

**MINUTES OF CITY OF MOUNT GAMBIER  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT  
GAMBIER  
ON TUESDAY, 19 MAY 2020 AT 6.00 P.M.**

**VIRTUAL MEETING WAS AVAILABLE FOR LIVE STREAMING,  
<https://www.youtube.com/user/cityofmountgambier/live>**

**PRESENT VIA ELECTONIC MEANS:** Mayor Lynette Martin (OAM), Cr Sonya Meziniec, Cr Kate Amoroso, Cr Max Bruins, Cr Christian Greco, Cr Ben Hood, Cr Paul Jenner, Cr Frank Morello (arrived at 6.01 p.m.), Cr Steven Perryman (arrived at 6.08 p.m.)

<b>OFFICERS IN ATTENDANCE:</b>	Chief Executive Officer	- Mr A Meddle
	General Manager City Infrastructure	- Mr N Serle
	General Manager City Growth	- Dr J Nagy
	Manager Executive Administration	- Mr M McCarthy
	Media and Communications Officer	- Mrs A Watson
	Services Support Officer	- Mr A Myers
	Manager Executive Administration	- Mr M McCarthy
	Executive Administration Officer	- Mrs F McGregor

Cr Frank Morello joined the meeting at 6.01 p.m.

## **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**

Nil

## **3 LEAVE OF ABSENCE**

Nil

## **4 CONFIRMATION OF COUNCIL MINUTES**

### **RESOLUTION 2020/186**

Moved: Mayor Lynette Martin  
Seconded: Cr Ben Hood

That the minutes of the Ordinary Council meeting held on 21 April 2020, the Special Council meeting held on 5 May 2020 and the Special Council meeting held on 7 May 2020 be confirmed as an accurate record of the proceedings of the meeting.

**CARRIED**



## 5 MAYORAL REPORT

All external events and activities were cancelled or postponed due to the Coronavirus Pandemic.

Meetings, Briefings and the Citizenship Ceremony have been Virtual

- Members Briefing - Prioritisation of Administration Project Work - COVID-19
- Weekly LCLGA Mayor's Meeting – with representatives from Limestone Coast Local Health Network participating
- ANZAC Day Dawn Service and Wreath Laying on behalf of the Community and POW's
- Photo Opportunity – Mount Gambier Prostate Support Group
- Members Briefing – Conservation Park Update
- Members Briefing – Mount Gambier Chamber of Commerce Update
- Second Members Briefing – Prioritisation of Administration Project Work – COVID-19
- LGA COVID-19 Briefing – Business Support and Economic Recovery
- Regular Mayors Briefing with Premier Marshall and Minister Stephan Knoll
- LCLGA Business Planning Meeting
- Special Meeting of Council
- CEO Performance Review Committee Meeting
- Special Meeting of Council
- World Red Cross Day – Flag Raising Ceremony
- Weekly LCLGA Mayor's Meeting
- Participation in Story Time – Families Week
- Our City Our Economy Business Survey – Meeting with Chamber of Commerce
- SATC Resilience and Rebound Program Webinar
- Citizenship Ceremony

### RESOLUTION 2020/187

Moved: Mayor Lynette Martin

Seconded: Cr Christian Greco

That the Mayoral report made on 19 May 2020 be received.

**CARRIED**

## 6 REPORTS FROM COUNCILLORS

### RESOLUTION 2020/188

Moved: Cr Frank Morello

Seconded: Cr Christian Greco

That the reports made by Councillors on 19 May 2020 be received.

**CARRIED**

## 7 QUESTIONS WITH NOTICE

Nil



Cr Perryman joined the meeting at 6.08 p.m.

**8 QUESTIONS WITHOUT NOTICE**

Nil

**9 PETITIONS**

Nil

**10 DEPUTATIONS**

Nil

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

Nil

**12 ELECTED MEMBERS WORKSHOPS**

**12.1 ELECTED MEMBER WORKSHOPS HELD 26 MARCH 2020 TO 15 MAY 2020**

**RESOLUTION 2020/189**

Moved: Cr Sonya Meziniec

Seconded: Cr Christian Greco

1. That Council Report No. AR20/25132 titled 'Elected Member Workshops held 26 March 2020 to 15 May 2020' as presented on 19 May 2020 be noted.

