

MINUTES

Ordinary Council Meeting Tuesday 17 June 2025



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

Time: 6:00 pm
Date: Tuesday 17 June 2025
Location: City Hall
Cave Gardens/Thugi, Mount Gambier

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

OFFICERS IN ATTENDANCE:	Chief Executive Officer	- Mrs S Philpott
	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 Financial Services	- Ms K Rolton
	Manager Engineering Assets and Design	- Mr A Mahmud
	Manager Development Services	- Mrs T Tzioutziouklaris
	Strategic Development and Engagement Coordinator	- Mr B Kilsby
	Media and Communications Coordinator	- Ms S McLean
	Executive Administrator	- Mrs S Spears
	Executive Administrator	- Miss 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 APOLOGIES

RESOLUTION OCM 2025/138

Moved: Cr Max Bruins

Seconded: Cr Sonya Meziniec

That the apology from Cr Mark Lovett be received.

CARRIED

3 LEAVE OF ABSENCE

Nil

4 CONFIRMATION OF COUNCIL MINUTES

4.1 CONFIRMATION OF COUNCIL MINUTES



RESOLUTION OCM 2025/139

Moved: Cr Jason Virgo

Seconded: Cr Sonya Meziniec

That the minutes of the Ordinary Council Meeting held on 20 May 2025 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

5 MAYORAL REPORT

5.1 MAYORAL REPORT - JUNE 2025

- LGA OGM and Conference, including South Australian Mayor's networking dinner (Adelaide)
- Radio interview with Llew Jones, 5GTR-FM
- LGA Board training webinar (virtual)
- Weekly meetings with CEO
- Meeting with community member, Mr Graham Walkom
- Chief Executive Officer Performance Review Committee Meeting
- Elected Member Briefing – Tree Management and Policy
- Limestone Coast Jobs, Skills & Careers Showcase
- Community Renewables Program – photo / video shoot with ShineHub
- Citizenship Ceremony
- Limestone Coast Careers Tour - Dinner Networking Event
- Fortnightly LCLGA Mayors Catch Ups (virtual)
- Fortnightly meetings with media and communications coordinator
- Year 4/5 Melaleuca Park Primary School students – Council Chamber tour and Mayoral presentation
- Meeting with Colin Byles – LCLGA Interim Executive Officer and Charlotte Edmunds, new LCLGA Executive Officer
- Photo opportunity with North Gambier Football Club (Vansittart Park)
- St Paul's 140th Anniversary Mass (followed by lunch)
- The Big Project Presentation – PurpleOrange (City Hall)
- Radiotherapy Working Group Meeting
- Elected Member Briefing – AI Policy
- Elected Member Briefing – Council Meeting Procedures
- Briefing with Tony Elletson – LCLGA – Switch the Play Program Outline – FeelBetter Limestone Coast
- Catch up with Kelly-Anne Saffin (SA Cross Border Commissioner)
- Catch up with Colin Byles, LCLGA
- Meeting with Telstra representatives, with General Manager Corporate and Regulatory Services
- Audit and Risk Committee Pre-Meeting Workshop
- Audit and Risk Committee Meeting
- LCLGA General Meeting (District Council of Grant)
- SA Affiliate State 8 Ball Carnival
- Ordination of Rev. David Sigley
- Community Drop In Sessions – Draft Annual Business Plan & Budget 2025-2026 and Draft Long Term Financial Plan 2026-2035
- Regional Public Transport consultation session

- Elected Member Briefing – Waste Masterplan
- Elected Member Briefing – Unlocking Projects
- Confidential Elected Member Briefing – Strategic Property – Strategic Relationships Matter – Legal and Other Advice
- Filming of promotional video for Headspace – the Push Up Challenge
- CEO Selection Panel Committee Meeting
- Community Drop In Session – Draft Annual Business Plan & Budget 2025-2026 and Draft Long Term Financial Plan 2026-2035
- The Australian Ballet – Opening Night The Nutcracker Act II and other works in XYZ
- 150 Years of Plantation Forestry in SA Gala Dinner, with General Manager City Infrastructure
- Portraits of our Elders exhibition opening
- Lions Club of Mount Gambier Inc 62nd Changeover Dinner
- Refugee Week Community Morning Tea & Finding Freedom Exhibition Stories and Canvas Paintings
- Meeting with Mount Gambier Residents and Ratepayers Association committee members
- Monthly catch up with General Manager City Infrastructure
- Special Council Meeting – Budget

RESOLUTION OCM 2025/140

Moved: Mayor Lynette Martin

Seconded: Cr Frank Morello

That the Mayoral Report be received.

