development.</p> <p>The buffering is also increased because of the significant spatial separation from the existing netball and tennis courts, Langlois Place – the road between the development the adjacent property – and the partial vegetative screening.</p> <p>Regrettably, the buildings referred to do not retain much heritage interest due to the changes made to them over time. The architectural merit of the two buildings is also somewhat questionable.</p> <p>As part of the work the Council has undertaken on this site, the Scouts, Guides and the Open Door Baptist Church have all been found suitable alternative arrangements. The Scouts will have a temporary storage solution provided, which will be superseded during the construction of the Community and Recreation Hub with a permanent storage facility.</p> <p>Trees on the O'Halloran Terrace frontage are not affected by this development. Some trees within the park will be removed, but the clear intent through the landscaping proposals will be to increase the number of trees on the site.</p> <p>The Council has been delivering a plan to deliver an additional 300 street trees per annum and has almost delivered a net increase of 10,000 trees through this longstanding initiative, which helps reinforce the green character of the City of Mount Gambier.</p> <p>The Council does not agree with Mr Moody's comments.</p>
	<p>4. Interface between land uses – Noise "Development should be consistent with the relevant provisions in the current environment protection (noise) policies."</p>	<p>The heritage area adjacent to the site and the nearby Railway Lands have also been used for events. The site is in the city centre and uses within the city centre are often subject to impacts which may be considered bad neighbour uses elsewhere.</p>



REPRESENTOR	REPRESENTOR'S COMMENTS	COUNCIL RESPONSE
	<p>We note with concern that this development will only comply with the intent of the noise policy and some residences may experience noise levels slightly in excess of the requirements.</p> <p>Since the adjoining area is a residential area we feel this is quite unreasonable and using the excuse that open air concerts have been held in the vicinity to support exceeding the noise requirements is not acceptable.</p>	<p>In this particular case, there are no new noise issues which are expected to emanate beyond the site boundary. The development is not expected to have any significant noise impact following design improvement delivered through the engagement of an acoustic engineer and the feedback from the EPA during the design refinement.</p> <p>The Council does not agree with Mr Moody's comments.</p>
	<p>5. Natural Resources Ref. Dev. Plan Objective 13</p> <p>We have concerns that this development will detract from the scenic qualities of the "Blowhole" by placing such a large structure so close</p>	<p>The Council has sited the facility in the best location on the site from a geotechnical perspective and from a functional perspective. The cenote will be used as part of the sustainable urban drainage solution that has been agreed with the EPA.</p> <p>Separately Council have considered a request to enhance the cenote and this will form part of future budget deliberations.</p> <p>The Council does not agree with Mr Moody's comments.</p>
	<p>6. Transport & Access PDC cycling and walking 19 c</p> <p>We believe bicycle parking should be provided as detailed in Table MtG(C)/3</p> <p>This council is promoting "Park and Stride" as well as cycling to encourage walking and cycling so we find it unacceptable that they would only provide 20 spaces and not provide the 56 bicycle parking spaces as are required by their own Development plan.</p> <p>Dev. Plan Objective 2c "Provide off street parking" PDC Vehicle Parking 32</p> <p>"Development should provide off-street vehicle parking and specifically marked disabled car parking places to meet</p>	<p>The site is already in use for significant sport and recreation purposes. This expected to be some intensification and elongation of that use, but it will not be a new use requiring a complete new level of provision.</p> <p>The low level of bicycle parking is accepted and the Council is happy to increase the level of provision to 50 across the site.</p> <p>Car parking needs are based on a community centre as this has been called the Community and Recreation Hub. The standard for this use is 1 space per 10m². The level of car parking provision cannot meet that standard on this site, nor does it intend to given the city centre location, the accessibility of the site by foot, cycle and public transport.</p> <p>Additional parking spaces are being provided, together with the significant level of provision close by in the CBD.</p>



REPRESENTOR	REPRESENTOR'S COMMENTS	COUNCIL RESPONSE
	<p>anticipated demand in accordance with Table MtG(C)3 car and bicycle parking requirements.”</p> <p>It is quite unacceptable that the proposed development will only provide an additional 29 car parking spaces when it only removes 3 Netball courts from the original facilities and introduces 6 new Basketball courts as well as function rooms, gym facilities and community meeting rooms etc. The calculations provided in the application take no account of any spectators that would be attending weekly Basketball games and there is no provision for what is understood to be a 1000 seat show court or the western court area used for functions with 600 seats as shown on the plans.</p> <p>There is no expectation that the on-site car parking should cater for the quite rare proposal of a 2500 spectator music event or similar.</p> <p>The table MtG(C)3 does not specifically show car parking requirements for a Indoor Recreation Centre but we would have thought the requirements listed under Cinema, Community Centre, Concert Hall, Exhibition Hall or Stadium would have provided guidance for the requirements for this development</p> <p>Not having adequate on-site parking would also increase the noise disturbance to the residential areas on O'Halloran Tce.</p>	<p>Connectivity to the CBD, rail trail and Railway Lands by non-motorised means is reducing reliance on the private car.</p> <p>The level of parking provision is both a demand management tool and part of the Council's <i>park and stride</i> approach, giving sustainable transport a preference. The level of parking provision is considered adequate for most activities at the site, but it is acknowledged that for major events there will be periods of parking stress. This is the same as for the Old Gaol and their concerts and for major activities in the Railway Lands.</p> <p>The Council accepts the criticism of bicycle parking, but does not agree with remainder of Mr Moody's comments.</p>
	<p>7. Recreation Zone</p> <p>The points we note from Councils Development Plan under Recreation Zone are that it should primarily be open space and uses should preserve and enhance the open character and amenity of the land and buildings and structures should be of low profile and screened by native vegetation.</p> <p>A building of this footprint and approximately 11.5 m in height definitely does not preserve or enhance the open character of this zone as it covers a very large proportion of the land, could</p>	<p>The key word is 'should' and whilst this is obviously desirable. The word used was not 'must' and so there is a significant differentiation.</p> <p>Near this site there is significant open space, which does maintain an open character, which can be seen in the Railway Lands and from Reidy Park School playing fields, which are open to the public.</p> <p>Whilst the new building is significant and will not increase the open character of the zone, the building occupies only a small</p>

City of Mount Gambier response to representations and referrals

7



REPRESENTOR	REPRESENTOR'S COMMENTS	COUNCIL RESPONSE
	hardly be considered low profile as it is higher than any other building on the block and not possible to screen so as to preserve the open nature of the area.	<p>minority of the site. The eastern part of the site is not open in character currently and so the openness of the site is largely retained.</p> <p>Screening would further reduce the open nature of the site and be contrary to the National Trust's thoughts, but would be conflicting with their expectations in terms of their point 1 on heritage.</p> <p>The Council does not agree with Mr Moody's comments.</p>
	<p>8. Public transport We note there is no current public transport to the proposed facility and the nearest bus stop is 500m away this is unacceptable as this distance is too far for the elderly and handicapped that often only have public transport as a means of accessing such facilities.</p>	<p>The Council is in discussions with the local public transport operator to ensure services are altered to provide improved access to this site. There will be a significantly increased financial rationale for this approach.</p> <p>Public transport includes taxi services and these are available across the city and able to provide a door to door service.</p> <p>The Mount Gambier Community Passenger Network also provides services which can access this facility, again on a door to door basis.</p> <p>The Council does not agree with Mr Moody's comments.</p>

INFORMAL REFERRAL RESPONSES

AGENCY	AGENCY COMMENTS	COUNCIL RESPONSE
ODASA	1. Numerous, as provided in an email from Janine Philbey dated 17 th January 2020.	<p>Email sent to Janine Philbey on 6th February 2020 providing:</p> <ul style="list-style-type: none"> • Letter from the Council's architects (DesignInc) • ESD Summary • Link to further design documentation



