

AGENDA

Ordinary Council Meeting

Tuesday 17 September 2024

I hereby give notice that an Ordinary Meeting of Council will be held on:

Time: 6:00 pm
Date: Tuesday 17 September 2024
Location: Council Chamber - Civic Centre
10 Watson Terrace, Mount Gambier



Sarah Philpott
CHIEF EXECUTIVE OFFICER
13 September 2024

Order of Business

1 Acknowledgement of Country	4
2 Apologies	4
3 Leave of Absence	4
4 Confirmation of Council Minutes	4
4.1 Confirmation of Council Minutes	4
5 Mayoral Report	4
5.1 Mayoral Report - September 2024	4
6 Reports from Councillors	5
6.1 Reports from Councillors	5
7 Questions with Notice	5
7.1 Questions with Notice	5
8 Questions without Notice	5
8.2 Question/s Taken on Notice from Previous Meeting	5
9 Petitions	5
10 Deputations	6
11 Notice of Motion to Revoke or Amend	6
12 Elected Members Information Briefing Sessions	6
13 Elected Members Training and Development	13
14 Audit and Risk Committee	13
15 Chief Executive Officer Performance Review Committee	13
16 Junior Sports Assistance Fund Committee	13
17 Building Fire Safety Committee	13
18 Council Reports	13
18.1 Changes to Agenda and Minute Documentation	13
18.2 Wulanda Recreation and Convention Centre - Annual Report - Operating	15
18.3 Grants and Sponsorship Program 2024/2025 - Round 1	23
18.4 2024 Capital Work in Progress Carryforwards	38
18.5 City Infrastructure - Capital Works Program 2023/2024 Update	45



18.6	Elector Representation Review - Representation Report	55
18.7	Election of 2024 LGFA Representative Members	74
18.8	Policy Reviews	86
18.9	Periodic Review of Confidential Items - September 2024	102
19	Motions with Notice	108
19.1	Motion with Notice - Blood Donor Services Mount Gambier	108
19.2	Motion with Notice - CBD Activation Opportunities	109
20	Urgent Motions without Notice	110
21	Confidential Items of Committees	110
22	New Confidential Items	110
22.1	Micromobility (e-scooter) Update	110
22.2	Delegation to Award Electricity Contract	112
22.3	Discretionary Rate Rebate	113
22.4	Wulanda Recreation and Convention Centre - Project Update	114
23	Meeting Close	115
24	Attachment - Previous Council Minutes	115
24.1	Attachment - Previous Council Minutes	115



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 FIRST NATIONS PEOPLES HAVE WITH THE LAND.

2 APOLOGIES

Nil

3 LEAVE OF ABSENCE

Nil

4 CONFIRMATION OF COUNCIL MINUTES

4.1 CONFIRMATION OF COUNCIL MINUTES

RECOMMENDATION

That the minutes of the Ordinary Council Meeting held on 20 August 2024 be confirmed as an accurate record of the proceedings of the meeting.

5 MAYORAL REPORT

5.1 MAYORAL REPORT - SEPTEMBER 2024

- Official Opening of the Independent Learning Centre Art Exhibition
- Meeting with CEO, Sarah Philpott and LCLGA Executive Officer, Deb Brokenshire
- Sneak Peek of Leadership Program with RDALC – held at the Apple Farm
- Informal catch up with LCLGA Mayors
- Catch up with LCLGA Executive Officer, Deb Brokenshire (virtual)
- Tenison Woods Year 5 student excursion to Council Chambers – Mayoral address regarding Mayor and Council roles and civic responsibilities
- Meeting with Christine Schloithe – CEO, Music SA
- LCLGA Special Board Meeting (virtual)
- Meeting with CEO, Sarah Philpott, Ben Kilsby and Shadow Assistant Minister for Regional South Australia Ben Hood – public transport in Mount Gambier
- Interview – The Border Watch – Coat of Arms
- Radiation Therapy Working Group meeting
- Meeting with Troy Bell MP and Travis Fatchen
- Women’s Health Week event – Wulanda
- Elected Member Briefing – LCLGA Future Priorities and Directions
- Elected Member Briefing (confidential) – Country Arts SA
- Pioneer’s Basketball President’s Lunch