CARRIED

6 REPORTS FROM COUNCILLORS

6.1 REPORTS FROM COUNCILLORS

Cr Josh Lynagh	Mount Gambier History Group 40 th Anniversary Celebrations, SES Wear It Orange Event, “In Conversation” with The Bennies and Montaigne
Cr Jason Virgo	National Volunteer Week Celebration
Cr Sonya Meziniec	Meeting of Christmas Parade Advisory Committee, Community Drop In Session – Draft Annual Business Plan & Budget 2025-2026 and Draft Long Term Financial Plan 2026-2035, Portraits of our Elders Launch, Refugee Week Event
Cr Frank Morello	Community Drop In Session – Draft Annual Business Plan & Budget and Draft Long Term Financial Plan 2026-2035



RESOLUTION OCM 2025/141

Moved: Cr Paul Jenner
Seconded: Cr Max Bruins

That the reports made by Councillors be received.

CARRIED

7 QUESTIONS WITH NOTICE

Cr Sonya Meziniec gave notice of her intention to ask the following question:

7.1 QUESTION – SA DRAFT WASTE STRATEGY 2025-2030

Consultation on SA's Draft Waste Strategy 2025-2030 has opened and Green Industries SA is seeking feedback by 5.00 p.m. Wednesday 23 July. The draft strategy has seven target areas and nine focus areas each with specific actions with assigned Leads and Partners including Local Government.

Will Council administration be examining and providing feedback on this strategy?

Answer:

It is understood that the LGA will be making a submission on behalf of the sector.

In addition, the draft is currently being reviewed by Council Officers. A submission will be made consistent with the Waste and Resource Recovery Master Plan and a copy provided to Elected Members by the Friday Edition.

8 QUESTIONS WITHOUT NOTICE

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

8.1 QUESTION - PLANNED ROADWORKS FOR RAMSAY AVENUE

Can Council be brought up to speed on what is happening and by when with the roadworks planned this current financial year 2024/2025 for the works on Ramsay Avenue by Jubilee Highway East? Where do DIT sit with it? Is there now a probability of a cost over run?

Answer - General Manager City Infrastructure, Barbara Cernovskis

Council Officers, along with our contractor and the OTR business representative, are negotiating the program to minimise the impact to business operations and deliver the maximum design benefit as a return. This also requires negotiation with DIT for their contribution to the intersection design and standard to complete the job. I am unable to confirm any cost adjustments at this point in time.

RESOLUTION OCM 2025/142

Moved: Cr Paul Jenner
Seconded: Cr Max Bruins

That Cr Paul Jenner's Question without Notice be recorded in the Ordinary Council Meeting minutes.

CARRIED

9 PETITIONS

Nil

10 DEPUTATIONS

Nil

11 NOTICE OF MOTION TO REVOKE OR AMEND

Nil

12 ELECTED MEMBERS INFORMATION BRIEFING SESSIONS

RESOLUTION OCM 2025/143

Moved: Cr Josh Lynagh
Seconded: Cr Sonya Meziniec

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

14.1 MINUTES OF AUDIT AND RISK COMMITTEE HELD ON 4 JUNE 2025

RESOLUTION OCM 2025/144

Moved: Cr Paul Jenner
Seconded: Cr Frank Morello

Council receive and note the minutes of the Audit and Risk Committee meeting held on 4 June 2025.

CARRIED

15 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE

15.1 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE HELD ON 27 MAY 2025

RESOLUTION OCM 2025/145

Moved: Cr Max Bruins

Seconded: Cr Josh Lynagh

Council receive and note the minutes of the Chief Executive Officer Performance Review Committee meeting held on 27 May 2025.

CARRIED

15.2 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE HELD ON 11 JUNE 2025

RESOLUTION OCM 2025/146

Moved: Cr Max Bruins

Seconded: Cr Josh Lynagh

Council receive and note the minutes of the Chief Executive Officer Performance Review Committee meeting held on 11 June 2025.

CARRIED

16 JUNIOR SPORTS ASSISTANCE FUND COMMITTEE

Nil

17 BUILDING FIRE SAFETY COMMITTEE

Nil

18 COUNCIL REPORTS

18.1 AUDIT AND RISK COMMITTEE MEETING REPORT



RESOLUTION OCM 2025/147

Moved: Cr Paul Jenner

Seconded: Cr Jason Virgo

1. That Council report titled 'Audit and Risk Committee Meeting Report' as presented on Tuesday 17 June 2025 be noted.
2. That the Council notes the report provided by the Audit and Risk Committee, summarises the work of the Committee
 - (a) in the lead up to its meeting, held on 4 June 2025 and
 - (b) the observations of the Committee and discussions from the workshop held immediately prior to the meeting and during the meeting.