AGENCY	AGENCY COMMENTS	COUNCIL RESPONSE
Heritage SA	General heritage points	<p>Whilst the Police Reserve may have been established as such, the land has been used for community focussed activities for most of its existence and the locality is known within the community for these purposes rather than as a precinct associated with Law and Order. The changed perception and use of this land were further reinforced when:</p> <ul style="list-style-type: none"> • a new court house was constructed opposite the original court house, on the eastern side of Bay Road; and • the gaol adaptively re-used for community activities when a new facility was built outside of city. <p>The land use has been continually changing and for the most of last century, with various buildings constructed to supplement the range of community activities occurring on the land:</p> <ul style="list-style-type: none"> • the construction of Reidy Park primary School and its significant range of buildings; • The junior Primary School which is now occupied by community groups; • The original swimming pool now used by the Naval Cadets; • Ancillary buildings to support the show grounds activities; • Girl Guide Hall and more recently, the Scout Hall; • Buildings to support Netball and Tennis; and • Buildings to support the existing outdoor Swimming Pool. <p>Many of these buildings are not set well back from street frontages as has been suggested. In particular:</p> <ul style="list-style-type: none"> • Reidy Park Primary School (particularly at its entry point); • The Guide Hall (to a lesser extent); • The original Court House (southern and eastern facades); • The new Police complex is also built up to the O'Halloran Terrace boundary; and



AGENCY	AGENCY COMMENTS	COUNCIL RESPONSE
		<ul style="list-style-type: none"> • Residential buildings associated with the Old Gaol. <p>The construction of this community building continues the century old tradition of the land being built on for community purposes – it is just of a form and scale that matches required to meet a community in the 21st century. Whilst the new building is large, it is purely a community facility and is positioned in the centre of the City appropriately, rather than being situated in an industrial area on the city fringes.</p> <p>The proposed scheme is careful to remove all buildings from the land that will become redundant so that wherever possible, open space is returned to the precinct. An example of this is consolidating all pool plant within the new building (at considerable expense) so that all existing pool structures can be removed and this space used to create public amenity via landscape and nature play areas.</p> <p>There are no sight lines remaining between the original courthouse and old gaol. These are already blocked by:</p> <ul style="list-style-type: none"> • The new police complex • The guide hall • Toilets and shelter sheds adjacent to the netball courts <p>Views from the gaol land tend to be to the west and south. There is also a high, solid, perimeter security wall in the gaol that faces east towards the new building. The Council argues that the gaol turns its back to the east and the proposed new building.</p>
	1. Heritage context	<p>The heritage context provided by State Heritage paints a rather rosy picture of the site and its context, which also happens to fail to mention the adverse impacts on that context which exist on Margaret Street, O'Halloran Terrace, Bay Road, Wehl Street South and Langlois Place.</p>



AGENCY	AGENCY COMMENTS	COUNCIL RESPONSE
		<p>The reference to the 1864 Mount Gambier Courthouse and views from this to the gaol are somewhat undermined by the presence of a very large, relatively modern structure which interrupts the context physically, visually and introduces a modern design into the precinct. This structure is the current SAPOL building.</p> <p>Whilst the open space character exists and would not be significantly undermined by this proposal, it is not the openness or former police reserve use <i>per se</i> that is the important issue, but rather the fact that the use reflects the community and that it has changed in step with the community needs over time.</p> <p>When the site was used by the Show Society, this reflected the needs of the community at that time. The representation from the National Trust refer to remaining buildings from this time. These are two examples of a multiplicity of buildings and structures which has also existed in this precinct and which have engendered the community use, just as the Reidy Park Centre, the Meals on Wheels, the Naval Cadet and Scout buildings do today, together with the dominance of the existing sporting facilities comprising hard surfaces and buildings and a 50m pool and associated facilities.</p> <p>The heritage context also ignores other more modern buildings already close to the gaol and the significant, transformative changes in land use within 200m of the site in the Railway Lands. The character of Mount Gambier is changing gradually over time and this precinct has not existed in perpetuity nor has it been preserved in aspic.</p> <p>The views to and from the gaol are already restricted by existing screen planting and the statement that there are long views to the gaol is contested, unless this means that you can see the site from the Crater Lakes precinct some 650m away up a significant hill and across rooftops.</p>

City of Mount Gambier response to representations and referrals

11



AGENCY	AGENCY COMMENTS	COUNCIL RESPONSE
		<p>The Community and Recreation Centre is located away from the gaol, protecting its setting. The Council has also sited the facility in the best location on the site from a geotechnical perspective and from a functional perspective. The cenote will be used as part of the sustainable urban drainage solution that has been agreed with the EPA.</p> <p>Separately Council have considered a request to enhance the cenote and this will form part of future budget deliberations.</p> <p>Appendix 2 demonstrates, through aerial photography from 2019, a clear change in character of the site and surroundings. The old gaol already has development almost up to its boundary on the eastern side. The other boundaries are not impacted by this development.</p> <p>The Council's view is that the heritage context for this area is much more related to community use and that this community use has evolved over time. The precinct is now further evolving with the development of the Community and Recreation Centre.</p> <p>The Council would also reiterate its comments made to Mr Moody (item 7) in this regard.</p> <p>The Council does not agree with the comments made by State Heritage.</p>
	<p>2. Heritage impact</p>	<p>Photographs of the Old Court House can be found in appendix 3 and an aerial photograph from 2019 in appendix 2.</p> <p>From the photographs it is clear that functional historical link between the gaol and court house has been lost. The old court house is enveloped by the modern police station and the court house is now on the opposite side of the road from the police precinct. The gaol is no longer within the city boundaries, let alone the precinct boundaries.</p>



AGENCY	AGENCY COMMENTS	COUNCIL RESPONSE
		<p>Appendix 2 demonstrates that there is no visual link between the properties from within or close to the precinct.</p> <p>The dominant buildings in the precinct have changed over time. The old gaol would have been the dominant building for some time, Reidy Park School, the existing swimming pool and the new police station have all altered the dominant built form in the precinct and changed the historical context. The development of the next round of community driven change will again affect the dominance.</p> <p>The proposed location of the Community and Recreation Centre has no impact on the Old Court House because of the envelopment of the police station, the development is well away from the old gaol and the state heritage buildings on O'Halloran Terrace.</p> <p>The new building is similar in location close to O'Halloran Terrace and neither building is effectively screened at the relevant pinch point. However, the Community and Recreation does provide landscaping to the south and retains screening between the police station and itself.</p> <p>Considering the above and the site context and topography, which also reduce the already limited heritage impact, the Council does not agree with State Heritage.</p>
	3. Recommendation	<p>The Council does not agree with the recommendation. The information provided in response to the heritage context and heritage impact indicate that such a request would be overly onerous on a development which is broadly consistent with provisions of the Development Plan and which is supported by the community, the Council, the State and the Federal Governments.</p>
	4. General notes	<p>The Council accepts all the general notes.</p>



Appendix 1

DesignInc

Architecture
Urban Design
Interiors
designinc.com.au

Sports Court Compliance

Project Number	A18-0050
Project Title	Community and Recreation Hub
Client	City of Mount Gambier
Number of Courts	3 off Sprung Timber Floor 3 off 'Rebound Ace'
Clear Height	8.3 m
Date	07 February 2020

Sporting Regulatory Bodies:

- International Basketball Federation (FIBA)
- Football Federation Australia (FFA)
- International Volleyball Federation (FIVB)
- Australian Indoor Biased Bowls Council (AIBBC)
- Tennis Australia