- NBL Pre-Season @ Wulanda – Adelaide 36ers v Brisbane Bullets
- Elected Member training – New Agenda Management System
- Meeting with internal staff – briefing prior to LCLGA Tourism Discussion meeting
- *Ghosts from the Collection* exhibition opening – Riddoch Trust event (by invitation to previous donors)
- Meeting with CEO, Sarah Philpott and LCLGA Destination Development Manager, Kate Napper – LCLGA Tourism Discussion
- Webinar: Local Government financial sustainability
- Elected Member Briefing – Council’s Strategic Plan 2024-2028 – Workshop 2
- Meeting with Nathan Paine (SAFPA) – Wood Work Working Group
- LCLGA Mayor’s Catch-up (virtual)
- R U OK? Day – Speed Chat – The Haven event with Superintendent Cheryl Brown (SAPOL)
- LCLGA Workshop / Strategic Discussion – Naracoorte
- 2024 International Soccer Club Senior Presentation Night
- Coffee with Commissioner of Royal Commission into Domestic, Family and Sexual Violence

6 REPORTS FROM COUNCILLORS

6.1 REPORTS FROM COUNCILLORS

Cr Sonya Meziniec Opening of Ghosts from the Collection - Riddoch Arts and Cultural Centre, Christmas Parade Advisory Committee

Cr Jason Virgo Site visit to Tallabrook Court and Wireless Road West to view erosion and tree concerns.

7 QUESTIONS WITH NOTICE

7.1 QUESTIONS WITH NOTICE

Cr Kate Amoroso gave notice of their intention to ask the following question:

Basketball Mount Gambier

Could you please provide an update on the current lease arrangements, and any future lease discussions underway with Basketball Mount Gambier for the Icehouse?

Answer

To be provided at the meeting.

8 QUESTIONS WITHOUT NOTICE

8.2 QUESTION/S TAKEN ON NOTICE FROM PREVIOUS MEETING

9 PETITIONS



Nil

10 DEPUTATIONS

Nil

11 NOTICE OF MOTION TO REVOKE OR AMEND

Nil

12 ELECTED MEMBERS INFORMATION BRIEFING SESSIONS

Nil

RECOMMENDATION

That Council Report titled Elected Member Information Briefing Sessions held since the previous Council Meeting be noted.

ATTACHMENTS

1. Information Briefing Session - Elected Members - Record of Proceedings - 13/08/2024 - Council's Strategic Plan 2024 - 2028 Workshop 1 [**12.1.1** - 1 page]
2. Information Briefing Session - Elected Members - Record of Proceedings - 27/08/2024 - CBD Precinct Masterplan and Confidential Development Proposal Update [**12.1.2** - 2 pages]
3. Information Briefing Session - Elected Members - Record of Proceedings - 03/09/2024 - LCLGA Future Priorities and Confidential Country Arts SA - Civic Centre [**12.1.3** - 2 pages]
4. Information Briefing Session - Elected Members - Record of Proceedings - 10/09/2024 - Councils Strategic Plan 2024 - 2028 - Workshop 2 [**12.1.4** - 1 page]



**INFORMATION / BRIEFING SESSION
4:00 PM, TUESDAY, 13 AUGUST 2024**

Ref: AF22/549

RECORD OF PROCEEDINGS
4:00 PM, TUESDAY, 13 AUGUST 2024
Council Chamber, Civic Centre
10 Watson Terrace, Mount Gambier

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.

The session described at Item 1 will be open to the public.

2. Councils Strategic Plan 2024 – 2028 – Workshop 1

MEMBERS PRESENT:-

STAFF PRESENT:-

Mayor Lynette Martin
Cr Max Bruins (left at 6.11 p.m.)
Cr Sonya Meziniec
Cr Frank Morello
Cr Mark Lovett (left at 6.11 p.m.)
Cr Josh Lynagh

Chief Executive Officer
General Manager City Infrastructure
General Manager Corporate and Regulatory Services
Manager Strategic Projects
Strategic Engagement and Development Co-ordinator

MEMBERS APOLOGIES:-

LEAVE OF ABSENCE:-

Cr Jason Virgo
Cr Paul Jenner
Cr Kate Amoroso

Nil

DISCUSSION:

- Renewed Council's priorities for the next four years against Mount Gambier 2035
- Workshopped Council's vision and purpose statement

Discussion closed at 6.55 p.m.

