

# MINUTES

## Ordinary Council Meeting

Tuesday 21 January 2025



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

**Time:** 6:00 pm  
**Date:** Tuesday 21 January 2025  
**Location:** Council Chamber - Civic Centre  
10 Watson Terrace, Mount Gambier

**PRESENT:** Mayor Lynette Martin (OAM)  
Cr Kate Amoroso  
Cr Max Bruins  
Cr Paul Jenner  
Cr Josh Lynagh  
Cr Sonya Meziniec  
Cr Frank Morello  
Cr Jason Virgo

<b>OFFICERS IN</b>	Chief Executive Officer	- Mrs S Philpott
<b>ATTENDANCE:</b>	General Manager City Infrastructure	- Ms B Cernovskis
	General Manager Corporate and Regulatory Services	- Mrs J Fetherstonhaugh
	General Manager People, Place and Liveability	- Mr Chris White
	Manage Economy, Strategy and Engagement	- Mrs B Shearing
	Manager Governance and Property	- Ms B Shelton
	Manager Financial Services	- Ms K Rolton
	Executive Administrator	- Ms S Wilson

**1 ACKNOWLEDGEMENT OF COUNTRY**

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

**2 APOLOGIES**

Nil

**3 LEAVE OF ABSENCE**

Nil

**4 CONFIRMATION OF COUNCIL MINUTES**

**4.1 CONFIRMATION OF COUNCIL MINUTES**

**RESOLUTION OCM 2024/270**

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

That the minutes of the Ordinary Council Meeting held on 17 December 2024 be confirmed as an accurate record of the proceedings of the meeting.

**CARRIED**



Mayor Lynette Martin sought leave of the meeting to bring forward Item 10.1 and allow Mr Wade Chant to speak for 5 minutes.

**LEAVE GRANTED**

#### **10.1 DEPUTATION - WADE CHANT**

Mr Wade Chant presented to Members regarding trees on the Council Reserve at the corner of North Terrace and Kennedy Avenue, Mount Gambier.

### **5 MAYORAL REPORT**

Mayor Lynette Martin welcomed Chris White to Council, in his new role as General Manager People, Place and Liveability.

#### **5.1 MAYORAL REPORT - JANUARY 2025**

- Attendance at Salvation Army - Christmas Cheer charity hand out
- Morning Tea with Residents of Boandik
- Meeting with Jane, Manager Mount Gambier Central - acceptance of Mayor's Christmas Appeal donation and photo in "Santa's grotto"
- Mayor's Christmas Appeal - individual photos with major donors
- Mayor's Christmas Appeal - group photo with various donors
- Catch-up with Coby Dennert
- Volunteering at Sunset Community Kitchen
- LCLGA Mayors catch up (virtual)
- Meeting with Di Gould
- Attendance at ac.Care - Christmas Cheer charity hand out
- Attendance at Uniting Care - Christmas Cheer charity hand out
- Visit to Goodstart Berrin - acceptance of Mayors Christmas Appeal donation and photo
- Attendance at St Vincent de Paul - Christmas Cheer charity hand out
- Opening of the 2025 SA Country Swimming Championships (Wulanda)
- Meet and Greet with new General Manager People, Place and Liveability, Chris White
- Special Audit and Risk Committee Workshop - Borrowings and Refinancing
- Limestone Coast Local Health Network - Morning Tea with new medical Interns
- LGR&DS Advisory Committee Meeting
- LCLGA Mayors Catch Up (virtual)

#### **RESOLUTION OCM 2024/271**

Moved: Mayor Lynette Martin

Seconded: Cr Josh Lynagh

That the Mayoral Report be received.

**CARRIED**

### **6 REPORTS FROM COUNCILLORS**

#### **6.1 REPORTS FROM COUNCILLORS**

Cr Jason Virgo

Afternoon Tea - Celebration of 15 years of the Mount Gambier Library



Cr Paul Jenner      Sunset Community Kitchen Christmas Event - Frew Park, SA Country Swimming Championships 2025 - Wulanda.

Cr Josh Lynagh      New Years Eve Festival - Mount Gambier Showgrounds.