Sprung Timber Indoor Court Facility

SPORT TYPE	QTY.	COURT DIMENSIONS	MIN.CLEAR RUN-OFF	MIN.CLEAR HEIGHT	COMPLIANCE	NOTES
BASKETBALL	3	28m x 15m	2m	7m	FIBA	1x competition show court 2x competition standard courts
NETBALL	3	30.5m x 15.25m	3.05m	8.3m	Netball Australia	1x competition show court 2x competition standard courts
FUTSAL	1	40m x 20m	2m	4m	FFA	Compliant with all grades
VOLLEYBALL	2	18m x 9m	5m side 8m rear	7m	Competition	'Min. clear run-off' is required for FIVB competition use
JUNIOR VOLLEYBALL	6	Approximately 15.25m x 10m	N/A	-	Practice and Junior	3 per court - utilising netball court thirds
BADMINTON	8	13.4m x 6.1m	1.5m	6.7-9m	Recreation	6.7m minimum height for recreation use
INDOOR BOWLS	-	Approximately 9.14m x 1.83m	200mm 'Ditch'	-	AIBBC	Regulation Size 30 ft x 6 ft

'Rebound Ace' Multi-use Court Facility

SPORT TYPE	QTY.	COURT DIMENSIONS	MIN.CLEAR RUN-OFF	MIN CLEAR HEIGHT	COMPLIANCE	NOTES
BASKETBALL	3	28m x 15m	2m	7m	Recreation	Does not meet FIBA flooring requirements.
NETBALL	3	30.5m x 15.25m	3.05m	8.3m	State	Does not meet flooring requirements for National and League competition.
FUTSAL	3	32m x 18m	2m	4m	FFA	10s-14s competition
VOLLEYBALL	3	18m x 9m	3m	7m	Recreation	Does not meet FIVB flooring requirements.
JUNIOR VOLLEYBALL	9	Approximately 15.25m x 10m	N/A	-	Practice and Junior	3 per court - utilising netball court thirds
BADMINTON	12	13.4m x 6.1m	1.5m	6.7-9m	Recreation	6.7m minimum height for recreation use
INDOOR BOWLS	TBC	Approximately 9.14m x 1.83m	200mm 'Ditch'	-	AIBBC	Regulation Size 30 ft x 6 ft. Compliant Carpet required.
TENNIS	3	23.77m x 10.97m	3.66m side 5.48m rear	9.14m	Recreation	Does not meet Tennis Australia's minimum flooring/height requirements

DesignInc Adelaide Pty Ltd ABN 77 007 805 692
Level 1, 151 Pirie Street Adelaide SA 5000
+61 8 8223 2888
reception@adelaide.designinc.com.au

We are an association of independent practices with offices in Adelaide, Melbourne, Perth & Sydney.





Appendix 2



Appendix 2 Map



Map Zoom: 1340 m
Plot Date: Thursday, 6 February 2020



Appendix 3



Vision dominance of the new Police Station (from Bay Road)



Appendix 3



Envelopment of the Old Court House, with the angular new Police Station behind (from O'Halloran Terrace)



Appendix 3



Disconnected view from the Old Court House (from O'Halloran Terrace)



5.2 COMMUNITY AND RECREATION HUB PROCUREMENT PROCESS – REPORT NO. AR20/14298

Committee: Regional Sport and Recreation Centre Committee
Meeting Date: 10 March 2020
Report No.: AR20/14298
CM9 Reference: AF18/175
Author: Andrew Meddle, Chief Executive Officer
Authoriser: Andrew Meddle, Chief Executive Officer
Summary: A report providing detail as to the procurement process being undertaken for the Community and Recreation Hub and an update as to progress.
Community Plan Reference: Goal 1: Our People
Goal 2: Our Location
Goal 3: Our Diverse Economy
Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage

REPORT RECOMMENDATION

1. That Regional Sport and Recreation Centre Committee Report No. AR20/14298 titled 'Community and Recreation Hub Procurement Process' as presented on 10 March 2020 be noted.



BACKGROUND

The procurement for the Community and Recreation Hub is the largest single procurement activity that the Council has undertaken. However, the processes and procedures are part of our standard approach, which is consistent and scaleable. In order to ensure all Elected Members have the same level of knowledge, the following sets out answers to some questions regarding procurement, this project and the detail around the processes, whilst also providing an update as the current and future stages.

RECENT QUESTIONS

In recent correspondence, it has become clear that there are a number of questions regarding:

- Procurement;
- The role of Elected Members in procurement generally; and
- The tender process for the Community and Recreation Hub.

These are answered in the sections that follow.

PROCUREMENT

The Council carries out thousands of procurement activities throughout each year. These vary in scope and scale and the Council's Policy P420 (*Procurement and Disposal of Land and Assets Policy*), which sets out the approach to be taken. The flesh on the bones of this policy is provided by the Council's *Procurement Framework and Administrative Procedure*. Elected Members will understand that procurement varies in complexity from the purchase of a bag of nails through to the purchase of a Community and Recreation Hub. It may be for the provision of something physical requiring construction or for the delivery of goods or a service.

Tenders are the most sophisticated and complex of the tools available for the Council. They are complex because of the need to have processes and structures around probity and integrity. As such they follow a clear and consistent path and Elected Members need to be clear that this process is scaleable, i.e. the Community and Recreation Hub is just a bigger version of the projects undertaken regularly by the Council. As such there is no difference in the approach; indeed any difference in approach would need to be clearly justified.

One of the key principles behind this approach is consistency and maintaining the integrity of the tender process. Deviations, other than those at the request of those participating in the process to enable the best outcome for the Council, are not entertained. Extensions of time are commonplace, particularly with more complex projects.

During this term of Council, there have been 58 significant procurement activities undertaken (see **Attachment 1**). Most of those fell within existing budget allocations and did not require a Council resolution. Few of them involved Elected Members before the decision-making stage and the reason for that is explained in the following section. Given the significant amount of procurement activity, this process is considered to be a day to day operation for the purposes of S99 of the Local Government Act and is undertaken as such across South Australia.

