

MINUTES

Ordinary Council Meeting

Tuesday 15 July 2025



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

Time: 6:00 pm

Date: Tuesday 15 July 2025

Location: City Hall
Cave Gardens/Thugi, Mount Gambier

PRESENT: Mayor Lynette Martin (OAM)
Cr Max Bruins
Cr Paul Jenner
Cr Mark Lovett
Cr Josh Lynagh
Cr Jason Virgo

OFFICERS IN	Chief Executive Officer	- Mrs S Philpott
ATTENDANCE:	General Manager City Infrastructure	- Ms B Cernovskis
	General Manager Corporate and Regulatory Services	- Mrs J Fetherstonhaugh
	General Manager People, Place and Liveability	- Mr C White
	Manager Governance and Property	- Ms B Shelton
	Manager Operations Infrastructure	- K Manarangi
	Manager Waste, Reuse and Environment	- J Martin
	Media and Communications Coordinator	- Ms S McLean
	Executive Administrator	- Mrs S Spears
	Executive Administrator	- Ms T Chant

1 ACKNOWLEDGEMENT OF COUNTRY

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR FIRST NATIONS PEOPLES HAVE WITH THE LAND.

2 CONDUCT OF THE GALLERY

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

3 APOLOGIES

RESOLUTION OCM 2025/164

Moved: Cr Max Bruins

Seconded: Cr Paul Jenner

That the apology from Cr Sonya Meziniec and Cr Frank Morello be received.

CARRIED



4 LEAVE OF ABSENCE

Nil

5 CONFIRMATION OF COUNCIL MINUTES

5.1 CONFIRMATION OF COUNCIL MINUTES

RESOLUTION OCM 2025/165

Moved: Cr Mark Lovett

Seconded: Cr Max Bruins

That the minutes of the Ordinary Council Meeting held on 17 June 2025, Special Council Meeting held on 17 June 2025 and Special Council Meeting held on 24 June 2025 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

6 MAYORAL REPORT

6.1 MAYORAL REPORT - JULY 2025

- Introductory meeting with Jacinta Robinson – Womens Legal Service
- Presentation by the Local Government Grants Commission
- Development Management Plan engagement workshop (with General Manager People, Place and Liveability)
- Photo opportunity – Don McDonnell Reserve – regional public transport review submission
- Catch up with Colin Byles, Interim Executive Officer, LCLGA
- LGA Board Update (virtual)
- Dancers Deb Ball – presentation of Debutantes (The Barn)
- Presentation to EQUIP, Candidate Training Workshop attendees – journey into politics
- Lions Club of Blue Lake City Lioness Changeover Dinner (Blue Lake Bar & Bistro)
- Introductory meeting – CEO Recruitment Consultants (with General Manager Corporate and Regulatory Services) (virtual)
- Connecting Settlement, Community and Industry Stakeholders Forum (Mount Gambier Migrant Resource Centre)
- Introductory meeting with Department of Home Affairs, Community Engagement Team
- Weekly meetings with CEO
- Elected Member Briefing – Cats By-Law
- Special Council Meeting – adoption of 2025/2026 Budget and Annual Business Plan
- Visit to Country Health Connect
- Catch up with Charlotte Edmunds, Executive Officer, LCLGA
- Catch up with LCLGA Mayors (virtual)
- Regular catchups with Media and Communications Coordinator
- Radio interview with Llew Jones, 5GTR-FM
- LGA Board Meeting (Adelaide)
- Farewell – LGA CEO, Clinton Jury (Adelaide)



