

**MINUTES OF CITY OF MOUNT GAMBIER VIRTUAL SPECIAL COUNCIL MEETING
HELD VIA ZOOM ON TUESDAY, 5 MAY 2020 AT 5.30 P.M.
VIRTUAL MEETING AVAILABLE FOR LIVE STREAMING,
<https://www.youtube.com/user/cityofmountgambier/live>**

**PRESENT
VIA ELECTRONIC
MEANS:**

Mayor Lynette Martin (OAM), Cr Sonya Mezinac, Cr Kate Amoroso, Cr Max Bruins, Cr Christian Greco, Cr Ben Hood, Cr Paul Jenner, Cr Frank Morello, Cr Steven Perryman

**OFFICERS IN
ATTENDANCE:**

Chief Executive Officer	- Mr A Meddle
General Manager Community Wellbeing	- Ms B Cernovskis
General Manager City Infrastructure	- Mr N Serle
General Manager City Growth	- Dr J Nagy
Manager Executive Administration	- Mr M McCarthy
Communications Officer	- Mrs A Watson
IServices - Support Officer	- Mr A Myers
Executive Administration Officer	- Mrs E Solly

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 COUNCIL REPORTS

4.1 COVID-19 COMMUNITY DEVELOPMENT FUND

RESOLUTION 2020/176

Moved: Cr Paul Jenner

Seconded: Cr Christian Greco

1. That Council Report No. AR20/26971 titled 'COVID-19 Community Development Fund' as presented on 05 May 2020 be noted.
2. That Council endorses the establishment of a COVID-19 Community Development Fund and allocates \$200,000 to this fund.
3. That Council endorses Attachment 1, which provides the information, criteria and application form relevant to the COVID-19 Community Development Fund.
4. That Council endorses the Chief Executive Officer to make decisions relating to the minor works (with a ceiling of \$5,000) to expedite this part of the process.

CARRIED

4.2 COVID-19 PUBLIC BUILDINGS AND STRUCTURES WORKS ACCELERATION PROGRAM

MOTION

Moved: Cr Sonya Meziniec

Seconded: Cr Kate Amoroso

1. That Council Report No. AR20/26972 titled 'COVID-19 Public Buildings And Structures Works Acceleration Program' as presented on 05 May 2020 be noted.
2. That Council endorse the following projects as part of the Public Buildings And Structures Works Acceleration Program:
 - (a) Railway Station Building – Internal works (excluding toilet refurbishment)
 - (b) Railway Station Building – Toilet refurbishment
 - (c) Dimjalla Skate Park – Shade shelter and seating
 - (d) Vansittart Park Oval – Public amenities refurbishment
 - (e) Carinya Gardens Cemetery - Public amenities refurbishment
 - (f) Frew Park – Demolition and replacement of public amenities
 - (g) Umpherston Sinkhole – Lighting upgrade
 - (h) Botanic Park – Crater lakes entrance markers feature lighting



AMENDMENT

MOTION

Moved: Cr Steven Perryman
Seconded: Cr Max Bruins

1. That Council Report No. AR20/26972 titled 'COVID-19 Public Buildings And Structures Works Acceleration Program' as presented on 05 May 2020 be noted.
2. That Council endorse the following projects as part of the Public Buildings And Structures Works Acceleration Program.
 - (a) Dimjalla Skate Park – Shade shelter and seating
 - (b) Vansittart Park Oval – Public amenities refurbishment
 - (c) Carinya Gardens Cemetery - Public amenities refurbishment
 - (d) Frew Park – Demolition and replacement of public amenities
 - (e) Umpherston Sinkhole – Lighting upgrade
 - (f) Botanic Park – Crater lakes entrance markers feature lighting
3. Council review other potential projects to the value of \$650,000.

The Amendment was put and carried

The Amendment became the motion

MOTION

RESOLUTION 2020/177

Moved: Cr Steven Perryman
Seconded: Cr Max Bruins

1. That Council Report No. AR20/26972 titled 'COVID-19 Public Buildings And Structures Works Acceleration Program' as presented on 05 May 2020 be noted.
2. That Council endorse the following projects as part of the Public Buildings And Structures Works Acceleration Program.
 - (a) Dimjalla Skate Park – Shade shelter and seating
 - (b) Vansittart Park Oval – Public amenities refurbishment
 - (c) Carinya Gardens Cemetery - Public amenities refurbishment
 - (d) Frew Park – Demolition and replacement of public amenities
 - (e) Umpherston Sinkhole – Lighting upgrade
 - (f) Botanic Park – Crater lakes entrance markers feature lighting
3. Council review other potential projects to the value of \$650,000.

CARRIED



4.3 COVID-19 EMPLOYMENT PROGRAM

RESOLUTION 2020/178

Moved: Cr Ben Hood

Seconded: Cr Kate Amoroso

1. That Council Report No. AR20/26974 titled 'COVID-19 Employment Program' as presented on 05 May 2020 be noted.
2. That Council endorse the approach to an employment program, noting that a further report detailing activities and costs will be brought back before Council three months after the commencement of works.
3. That Council endorse the areas of work identified in this report, noting that they may amend this at any time.
4. That a budget review be undertaken to reflect the cost of the activities at the three and six month stages.