THE ROLE OF ELECTED MEMBERS IN PROCUREMENT GENERALLY

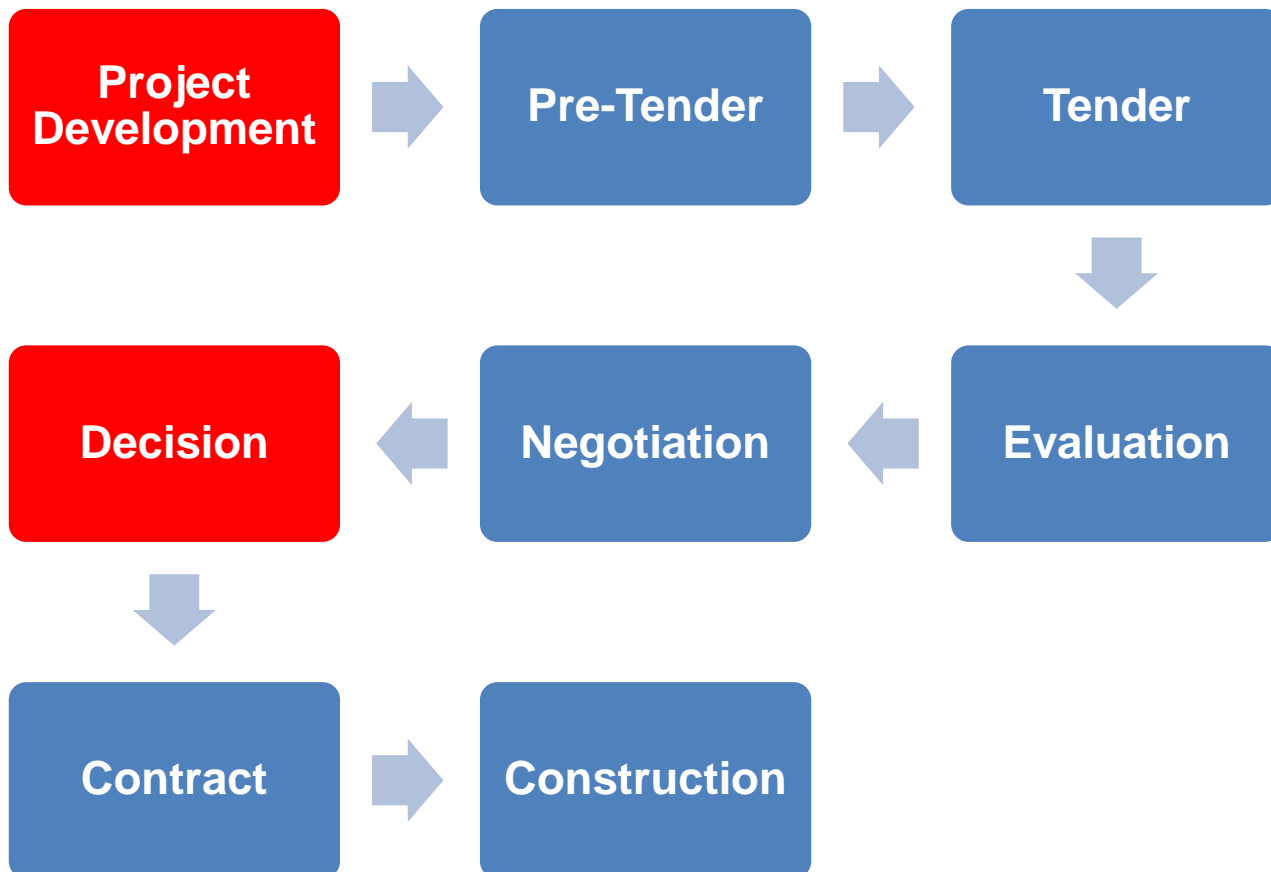
Elected Members are not normally involved in tenders once (if needed) they have resolved to procure goods or a service, most commonly through the budget process. Having resolved to do so, the Council's Policy and Administrative Procedure are then implemented. Council are then involved in the decision-making, where required as per Policy P420.

Quite clearly any Elected Member in the evaluation process would mean that they could not be involved in the decision-making in the Council Chamber, as they would have demonstrated predetermination or bias. The tender process also protects Elected Members from and those of the parties bidding for work their conflicts of interest in the decision-making arena, particularly when like at the City of Mount Gambier such decisions are usually made with anonymity.



THE TENDER PROCESS FOR THE COMMUNITY AND RECREATION HUB

The tender process for the Community and Recreation Hub is set out the following sections. It is shown diagrammatically below, with the areas for Elected Members involvement in red. The Council signed off the project over a period of time, including procurement sign off in November 2019.



PROJECT DEVELOPMENT

The project has been developed over a short space of time considering the complexity of the project. This work has been collaborative between Design Inc, the Council, the Community Reference Group and key stakeholders. This resulted in Council signing off the design and specification and the procurement process at the November Council Meeting.

Part of the project development work was to call for Expressions of Interest so that the Council could assess potential head contractors in terms of their capability and capacity to deliver a project of this scope and scale. The project was completed and enabled the current potential head contractors to be progressed to the current select tender process.

PRE-TENDER

Design Inc led the process of preparing the tender documentation, which required input from a number of specialists, the Council and the Council's lawyers. The tender documents sets out not only the details of the item being sought (i.e. a Community and Recreation Hub), but also the process, who will do what and the rules governing the process, known as the *Conditions of Tendering*. The Council's Procurement Officer was allocated as the single point of contact for the tender.

The Tender Evaluation Team (TET) membership was specified in the tender documentation, as part of the Tender Probity and Evaluation Plan. The TET comprises Nick Argyros (Project Manager), Mark Booth (operating model), Andrew Meddle (CEO), Sam Paddick (quantity surveyor), Nick Serle (General Manager – City Infrastructure) and Richard Stafford (architect), plus specialists as required.



These people represent the specialist skills the Council has engaged as it has progressed this project. The Tender Evaluation Criteria were also specified at this time, although the weighting applied to the criteria was not, as per our standard practice. A copy of the draft contract between the Council and the eventual head contractor was also part of this documentation.

The tender documentation has split the project into four key elements (separable portions), which are:

1. The Community and Recreation Hub buildings;
2. The landscaping and parking;
3. The improvements to the existing pool; and
4. The tennis improvements (to be Tennis SA funded).

Any or all of these separable portions can be removed or carried out by the Council as it sees fit, although not undertaking '1' would not be realistic and sharing the work is not possible due to the site control necessary during the construction phase.

TENDER PERIOD

Between 6 December 2019 and 14 February 2020, the tender was open for those selected to prepare their submissions. During this period the head contractors had access to all the information outlined in the pre-tender stage. As they examined the documentation provided, they often had queries. These queries are referred to as Requests for Information (RFIs). Each of the potential head contractors lodged RFIs with the Council's Procurement Officer. These were then collated and sent to the relevant specialists to provide a response. As a result, all potential head contractors were given ten tender addenda providing responses to all of the RFIs, to maintain a level playing field.

At the end of the tender period, the potential head contractors submitted their formal response to council comprising the details behind their bid, their final project team and sub-contractors. They also provided ideas for innovation, for alternative solutions and for value management.

TENDER EVALUATION

Having received the information, the Council's Procurement Officer required confidentiality agreements to be signed by all of the TET before access to the tender responses was provided. At this time advice as to probity issues was realised and the tender evaluation process put on hold, whilst advice was taken. The TET were told not to proceed with assessment until further notice. Having taken advice, work recommenced on the tender evaluations a week later than anticipated.

The tender evaluation commenced with an individual assessment of each of the submissions by the members of the TET. Some areas were the purview of technical specialists, others were responded to by all. Each of the TET then provided their scoring to the Council's Procurement Officer, who provided an overall scoring sheet to the TET when they met on 25 February 2020.