**INFORMATION / BRIEFING SESSION
5:00 PM, TUESDAY, 27 AUGUST 2024**

Ref: AF22/549

**RECORD OF PROCEEDINGS
5:00 PM, WEDNESDAY, 28 AUGUST 2024**
Council Chamber, Civic Centre
10 Watson Terrace, Mount Gambier

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The session described at Item 1 will be open to the public.

1. CBD Precinct Masterplan

MEMBERS PRESENT:-

STAFF PRESENT:-

Cr Josh Lynagh
Cr Frank Morello
Cr Sonya Mezinac
Cr Jason Virgo
Cr Kate Amoroso (via phone)

Chief Executive Officer
General Manager Corporate and Regulatory Services
General Manager City Infrastructure
Manager Strategy, Economy and Engagement
Strategic Engagement and Development Co-ordinator
Manager Development Services
Strategic Development and Visitor Economy Co-ordinator
Work Placement Planning Officer

MEMBERS APOLOGIES:-

LEAVE OF ABSENCE:-

Mayor Lynette Martin
Cr Paul Jenner
Cr Max Bruins

Nil

DISCUSSION:

Discussion on CBD Precinct Masterplan.

The session described at Item 2. will not be open to the public as the matter to be discussed is of a confidential nature within the ambit of Section 90(3) of the Local Government Act 1999 being:

- (b) *information the disclosure of which:*
- (i) *could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council.*
- (d) *commercial information of a confidential nature (not being a trade secret) the disclosure of which—*
- (i) *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.*
- (j) *information the disclosure of which—*

- (i) *would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council).*

2. Development Proposal Update

MEMBERS PRESENT:-

STAFF PRESENT:-

Cr Josh Lynagh
Cr Frank Morello
Cr Sonya Mezinac
Cr Jason Virgo
Cr Kate Amoroso (via phone)

Chief Executive Officer
General Manager Corporate and Regulatory Services
General Manager City Infrastructure
Manager Strategy, Economy and Engagement
Strategic Engagement and Development Co-ordinator
Manager Development Services
Work Placement Planning Officer

MEMBERS APOLOGIES:-

LEAVE OF ABSENCE:-

Mayor Lynette Martin
Cr Paul Jenner
Cr Max Bruins

DISCUSSION:-

Development Proposal update.

Discussion closed at 7.30 p.m.

**INFORMATION / BRIEFING SESSION
5:00 PM, TUESDAY, 3 SEPTEMBER 2024**

RECORD OF PROCEEDINGS
5:00 PM, TUESDAY, 3 SEPTEMBER 2024
Council Chamber, Civic Centre
10 Watson Terrace, Mount Gambier

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.

The session described at Item 1. was open to the public.

1. LCLGA Future Priorities and Directions

MEMBERS PRESENT:-

STAFF PRESENT:-

Mayor Lynette Martin

Cr Sonya Mezinac

Cr Frank Morello

Cr Jason Virgo

Cr Josh Lynagh

Cr Kate Amoroso (virtual - left at 5.45 p.m.)

Chief Executive Officer

General Manager City Infrastructure

General Manager Corporate and Regulatory Services

MEMBERS APOLOGIES:-

LEAVE OF ABSENCE:-

Cr Paul Jenner

Cr Max Bruins

Cr Mark Lovett

DISCUSSION:

Discussion on LCLGA Future Priorities and Directions.