**CARRIED**

**13 ELECTED MEMBERS TRAINING AND DEVELOPMENT**

Nil

**14 COUNCIL ACTION ITEMS**

**14.1 ACTION ITEMS 21/04/2020, 05/05/2020 AND 07/05/2020**

**RESOLUTION 2020/190**

Moved: Cr Christian Greco

Seconded: Cr Paul Jenner

1. That Council Report No. AR20/25134 titled 'Action Items 21/04/2020, 05/05/2020 and 07/05/2020' as presented on 19 May 2020 be noted.

**CARRIED**



**15 ECONOMIC AND ENVIRONMENT COMMITTEE MINUTES AND RECOMMENDATIONS**

Nil

**16 PEOPLE AND PLACE COMMITTEE MINUTES AND RECOMMENDATIONS**

Nil

**17 REGIONAL SPORT AND RECREATION CENTRE COMMITTEE MINUTES AND RECOMMENDATIONS**

Nil

**18 COUNCIL ASSESSMENT PANEL MINUTES**

**18.1 MINUTES OF THE COUNCIL ASSESSMENT PANEL HELD ON 16 APRIL 2020**

**RESOLUTION 2020/191**

Moved: Mayor Lynette Martin

Seconded: Cr Paul Jenner

That the Minutes of the Council Assessment Panel meeting held on 16 April 2020 as previously circulated be noted.

**CARRIED**

**19 JUNIOR SPORTS ASSISTANCE (SECTION 41) COMMITTEE MINUTES AND RECOMMENDATIONS**

Nil

**20 AUDIT COMMITTEE MINUTES AND RECOMMENDATIONS**

Nil

Mr Andrew Meddle declared a Conflict of Interest in Item 21.1 and left the meeting at 6.15 p.m.

**21 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MINUTES AND RECOMMENDATIONS**

**21.1 MINUTES OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE HELD ON 6 MAY 2020**

**RESOLUTION 2020/192**

Moved: Cr Christian Greco

Seconded: Cr Frank Morello



That the Minutes of the Chief Executive Officer Performance Review Committee meeting held on 6 May 2020 as attached be noted.

**CARRIED**

Mr Andrew Meddle returned to the meeting at 6.16 p.m.

## **22 BUILDING FIRE SAFETY COMMITTEE MINUTES**

Nil

## **23 COUNCIL REPORTS**

### **23.1 POLICY REVIEW - P420 PROCUREMENT AND DISPOSAL OF LAND AND ASSETS**

#### **RESOLUTION 2020/193**

Moved: Cr Frank Morello  
Seconded: Cr Sonya Meziniec

1. That Council Report No. AR20/23467 titled 'Policy Review - P420 Procurement and Disposal of Land and Assets' as presented on 19 May 2020 be noted.
2. That Council's [Procurement & Disposal of Land and Assets Policy P420](#) be re-endorsed with no material policy changes and its next review be scheduled for November 2023.

**CARRIED**

### **23.2 POLICY REVIEW - R105 - RATING POLICY**

#### **RESOLUTION 2020/194**

Moved: Cr Max Bruins  
Seconded: Cr Christian Greco

1. That Council Report No. AR20/27274 titled 'Policy Review - R105 - Rating Policy' as presented on 19 May 2020 be noted.
2. That Council *Policy R105 - Rating Policy* as attached to Council meeting Report No. AR20/27274 be adopted.

**CARRIED**



### 23.3 POLICY REVIEW - R155 - RATE REBATE POLICY

#### RESOLUTION 2020/195

Moved: Cr Sonya Meziniec  
Seconded: Cr Christian Greco

1. That Council Report No. AR20/27224 titled 'Policy Review - R155 - Rate Rebate Policy' as presented on 19 May 2020 be noted.
2. That Council *Policy R155 – Rate Rebate Policy* as attached to Council meeting Report No AR20/27224 be adopted.

**CARRIED**

### 23.4 COUNCIL ADVERTISING AND SIGNAGE POLICY A170

#### RESOLUTION 2020/196

Moved: Cr Ben Hood  
Seconded: Cr Christian Greco

1. That Council Report No. AR20/27104 titled 'Council Advertising and Signage Policy A170' as presented on 19 May 2020 be noted.
2. That Council note the request provided to certain identified tenants to remove signage from their tenanted facilities that requires, but has not been granted, development (planning or building) approvals.
3. That an amnesty on removal of signage be granted to those clubs listed in the table contained within the report until a face to face Elected Member Workshop be convened, when safe so to do, to discuss policy options and implications associated with administering the current or any proposed new policy provisions associated with Council's Advertising and Signage Policy A170.