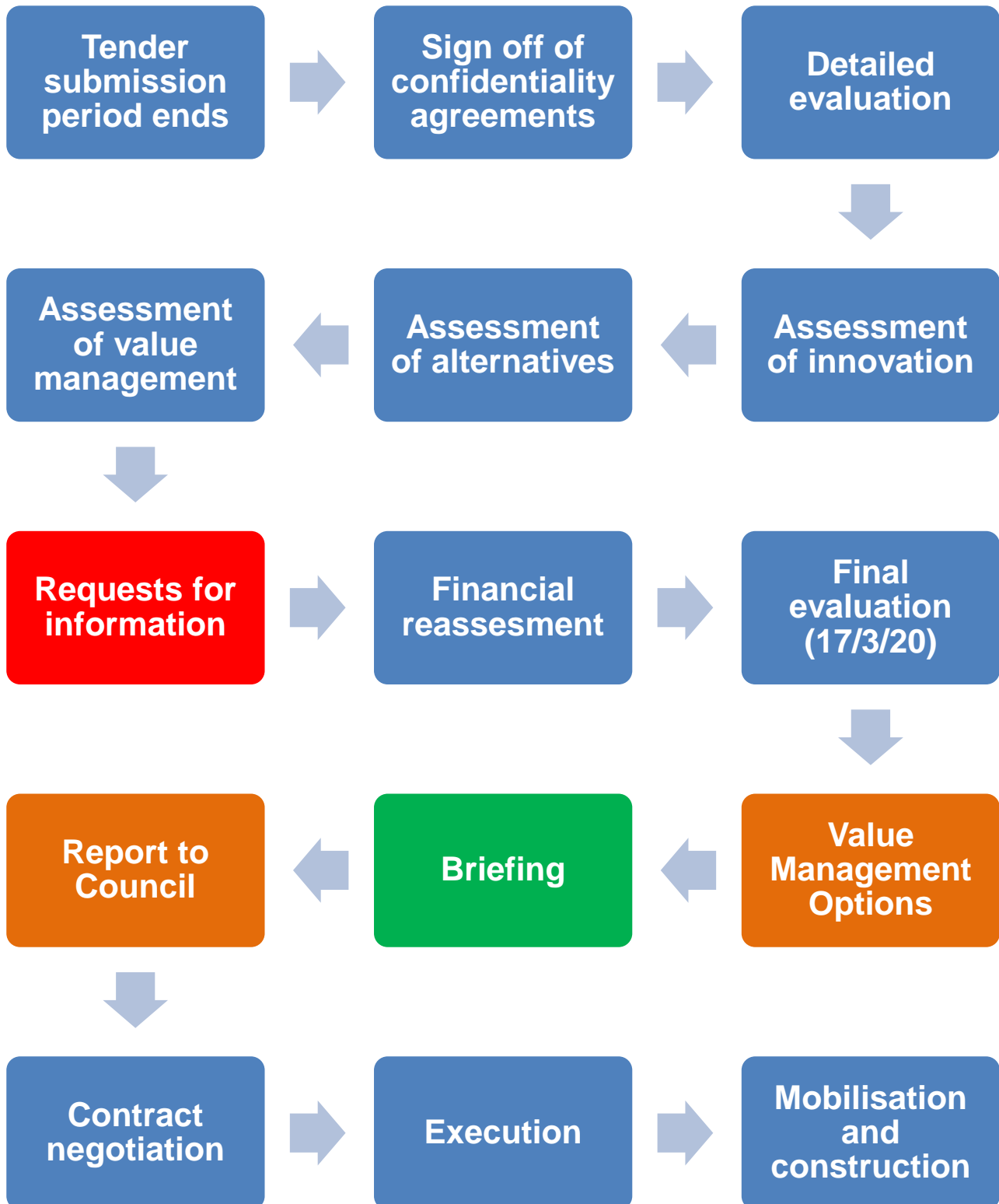
The TET met to carry out a peer review of the scoring and a discussion to come to a single position on the submissions. This was then followed by an assessment of the innovation, the alternative solutions and value management options put forward. As a result of this work, the Council's Procurement Officer has gone back to each of the potential head contractors with the Council's requests for information relating to the innovation, alternative solutions and value management options put forward. The potential head contractors now have some time to prepare their responses to the Council's post-tender RFIs. The TET is due to meet again on 17 March 2020, to consider their responses. As a result of this further shortlisting will occur and the element of clear competition will come out as we come down to the wire in terms of seeking a best and final price for lump sum contract.

Separate to the tender evaluation up to date financial information as to the financial risks associated with each potential head contractor has been sourced from Equifax Australia Credit Ratings Pty Ltd.

CURRENT POSITION



The following diagram indicates the current sphere of activity, where the **red** box indicates the current position, **orange** boxes indicate potential Special Council meetings and the **green** box indicates the expected position by the end of March 2020:



NEXT STEPS

The TET will continue negotiating to secure best value for the project. Having had the competitive negotiations, a briefing and then a report will be brought before Council seeking a resolution to enter into a contract, as per the decision of Council in November 2019.

ROLE AND FUNCTION OF ELECTED MEMBERS

Council endorsed the CEO to manage the tender process at its meeting in November 2019. That report made it clear that once the process was started, there was no role in the detail for Elected Members. The report is clear that the role of Council was to make a decision on the tender process to enable it to be concluded. The time to ask questions on process was then, not midway through.

The detailed tender information was and is, as requested by Councillors, available for inspection via the CEO throughout the tender process. The reason for inspection is because this is not only a confidential process, but also because the volume of documentation is significant and hard copies of all documents are not held on site.

Elected Members will note that as part of the agreement between the potential head contractors and the Council, the TET and the Council's Procurement Officer were the only persons to be provided with the tender responses. All of these people have signed a confidentiality agreement. Breaching the confidentiality agreement is a breach of the tender process, which would lead to it needing to be re-run. Elected Members must be clear on the significance of this impact both reputationally and financially.

The provision of information mid-tender to parties outside of the process does not form part of the Council's standard approach. Moreover, it is not consistent with the provisions of the Local Government Act. Section 61 of the Act provides for situations where material may be requested "*...in connection with the performance or discharge of the functions or duties of the member...*".

Section 61, must therefore be read in conjunction with Section 59 of the Act, which in turn refers to Section 8 of the Act. No provisions in the Act support the release of information supplied by a potential head contractor during a live tender process. Indeed Section 99 provides clarity that it is not the role of an Elected Member, but rather the Chief Executive Officer, with regard to this day to day activity.

It is not best practice to share details mid-process, but this may have been possible under limited confidential circumstances, had the issues facing the Council not occurred.

DISCUSSION

Having outlined the steps and constraints in the tender process, it will hopefully be clear to Council why no information can be shared at this time. As the tenderers are clear as to who their information will be provided to as part of the tender information, given the Tender Evaluation Team have all signed confidentiality agreements. Our standard practice does not lead to Council sharing information with anyone mid-process. However, this is further complicated by the advice to Elected Members elsewhere on this agenda.

Tender integrity is clear in this process, which has the propensity to be forensically examined for probity as a result of its State and Federal grant funding and any aggrieved party through the procurement process. The release of tender information in the current procurement state would lead to an immediate termination of the tender process. A new tender process would then be required necessitating a renegotiation of State and Federal grants as the project could not be completed on time. The likelihood of the current selected tenderers re-engaging in a future process and delivering best value for the community is not considered realistic.

CONCLUSION

The tender process for the Community and Recreation Hub has not been without its challenges. However, the approach taken with a scaleable process using the Council's standard procedures and appropriate support and advice from the project team is leading to a robust outcome.