- Meeting with Capital Investments & Development team
- State Waste Strategy Consultation (for SAROC) (virtual)
- Internal meeting – LCLGA website
- Elected Member Briefing – Partnership Priorities and Advocacy 2025/2026
- Confidential Elected Member Briefing – Lady Nelson EOI
- Confidential Elected Member Briefing – Tenancies EOI
- UniSA Mount Gambier Campus Scholarships, Awards and Grants Dinner
- Chambers Tour and Mayoral Presentation to Compton Primary School Year 2/3 Class
- Meeting with Executive Officer, LCLGA
- LGA Board Update (virtual)
- LCLGA Special Board Meeting and Workshop
- Farewell – Superintendent Cheryl Brown, SAPOL
- NAIDOC Week Flag Raising and Smoking Ceremony and Street March
- Lakes Rotary President Changeover Dinner
- Visit to Mount Gambier Salvation Army Thrift Shop
- Confidential Elected Member Briefing – Crater Lakes – Cultural Heritage Survey
- NAIDOC Week Community Breakfast
- Junior Sports Assistance Fund Committee Meeting
- Catch up with LCLGA Mayors (virtual)
- Meeting with the Mount Gambier Residents and Ratepayers Association
- LGA Board Update (virtual)
- Drought response update webinar (virtual)
- Mount Gambier Eisteddfod Dance Division – presentations and welcome
- Introductory meeting with Thuyen Vi-Alternetti, SA Multicultural Commission
- District Council of Grant Citizenship Ceremony

RESOLUTION OCM 2025/166

Moved: Mayor Lynette Martin

Seconded: Cr Jason Virgo

That the Mayoral Report be received.

CARRIED

7 REPORTS FROM COUNCILLORS

7.1 REPORTS FROM COUNCILLORS

- | | |
|----------------|---|
| Cr Josh Lynagh | Meeting with John Jablonski, Jacqueline Bignell and Greg Tate to discuss Cycling, paths and tourism (with Aaron Izzard)
NAIDOC week Mayoral reception, flag raising ceremony and street march. |
| Cr Jason Virgo | Refugee week launch of finding freedom exhibition
Grants Commission of SA |
| Cr Paul Jenner | Grants Commission of SA
Pioneers Basketball game |



RESOLUTION OCM 2025/167

Moved: Cr Jason Virgo

Seconded: Cr Josh Lynagh

That the reports made by Councillors be received.

CARRIED

8 QUESTIONS WITH NOTICE

Nil

9 QUESTIONS WITHOUT NOTICE

Nil

10 PETITIONS

Nil

11 DEPUTATIONS

Nil

12 NOTICE OF MOTION TO REVOKE OR AMEND

Nil

13 ELECTED MEMBERS INFORMATION BRIEFING SESSIONS

RESOLUTION OCM 2025/168

Moved: Cr Josh Lynagh

Seconded: Cr Mark Lovett

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

CARRIED

14 ELECTED MEMBERS TRAINING AND DEVELOPMENT

Nil

15 AUDIT AND RISK COMMITTEE

Nil



16 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE

Nil

17 JUNIOR SPORTS ASSISTANCE FUND COMMITTEE

17.1 JUNIOR SPORTS ASSISTANCE FUND COMMITTEE HELD ON 9 JULY 2025

RESOLUTION OCM 2025/169

Moved: Cr Josh Lynagh

Seconded: Cr Max Bruins

Council receive and note the minutes of the Junior Sports Assistance Fund Committee meeting held on 9 July 2025.

CARRIED

18 BUILDING FIRE SAFETY COMMITTEE

Nil

19 COUNCIL REPORTS

19.1 IMPOUND ANIMAL MANAGEMENT - ANNUAL UPDATE

RESOLUTION OCM 2025/170

Moved: Cr Max Bruins

Seconded: Cr Mark Lovett

1. That Council report titled 'Impound Animal Management – Annual Update as presented on Tuesday 15 July 2025 be noted.

CARRIED

19.2 BY-LAW REVIEW

RESOLUTION OCM 2025/171

Moved: Cr Mark Lovett

Seconded: Cr Josh Lynagh

1. That Council report titled 'By-Law Review' as presented on Tuesday 15 July 2025 be noted.

2. That in exercise of the powers contained in section 246 of the Local Government Act 1999 (the Act), having satisfied the consultation requirements of the Act and having had regard to the submission received from the public, the National Competition Policy Report, the Certificates of Validity provided by the Council's legal practitioner, the comments from the Dog and Cat Management Board in relation to By-Law number 6, the majority of Council, in the presence of at least two thirds of its members, hereby makes and passes the following By-laws as attached and marked 'Attachment 1':
 - (a) By-Law No. 6 Cats.
3. That the Chief Executive officer be authorised to undertake all steps necessary to finalise the By-law review process and to give effect to the newly adopted By-laws, including making any minor editorial or grammatical changes that may be necessary prior to publication of the By-laws in the Gazette.

