

**MINUTES OF CITY OF MOUNT GAMBIER  
SPECIAL COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE,  
10 WATSON TERRACE, MOUNT GAMBIER  
ON MONDAY, 3 JUNE 2019 AT 5.35 P.M.**

**PRESENT:** Mayor Lynette Martin (OAM), Cr Kate Amoroso, Cr Max Bruins, Cr Ben Hood (arrived at 5:52 pm), Cr Sonya Meziniec, Cr Frank Morello, Cr Steven Perryman (arrived at 5:39 pm)

<b>OFFICERS</b>	Chief Executive Officer	-	Mr A Meddle
<b>IN ATTENDANCE:</b>	General Manager Community Wellbeing	-	Ms B Cernovskis
	General Manager Council Business Services	-	Mrs P Lee
	General Manager City Infrastructure	-	Mr N Serle
	Manager Executive Administration	-	Mr M McCarthy
	Community Development and Engagement Officer	-	Mrs H Gajic
	Executive Administration Officer	-	Ms A Lavia

**1 ACKNOWLEDGEMENT OF COUNTRY**

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

**2 APOLOGIES**

**RESOLUTION 2019/124**

Moved: Mayor Lynette Martin

Seconded: Cr Max Bruins

That the apology(ies) from Cr Paul Jenner and Cr Christian Greco be received.

**CARRIED**

**3 LEAVE OF ABSENCE**

Nil

**4 NEW CONFIDENTIAL ITEMS**

**4.1 COMMUNITY AND RECREATION HUB - MECHANICAL PLANT FEASIBILITY STUDY  
– REPORT NO. AR19/27041**

**RESOLUTION 2019/125**

Moved: Cr Max Bruins

Seconded: Cr Kate Amoroso

**CONSIDERATION FOR EXCLUSION OF THE PUBLIC**

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of



the public, except Mayor L Martin, Councillors K Amoroso, M Bruins, S Meziniec, F Morello and Steven Perryman and Council Officers A Meddle, B Cernovskis, P Lee, N Serle, H Gajic, M McCarthy and A Lavia be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 4.1 AR19/27041 Community and Recreation Hub - Mechanical Plant Feasibility Study.

The Council is satisfied that, pursuant to section 90(3) (b) and (k) 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
- tenders for the:
  - supply of goods, or
  - 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 contained in the report and to be discussed includes detailed costings and other information relevant to the specification and assessment of a tender submission which, if disclosed, is considered to reasonably confer an advantage on tender respondents and accordingly prejudice the commercial position of Council and therefore not be in the public interest as tender submissions may be unduly influenced and detrimental to achieving best value for the community.

**CARRIED**

Cr Steven Perryman entered the meeting at 5:39 pm

#### **RESOLUTION 2019/126**

Moved: Mayor Lynette Martin

Seconded: Cr Sonya Meziniec

#### **CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL**

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 4.1 AR19/27041 Community and Recreation Hub - Mechanical Plant Feasibility Study and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b) and (k) be kept confidential and not available for public inspection until a contract has been executed in relation to the matter.
2. Further that Council delegates the power of review revoke, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

**CARRIED**



## **4.2 COMMUNITY AND RECREATION HUB - TIMBER FEASIBILITY STRUCTURE STUDY – REPORT NO. AR19/27070**

### **RESOLUTION 2019/127**

Moved: Mayor Lynette Martin  
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 Mayor L Martin, Councillors K Amoroso, M Bruins, S Meziniec, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, P Lee, N Serle, H Gajic, M McCarthy and A Lavia be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 4.2 AR19/27070 Community and Recreation Hub - Timber Feasibility Structure Study.

The Council is satisfied that, pursuant to section 90(3) (b) and (k) 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
- tenders for the:
  - supply of goods, or
  - 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 contained in the report and to be discussed includes detailed costings and other information relevant to the specification and assessment of a tender submission which, if disclosed, is considered to reasonably confer an advantage on tender respondents and accordingly prejudice the commercial position of council and therefore not be in the public interest as tender submissions may be unduly influenced and detrimental to achieving best value for the community.

**CARRIED**

### **RESOLUTION 2019/128**

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 4.2 AR19/27070 Community and Recreation Hub - Timber Feasibility Structure Study and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b) and (k) be kept confidential and not available for public inspection until a contract has been executed in relation to the matter.



