

**MINUTES OF CITY OF MOUNT GAMBIER  
REGIONAL SPORT AND RECREATION CENTRE COMMITTEE MEETING  
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT  
GAMBIER  
ON TUESDAY, 10 DECEMBER 2019 AT 5.30 P.M.**

**PRESENT:** Mayor Lynette Martin (OAM), Cr Max Bruins, Cr Christian Greco, Cr Paul Jenner, Cr Sonya Mezinec, Cr Frank Morello, Cr Steven Perryman

<b>OFFICERS IN ATTENDANCE:</b>	Chief Executive Officer	- Mr A Meddle
	General Manager Community Wellbeing	- Ms B Cernovskis
	General Manager City Growth	- Dr J Nagy
	General Manager City Infrastructure	- Mr N Serle
	Manager Executive Administration	- Mr M McCarthy
	Community Development and Engagement Officer	- Mrs H Gajic

**NOMINATION OF ACTING PRESIDING MEMBER**

**COMMITTEE RESOLUTION**

Moved: Cr Frank Morello  
Seconded: Cr Sonya Mezinec

Mayor Lynette Martin be appointed as Acting Presiding Member for the meeting in the absence of Cr Ben Hood.

**CARRIED**

**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 Paul Jenner  
Seconded: Cr Sonya Mezinec

That the apologies from Cr Ben Hood and Cr Kate Amoroso be received.

**CARRIED**



### 3 CONFIRMATION OF MINUTES

#### COMMITTEE RESOLUTION

Moved: Cr Sonya Mezinac  
Seconded: Cr Max Bruins

That the minutes of the Regional Sport and Recreation Centre Committee meeting held on 12 November 2019 be confirmed as an accurate record of the proceedings of the meeting.

**CARRIED**

### 4 QUESTIONS WITHOUT NOTICE

Nil

### 5 REPORTS

#### 5.1 COMMUNITY AND RECREATION HUB TENANCIES - 1ST MOUNT GAMBIER SCOUT GROUP

#### COMMITTEE RESOLUTION

Moved: Cr Frank Morello  
Seconded: Cr Max Bruins

1. That Regional Sport and Recreation Centre Committee Report No. AR19/66180 titled 'Community and Recreation Hub Tenancies - 1st Mount Gambier Scout Group' as presented on 10 December 2019 be noted.
2. That, noting the impact of the Community and Recreation Hub Project on and necessity to amend the lease area and storage arrangements associated with the lease to Scouts Association of Australia SA Branch, Council endorse for the amendment of the lease with Scouts:
  - (a) Provision of a temporary storage solution comprising a container located at the Scouts Margaret Street site (or similar storage solution at an alternate location) for a potential period up to 31 January 2022 (or such additional period as may be necessary associated with the works period associated with the Community and Recreation Hub Project), including expenditure of up to \$4,000+gst to purchase a Council owned container.
  - (b) The progression of formal correspondence and documentation for the amendment of the existing lease area for the Margaret Street premises at Olympic Park.

**CARRIED**



## 5.2 COMMUNITY AND RECREATION HUB TENANCIES - OPEN DOOR BAPTIST CHURCH

### COMMITTEE RESOLUTION

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

1. That Regional Sport and Recreation Centre Committee Report No. AR19/66239 titled 'Community and Recreation Hub Tenancies - Open Door Baptist Church' as presented on 10 December 2019 be noted.
2. That, having agreement for an interim relocation arrangement for the Open Door Baptist Church at 42 James Street, Council endorse for the relocation of the Open Door Baptist Church:
  - (a) Salvage rights for (non-structural) building materials, fixtures and fittings located within the O'Halloran Terrace building currently occupied by the group, at their own arrangement and cost and under appropriate supervision for the works to be undertaken.
  - (b) Relocation assistance up to the value of \$1,500 +gst (provided in-kind or at cost) to relocate items to 42 James Street or an identified storage location.
  - (c) Storage of salvaged items at a Council location for a licence period up to 31 January 2021 (or such additional period as may be negotiated to suit their relocation plans), including expenditure of up to \$5,000 +gst to purchase a Council owned container.
  - (d) The serving of formal notices and documentation for the relocation and termination and surrender of the existing licence for the O'Halloran Terrace premises at Olympic Park.

**CARRIED**

## 6 MOTIONS WITHOUT NOTICE

Nil

## 7 CONFIDENTIAL ITEMS

### 7.1 COMMUNITY AND RECREATION HUB TENANCIES - 42 JAMES STREET, MOUNT GAMBIER – REPORT NO. AR19/66240

### COMMITTEE RESOLUTION

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 Regional Sport and Recreation Centre Committee orders that all members of the public, except Mayor L Martin, Councillors M Bruins, C Greco, P Jenner, S Meziniec, F Morello and S Perryman and Council Officers A Meddle, J Nagy, B Cernovskis, N Serle, M McCarthy and H Gajic be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.1 AR19/66240 Community and Recreation Hub Tenancies - 42 James Street, Mount Gambier.