CARRIED

Cr Sonya Meziniec left the meeting at 6.20 pm

Cr Sonya Meziniec returned to the meeting at 6.21 pm

4.4 COVID-19 PLACES AND SPACES ENHANCEMENT

RESOLUTION 2020/179

Moved: Cr Christian Greco

Seconded: Cr Sonya Meziniec

1. That Council Report No. AR20/26975 titled 'COVID-19 Places and Spaces Enhancement' as presented on 05 May 2020 be noted.
2. That Council endorse the approach to works on Council reserves, the streets in the city, trails and the CBD, noting that a further report detailing activities and costs will be brought back before Council three months after the commencement of works.
3. That a budget review be undertaken to reflect the cost of the activities at the three and six month stages.

CARRIED

Pursuant to Section 75A of the Local Government Act 1999, Cr Steven Perryman disclosed a perceived conflict of interest in Item 4.5:

"A business that I own is a venue for Fringe sponsorship In-Kind"

Cr Steven Perryman informed the meeting of the manner in which they *intend to deal with the perceived conflict of interest in Item 4.5 as follows:*

"I will participate and vote"

In accordance with Section 75A of the Local Government Act 1999 Cr Steven Perryman participated in the meeting for Item 4.5.



Pursuant to Section 75A of the Local Government Act 1999, Cr Ben Hood disclosed a perceived conflict of interest in Item 4.5:

“A business I own - ‘Hello Friday’ is a sponsor of the Fringe.”

Cr Ben Hood informed the meeting of the manner in which they *intend to deal with the perceived conflict of interest in Item 4.5 as follows:*

“Participate and vote”

In accordance with Section 75A of the Local Government Act 1999 Cr Ben Hood participated in the meeting for Item 4.5.

4.5 FRINGE MOUNT GAMBIER 2020

RESOLUTION 2020/180

Moved: Cr Ben Hood

Seconded: Cr Paul Jenner

1. That Council Report No. AR20/26985 titled ‘2020 Fringe Mount Gambier 2020’ as presented on 05 May 2020 be noted.
2. That Council, as the auspicing body of Fringe in Mount Gambier, endorse full payment of the of \$50,000 budget allocation to cover the costs incurred by the Fringe in Mount Gambier planning committee and support artists and local suppliers consistent with the other Government funding bodies.
3. That Council acknowledge the cash position of the local business sponsors of the 2020 Fringe in Mount Gambier event in this current climate and endorse a cash reduction of 50% to the local business sponsorship contribution.
4. That Council acknowledge the contribution made by local business suppliers and sponsors to the success of the Fringe in Mount Gambier event and act in goodwill to retain the support of local business for the next event.

CARRIED

Having participated in the meeting in relation to the matter Cr Steven Perryman voted in favour of Item 4.5.

Having participated in the meeting in relation to the matter Cr Ben Hood voted in favour of Item 4.5.

4.6 WAIVING OF FEES AND CHARGES ASSOCIATED WITH OUTDOOR DINING UNTIL 30 JUNE 2021

RESOLUTION 2020/181

Moved: Cr Christian Greco

Seconded: Cr Max Bruins

1. That Council Report No. AR20/27874 titled ‘Waiving of Fees and Charges Associated with Outdoor Dining until 30 June 2021’ as presented on 05 May 2020 be noted.
2. That the Council agree that the Chief Executive Officer waive on request any fees and charges which are associated with outdoor dining, until 30 June 2021.

CARRIED

5 NEW CONFIDENTIAL ITEMS

5.1 OUR CITY. OUR ECONOMY - BUSINESS SURVEY – REPORT NO. AR20/26987

RESOLUTION 2020/182

Moved: Cr Ben Hood

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 Mayor L Martin, Councillors S Meziniec, K Amoroso, M Bruins, C Greco, B Hood, P Jenner, F Morello and S Perryman and Council Officers A Meddle, B Cernovskis, J Nagy, N Serle, M McCarthy, A Watson, A Meyers and E Solly be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 5.1 AR20/26987 Our City. Our Economy - Business Survey.

The Council is satisfied that, pursuant to section 90(3) (d) and (g) 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
- information concerning matters that must be considered in confidence in order to ensure that the Council does not:
 - breach any law, order or direction of a court or tribunal constituted by law,
 - breach any duty of confidence, or
 - breach any other legal obligation or duty

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 of the agenda item includes business information provided by survey respondents that has been provided in confidence to assist Council in determining an appropriate recovery response to the COVID-19 health state of emergency, the disclosure of which could reasonably be expected to prejudice the commercial position of the parties that provided this information and/or confer a commercial advantage on other 3rd parties.

The public interest in the non-disclosure of this information is considered to be outweighed by the public interest in the determination and implementation of a successful recovery plan during and following the COVID-19 health state of emergency.

CARRIED



RESOLUTION 2020/183

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 5.1 AR20/26987 Our City. Our Economy - Business 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) (d) and (g) be kept confidential and not available for public inspection until 24 months have passed since the end of the COVID-19 health state of emergency has been lifted, to be reviewed every 12 months including for the potential extension of the duration of the confidentiality order if the financial and economic impacts of the COVID-19 state of emergency remain prevalent for the survey respondents at the end of the 24 month period.
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

6 MEETING CLOSE

The Meeting closed at 8.12 pm.

The minutes of this meeting were confirmed at the Ordinary Meeting of the City of Mount Gambier held on 19 May 2020.

.....
PRESIDING MEMBER