**CARRIED**

### 23.5 MOUNT GAMBIER WOODTURNING CLUB - HASTINGS CUNNINGHAM RESERVE SHED NO. 3 - FEE WAIVER

#### RESOLUTION 2020/197

Moved: Cr Ben Hood  
Seconded: Cr Max Bruins

1. That Council Report No. AR20/28689 titled 'Mount Gambier Woodturning Club - Hastings Cunningham Reserve Shed No. 3 - Fee Waiver' as presented on 19 May 2020 be noted.
2. That the fee waiver request from the Mount Gambier Woodturning Club be:
  - (b) granted for the next 5 year licence period.

**CARRIED**



## 23.6 CENTRESTAGE COMMUNITY THEATRE LEASE AND OPERATIONAL FUNDING

### MOTION

Moved: Cr Paul Jenner  
Seconded: Cr Sonya Meziniec

1. That Council Report No. AR20/28691 titled 'Centrestage Community Theatre Lease and Operational Funding' as presented on 19 May 2020 be noted.
2. That a new lease be granted to Centrestage Community Theatre for the Wehl Street Theatre on the following terms:
  - 2.1. Standard community leasing terms and conditions
  - 2.2. Utilities & Outgoings: Tenant responsible for all utilities and outgoings
  - 2.3. Rent: in accordance with [Council Policy R200](#)
  - 2.4. Term: 5 years
  - 2.5. Council Operational Grant: up to a maximum of \$10,000 per annum, payable in a manner determined by Council each year which may be by reimbursement of costs incurred or provision of in-kind services.

### AMENDMENT

Moved: Cr Steven Perryman  
Seconded: Cr Max Bruins

1. That Council Report No. AR20/28691 titled 'Centrestage Community Theatre Lease and Operational Funding' as presented on 19 May 2020 be noted.
2. Centre Stage Inc be advised Council has resolved they continue on a month by month lease until further notice.
3. The future use and management arrangements for the Wehl Street Theatre be referred to an Elected Member Workshop with the current tenant being invited.

The Amendment was put and

**CARRIED**

The Amendment became the Motion

### RESOLUTION 2020/198

Moved: Cr Steven Perryman  
Seconded: Cr Max Bruins

1. That Council Report No. AR20/28691 titled 'Centrestage Community Theatre Lease and Operational Funding' as presented on 19 May 2020 be noted.
2. Centre Stage Inc be advised Council has resolved they continue on a month by month lease until further notice.
3. The future use and management arrangements for the Wehl Street Theatre be referred to an Elected Member Workshop with the current tenant being invited.

**CARRIED**



Cr Ben Hood left the meeting at 6.43 p.m.

Cr Ben Hood returned to the meeting at 6.44 p.m.

Cr Ben Hood left the meeting at 6.45 p.m.

Cr Ben Hood returned to the meeting at 6.46 p.m.

### 23.7 BLUE LAKE GOLF CLUB - KEY PERFORMANCE INDICATORS 2020/2021

#### RESOLUTION 2020/199

Moved: Cr Frank Morello

Seconded: Cr Kate Amoroso

1. That Council Report No. AR20/28676 titled 'Blue Lake Golf Club - Key Performance Indicators 2020/2021' as presented on 19 May 2020 be noted.

**CARRIED**

Cr Steven Perryman left the meeting at 6.48 p.m.

Cr Seven Perryman returned to the meeting at 6.48 p.m.

### 23.8 LIMESTONE COAST LOCAL GOVERNMENT ASSOCIATION STRATEGIC PLAN

#### RESOLUTION 2020/200

Moved: Cr Paul Jenner

Seconded: Cr Kate Amoroso

1. That Council Report No. AR20/25230 titled 'Limestone Coast Local Government Association Strategic Plan' as presented on 19 May 2020 be noted.
2. That Council endorse the Limestone Coast Local Government Association Strategic Plan.
3. That the Chief Executive Officer advise the LCLGA Executive Officer of the Council's decision.

**CARRIED**

Pursuant to Section 74 of the Local Government Act 1999, Cr Jenner disclosed a material conflict of interest in Item 23.9:

*"I am a Member of CAP".*

In accordance with Section 74 of the Local Government Act 1999 Cr Jenner did not participate in the meeting for Item 23.9.