CARRIED

Carried unanimously, with greater than two-thirds of members being present at the meeting.

19.3 REVIEW OF COUNCIL POLICY - T120 TREE POLICY

Pursuant to Section 75 of the Local Government Act 1999, Cr Jason Virgo disclosed a general conflict of interest in Item 19.3 Review of Council Policy - T120 Tree Policy.

In accordance with Section 75B Cr Jason Virgo informed the meeting:

Nature of Interest:

I own a property adjacent a reserve. 6-D-2 mentions a service available to property owners adjacent a reserve.

Intention to Participate:

Not move or second the motion. Disclose this general conflict of interest to the meeting.

Reason for Participating:

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

In accordance with Section 75B of the Local Government Act 1999 Cr Jason Virgo remained in the meeting for Item 19.3.

Having participated in the meeting for item 19.3 Cr Jason Virgo voted in favour of the motion.

RESOLUTION OCM 2025/172

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

1. That Council report titled 'Review of Council Policy - T120 Tree Policy' as presented on Tuesday 15 July 2025 be noted.



2. That the revised draft Council Tree Policy - T120 be adopted.
3. That the Urban Landscape Strategy Principles be developed in 2025/2026 and the Urban Landscape Strategy be budgeted and completed in 2026/2027.

CARRIED

19.4 OUTSTANDING COUNCIL ACTION ITEMS - JUNE 2025

RESOLUTION OCM 2025/173

Moved: Cr Paul Jenner

Seconded: Cr Jason Virgo

1. That Council report titled 'Outstanding Council Action Items - June 2025' as presented on Tuesday 15 July 2025 be noted.

CARRIED

20 MOTIONS WITH NOTICE

20.1 PROMOTING RESPECTFUL COMMUNITY INTERACTIONS WITH COUNCIL STAFF AND COUNCILLORS

RESOLUTION OCM 2025/174

Moved: Cr Jason Virgo

Seconded: Cr Josh Lynagh

1. That the motion from Cr Jason Virgo as presented on 15 July 2025 be noted;
2. That Council:
 - (a) Notes an increasing trend across the local government sector of aggression, intimidation, and verbal abuse directed toward Councils staff and Councillors during the course of their duties;
 - (b) Acknowledges the proactive steps taken by other South Australian Councils, including the City of West Torrens through its *"It Reflects on You"* campaign to promote respectful community interactions and protect staff wellbeing;
 - (c) Requests the Chief Executive Officer prepare a report for Council's consideration, which explores:
 - Potential communication and engagement strategies to promote respectful community interactions towards Council staff and elected members;
 - The feasibility and implications of developing a localised awareness campaign, with reference to West Torrens' *"It Reflects on You"* initiative;
 - Resource and budget considerations;



- Any legislative or policy implications under the *Local Government Act 1999* (SA) and the Council and CEO's Work Health and Safety obligations;
 - The application of Council's Unreasonable Conduct Policy to these matters
- (d) Requests that the report be presented to Council no later than the October 2025 Council meeting.

CARRIED

21 URGENT MOTIONS WITHOUT NOTICE

Nil

22 NEW CONFIDENTIAL ITEMS

22.1 RECEIVAL AND DISPOSAL OF ORGANIC WASTE

RESOLUTION OCM 2025/175

Moved: Cr Max Bruins

Seconded: Cr Jason Virgo

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except the Mayor, Councillors and S Philpott, B Cernovskis, J Fetherstonhaugh, C White, B Shelton, K Manarangi, J Martin, S McLean, S Spears and T Chant be excluded from attendance at the meeting for the receipt and consideration in confidence of Receival and Disposal of Organic Waste.