The session described at Item 2. will not be open to the public as the matter to be discussed is of a confidential nature within the ambit of Section 90(3) of the Local Government Act 1999 being:

(j) *information the disclosure of which –*

(i) *would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and*

(ii) *would, on balance, be contrary to the public interest;*

(k) *tenders for the supply of goods, the provision of services or the carrying out of works.*

2. Confidential – Country Arts SA – Civic Centre

GUESTS:-

Anthony Peluso, Chief Executive, Country Arts SA

Anthony Jones, Chief Financial Officer, Country Arts SA

MEMBERS PRESENT:-

Mayor Lynette Martin
Cr Sonya Meziniec
Cr Frank Morello
Cr Jason Virgo
Cr Josh Lynagh

STAFF PRESENT:-

Chief Executive Officer
General Manager City Infrastructure
General Manager Corporate and Regulatory Services
Manager Operations Infrastructure
Manager Engineering, Design and Assets
Co-ordinator Building and Asset Maintenance

MEMBERS APOLOGIES:-

Cr Paul Jenner
Cr Max Bruins
Cr Mark Lovett
Cr Kate Amoroso

LEAVE OF ABSENCE:-

Nil

DISCUSSION:

A collaborative discussion with Country Arts about the Civic Centre building.

Discussion closed at 6.33 p.m.

**INFORMATION / BRIEFING SESSION
4:00 PM, TUESDAY, 10 SEPTEMBER 2024**

Ref: AF22/549

**RECORD OF PROCEEDINGS
4:00 PM, TUESDAY, 10 SEPTEMBER 2024**
Council Chamber, Civic Centre
10 Watson Terrace, Mount Gambier

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The session described at Item 1 will be open to the public.

1. Councils Strategic Plan 2024 – 2028 – Workshop 2

MEMBERS PRESENT:-

STAFF PRESENT:-

Mayor Lynette Martin	Chief Executive Officer
Cr Max Bruins	General Manager City Infrastructure
Cr Sonya Mezinac	General Manager Corporate and Regulatory Services
Cr Frank Morello	Manager Strategic Projects
Cr Mark Lovett (left at 5.52 p.m.)	Manager Governance and Property
Cr Josh Lynagh	Strategic Engagement and Development Co-ordinator
Cr Jason Virgo	Economy, Strategy and Engagement Project Officer
Cr Kate Amoroso (left at 5.45 p.m.)	Strategic Development and Visitor Economy Co-ordinator

MEMBERS APOLOGIES:-

LEAVE OF ABSENCE:-

Cr Paul Jenner

Nil

DISCUSSION:

Council worked through the Draft Strategic Plan 2024-2028.

Discussion closed at 6.45 p.m.

13 ELECTED MEMBERS TRAINING AND DEVELOPMENT

Nil

14 AUDIT AND RISK COMMITTEE

Nil

15 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE

Nil

16 JUNIOR SPORTS ASSISTANCE FUND COMMITTEE

Nil

17 BUILDING FIRE SAFETY COMMITTEE

Nil

18 COUNCIL REPORTS

18.1 CHANGES TO AGENDA AND MINUTE DOCUMENTATION

Author: Ashlee Pasquazzi, Executive Administrator Corporate and Regulatory Services
Authoriser: Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services

RECOMMENDATION

1. That Council report titled 'Changes to Agenda and Minute Documentation' as presented on Tuesday 17 September 2024 be noted.

PURPOSE

This report details the changes to Council and Committee agendas and minutes from the commencement of Council's new agenda management system in September 2024.

Cover Pages

City of Mount Gambier agenda and minute documents will now feature a front cover comprising of a photograph of a popular Mount Gambier attraction as well as a notice in the form prescribed under section 83 (3), 84 (1), 88 (1) and 132 (1)(a) of the Local Government Act 1999 (the Act).

Resolution Number Prefixes

Resolutions will now include a number prefix that indicates the origin of the report. For example, a report presented by the Audit and Risk Committee to the Council will be assigned the resolution number ARC 2024/1 in the Council minutes. The resolution number prefixes are as follows:

- | | |
|--|--------------|
| • Audit and Risk Committee | ARC 2024/ |
| • Building Fire Safety Committee | BFS 2024/ |
| • Chief Executive Officer Performance Committee | CEOPR 2024/ |
| • Junior Sports Assistance Fund Committee | JSAF 2024/ |
| • Limestone Coast Southern Regional Assessment Panel | LCSRAP 2024/ |



- Ordinary Council meeting OCM 2024/
- Special Council meeting SCM 2024/

Councillor Reports

Councillors will submit their monthly reports prior to the Council meeting, and these will be incorporated into the agenda in the same manner as the Mayoral report is currently included.

