

**MINUTES OF CITY OF MOUNT GAMBIER
WULANDA RECREATION AND CONVENTION CENTRE COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON TUESDAY, 13 APRIL 2021 AT 5.30 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Ben Hood (Presiding Member), Cr Max Bruins, Cr Christian Greco, Cr Paul Jenner, Cr Sonya Meziniec, Cr Frank Morello

OFFICERS IN ATTENDANCE:	Acting Chief Executive Officer	- Ms B Cernovskis
	General Manager Shared Services	- Mr D Barber
	General Manager City Growth	- Mr T Coote
	Acting General Manager City Infrastructure	- Mr M McDonald
	Executive Administrator Community Wellbeing	- 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 APOLOGY(IES)

COMMITTEE RESOLUTION

Moved: Cr Christian Greco

Seconded: Cr Frank Morello

That the apologies from Cr Steven Perryman and Cr Amoroso be received.

CARRIED

3 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Cr Max Bruins

Seconded: Cr Sonya Meziniec

That the minutes of the Wulanda Recreation and Convention Centre Committee meeting held on 9 March 2021 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 QUESTIONS WITHOUT NOTICE

Nil



5 CONFIDENTIAL ITEMS

5.1 WULANDA RECREATION AND CONVENTION CENTRE BRANDING – REPORT NO. AR21/19990

COMMITTEE RESOLUTION

Moved: Mayor Lynette Martin

Seconded: Cr Sonya Mezinec

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Wulanda Recreation and Convention Centre Committee orders that all members of the public, except Mayor L Martin, Councillors B Hood, M Bruins, C Greco, P Jenner, S Mezinec and F Morello and Council Officers B Cernovskis, D Barber, T Coote, M McDonald and A Lavia be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 5.1 AR21/19990 Wulanda Recreation and Convention Centre Branding.

The Wulanda Recreation and Convention Centre Committee is satisfied that, pursuant to section 90(3) (b) and (d) 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
- commercial information of a confidential nature (not being a trade secret) the disclosure of which 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

The Wulanda Recreation and Convention 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 disclosure of information associated with this report could benefit one or more participants bidding for the provision of Council services and prejudice Council's bargaining in this area. It would potentially be of detriment to the Council in achieving best value for the provision of services to release this information at this time. The disclosure of this information at this time is considered on balance to be contrary to the public's interest as it would prejudice the Council in obtaining best value services on behalf of our community.

CARRIED



COMMITTEE RESOLUTION

Moved: Cr Sonya Meziniec
Seconded: Mayor Lynette Martin

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 5.1 AR21/19990 Wulanda Recreation and Convention Centre Branding 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 (d) be kept confidential and not available for public inspection until two years have elapsed. The information relating to the name of the successful provider and contract value is to be released to the public following the execution of a signed contract with the chosen company.
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

5.2 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT - AS AT 05/04/2021 – REPORT NO. AR21/20559

COMMITTEE RESOLUTION

Moved: Cr Max Bruins
Seconded: Cr Paul Jenner

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Wulanda Recreation and Convention Centre Committee orders that all members of the public, except Mayor L Martin, Councillors B Hood, M Bruins, C Greco, P Jenner, S Meziniec and F Morello and Council Officers B Cernovskis, D Barber, T Coote, M McDonald and A Lavia be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 5.2 AR21/20559 Project Control Group (PCG) Progress Report - As at 05/04/2021.

The Wulanda Recreation and Convention Centre Committee is satisfied that, pursuant to section 90(3) (b) and (d) 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
- commercial information of a confidential nature (not being a trade secret) the disclosure of which 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

The Wulanda Recreation and Convention 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 disclosure of information associated with this report could reasonably be expected to prejudice the commercial position of the third party as the present matter relates to the signed contracts between Council, BADGE, Turner and Townsend, Design Inc and Rider Levett Bucknall for the construction of the Wulanda Recreation and Convention Centre. The disclosure of this information at this time is considered on balance to be contrary to the public's interest as it would unreasonably expose the sensitive interest of the third party.

CARRIED

COMMITTEE RESOLUTION

Moved: Cr Frank Morello
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 5.2 AR21/20559 Project Control Group (PCG) Progress Report - As at 05/04/2021 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 (d) be kept confidential and not available for public inspection until 12 months after completion of the project.
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

5.3 WULANDA RECREATION AND CONVENTION CENTRE - STAGE 3 COMMUNITY REFERENCE GROUP - MEMBERSHIP RECOMMENDATIONS - REPORT NO. AR21/16985

COMMITTEE RESOLUTION

Moved: Cr Max Bruins
Seconded: Mayor Lynette Martin

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Wulanda Recreation and Convention Centre Committee orders that all members of the public, except Mayor L Martin, Councillors B Hood, M Bruins, C Greco, P Jenner, S Mezinac and F Morello and Council Officers B Cernovskis, D Barber, T Coote, M McDonald and A Lavia be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 5.3 AR21/16985 Wulanda Recreation and Convention Centre - Stage 3 Community Reference Group - Membership Recommendations.



The Wulanda Recreation and Convention Centre Committee is satisfied that, pursuant to section 90(3) (a) of the Act, the information to be received, discussed or considered in relation to the Agenda Item is:

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)

The Wulanda Recreation and Convention 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 information contained and to be discussed includes personal affairs of the proposed Community Reference Group members.

CARRIED

COMMITTEE RESOLUTION

Moved: Mayor Lynette Martin

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 5.3 AR21/16985 Wulanda Recreation and Convention Centre - Stage 3 Community Reference Group - Membership Recommendations 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) (a) be kept confidential and not available for public inspection until a further order to be reviewed each year with the names of appointed members to be released following endorsement.
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

6 MEETING CLOSE

The Meeting closed at 6:16 p.m.

The minutes of this meeting were confirmed at the Wulanda Recreation and Convention Centre Committee held on 11 May 2021.

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PRESIDING MEMBER