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

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

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information to be discussed in this item relates to the award of a contract for services and negotiation of the subject contract between Council and the proponent, the disclosure of which may prejudice Council's ability to achieve best value for money on behalf of the community.

CARRIED

RESOLUTION OCM 2025/177



Moved: Cr Max Bruins
Seconded: Cr Mark Lovett

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the Local Government Act 1999 the Council orders that the report Receival and Disposal of Organic Waste and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:
 - (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.

be kept confidential and not available for public inspection until 12 months after the execution of a contract, or abandonment of the proposal, with the name of the successful proponent and value of the contract to be disclosed upon execution.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the Local Government Act 1999.

CARRIED

22.2 APPOINTMENT OF INTERIM CEO

RESOLUTION OCM 2025/178

Moved: Cr Max Bruins
Seconded: Cr Mark Lovett

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except the Mayor, Councillors and S Philpott, B Cernovskis, J Fetherstonhaugh, C White, B Shelton, K Manarangi, J Martin, S McLean, S Spears and T Chant be excluded from attendance at the meeting for the receipt and consideration in confidence of Appointment of Interim CEO.

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

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).
- (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.



The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information to be considered relates to the appointment of the interim Chief Executive Officer, the disclosure of which would be unreasonable disclosure of personal information relating to the employment of the interim Chief Executive Officer, to which Council owes a duty of confidence.

CARRIED

B Cernovskis, J Fetherstonhaugh, C White, K Manarangi, J Martin, S McLean, left the meeting at 6:40pm

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

Purpose of the suspension: to discuss item 22.2 Appointment of Interim CEO.

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

Meeting Procedures were suspended at 6:41 pm.

The Mayor determined that the period of suspension should be brought to an end;

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

The Period of Suspension came to an end and Meeting Procedures resumed at 6:56 pm.

RESOLUTION OCM 2025/180

Moved: Cr Max Bruins

Seconded: Cr Mark Lovett

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the Local Government Act 1999 the Council orders that the report Appointment of Interim CEO and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:
 - (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).
 - (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.

be kept confidential and not available for public inspection until 12 months after the initial appointment term and any renewal term of the respective interim Chief Executive Officers has elapsed, with the appointee name and term of each appointment to be release as soon as practicable after consideration by Council.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the Local Government Act 1999.

CARRIED

B Cernovskis, J Fetherstonhaugh, C White, K Manarangi, J Martin and S McLean returned to the meeting at 6:56pm.

22.3 OUTSTANDING COUNCIL ACTION ITEMS - JUNE 2025

RESOLUTION OCM 2025/181

Moved: Cr Jason Virgo
Seconded: Cr Josh Lynagh

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except the Mayor, Councillors S Philpott, B Cernovskis, J Fetherstonhaugh, C White, B Shelton, K Manarangi, J Martin, S McLean, S Spears and T Chant be excluded from attendance at the meeting for the receipt and consideration in confidence of Outstanding Council Action Items - June 2025.

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

- (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances where all outstanding actions included in the within report are confidential in their own right, being subject to their own respective confidential orders, and Council has a duty to maintain that confidentiality.

CARRIED

RESOLUTION OCM 2025/183

Moved: Cr Mark Lovett
Seconded: Cr Max Bruins

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the Local Government Act 1999 the Council orders that the report Outstanding Council Action Items - June 2025 and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:

- (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.



be kept confidential and not available for public inspection until such time as each outstanding action detailed in the report has been released from confidence respectively, and that the order be reviewed every 12 months.

2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the Local Government Act 1999.

CARRIED

23 MEETING CLOSE

The meeting closed at 6:57PM.

The minutes of this meeting confirmed at the Ordinary Council Meeting held on 19 August 2025.

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MAYOR