Action Items Reports

Reports on action items from the previous month will now be compiled into a quarterly update, summarising all outstanding action items for the current term of Council, rather than being presented on a monthly basis.

Council Report Template

The Council report template has been updated, incorporating formatting changes for improved readability, a risk analysis matrix, and the addition of Mount Gambier 2035.

Committee Minutes Attachments

Committee reports and attachments will no longer be included in Council agendas and will be provided by a link to the specific meeting on Council's [website](#).

BACKGROUND / OPTIONS

The Administration determined to change system providers for its agenda and minute management, with the first meeting under the new system scheduled for the September Council meeting.

The changes to the Council's agendas and minutes are intended to reduce duplication and the overall amount of agenda documentation.

CONCLUSION

This report presents changes to Council and Committee agendas and minutes following the implementation of Council's new agenda management system, for noting.

ATTACHMENTS

Nil



18.2 WULANDA RECREATION AND CONVENTION CENTRE - ANNUAL REPORT - OPERATING

Author: Barbara Cernovskis, General Manager City Infrastructure
Authoriser: Sarah Philpott, Chief Executive Officer

RECOMMENDATION

1. That Council report titled 'Wulanda Recreation and Convention Centre - Annual Report - Operating' as presented on Tuesday 17 September 2024 be noted.
2. That the operational and financial key performance indicators of the Wulanda Recreation and Convention Centre will be incorporated into Council's Annual Report following the conclusion of each financial year.

PURPOSE

The purpose of this report is to provide an update on the operations, financial performance, and costs associated with the construction of the Wulanda Recreation and Convention Centre (Wulanda) following a full financial year of operations.

SUMMARY OF IMPLICATIONS AND BENEFITS

Implications

- The absence of official information may result in reduced engagement from the community which may lead to misinformation and speculation.
- Reporting on Council's various business services is usually undertaken via the Annual Business Plan and Budget, and the Annual Report. This is a more comprehensive report on Wulanda's operations, given a full first year of operations, and therefore is not seen in context of the overall budget and services Council provides. Henceforth, the reporting will be undertaken as part of Council's usual processes.

Benefits

- To provide the community with a transparent and holistic overview of Wulanda operations and financial performance following the first full 12 months of operation.
- Wulanda creates opportunities to support growth in Mount Gambier for organised sport, informal recreation pursuits, cultural and large-scale events, catering, and tourism. This boosts our city's vibrancy and provides social inclusion, health and wellbeing outcomes and economic opportunities through the large variety of events and activities that it can host.
- Wulanda provides community, economic and sporting benefits to Mount Gambier and the opportunity to attract events and activities that our community would otherwise have to travel to a capital city to experience supporting economic growth of Mount Gambier.
- As a regional city servicing an area of 135,000 people, Wulanda positions Mount Gambier to attract an array of events from country/regional, state and national championships, competitions and premier sporting games, large concerts, conferences, conventions and expos directly contributing to growing the economy of our city.

BACKGROUND / OPTIONS

Since its opening in late 2022, Wulanda Recreation and Convention Centre has established its place in the community by offering a diverse range of facilities to support community wellbeing through sport and recreation. Additionally, it provides a contemporary entertainment and conference venue to attract large scale community and cultural events,



business events and conferences, and premier sporting events and activities to the region which were previously unable to be accommodated in Mount Gambier.

As Wulanda has been operating for over 12 months, and now that Council has a full financial year of data, this report provides an overview of the Centre's operational and financial performance for the 2023/2024 financial year.

Attendance and Memberships

Wulanda well exceeded projected targets for attendances and memberships during the 2023/2024 financial year with 167,991 direct attendances and 1,944 memberships.

The 2023/2024 key performance indicator targets for direct attendances and memberships were:

- 120,000 direct attendances (exceeded by 47,991)
- 800 GO Swim members
- 600 Health club and aquatic members combined

Actual membership numbers at the end of June 2024 were:

- 869 GO Swim members
- 597 Health club members and 478 aquatic members (1,944 combined)

The GO Swim program has proven incredibly popular with an average membership during 2023/2024 being 902 members, peaking during the summer months with a total of 943 members learning to swim in February 2024.

The average monthly total membership was 2,074 members for the 2023/2024 financial year.