**RESOLUTION OCM 2024/272**

Moved: Cr Frank Morello

Seconded: Cr Sonya Meziniec

That the reports made by Councillors be received.

**CARRIED**

**7 QUESTIONS WITH NOTICE**

The following question on notice was received from Cr Paul Jenner.

**7.1 QUESTION - CRATER LAKES ACTIVATION**

Can Council please be advised if the Crater Lakes Activation will include any alternative management protocols in the event of extreme weather warnings, and what organisations or authorities are involved?

**Answer - General Manager City Infrastructure**

The CFS determine the fire ratings in conjunction with the Bureau of Meteorology and publish the fire rating for the following day between 4:30-5:00pm daily during the fire season via a registered network. On advice of an Extreme or Catastrophic rating our staff action accordingly by closing access to the Valley Lakes. Given there is only one way in and out of the Valley Lake precinct closure is in the interest of public safety.

Alternate access points can be included in the Crater Lakes Activation for consideration.

**8 QUESTIONS WITHOUT NOTICE**

The following question without notice was received from Cr Paul Jenner:

**8.1 QUESTION - MOUNT GAMBIER AND DISTRICT RESIDENTS AND RATEPAYERS ASSOCIATION INC**

I read with interest that the City of Mount Gambier has been accused by the Mount Gambier and District Residents and Ratepayers Association Inc of having an understanding that *"the matter of Councils seek to extend their terms without elections"* and *"this was a matter discussed in confidence by Mount Gambier City Council."*

Can you advise me when this mysterious meeting took place as I must have missed it. This was put on the Mount Gambier and District Residents Ratepayers Association Inc Facebook page.





**Answer - Mayor Lynette Martin**

The LGA AGM did have a motion at the November Meeting - it was raised by the City of Port Adelaide Enfield (not by us) and all Councils were called on to vote on it.

It was not intended to be a long term extension to the current term, but merely to move apart the state election and the local government elections. The intent was about not holding two elections close together - we know that the Electoral Commission struggled to turn their minds to the local government elections in 2022.

When we provided feedback on the legislative reform, we had a range of views on this topic from the chamber which included the suggestion that the timing be changed. However, you might recall before I voted, I canvassed the views of the councillors by email so that I could vote in line with your thinking – those that responded all thought the principle of moving the elections apart has merit.

The ratepayers have wrong information here - we did not hold a behind closed doors workshop, nor initiate this. And the intent was not to prolong our term to 2029.

The LGA in fact have not even yet written to the Minister, and I understand the Minister has also said that they are still considering the results of the public consultation and awaiting delivery of the Electoral Commissioner's Report into the 2022 periodic review. Taken together, they will inform the holistic consideration of any prospective reforms to the framework of local government elections.

Cr Paul Jenner sought leave of the meeting that the question and response regarding the Mount Gambier and District Residents and Ratepayers Association Inc be recorded in the Council Minutes.

**9 PETITIONS**

Nil

**10 DEPUTATIONS**

Item 10.1 Deputation - Mr Wade Chant has been moved to another part of the document.