Cr Paul Jenner left the meeting at 6:52 pm

Pursuant to Section 75A of the Local Government Act 1999, Cr Perryman disclosed a perceived conflict of interest in Item 23.9:

*"I am the owner of a business providing accommodation."*

Cr Perryman informed the meeting of the manner in which they *intend to deal with the perceived conflict of interest in Item 23.9 as follows:*





*"I intend to stay in the Chamber, debate and vote"*

In accordance with Section 75A of the Local Government Act 1999 Cr Perryman remained in the Chamber and voted for Item 23.9.

Cr Ben Hood left the meeting at 6.51 p.m.

Cr Ben Hood returned to the meeting at 6.53 p.m.

### **23.9 RV FRIENDLY TOWN™ PROGRAM - CAMPERVAN AND MOTORHOME CLUB OF AUSTRALIA LIMITED (CMCA) INITIATIVE**

#### **RESOLUTION 2020/201**

Moved: Cr Christian Greco

Seconded: Cr Max Bruins

1. That Council Report No. AR20/5640 titled 'RV Friendly Town™ Program - Campervan and Motorhome Club of Australia Limited (CMCA) Initiative ' as presented on 19 May 2020 be noted.
2. Council staff prepare and submit relevant documentation to secure RV Friendly status for the City of Mount Gambier.

**CARRIED**

Having participated in the meeting in relation to Item 23.9 Cr Perryman voted against the motion.

Cr Paul Jenner returned to the meeting at 6:55 pm

### **23.10 BY-APPOINTMENT HARD/BULKY WASTE OPTION**

#### **MOTION**

Moved: Cr Christian Greco

Seconded: Cr Paul Jenner

1. That Council Report No. AR20/27938 titled 'By-Appointment Hard/Bulky Waste Option' as presented on 19 May 2020 be noted.
2. As part of Council's response to the COVID-19 crisis, Council trial a one off bulky waste collection, where each residential property would be eligible to one pick up, by appointment.
3. Conditions apply in terms of the quantity and types of items collected, as per **Attachment 1**, noting that the permitted and unacceptable items lists are not exclusive or exhaustive.
4. This trial period run from 1 July 2020 until 18 December 2020, with a report being brought back to Council to enable an understanding of the use and impacts of the trial.

Cr Max Bruins left the meeting at 7.07 p.m.

Cr Max Bruins returned to the meeting at 7.09 p.m.

#### **AMENDMENT**

Moved: Cr Steven Perryman

Seconded: Cr Ben Hood

1. That Council Report No. AR20/27938 titled 'By-Appointment Hard/Bulky Waste Option' as presented on 19 May 2020 be noted.



2. Council allocate an amount of \$200,000 for a bulky goods collection trial.
3. As part of Council's response to the COVID-19 crisis, Council trial a one off bulky waste collection, where each residential property would be eligible to one pick up, by appointment.
4. Conditions apply in terms of the quantity and types of items collected, as per **Attachment 1**, noting that the permitted and unacceptable items lists are not exclusive or exhaustive.
5. This trial period run from 1 July 2020 until 18 December 2020, with a report being brought back to Council to enable an understanding of the use and impacts of the trial.

Tied vote

The Mayor exercised her right to a casting vote and voted for the amendment.

The Amendment was put and

**CARRIED**

The Amendment became the Motion

### **RESOLUTION 2020/202**

Moved: Cr Steven Perryman

Seconded: Cr Ben Hood

1. That Council Report No. AR20/27938 titled 'By-Appointment Hard/Bulky Waste Option' as presented on 19 May 2020 be noted.
2. Council allocate an amount of \$200,000 for a bulky goods collection trial.
3. As part of Council's response to the COVID-19 crisis, Council trial a one off bulky waste collection, where each residential property would be eligible to one pick up, by appointment.
4. Conditions apply in terms of the quantity and types of items collected, as per **Attachment 1**, noting that the permitted and unacceptable items lists are not exclusive or exhaustive.
5. This trial period run from 1 July 2020 until 18 December 2020, with a report being brought back to Council to enable an understanding of the use and impacts of the trial.