User Agreements

There has been strong community support with the following diverse range of user groups executing annual hire agreements in 2023/2024:

- Anna Telford Physiotherapy
- Basketball Mount Gambier
- Blue Lake Aero Modellers
- Blue Lake Amateur Swim Club
- Breath Physiotherapy and Pilates
- Community Living Australia
- Department of Education
- Embody Women's Health
- Flinders University
- Football Association of SA
- International Soccer Club
- Kyokushin Karate
- Limestone Coast Regional Sporting Academy
- Mount Gambier and District Tennis Association
- Mount Gambier Netball Association
- Mount Gambier Pioneers Basketball Club
- Mount Gambier Swimming Club
- Novita Tech
- Saints Netball Club
- School Sport South Australia Lower/Mid South East Districts
- School Sport South Australia South East Zone



- South East Volleyball Association
- Special Olympics
- Thrive Therapy
- Walking Netball
- West Gambier Netball Club

Events, Sports and Activities

Wulanda has provided our community with regional standard facilities with the ability to host events that have previously been unable to be held in Mount Gambier, some of which include:

Name	Date	Days	Attendees	Economic Impact
Blue Lake City Custom Classic Car and Bike Show	October 2023	1	1,000	\$406,572
Adelaide 36ers	September 2023	0.5	1,650	\$460,283
Rotary District Conference	March 2024	2	190	\$161,510
Fashion Parade	March 2024	1	390	\$107,027
Purple Orange	April	1	100	\$27,292
			Total	\$1,162,684

Wulanda has been transformed into a boxing ring, professional wrestling venue, held dance competitions, fashion parades, swimming carnivals and meets, expos such as the Limestone Coast Jobs and Skills Showcase, and an array of conferences including the Rotary District 9870 Conference and the Men’s Shed Cluster Gathering along with a variety of business events.

Wulanda has been able to accommodate sports which were previously unable to be played in Mount Gambier and the broader Limestone Coast region. Among other regular users, we have seen the establishment of a Futsal League, growth in the Volleyball competition and the development of a Pickleball competition.

The universal design of the facilities ensures accessibility for all community members and has allowed for inclusive programs to be developed and delivered, including the ROAR Expo fun and social day for people living with a disability.

Consulting Suites

The purpose-built consulting suites within the centre provide accommodation for visiting allied health professionals with direct access to ancillary facilities including the warm water program pool and gymnasium. The uptake for this use has been steadily increasing providing the community with access to these services.

Awards Received

Wulanda has been the recipient of:

- 2023 Australian Institute of Architecture SA Awards for public architecture and sustainability, and
- SA/NT award for ‘Community Facility of the Year’ at the 2023 Parks and Leisure Australia Regional Awards of Excellence.

Centre Management

Council engaged Belgravia Leisure as an operating partner to perform the day-to-day management of the centre and work collaboratively with Council to ensure that the intended community expectations and outcomes are met.



Belgravia Leisure have a contract for Centre Management with the City of Mount Gambier. It is a 3-year agreement. It is not a lease arrangement, but rather a service agreement where Belgravia Leisure operate the Centre on behalf of the City of Mount Gambier.

Belgravia Leisure is an experienced professional leisure management provider who partner with Local Government and State Government authorities to manage aquatic, fitness, sport, holiday parks, spas and wellness venues across Australia and New Zealand.

Financial Performance

At the time of preparation of the 2023/2024 annual budget, the Centre had been operational for only a short period of time, approximately 2-4 months. The original budget was estimated at \$540k gross operating deficit. This budget was revised in consultation with Belgravia Leisure to \$1.37m and factored in knowledge gained from the total operational period to date. Noting, this period was less than a 12-month operating cycle. The main contributor to the increase in revised budget was electricity costs.

Council has proactively worked to reduce expenses for running the Centre and reports a positive variance of \$140k to the revised budget, reporting an actual gross operating deficit of \$1.23m.

Table 1 provides further detail on the financial performance for the 2023/2024 financial year including other costs to Council, primarily depreciation and interest. Depreciation is incurred on all Council assets and represents a non-cash systematic allocation for the use of the asset over its life. The total depreciation allocation for 2023/2024 was \$1.69m, representing the majority of Council's other costs at 84%. Other Council costs include insurances, emergency services levy, equipment leases and some minor building maintenance. Interest is a normal part of borrowing for large capital projects and was \$1.7m for the 2023/2024 financial year.