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

Nil

**12 ELECTED MEMBERS INFORMATION BRIEFING SESSIONS**

**RESOLUTION OCM 2024/274**

Moved: Cr Paul Jenner

Seconded: Cr Jason Virgo

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

**CARRIED**



**13 ELECTED MEMBERS TRAINING AND DEVELOPMENT**

Nil

**14 AUDIT AND RISK COMMITTEE**

Nil

**15 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE**

Nil

**16 JUNIOR SPORTS ASSISTANCE FUND COMMITTEE**

Nil

**17 BUILDING FIRE SAFETY COMMITTEE**

Nil

**18 COUNCIL REPORTS**

**18.1 GRANTS AND SPONSORSHIP PROGRAM 2024/2025 - PIONEERS BASKETBALL CLUB AND GENERATIONS IN JAZZ**

**RESOLUTION OCM 2024/275**

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

1. That Council report titled 'Grants & Sponsorship Program 2024/2025 – Pioneers Basketball Club and Generations in Jazz' as presented on Tuesday 21 January 2025 be noted.
2. That Council note the significant economic contribution of:
  - (a) Pioneers Basketball Club of \$994,424 and the creation of 12 full-time equivalent jobs per year.
  - (b) Generations in Jazz of over \$6m and the equivalent of 57 full-time positions per year.
3. That Council allocate the following from the Grants & Sponsorship Program 2024/2025 for Pioneers Basketball Club:
  - (a) \$50,000 cash and \$15,000 in-kind.
  - (b) additional in-kind expenses not to exceed \$48,000 noting additional contribution required to host the season of Home Game Nights at Wulanda Recreation and Convention Centre.
  - (c) that Council administration, together with Pioneers Basketball Club and Belgravia Leisure drive event delivery efficiencies in order to sustain the Pioneers capacity to remain competitive for the NBL1 South Conference licence.

4. That Council authorises the Chief Executive Officer to enter into multi-year partnership agreements with:
- (a) Pioneers Basketball Club - \$50,000 in cash and up to \$15,000 in-kind, plus a further contribution for Game Night considerations up to and not exceeding \$48,000 in-kind, plus CPI annually for 2025/2026, 2026/2027, 2027/2028, 2028/2029 and 2029/2030.
  - (b) Generations in Jazz Inc. - \$35,000 and up to \$15,000 in-kind, plus CPI annually for 2025/2026, 2026/2027, 2027/2028, 2028/2029 and 2029/2030.

**CARRIED**

**Administrative Comment:**

The table below outlines the current amounts allocated and the recommended amounts for allocation associated with this report. The balance remaining takes into consideration previous allocations from 2024/2025 Grants and Sponsorships Round One and the ongoing streams of funding for Venue Sponsorship and Quick Response.

	<b>Total Budget 2024/ 2025</b>	<b>Allocated to date</b>	<b>Recommended Allocation - Pioneers Basketball Club</b>	<b>Remaining 2024/2025</b>
Cash	\$509,427	\$359,389	\$50,000	\$100,038
In-kind	\$139,997	\$53,521	\$15,000 <b>+ \$48,000</b>	<b>\$23,476</b>

Note: Council has already allocated funding for this financial year for Generations in Jazz.

This report also recommends five-year financial commitments for Pioneers Basketball and Generations In Jazz. This will require pre-allocations of Grants and Sponsorship Program funds for the Financial Years of 2025/2026, 2026/2027, 2027/2028, 2028/2029 and 2029/2030 and is outlined below as per the final proposal from each proponent.

<b>Financial Year</b>	<b>2025/2026</b>	<b>2026/2027</b>	<b>2027/2028</b>	<b>2028/2029</b>	<b>2029/2030</b>
Pioneers Basketball	\$50,000 + CPI  Up to \$15k In-Kind Up to \$48k In-kind Game Night expenses	\$50,000 + CPI  Up to \$15k In-Kind Up to \$48k In-kind Game Night expenses	\$50,000 + CPI  Up to \$15k In-Kind Up to \$48k In-kind Game Night expenses	\$50,000 + CPI  Up to \$15k In-Kind Up to \$48k In-kind Game Night expenses	<b>\$50,000 + CPI</b>  <b>Up to \$15k In-Kind</b> Up to \$48k In-kind Game Night expenses
Generations in Jazz	\$35,000 + CPI  Up to \$15,000 In-kind	\$35,000 + CPI  Up to \$15,000 In-kind	2026/2027 amount + CPI  Up to \$15,000 In-kind	2027/2028 amount + CPI  Up to \$15,000 In-kind	2028/2029 amount + CPI  Up to \$15,000 In-kind
<b>TOTAL</b>	<b>\$85,000 +CPI</b>	<b>\$85,000 +CPI</b>	<b>Circa \$85,000 +CPI</b>	<b>Circa \$85,000 +CPI</b>	<b>Circa \$85,000 + CPI</b>

## **18.2 MOUNT GAMBIER AND DISTRICT TENNIS ASSOCIATION**

### **MOTION**

Moved: Cr Paul Jenner

Seconded: Cr Josh Lynagh

1. That Council report titled 'Mount Gambier and District Tennis Association' as presented on Tuesday 21 January 2025 be noted.
2. That Council endorse the preference for Tennis to remain at Olympic Park in accordance with the Mount Gambier Sport, Recreation and Open Space Strategy.
3. That Council note that the Olympic Park Master Plan which is to be completed 2026/2027 will guide the long term future of the site.
4. That Council and the Mount Gambier and District Tennis Association in the interim assess the current condition of the Olympic Park Tennis Courts to determine and cost any remedial work required to ensure safe play.
5. That, if required, a further report be presented to Council seeking a budget allocation for the 2025/2026 to undertake any necessary work on the Olympic Park Tennis Courts.