ATTACHMENTS

1. Procurement Table [↓](#)



NUMBER AND TITLE OF PROCUREMENT	PORTFOLIO	BRIEF DESCRIPTION	PROCUREMENT METHOD UNDERTAKEN	COUNCIL RESOLUTION Y/N
1. Supply and Delivery of Street Sweeper (Unit 62)	City Infrastructure	Plant Replacement Program	Request for Tender	N
2. Supply and Delivery of Tip Truck (Unit 142)	City Infrastructure	Plant Replacement Program	Request for Tender	N
3. Community Survey Design, Market Implementation and Analysis	City Growth	To design, conduct and report outcomes for an independent survey - feedback for a proposed Mount Gambier Regional Sport and Recreation Centre	Request for Tender	Y - Report
4. Supply, Delivery and Installation of Playground Cover	City Infrastructure	Long Term Infrastructure and Asset Management Plan	Request for Tender	N
5. Supply, Delivery and Installation of Playground at Camoustie Court/Pinehurst Drive	City Infrastructure	Long Term Infrastructure and Asset Management Plan	Request for Tender	N
6. Polystyrene Denisifier/Compactor	Community Wellbeing	For the purpose of reducing the volume of expanded polystyrene (EPS) and polystyrene paper (PSP)	Request for Quotation	N
7. Architectural Services: James Street Toilet (Changing Places Facility)	City Infrastructure	Provision of architectural services for the James Street Toilet (Changing Places Facility) design	Request for Quotation	N
8. Local Area Network Computer Replacement	Council Business Services	Purchase/installation of hardware and software requirements for Council's Local Area Network (LAN) and preparing existing hardware for asset return.	Request for Tender	N
9. Hay Drive Bridge Demolition, Fill Placement and Compaction	City Infrastructure	Provision of bridge demolition at Hay Drive, fill placement and compaction.	Request for Tender	N
10. Supply and Delivery of Forklift (Unit 65)	City Infrastructure	Plant Replacement Program	Request for Tender	N
11. Supply and Delivery of Kerbing Machine/Trailer (Unit 92)	City Infrastructure	Plant Replacement Program	Request for Tender	N
12. Supply and Delivery of Mower (Unit 71)	City Infrastructure	Plant Replacement Program	Request for Tender	N
13. Supply and Delivery of Mower (Unit 73)	City Infrastructure	Plant Replacement Program	Request for Tender	N
14. Management Consulting and Recruiting Services	Office of the CEO	Provision of management consulting and recruitment services to assist the Council in the selection and recruitment of a replacement Chief Executive Officer.	Request for Quotation	CEO Recruitment Committee
15. Supply, Emptying and Maintenance of Roll On, Roll Off Bins: Waste Transfer Centre (01/04/2019 - 31/03/2021)	City Infrastructure	To supply, empty and maintain sufficient roll on, roll off bins to successfully operate the Waste Transfer Centre	Request for Tender	N
16. Sir Robert Helpmann Theatre and Civic Centre: Fire Detection and Emergency System Upgrade	City Growth	Upgrade of existing Civic Centre fire detection and emergency management system	Request for Tender	Y
17. Supply and Delivery of Premixed Concrete (01/07/2019 - 30/06/2021)	City Infrastructure	Supply and delivery of premixed concrete	Request for Tender	Y
18. Supply and Delivery of Mobile Bins (01/07/2019 - 30/06/2022)	City Infrastructure	Supply and delivery of new mobile bins and associated parts/accessories.	Request for Tender	N
19. Routine Maintenance of Fire Protection Systems and Equipment (01/07/2019 - 30/06/2021)	City Infrastructure	Routine service/maintenance of fire protection systems and equipment	Request for Tender	N
20. Supply and Delivery of Crushed Rock (01/07/2019 - 30/06/2021)	City Infrastructure	Supply and delivery of approximately 20,000 cubic metres of road making materials suitable for road pavements.	Request for Tender	Y
21. Opening/Closing of Council Properties (15/07/2019 - 14/07/2020)	City Infrastructure	Opening and nightly closing/patrol of Council properties.	Request for Tender	N
22. Maintenance of Automatic Doors 01/07/2019 - 30/06/2021)	City Infrastructure	Routine maintenance of Council's automatic doors - three times per annum	Request for Tender	N
23. Supply and Delivery of Bulk Fuel (01/07/2019 - 30/06/2021)	City Infrastructure	Supply and delivery of bulk fuel.	Request for Tender	Y
24. Supply, Delivery and Placement of Ashphalt (Hotmix) (01/07/2019 - 30/06/2021)	City Infrastructure	Supply, delivery and placement of Asphalt (Hotmix)	Request for Tender	Y
25. Linemarking Services (01/07/2019 - 30/06/2021)	City Infrastructure	To provide line and pavement markins within Council areas.	Request for Tender	Y



NUMBER AND TITLE OF PROCUREMENT	PORTFOLIO	BRIEF DESCRIPTION	PROCUREMENT METHOD UNDERTAKEN	COUNCIL RESOLUTION Y/N
26. Supply of New Tyres, Retreading and Repairs to Existing Tyres (01/08/2019 - 31/07/2021)	City Infrastructure	Supply of new tyres and tubes for Council's vehicle fleet and for the recapping, retreading and repair of existing tyres on Council operated plant.	Request for Tender	N
27. In-Service Safety Inspection and Testing of Electrical Equipment (01/07/2019 - 30/06/2021)	City Infrastructure	In-service safety inspection and testing of electrical equipment for all Council sites	Request for Tender	N
28. Supply and Placement of Bitumen Surfacing (01/07/2019 - 30/06/2021)	City Infrastructure	Supply and Placement of bitumen surfacings	Request for Tender	Y
29. Annual Maintenance of Air Conditioning Plant and Equipment (01/07/2019 - 30/06/2021)	City Infrastructure	Annual maintenance of air conditioning plant and equipment in Council owned buildings and includes capital upgrades as identified.	Request for Tender	N
30. Supply and Delivery of Graded Limestone Rubble (01/07/2019 - 30/06/2021)	City Infrastructure	Supply and delivery of graded limestone rubble	Request for Tender	Y
31. Construction of Changing Places Toilet Facility: James Street Amenities Mount Gambier	City Infrastructure	To engage a builder to construct a changing places toilet facility at the existing James Street Amenities	Request for Tender	N
32. Supply and Delivery of 4WD Dual Cab Utility (Unit 106)	City Infrastructure	To supply and deliver replacement 4WD Utility - Works Manager	Request for Tender	N
33. Supply and Delivery of 4WD Dual Cab Utility (Unit 107)	City Infrastructure	To supply and deliver replacement 4WD Utility - Building Maintenance Manager	Request for Tender	N
34. Supply and Delivery of (New Tourism) Vehicle	City Growth	To supply and deliver new tourism van	Request for Tender	N
35. Supply and Delivery of Motor Vehicle (Unit 120)	Office of the CEO	To supply and deliver a high specification safety vehicle for long trips	Request for Tender	N
36. Supply and Delivery of Caddy Maxi Van (Unit 103)	City Infrastructure	To supply and deliver a van suitable for general inspectors requirements	Request for Tender	N
37. Supply and Delivery of SUV (Unit 128)	City Infrastructure	To supply and deliver a SUV for civic centre fleet requirements	Request for Tender	N
38. Supply and Delivery of SUV (Unit 129)	City Infrastructure	To supply and deliver a SUV for civic centre fleet requirements	Request for Tender	N
39. Supply and Delivery of SUV (Unit 127)	Office of the CEO	To supply and deliver a SUV for Mayoral Vehicle	Request for Tender	N
40. Supply and Delivery of Utility (Unit 119)	Community Wellbeing	To supply and deliver a Utility for civic centre fleet requirements	Request for Tender	N
41. Supply and Delivery of Tip Truck (Unit 13)	City Infrastructure	To supply and deliver a tip truck for parks & gardens requirements	Request for Tender	N
42. Supply and Delivery of 4WD UTV/ATV (Unit 75)	City Infrastructure	To supply and deliver a 4WD UTV/ATV for parks & gardens spraying requirements in the Lakes Area	Request for Tender	N
43. Desktop Refresh	Council Business Services	The purchase (financed by Council's lease facility) and installation of hardware/software requirements for Council's desktop refresh and also to prepare existing leased hardware for asset return.	Request for Tender	N
44. Demolition and Construction Works for the new Community and Recreation Hub	City Infrastructure	To establish a short-list of suitably qualified and experienced building contractors from which Council will invite selective tenders for the construction of the new Community and Recreation Hub.	Expression of Interest	Y - Report
45. Supply and Delivery of Two Tip Trucks (Unit 7 and Unit 21)	City Infrastructure	To supply and deliver two new tip trucks to replace current units 7 and 21 as per Council's plant replacement program.	Request for Tender	N
46. Supply and Delivery of Two Tip Trucks (Unit 7 and Unit 21)	City Infrastructure	To supply and deliver two new tip trucks to replace current units 7 and 21 as per Council's plant replacement program.	Request for Tender	N
47. Buildings and Structures Asset Valuations	Council Business Services	To complete a full review of Council's building and structure assets meeting the AASB requirements.	Request for Quotation	N
48. Supply and Delivery of 4WD Wide Area Mower	City Infrastructure	To supply and deliver one new wide area mower to replace current Unit 144 as per Council's plant replacement program.	Request for Tender	N
49. Supply and Delivery of Truck with Crane (Unit 11)	City Infrastructure	To supply and deliver one new truck with crane to replace current Unit 11 as per Council's plant replacement program.	Request for Tender	N
50. Supply and Delivery of 4WD Dual Cab Utility (Unit 113)	City Infrastructure	To supply and deliver one new 4WD Dual Cab Utility to replace current Unit 113 as per Council's plant replacement program.	Request for Tender	N