CARRIED

18.2 REQUEST FOR INTERNAL REVIEW OF COUNCIL DECISION

RESOLUTION OCM 2025/148

Moved: Cr Paul Jenner

Seconded: Cr Josh Lynagh

1. That Council report titled 'Request for Internal Review of Council Decision' as presented on Tuesday 17 June 2025 be noted.
2. That Council, having considered the within request for internal review of council decisions, and with the provision of additional options and information, in accordance with section 270 of the Local Government Act 1999 and Council's Internal Review of Council's Decisions Policy C290 determines that:
 - (a) the Chief Executive Officer (or delegate) be authorised to engage an external legal professional from Kellady Jones Lawyers to conduct the relevant investigation and assessment in relation to Council resolutions (decisions) OCM 2025/96 - OCM 2025/104 (inclusive) made at the ordinary meeting of 15 April 2025, and the appointed external legal professional, having undertaken the requisite natural justice processes, produce and present a recommendation report to Council for consideration.

CARRIED

18.3 BUDGET REVIEW 3 2024/2025

RESOLUTION OCM 2025/149

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

1. That Council report titled 'Budget Review 3 2024/2025' as presented on Tuesday 17 June 2025 be noted.
2. That Council adopts the Budget Review 3, being prepared as at 31 March 2025 for the financial year ending 30 June 2025.

CARRIED

18.4 RECONCILIATION ACTION PLAN

RESOLUTION OCM 2025/150

Moved: Cr Frank Morello

Seconded: Cr Sonya Meziniec

1. That Council report titled 'Reconciliation Action Plan' as presented on Tuesday 17 June 2025 be noted.

CARRIED

18.5 GRANTS AND SPONSORSHIP PROGRAM - BRASS BAND FESTIVAL

RESOLUTION OCM 2025/151

Moved: Cr Sonya Meziniec

Seconded: Cr Frank Morello

1. That Council report titled 'Grants and Sponsorship Program - Brass Band Festival' as presented on Tuesday 17 June 2025 be noted.
2. That Council authorises the Chief Executive Officer to enter into a multi-year partnership agreement (with funding from the existing Grants and Sponsorship Program) with Lions Club of Mount Gambier Inc. as the auspicing body for the Blue Lake Brass Band Festival as follows:
 1. 2025/2026, \$15,000 cash
 2. 2026/2027, \$15,000 cash + CPI
 3. 2027/2028, \$15,000 cash + CPI

CARRIED



18.6 PRIVATE SALE OF VEHICLES - JUBILEE HIGHWAY EAST

RESOLUTION OCM 2025/152

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

1. That Council report titled 'Private Sale of Vehicles - Jubilee Highway East' as presented on Tuesday 17 June 2025 be noted.
2. That Council authorise the CEO or delegate to seek approval from the Minister in such form required to install, maintain, alter or operate a traffic control device on the portion of Jubilee Highway East, Mount Gambier, between the intersections with Penola Road and Hedley Street (on both sides of the highway), in accordance with section 17 of the Road Traffic Act 1961.

CARRIED

The motion was put and the voting was 3 for : 3 against.

The Mayor exercising her right of a casting vote the motion was declared

CARRIED

18.7 RISK APPETITE STATEMENT

RESOLUTION OCM 2025/153

Moved: Cr Paul Jenner

Seconded: Cr Sonya Meziniec

1. That the Council report titled 'Risk Appetite Statement' as presented on Tuesday 17 June 2025 be noted.
2. That the Risk Appetite Statement for City of Mount Gambier and amended Risk Management Policy be endorsed and adopted.
3. The Chief Executive Officer or delegate to be authorised to make minor typographical corrections that do not change the intent of the Risk Appetite Statement.

CARRIED

18.8 REGIONAL PUBLIC TRANSPORT REVIEW SUBMISSION

Pursuant to Section 74 of the Local Government Act 1999, Cr Jason Virgo disclosed a general conflict of interest in Item 18.8.

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

Nature of Interest:

I work at the Mount Gambier Prison. Cr Jenner referenced the prison when arguing for a better public transport system.

Intention to Participate:

Not moving or seconding the motion.

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 18.8.

RESOLUTION OCM 2025/154

Moved: Cr Josh Lynagh

Seconded: Cr Frank Morello

1. That Council report titled 'Regional Public Transport Review Submission' as presented on Tuesday 17 June 2025 be noted.
2. That Council authorise administration to provide the submission to the Department for Infrastructure and Transport as part of their Regional Public Transport Review.
3. That should any amendments to the submission be requested by Council, the CEO is delegated to amend the document as required prior to submitting.

CARRIED

Having participated in the meeting for 18.8 Cr Jason Virgo voted in favour of the motion.