Highlights:

- Interest – treasury management practices resulted in \$98k interest savings from revised budget. The \$502k interest savings to original budget is a result of borrowing less than planned. Council reports on treasury management practices via the Audit and Risk Committee.
- Electricity – a reduction in electricity tariffs, regular maintenance and cleaning of solar panels and operational adjustments to the air movement and temperature control systems has resulted in \$77k savings from revised budget. Operational efficiencies are continually being trialled to achieve further energy cost reductions where possible.
- Aquatics, lane/pool hire and recreational swims – user uptake resulted in increase of 57% on revised budget and did not result in a direct increase to personnel costs greater than budget.

An increase of 6.16% on actual gross operating performance from 2023/2024 has been budgeted for 2024/2025 financial year. Total 2024/2025 gross operating budget estimated at \$1.3m. At the time of preparing the 2024/2025 budget Wulanda gross operating deficit was estimated at \$1.4m and is now \$1.3m due to efficiencies achieved with energy use.



Table 1: Summary of financial performance Wulanda

	Original	Revised			%	Original
Belgravia Operational Performance 2023/2024	Budget 23/24	Budget 23/24	Actuals 23/24	Variance	Variance	Budget 24/25
Total Income	2,165	2,442	2,726	284	12%	2,759
Total Expenses	2,705	3,807	3,951	144	4%	4,060
Gross Surplus/(Deficit)	- 540	- 1,365	- 1,225	140	-10%	- 1,301
Total Other Council Costs	1,880	1,973	2,019	46	2%	2,129
Net Impact	- 2,420	- 3,338	- 3,244	94	-3%	- 3,430
Interest on Borrowings	2,208	1,804	1,706	98	-5%	1,846
Total Impact	- 4,628	- 5,142	- 4,950	192	-4%	- 5,276

Comparative Data – former Aquatic Centre

Prior to Wulanda, Council owned an outdoor aquatic facility located at Olympic Park and engaged a private management company to partner with operating the facility. The last financial year of full operation for this facility was 2021/2022 with total operating costs to Council of \$292k, excluding depreciation and other fixed annual costs. This facility opened for only 46% of a year from mid-October to end of March annually.

The annual equivalent cost to run the former aquatic centre for the 2024/2025 financial year is estimated to be \$740k. This figure includes a broad indexation factor of 3%. Noting that this addresses operational costs only and does not represent the other council costs outlined in Table 1 above.

In comparison to the former aquatic only facility, Wulanda is a 7 day a week facility that is open to the community for 12 months of the year. In addition to the aquatic offering there are 6 courts, 2 programmed fitness areas, multi-function room, community meeting rooms and consulting suites, regular events, social programs and a programmed youth area. Councils comparative annual operating subsidy for Wulanda is \$1.3m representing community value with public money given the much wider range of facilities.

Cost of Construction

Whilst project completion has been achieved and the defect liability period expired, Council is working through a few remaining matters that will formally finalise the project and allow full costs to be reconciled.

A further report will be provided on construction in due course.

DETAILED IMPLICATIONS

Legal	It is not considered that there are any legal implications in relation to this report.
Financial and Budget	This report is to provide an update on the financial and budgetary implications of the build and operation of Wulanda Recreation and Convention Centre.
Other Resources	This report provides an update on the operations, financial performance and cost associated with the construction of the Wulanda Recreation and Convention Centre. No additional resources are required.
Reputation	There is a significant reputational risk for Council if the community perceives a lack of transparency regarding the Wulanda finances and operational costs. Additionally, there may be community unease once the Wulanda costings are in the public realm if sufficient context is not provided to account for the outcomes.