Cr Bruins proposed a variation.

Cr Jenner sought leave of the meeting to vary the motion.

### **VARIATION**

Moved: Cr Paul Jenner

Seconded: Cr Josh Lynagh

1. That Council report titled 'Mount Gambier and District Tennis Association' as presented on Tuesday 21 January 2025 be noted.
2. That Council endorse the preference for Tennis to remain at Olympic Park in accordance with the Mount Gambier Sport, Recreation and Open Space Strategy.
3. That Council note that the Olympic Park Master Plan which is to be completed 2026/2027 will guide the long term future of the site.
4. That Council and the Mount Gambier and District Tennis Association in the interim assess the current condition of the Olympic Park Tennis Courts to determine and cost any remedial work required to ensure safe play.
5. That, if required, a further report be presented to Council seeking a budget allocation for 2025/2026 to contribute to any necessary work on the Olympic Park Tennis Courts.

The variation was accepted by leave of the meeting.

### **RESOLUTION OCM 2024/276**

Moved: Cr Paul Jenner

Seconded: Cr Josh Lynagh



1. That Council report titled 'Mount Gambier and District Tennis Association' as presented on Tuesday 21 January 2025 be noted.
2. That Council endorse the preference for Tennis to remain at Olympic Park in accordance with the Mount Gambier Sport, Recreation and Open Space Strategy.
3. That Council note that the Olympic Park Master Plan which is to be completed 2026/2027 will guide the long term future of the site.
4. That Council and the Mount Gambier and District Tennis Association in the interim assess the current condition of the Olympic Park Tennis Courts to determine and cost any remedial work required to ensure safe play.
5. That, if required, a further report be presented to Council seeking a budget allocation for 2025/2026 to contribute to any necessary work on the Olympic Park Tennis Courts.

**CARRIED**

### **18.3 COMMUNITY LAND REVOCATION PROPOSAL - JUBILEE HIGHWAY WEST, SUTTONTOWN**

#### **RESOLUTION OCM 2024/277**

Moved: Cr Frank Morello

Seconded: Cr Max Bruins

1. That Council report titled 'Community Land Revocation Proposal - Jubilee Highway West, Suttontown' as presented on Tuesday 21 January 2025 be noted.
2. That Council proceed with the revocation of community land status process over the parcel of land described as Allotment 212, Deposited Plan 125742, Jubilee Highway West, Suttontown contained in Certificate of Title Volume 6250 Folio 283 and authorise the CEO or delegate to make the necessary application to the Minister for Local Government, including provision of all community consultations responses, in accordance with section 194 of the Local Government Act 1999.

**CARRIED**

### **18.4 COUNCIL'S DEBT STRUCTURING**

#### **RESOLUTION OCM 2024/288**

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

1. That Council report titled 'Council's Debt Structuring' as presented on Tuesday 21 January 2025 be noted.
2. That Council agrees to enter into either variable or fixed financing agreements with the LGFA as the Chief Executive Officer considers appropriate subject to and including:
  - (a) No increase in total value of loan facilities currently held.
  - (b) Ensuring that the requirements of the Long Term Financial Plan and Treasury Management Policy are met and maintained.
  - (c) A workshop being held with the Audit and Risk Committee to review any proposed changes to financing arrangements that may be considered in the future, and noting that a workshop was held on Thursday 9 January 2025 regarding the proposal in this report.
  - (d) That Council be notified following any changes made to financing arrangements including reference to interest rates and loan terms.
  - (e) Negotiating new financing arrangements as current loan agreements reach maturity; and/or
  - (f) implementing short-term (1-2 year) financing arrangements from variable to fixed whilst maintaining spread between each category of loan and a range of maturity dates.
3. That the Mayor and the Chief Executive Officer be authorised to sign and affix the common seal to execute the required loan documentation as reference in point 2 above.
4. That Council acknowledges its prudent approach to borrowings, guided by a strong Treasury Management Policy, as a demonstration of sound financial management and governance, which ensures alignment with the Long-Term Financial Plan, balancing flexibility and financial sustainability.