NUMBER AND TITLE OF PROCUREMENT	PORTFOLIO	BRIEF DESCRIPTION	PROCUREMENT METHOD UNDERTAKEN	COUNCIL RESOLUTION Y/N
51. Supply and Delivery of Refuse Truck/Compactor (Unit 32)	City Infrastructure	To supply and deliver one new refuse truck/compactor to replace current Unit 32 as per Council's Plant Replacement Program	Request for Tender	N
52. Supply and Delivery of Tip Truck (Unit 3)	City Infrastructure	To supply and deliver one only new Tip Truck to replace current Unit 3 as per Council's Plant Replacement Program	Request for Tender	N
53. Vansittart Park Grandstand Upgrade Works	City Infrastructure	To undertake repair and refurbishment / upgrade works to the existing grandstand seating area located at Vansittart Park.	Request for Tender	N
54. Supply and Delivery of Out Front, Deck Mower (Unit 72)	City Infrastructure	To supply and deliver one only new Out Front Deck Mower to replace current Unit 72 as per Council's Plant Replacement Program	Request for Tender	N
55. Project Management Services	Office of the CEO	Project Management Services for the construction, demolition, and associated site works of the new Community and Recreation Hub	Request for Tender	N - Report
56. Supply and Delivery of Wheel Loader (Unit 45)	City Infrastructure	To supply and delivery one only new Wheel Loader to replace current Unit 45 as per Council's Plant Replacement Program.	Request for Tender	N
57. Debt Collection Services	Council Business Services	Securing early and full recovery where possible of outstanding Council rates, charges and debtors.	Request for Tender	N
58. Waste, Recycling & Resources Education Campaign	Community Wellbeing	To develop and partially deliver a waste, recycling & resources campaign (three year campaign, undertake first year actions, produce educational resources)	Request for Tender	N



5.3 COMMUNITY AND RECREATION HUB - TENANCIES UPDATE – REPORT NO. AR20/14510

Committee: Regional Sport and Recreation Centre Committee
Meeting Date: 10 March 2020
Report No.: AR20/14510
CM9 Reference: AF18/175
Author: Heidi Gajic, Community Development and Engagement Officer
Authoriser: Barbara Cernovskis, General Manager Community Wellbeing
Summary: This report provides an update on the implementation of arrangements for displaced tenants impacted by the Community and Recreation Hub development.
Community Plan Reference: Goal 1: Our People
Goal 2: Our Location
Goal 3: Our Diverse Economy
Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage

REPORT RECOMMENDATION

1. That Regional Sport and Recreation Centre Committee Report No. AR20/14510 titled 'Community and Recreation Hub - Tenancies Update' as presented on 10 March 2020 be noted.



BACKGROUND

In readiness for the construction of the Community and Recreation Hub, Council Officers have undertaken an intense stakeholder engagement process with displaced tenants that had occupancy on the proposed site.

Regular updates have been provided to Elected Members during the negotiation phase advising of the sensitivities, progress and possible recommendations to be presented formally to Council for consideration.

At the December 2019 meeting of Council a number of recommendations for displaced tenants were presented and endorsed for action.

DISCUSSION

To implement the resolutions and meet agreed timelines the projects have been undertaken concurrently, during a reduced activity period for the building trades and using a combination of depot staff and contractors. The following summarises work to date that has been undertaken to progress securing and implementing tenancy solutions.

1st Mount Gambier Scout Group

The provision of a temporary storage solution is in place in preparation for the removal of their existing shed. Scouts SA have granted written agreement to the erection of fencing to secure the Community and Recreation Hub construction site. The lease area amendment will occur when construction of the Community and Recreation Hub is nearing completion.

Meals On Wheels

Meals on Wheels SA have granted written agreement to the erection of fencing to secure the Community and Recreation Hub construction site. The lease area amendment will occur when construction of the Community and Recreation Hub is nearing completion.

Girl Guides

Guides SA have surrendered the O'Halloran Terrace Hall and a new lease has been executed by both parties for premises at Hastings Cunningham Reserve.

The relocation has been completed, with the Girl Guides first meeting on 4 February 2020 being at the premises at Hastings Cunningham Reserve. The internal fit out works are nearing completion with the final works scheduled to be finished in the coming weeks.

Mount Gambier & District Netball

The existing Netball Court lease has been terminated and a new lease executed by both parties.

The development application has been approved with the demolition of the former netball clubrooms and court reconfiguration works scheduled to commence in the first weeks of March 2020. The relocation of lighting and shelters will be carried out at a later date.

Senior Citizens

The internal fit out works on the 42 James Street building commenced in January 2020 with the first stage now nearing completion. Stage one works along with the building fire safety upgrades and DDA compliance works will be finalised in the coming weeks.

A new 5 year lease consistent with other sporting and community leases and licences has been drafted and presented for consideration by their management committee.

Open Door Baptist Church

The Open Door Baptist Church have reached an agreement with Senior Citizens for interim co-location at the 42 James Street facility beginning on 1 March 2020.

The Open Door Baptist Church have completed salvage and surrendered the O'Halloran Terrace building. Salvaged items will be temporarily stored (for a period of 12 months) in a container at the Council Depot.



CONCLUSION

Communication between with all parties has remained positive. Officers have been responsive to the needs and concerns of all affected parties and it is expected that they will remain engaged with all displaced tenants as required to ensure successful transition and settlement into the new arrangements.

Further advice will be provided to Council at the conclusion of the capital works component of the endorsed arrangements.

ATTACHMENTS

Nil



6 URGENT MOTIONS WITHOUT NOTICE



7 CONFIDENTIAL ITEMS

7.1 CONFIDENTIALITY, ACTIVITIES AND THE COMMUNITY AND RECREATION HUB – REPORT NO. AR20/15651

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Regional Sport and Recreation Centre Committee orders that all members of the public, except Mayor L Martin, Councillors B Hood, M Bruins, C Greco, P Jenner, S Mezinec, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle and H Gajic be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.1 AR20/15651 Confidentiality, Activities and the Community and Recreation Hub.

The Regional Sport and Recreation Centre Committee is satisfied that, pursuant to section 90(3) (f) 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 prejudice the maintenance of law, including by affecting (or potentially affecting) the:
 - prevention, detection, or investigation of a criminal offence, or
 - the right to a fair trial
- information concerning matters that must be considered in confidence in order to ensure that the Council does not:
 - breach any law, order or direction of a court or tribunal constituted by law,
 - breach any duty of confidence, or
 - breach any other legal obligation or duty

The Regional Sport and Recreation Centre Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because of legislative provisions that prohibit the disclosure of information of the kind to be provided in a verbal report by the Chief Executive Officer.

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 7.1 AR20/15651 Confidentiality, Activities and the Community and Recreation Hub 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) (f) and (g) be kept confidential and not available for public inspection until the end of this term of Council when the 2022 local government elections have concluded.
2. Further that Council delegates the power to review, revoke, but not extension of the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

8 MEETING CLOSE



**MINUTES OF CITY OF MOUNT GAMBIER
REGIONAL SPORT AND RECREATION CENTRE COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON TUESDAY, 10 DECEMBER 2019 AT 5.30 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Max Bruins, Cr Christian Greco, Cr Paul Jenner, Cr Sonya Meziniec, Cr Frank Morello, Cr Steven Perryman

OFFICERS IN ATTENDANCE:	Chief Executive Officer	- Mr A Meddle
	General Manager Community Wellbeing	- Ms B Cernovskis
	General Manager City Growth	- Dr J Nagy
	General Manager City Infrastructure	- Mr N Serle
	Manager Executive Administration	- Mr M McCarthy
	Community Development and Engagement Officer	- Mrs H Gajic

NOMINATION OF ACTING PRESIDING MEMBER

COMMITTEE RESOLUTION

Moved: Cr Frank Morello
Seconded: Cr Sonya Meziniec

Mayor Lynette Martin be appointed as Acting Presiding Member for the meeting in the absence of Cr Ben Hood.