18.9 BY-LAW REVIEW

RESOLUTION OCM 2025/155

Moved: Cr Frank Morello

Seconded: Cr Sonya Meziniec

1. That Council report titled 'By-Law Review' as presented on Tuesday 17 June 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 numbers 5 and 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. 1 Permits and Penalties;
 - (b) By-Law No. 2 Local Government Land;
 - (c) By-Law No. 3 Roads;
 - (d) By-Law No. 4 Moveable Signs;
 - (e) By-Law No. 5 Dogs.
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.
4. That Council further consider the By-Law No.6 Cats at the scheduled briefing session on the 24th June 2025.

CARRIED

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

18.10 REVIEW OF CONFIDENTIAL ITEMS - JUNE 2025

RESOLUTION OCM 2025/156

Moved: Cr Jason Virgo

Seconded: Cr Sonya Meziniec

1. That Council report titled 'Review of Confidential Items - June 2025' as presented on Tuesday 17 June 2025 be noted.
2. That the following Confidential Order as specified in Attachment 1, having been reviewed by Council, be released as soon as practicable following the Council meeting on 17 June 2025:

Date	Item	Current
15/04/2025	Strategic Projects Update	"until further order of Council to release"

CARRIED

18.11 CODE OF PRACTICE FOR MEETING PROCEDURES

RESOLUTION OCM 2025/157

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

1. That Council report titled 'Code of Practice for Meeting Procedures' as presented on Tuesday 17 June 2025 be noted.
2. That Council hereby adopts the amended Code of Practice for Meeting Procedures as presented by two thirds majority vote in accordance with section 89 of the Local Government Act 1999 and Regulation 6 of the Local Government (Procedures at Meetings) Regulations 2013.

CARRIED

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

18.12 RESPONSIBLE USE OF ARTIFICIAL INTELLIGENCE POLICY

RESOLUTION OCM 2025/158

Moved: Cr Max Bruins

Seconded: Cr Paul Jenner

1. That Council report titled 'Responsible Use of Artificial Intelligence Policy' as presented on Tuesday 17 June 2025 be noted.
2. That Council hereby adopts the Responsible Use of Artificial Intelligence (AI) Policy.
3. The Chief Executive Officer or delegate be authorised to make minor typographical corrections that do not change the intent of the Responsible Use of Artificial Intelligence Policy and include additional reference documents as discussed at the meeting.

CARRIED

19 MOTIONS WITH NOTICE

19.1 DIT - Flooding Issue - Jubilee Highway and Crouch Street

RESOLUTION OCM 2025/159

Moved: Cr Paul Jenner

Seconded: Cr Jason Virgo

1. That the motion from Cr Jenner as presented on Tuesday 17 June 2025 be noted.

2. That Council write to Department for Infrastructure and Transport (DIT) requesting that the persistent flooding issues at the intersection of Jubilee Highway East and Crouch Street be thoroughly investigated, plan a strategy and budgeting and take necessary action to resolve the issue.

CARRIED

20 URGENT MOTIONS WITHOUT NOTICE

Nil

21 NEW CONFIDENTIAL ITEMS

21.1 CHIEF EXECUTIVE OFFICER RECRUITMENT - APPOINTMENT OF RECRUITMENT CONSULTANT

RESOLUTION OCM 2025/160

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 Council orders that all members of the public, except the Mayor, Councillors and S Philpott, B Cernovskis, J Fetherstonhaugh, C White, B Shelton, S McLean, T Chant and S Spears be excluded from attendance at the meeting for the receipt and consideration in confidence of Chief Executive Officer Recruitment - Appointment of Recruitment Consultant.

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.
- (k) tenders for the supply of goods, the provision of services or the carrying out of works

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 presented and discussed is regarding the recruitment of the Chief Executive Officer, and relates to consideration of submissions for the provision of consultancy services which includes commercial information the disclosure of which would confer benefit on third parties and prejudice the commercial position of Council in obtaining best value on behalf of the community.

CARRIED



Sarah Philpott, Chief Executive Officer, declared a conflict of interest and left the meeting at 7:14pm.

Sarah Philpott, Chief Executive Officer, returned to the meeting at 7:16pm.

RESOLUTION OCM 2025/162

Moved: Cr Max Bruins

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 Chief Executive Officer Recruitment - Appointment of Recruitment Consultant 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.
 - (k) tenders for the supply of goods, the provision of services or the carrying out of works

be kept confidential and not available for public inspection until 2 years after execution of a contract, with the name and value of the selected supplier to be released immediately upon execution of a contract.
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 MEETING CLOSE

The meeting closed at 7:18pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 15 July 2025.

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MAYOR