**CARRIED**

#### **18.5 S41 COMMITTEE DELEGATIONS**

##### **RESOLUTION OCM 2024/278**

Moved: Cr Sonya Meziniec

Seconded: Cr Frank Morello

1. That Council report titled 'S41 Committee Delegations' as presented on Tuesday 21 January 2025 be noted.
2. That Council grants the delegation of powers and functions of the Council as provided for in the tables at **Attachment 1**, to the identified section 41 Committees of the Council pursuant to section 44(2)(a) of the *Local Government Act 1999*.
3. The delegations granted in resolution 2 above are subject to the following conditions and limitations:

- (a) If two or more delegates are nominated in respect of a power or function, then each nominated person or position is granted a delegation and may exercise the power or function independently of any other delegate.
- (b) the delegate must exercise a delegated function or power in accordance with and due regard to:
  - (i) applicable legislative and other legal requirements; and
  - (ii) relevant policies and guidelines adopted by the Council.
- (c) Each delegation of a power or function is granted independent of, and severable from, every other delegation granted under this or any other resolution or instrument.
- (d) A delegation of a power or function determined to be invalid or unlawful will be deemed to be severed from the delegations granted under this or any other resolution or instrument and remaining delegations will continue to operate according to their terms.
- (e) These delegations will come into operation on Wednesday 22 January 2025 and remain in force until varied or revoked by resolution of the Council.

**CARRIED**

#### **18.6 ALGA JUNE 2025 NATIONAL GENERAL ASSEMBLY - CALL FOR MOTIONS**

##### **RESOLUTION OCM 2024/279**

Moved: Cr Frank Morello

Seconded: Cr Sonya Meziniec

1. That Council report titled 'ALGA June 2025 National General Assembly - Call for Motions' as presented on Tuesday 21 January 2025 be noted.
2. That draft motions for the June 2025 ALGA National General Assembly be prepared and presented to Council in February or March 2025 on the following issues relevant to the work of local government nationally:
  - (a) Sustainability of regional airports and the importance of accessible and affordable regional air travel for medical, education, freight, work and leisure travel.

**CARRIED**

#### **19 MOTIONS WITH NOTICE**

Nil

#### **20 URGENT MOTIONS WITHOUT NOTICE**

Nil

**21 CONFIDENTIAL ITEMS OF COMMITTEES**

Nil

**22 NEW CONFIDENTIAL ITEMS**

**22.1 LIMESTONE COAST LOCAL GOVERNMENT ASSOCIATION (LCLGA) BOARD RECOMMENDATIONS**

**RESOLUTION OCM 2024/280**

Moved: Cr Max Bruins

Seconded: Cr Sonya Mezinec

**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 Shearing, B Shelton, K Rolton, S Wilson and C Byles (LCLGA Interim Executive Officer) be excluded from attendance at the meeting for the receipt and consideration in confidence of Limestone Coast Local Government Association (LCLGA) Board Recommendations.

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

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the subject matter includes information concerning personal affairs of people associated with the Limestone Coast Local Government Association, as well as confidential information of the Limestone Coast Local Government Association.

**CARRIED**

Pursuant to Section 75 of the Local Government Act 1999, Mayor Lynette Martin disclosed a material conflict of interest in Item 22.1.

In accordance with Section 75B Mayor Martin informed the meeting:

Nature of Interest:

*I am president of the LCLGA and receive an honorarium in that role.*

Intention to Participate:

*I will be leaving the meeting room such that I cannot view or hear any discussion (including questions) or voting at the meeting.*

In accordance with Section 75B of the Local Government Act 1999 Mayor Martin left the meeting at 6:50pm.

In the absence of Mayor Lynette Martin, Deputy Mayor Cr Josh Lynagh took the chair for Item 22.1.