**CARRIED**

### **23.11 SUSPENSION OF GREEN WASTE TAG FEES**

#### **RESOLUTION 2020/203**

Moved: Cr Christian Greco

Seconded: Cr Kate Amoroso

1. That Council Report No. AR20/25241 titled 'Suspension of Green Waste Tag Fees' as presented on 19 May 2020 be noted.
2. The Council will offer a universal FOGO service for residential properties.
3. The Council will charge a one off \$85 fee to cover the cost of the bin, a kitchen caddy, biodegradable caddy liners and delivery for new users.
4. New and existing bin users will not need to pay any fee for a kerbside green organics collection in 2020/21, as of 1 July 2020.



5. The current year and future year education programs will include a push on FOGO and seek to increase the take up of such bins.
6. A review will be taken in mid-2021 to enable a reassessment of the impacts to be quantified as part of the 2021/22 preparation of the Annual Business Plan and Budget process.

**CARRIED**

### **23.12 COMMUNITY DEVELOPMENT FUND APPLICATIONS**

#### **RESOLUTION 2020/204**

Moved: Cr Kate Amoroso  
Seconded: Cr Christian Greco

1. That Council Report No. AR20/30040 titled 'Community Development Fund applications' as presented on 19 May 2020 be noted.
2. That Council endorse the following applications and amounts from the Community Development Fund:
  - (a) Mount Gambier Netball Club (\$19,935.56)
  - (b) Blue Lake Golf Club (\$19,805)
  - (c) Lifeline (\$7,995)
3. That the Chief Executive Officer inform the three groups of Council's decision.

**CARRIED**

### **24 MOTIONS WITH NOTICE**

Nil

### **25 MOTIONS WITHOUT NOTICE**

Nil

### **26 CONFIDENTIAL ITEMS OF COMMITTEES**

#### **26.1 CONFIDENTIAL ITEMS OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE HELD ON 6 MAY 2020**

Mr Andrew Meddle declared a Conflict of Interest in Item 26.2 and left the meeting at 7.46 p.m.

#### **26.2 CHIEF EXECUTIVE OFFICER 2019/2020 REVIEW – REPORT NO. AR20/27208**

#### **RESOLUTION 2020/205**

Moved: Cr Christian Greco  
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 S Meziniec, K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officer M McCarthy be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 26.2 AR20/27208 Chief Executive Officer 2019/2020 Review.

The Council 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 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 matter for consideration relates to personal affairs being the employment performance of the Chief Executive Officer Mr Andrew Meddle.

**CARRIED**

### **RESOLUTION 2020/206**

Moved: Cr Christian Greco

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 26.2 AR20/27208 Chief Executive Officer 2019/2020 Review 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 the employment contract of the Chief Executive Officer, Mr Andrew Meddle has expired and not been renewed.
2. Further that Council delegates the power to review, revoke, but extend of 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**

Mr Andrew Meddle returned to the meeting at 7.55 p.m.

Cr Kate Amoroso left the meeting at 7.55 p.m.

Cr Kate Amoroso returned to the meeting at 7.56 p.m.



## 27 NEW CONFIDENTIAL ITEMS

### 27.1 PROPOSAL FROM MOUNT GAMBIER PRIVATE HOSPITAL – REPORT NO. AR20/30776

#### RESOLUTION 2020/207

Moved: Cr Sonya Mezinec

Seconded: Cr Ben Hood

#### 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 S Mezinec, K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officers A Meddle, J Nagy, N Serle, M McCarthy, A Watson and F McGregor be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 27.1 AR20/30776 Proposal from Mount Gambier Private Hospital.

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

- 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 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 To protect the confidentiality of a third party seeking to provide works for the Mount Gambier Private Hospital, noting that such information was supplied on a confidential basis.

**CARRIED**

Cr Kate Amoroso left the meeting at 8.21 p.m. and did not return.

#### RESOLUTION 2020/208

Moved: Cr Paul Jenner

Seconded: Cr Sonya Mezinec

#### 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 27.1 AR20/30776 Proposal from Mount Gambier Private Hospital 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) (d) be kept confidential and not available for public inspection until 30 June 2021.
2. Further that Council delegates the power to review, revoke, but extend of 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 Martin acknowledged and thanked Cr Steven Perryman for his 20 years of service as an Elected Member to the community.

**28 MEETING CLOSE**

**The Meeting closed at 8.26 p.m.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 16 June 2020.**

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**PRESIDING MEMBER**