The Regional Sport and Recreation Centre Committee is satisfied that, pursuant to section 90(3) (b) 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

The Regional Sport and Recreation 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 matter to be discussed relates to building quotations and budget for works that Council is considering to be undertaken, the release of which during the contractor quotation period could influence and jeopardise the Council's negotiating position to obtain best value and best outcomes for the community.

**CARRIED**

#### **COMMITTEE RESOLUTION**

Moved: Cr Max Bruins  
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 7.1 AR19/66240 Community and Recreation Hub Tenancies - 42 James Street, Mount Gambier 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) be kept confidential and not available for public inspection until the Council has considered the proposed works, adopted a budget and engaged a contractor for each stage of the proposed works, or until 12 months have elapsed, whichever is the earlier. Resolutions 1 and 2((d), (e) and (f) to be released immediately upon determination of the matter by Council.
2. Further that Council delegates the power to review, revoke, but not extension 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**



## 7.2 COMMUNITY AND RECREATION HUB TENANCIES - MOUNT GAMBIER AND DISTRICT NETBALL ASSOCIATION – REPORT NO. AR19/66183

### COMMITTEE RESOLUTION

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 Regional Sport and Recreation Centre Committee orders that all members of the public, except Mayor L Martin, Councillors M Bruins, C Greco, P Jenner, S Mezinec, F Morello and S Perryman and Council Officers A Meddle, J Nagy, B Cernovskis, N Serle, M McCarthy and H Gajic be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.2 AR19/66183 Community and Recreation Hub Tenancies - Mount Gambier and District Netball Association.

The Regional Sport and Recreation Centre Committee is satisfied that, pursuant to section 90(3) (b) 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

The Regional Sport and Recreation 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 matter to be discussed relates to demolition and civil works and associated budget that Council is considering to be undertaken, the release of which during the contractor quotation period could influence and jeopardise the Councils negotiating position to obtain best value and best outcomes for the community.

**CARRIED**

### COMMITTEE RESOLUTION

Moved: Cr Sonya Mezinec

Seconded: Cr Christian Greco

### 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 7.2 AR19/66183 Community and Recreation Hub Tenancies - Mount Gambier and District Netball Association 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) be kept confidential and not available for public inspection until the Council has considered the proposed works, adopted a budget and engaged a contractor for each component of the proposed works, or until 12 months have elapsed, whichever is the earlier.



Resolutions 1, 4, 5 and 6 to be released immediately upon determination of the matter by Council.

2. Further that Council delegates the power to review, revoke, but not extension 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**

### 7.3 CONSIDERATION FOR EXCLUSION OF THE PUBLIC

#### COMMITTEE RESOLUTION

Moved: Cr Frank Morello  
Seconded: Cr Paul Jenner

Pursuant to section 90(2) of the *Local Government Act 1999* the Regional Sport and Recreation Centre Committee orders that all members of the public, except Mayor L Martin, Councillors M Bruins, C Greco, P Jenner, S Mezinec, F Morello and S Perryman and Council Officers A Meddle, J Nagy, B Cernovskis, N Serle, M McCarthy and H Gajic be excluded from attendance at the meeting for the receipt, discussion and consideration in confidence of Agenda Item 7.3 Question Without Notice – Regional Sport and Recreation Centre Committee.

The Regional Sport and Recreation Centre Committee is satisfied that, pursuant to section 90(3) (b) 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

The Regional Sport and Recreation 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 matter to be discussed relates to works and associated budget that Council is considering to be undertaken, the release of which during the tender period could influence and jeopardise the Councils negotiating position to obtain best value and best outcomes for the community.

**CARRIED**

### 7.3 CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

#### COMMITTEE RESOLUTION

Moved: Cr Christian Greco  
Seconded: Cr Paul Jenner



**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 7.3 Question Without Notice – Regional Sport and Recreation Centre Committee, 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) be kept confidential and not available for public inspection until the Council has considered the proposed works, adopted a budget and engaged a contractor for each component of the proposed works, or until 12 months have elapsed, whichever is the earlier.
2. Further that Council delegates the power to review, revoke, but not extension 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**

**8 MEETING CLOSE**

**The Meeting closed at 6.18 p.m.**

**The minutes of this meeting were confirmed at the Regional Sport and Recreation Centre Committee held on 11 February 2020.**

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**PRESIDING MEMBER**