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

Purpose of the Suspension: To further discuss Item 22.1.

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

Meeting Procedures were suspended at 6:51pm.

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

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

The Period of Suspension came to an end and Meeting Procedures resumed at 7:23pm.

Mr Colin Byles, LCLGA Interim Executive Officer left the meeting at 7:27pm and did not return.

Cr Amoroso left meeting at 7:27pm and did not return.

#### **RESOLUTION OCM 2024/281**

Moved: Cr Frank Morello

Seconded: Cr Jason Virgo

#### **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 Limestone Coast Local Government Association (LCLGA) Board Recommendations 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).
  - (j) information the disclosure of which -
  - (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and



- (ii) would, on balance, be contrary to the public interest.

be kept confidential and not available for public inspection until the Limestone Coast Local Government Association or their agent has expressly released Council from its obligation to keep this matter confidential.

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**

Mayor Lynette Martin returned to the meeting at 7:27pm.

## **22.2 UNSOLICITED PROPOSAL - PROPERTY THIRD PARTY**

### **RESOLUTION OCM 2024/282**

Moved: Cr Sonya Meziniec

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, S Philpott, B Cernovskis, J Fetherstonhaugh, C White, B Shearing, B Shelton, K Rolton and S Wilson be excluded from attendance at the meeting for the receipt and consideration in confidence of Unsolicited Proposal - Property Third Party.

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

- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
- (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
- (ii) would, on balance, be contrary to the public interest.

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 received and discussed includes the sensitive commercial information of the unsolicited proposal applicant, including their financial position, and the disclosure of Council's deliberations on the proposal may unreasonably contradict relevant privacy principles, as well as prejudice the Council receiving similar unsolicited proposals in future, enabling robust strategic decision making for asset management in the best interest of the community.

**CARRIED**

**RESOLUTION OCM 2024/283**

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

**CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL**

1. In accordance with Sections 91(7) and 91(9) of the Local Government Act 1999 the Council orders that the report Unsolicited Proposal - Property Third Party and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:
  - (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
    - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
    - (ii) would, on balance, be contrary to the public interest.

be kept confidential and not available for public inspection until further order of Council after the proposal contained in the report has been settled or abandoned with the exception of any information that is prohibited from being withheld under s91(8) being disclosed being released upon the matter being settled, or any part of the information determined by the Chief Executive Officer to be released under delegation.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the Local Government Act 1999.

**CARRIED**

**22.3 SALE OF LAND FOR NON PAYMENT OF RATES**

**RESOLUTION OCM 2024/284**

Moved: Cr Max Bruins

Seconded: Cr Sonya Meziniec

**CONSIDERATION FOR EXCLUSION OF THE PUBLIC**

Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except the Mayor, Councillors, S Philpott, B Cernovskis, J Fetherstonhaugh, C White, B Shearing, B Shelton, K Rolton and S Wilson be excluded from attendance at the meeting for the receipt and consideration in confidence of Sale of Land for Non Payment of Rates.

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).

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 relates to the financial situation of a person (living or dead), the disclosure of which is deemed unreasonable.

**CARRIED**

**RESOLUTION OCM 2024/285**

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

**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 Sale of Land for Non Payment of Rates 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).

be kept confidential and not available for public inspection until the latter of: 12 months after outstanding rates having been paid in full or 12 months after the matter being settled to Council's satisfaction and that this order be reviewed every 12 months.

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

**CARRIED**

**23 MEETING CLOSE**

The meeting closed at 7:34 pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 18 February 2025.

.....  
**MAYOR**



**24. ITEM 10.1 - TABLED DOCUMENTS**

1. Photographs of Trees - Deputation by Wade Chant [**25.1.1** - 7 pages]



## Deputation - Mr Wade Chant





Roadway damaged by tree  
roots, raised footpath



Fallen debris moved under  
trees



2 trees bordering property –  
visible cracks in fork



5 trees, dead grass due to  
trees, multiple cracks showing





Large branches overhanging  
property at 130 North Terrace



Debris build up on roof





North Terrace leaf build up in kerbs





North Terrace roadway and  
footpath damage



2 trees bordering roadway, small  
limb, shows distance from footpath





Small limbs removed from property roof