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

**CARRIED**

#### **4.3 COMMUNITY AND RECREATION HUB - AQUATIC FACILITIES SCOPE – REPORT NO. AR19/27170**

##### **RESOLUTION 2019/129**

Moved: Mayor Lynette Martin

Seconded: Cr Kate Amoroso

##### **CONSIDERATION FOR EXCLUSION OF THE PUBLIC**

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Mayor L Martin, Councillors K Amoroso, M Bruins, B Hood, S Meziniec, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, P Lee, N Serle, H Gajic, M McCarthy and A Lavia be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 4.3 AR19/27170 Community and Recreation Hub - Aquatic Facilities Scope.

The Council is satisfied that, pursuant to section 90(3) (b) and (k) 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
- tenders for the:
  - supply of goods, or
  - 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 contained in the report and to be discussed includes information relevant to the specification and assessment of a tender submission which, if disclosed, is considered to reasonably confer an advantage on tender respondents and accordingly prejudice the commercial position of Council and therefore not be in the public interest as tender submissions may be unduly influenced and detrimental to achieving best value for the community.

**CARRIED**

Cr Ben Hood entered the meeting at 5:52 pm



**RESOLUTION 2019/130**

Moved: Cr Steven Perryman  
Seconded: Cr Sonya Meziniec

**CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL**

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 4.3 AR19/27170 Community and Recreation Hub - Aquatic Facilities Scope and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b) and (k) be kept confidential and not available for public inspection until a contract has been executed in relation to the matter.
2. Further that Council delegates the power of review revoke, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

**CARRIED**

**4.4 50M POOL CONDITION REPORT – REPORT NO. AR19/27104**

**RESOLUTION 2019/131**

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 Council orders that all members of the public, except Mayor L Martin, Councillors K Amoroso, M Bruins, B Hood, S Meziniec, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, P Lee, N Serle, H Gajic, M McCarthy and A Lavia be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 4.4 AR19/27104 50m Pool Condition Report.

The Council is satisfied that, pursuant to section 90(3) (b) and (k) 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
- tenders for the:
  - supply of goods, or
  - 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 contained in the report and to be discussed includes detailed costings and other information relevant to the specification and assessment of a tender submission which, if disclosed, is considered to reasonably confer an advantage on tender respondents and accordingly prejudice the commercial position of Council and therefore not be in the public interest as tender submissions may be unduly influenced and detrimental to achieving best value for the community.

**CARRIED**

**RESOLUTION 2019/132**

Moved: Cr Sonya Meziniec

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 4.4 AR19/27104 50m Pool Condition Report and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b) and (k) be kept confidential and not available for public inspection until a contract has been executed in relation to the matter.
2. Further that Council delegates the power of review revoke, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

**CARRIED**



#### **4.5 COMMUNITY AND RECREATION HUB - GEOTECH SURVEY – REPORT NO. AR19/27126**

##### **RESOLUTION 2019/133**

Moved: Cr Max Bruins

Seconded: Cr Steven Perryman

##### **CONSIDERATION FOR EXCLUSION OF THE PUBLIC**

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except Mayor L Martin, Councillors K Amoroso, M Bruins, B Hood, S Mezinac, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, P Lee, N Serle, H Gajic, M McCarthy and A Lavia be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 4.5 AR19/27126 Community and Recreation Hub - Geotech Survey.

The Council is satisfied that, pursuant to section 90(3) (b) and (k) 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
- tenders for the:
  - supply of goods, or
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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 contained in the report and to be discussed includes detailed costings and other information relevant to the specification and assessment of a tender submission which, if disclosed, is considered to reasonably confer an advantage on tender respondents and accordingly prejudice the commercial position of Council and therefore not be in the public interest as tender submissions may be unduly influenced and detrimental to achieving best value for the community.

**CARRIED**

##### **RESOLUTION 2019/134**

Moved: Cr Sonya Mezinac

Seconded: Cr Steven Perryman

##### **CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL**

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 4.5 AR19/27126 Community and Recreation Hub - Geotech Survey and its attachments, the discussion and the resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b) and (k) be kept confidential and not available for public inspection until a contract has been executed in relation to the matter.



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

**CARRIED**

## **5 MEETING CLOSE**

**The Meeting closed at 6.24 p.m.**

**The minutes of this meeting were confirmed at the Ordinary Meeting of the City of Mount Gambier held on 18 June 2019.**

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**PRESIDING MEMBER**