CARRIED

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 APOLOGY(IES)

COMMITTEE RESOLUTION

Moved: Cr Paul Jenner
Seconded: Cr Sonya Meziniec

That the apologies from Cr Ben Hood and Cr Kate Amoroso be received.

CARRIED



3 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Sonya Meziniec
Seconded: Cr Max Bruins

That the minutes of the Regional Sport and Recreation Centre Committee meeting held on 12 November 2019 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 QUESTIONS WITHOUT NOTICE

Nil

5 REPORTS

5.1 COMMUNITY AND RECREATION HUB TENANCIES - 1ST MOUNT GAMBIER SCOUT GROUP

COMMITTEE RESOLUTION

Moved: Cr Frank Morello
Seconded: Cr Max Bruins

1. That Regional Sport and Recreation Centre Committee Report No. AR19/66180 titled 'Community and Recreation Hub Tenancies - 1st Mount Gambier Scout Group' as presented on 10 December 2019 be noted.
2. That, noting the impact of the Community and Recreation Hub Project on and necessity to amend the lease area and storage arrangements associated with the lease to Scouts Association of Australia SA Branch, Council endorse for the amendment of the lease with Scouts:
 - (a) Provision of a temporary storage solution comprising a container located at the Scouts Margaret Street site (or similar storage solution at an alternate location) for a potential period up to 31 January 2022 (or such additional period as may be necessary associated with the works period associated with the Community and Recreation Hub Project), including expenditure of up to \$4,000+gst to purchase a Council owned container.
 - (b) The progression of formal correspondence and documentation for the amendment of the existing lease area for the Margaret Street premises at Olympic Park.

CARRIED



5.2 COMMUNITY AND RECREATION HUB TENANCIES - OPEN DOOR BAPTIST CHURCH

COMMITTEE RESOLUTION

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

1. That Regional Sport and Recreation Centre Committee Report No. AR19/66239 titled 'Community and Recreation Hub Tenancies - Open Door Baptist Church' as presented on 10 December 2019 be noted.
2. That, having agreement for an interim relocation arrangement for the Open Door Baptist Church at 42 James Street, Council endorse for the relocation of the Open Door Baptist Church:
 - (a) Salvage rights for (non-structural) building materials, fixtures and fittings located within the O'Halloran Terrace building currently occupied by the group, at their own arrangement and cost and under appropriate supervision for the works to be undertaken.
 - (b) Relocation assistance up to the value of \$1,500 +gst (provided in-kind or at cost) to relocate items to 42 James Street or an identified storage location.
 - (c) Storage of salvaged items at a Council location for a licence period up to 31 January 2021 (or such additional period as may be negotiated to suit their relocation plans), including expenditure of up to \$5,000 +gst to purchase a Council owned container.
 - (d) The serving of formal notices and documentation for the relocation and termination and surrender of the existing licence for the O'Halloran Terrace premises at Olympic Park.

CARRIED

6 MOTIONS WITHOUT NOTICE

Nil

7 CONFIDENTIAL ITEMS

7.1 COMMUNITY AND RECREATION HUB TENANCIES - 42 JAMES STREET, MOUNT GAMBIER – REPORT NO. AR19/66240

COMMITTEE RESOLUTION

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Regional Sport and Recreation Centre Committee orders that all members of the public, except Mayor L Martin, Councillors M Bruins, C Greco, P Jenner, S Meziniec, F Morello and S Perryman and Council Officers A Meddle, J Nagy, B Cernovskis, N Serle, M McCarthy and H Gajic be excluded from attendance at the



meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.1 AR19/66240 Community and Recreation Hub Tenancies - 42 James Street, Mount Gambier.

The Regional Sport and Recreation Centre Committee 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 Regional Sport and Recreation Centre Committee 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 matter to be discussed relates to building quotations and budget for works that Council is considering to be undertaken, the release of which during the contractor quotation period could influence and jeopardise the Council's negotiating position to obtain best value and best outcomes for the community.

CARRIED

COMMITTEE RESOLUTION

Moved: Cr Max Bruins
Seconded: Cr Sonya Mezinac

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 7.1 AR19/66240 Community and Recreation Hub Tenancies - 42 James Street, Mount Gambier 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 the Council has considered the proposed works, adopted a budget and engaged a contractor for each stage of the proposed works, or until 12 months have elapsed, whichever is the earlier.
Resolutions 1 and 2((d), (e) and (f) to be released immediately upon determination of the matter by Council.
2. Further that Council delegates the power to review, revoke, but not extension of 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



7.2 COMMUNITY AND RECREATION HUB TENANCIES - MOUNT GAMBIER AND DISTRICT NETBALL ASSOCIATION – REPORT NO. AR19/66183

COMMITTEE RESOLUTION

Moved: Cr Steven Perryman

Seconded: Cr Max Bruins

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Regional Sport and Recreation Centre Committee orders that all members of the public, except Mayor L Martin, Councillors M Bruins, C Greco, P Jenner, S Mezinec, F Morello and S Perryman and Council Officers A Meddle, J Nagy, B Cernovskis, N Serle, M McCarthy and H Gajic be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.2 AR19/66183 Community and Recreation Hub Tenancies - Mount Gambier and District Netball Association.

The Regional Sport and Recreation Centre Committee 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 Regional Sport and Recreation Centre Committee 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 matter to be discussed relates to demolition and civil works and associated budget that Council is considering to be undertaken, the release of which during the contractor quotation period could influence and jeopardise the Councils negotiating position to obtain best value and best outcomes for the community.

CARRIED

COMMITTEE RESOLUTION

Moved: Cr Sonya Mezinec

Seconded: Cr Christian Greco

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 7.2 AR19/66183 Community and Recreation Hub Tenancies - Mount Gambier and District Netball Association 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 the Council has considered the proposed works, adopted a budget and engaged a contractor for each component of the proposed works, or until 12 months have elapsed, whichever is the earlier.



Resolutions 1, 4, 5 and 6 to be released immediately upon determination of the matter by Council.

2. Further that Council delegates the power to review, revoke, but not extension of 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

7.3 CONSIDERATION FOR EXCLUSION OF THE PUBLIC

COMMITTEE RESOLUTION

Moved: Cr Frank Morello

Seconded: Cr Paul Jenner

Pursuant to section 90(2) of the *Local Government Act 1999* the Regional Sport and Recreation Centre Committee orders that all members of the public, except Mayor L Martin, Councillors M Bruins, C Greco, P Jenner, S Mezinec, F Morello and S Perryman and Council Officers A Meddle, J Nagy, B Cernovskis, N Serle, M McCarthy and H Gajic be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.3 Question Without Notice – Regional Sport and Recreation Centre Committee.

The Regional Sport and Recreation Centre Committee 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 Regional Sport and Recreation Centre Committee 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 matter to be discussed relates to works and associated budget that Council is considering to be undertaken, the release of which during the tender period could influence and jeopardise the Councils negotiating position to obtain best value and best outcomes for the community.

CARRIED



7.3 CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

COMMITTEE RESOLUTION

Moved: Cr Christian Greco
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 7.3 Question Without Notice – Regional Sport and Recreation Centre Committee, 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 the Council has considered the proposed works, adopted a budget and engaged a contractor for each component of the proposed works, or until 12 months have elapsed, whichever is the earlier.
2. Further that Council delegates the power to review, revoke, but not extension of 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

8 MEETING CLOSE

The Meeting closed at 6.18 p.m.

The minutes of this meeting were confirmed at the Regional Sport and Recreation Centre Committee held on 11 February 2020.

.....
PRESIDING MEMBER