RISK ANALYSIS

Consequence	Consequence Rating:	Risk Likelihood Rating:	Risk Rating	Risk Controls and effectiveness	Risk Mitigation Plan
Finance	Moderate (3)	Possible (3)	Moderate	Contract management	Regular reporting and organisational meetings to ensure KPIs continue to be met
Reputation	Moderate (3)	Possible (3)	Moderate	Reports to Council, media releases, responsiveness to community concerns	Provide updates to the community outlining performance and operations
Legal / Regulatory / Policy	Moderate (3)	Possible (3)	Moderate	Ensure all licences and documentation is received	Regular reporting and organisational meetings to ensure all legal requirements are met
Service Delivery	Moderate (3)	Possible (3)	Moderate	Contract management	Regular reporting and organisational meetings to ensure KPIs continue to be met
People	Moderate (3)	Possible (3)	Moderate	Regular contact between Council and Belgravia	Responsive to concerns and open discussions to resolve issues
Infrastructure	Moderate (3)	Possible (3)	Moderate	Regular contact to discuss infrastructure issues and opportunities	Continue to work through issues and opportunities as they arise
Environmental	Moderate (3)	Possible (3)	Moderate	Contract management to ensure KPIs are met and improvements made	Continue to work through issues and explore opportunities to increase environmental sustainability



APPLICATION OF MOUNT GAMBIER 2035

Infrastructure and Services

We have diverse recreation spaces that are connected and accessible.

Economic and Business Growth

Our local businesses are thriving due to a strong local economy and tourism.

A Vibrant Community

Our events, activities, sport and recreation provide opportunities for connecting and engaging within the community.

APPLICATION OF STRATEGIC PLAN

Goal 1 Our People

- 1.1 Community based organisations and networks - Our community groups and network develop and grow to achieve their aspirations.
 - 1.1.1 Fostering and supporting community-based organisations [Service Provider (Part Funder)].
 - 1.1.2 Supporting programs that allow our community groups to be more effective in achieving their goals [Service Provider (Part Funder)].
 - 1.1.4 Improve our accommodation offering for community groups, whilst reducing total number of Council managed facilities, including investigations into a community group hub (complementary to the Community and Recreation Hub), the co-location of community groups and future sharing of facilities [Service Provider (Direct)].
- 1.2 Community growth - We foster a sense of community by encouraging and supporting participation in community life.
 - 1.4.4 Planning, leading and facilitating high quality services to develop the potential of children and young people [Service Provider (Direct)].
 - 1.4.5 Ensuring support services and recreational activities are accessible [Advocate, Initiator / Facilitator].

Goal 2 Our Location

- 2.4.1 Seeking to hold at least six regional standard community or sporting events in the new Community and Recreation Hub annually [Service Provider (Part Funder), Partnership].
- 2.4.4 Work in partnership with our sporting clubs to improve their sporting and clubhouse facilities and to help them take advantage of accommodation opportunities for groups [Partnership, Advocate, Owner / Custodian].

RELEVANT COUNCIL POLICY

N/A

IMPLEMENTATION, COMMUNICATION AND ENGAGEMENT

This report provides an update on the operational and financial performance of Wulanda following a full financial year of activation. Updates will continue to be provided by incorporating the information into the Annual Report following the conclusion of each financial year.

CONCLUSION

Wulanda continues to service the community with direct attendances exceeding the expected outcomes and memberships steadily at capacity across the centre. New programs continue to be developed and delivered, and enquiries for events using the various spaces are

continually on the rise. Services undergo continuous improvement practices, and further activation opportunities are actively sought.

The multi-purpose facility addresses many of our community's needs both now and for future generations to come.

Council will continue providing updates on the operational and financial performance of the Wulanda Recreation and Convention Centre by incorporating into the Annual Report following the conclusion of each financial year.

ATTACHMENTS

Nil



18.3 GRANTS AND SPONSORSHIP PROGRAM 2024/2025 - ROUND 1

Author: Biddie Shearing, Manager Economy, Strategy and Engagement

Authoriser: Barbara Cernovskis, General Manager City Infrastructure

RECOMMENDATION

1. That Council report titled 'Grants and Sponsorship Program 2024/2025 - Round 1' as presented on Tuesday 17 September 2024 be noted.
2. That \$239,805 cash plus \$40,328 in kind be endorsed for distribution for round one of the 2024/2025 Grants and Sponsorship program.
3. All applicants be notified accordingly, advising that the provision and acquittal of these grant funds will be subject to:
 - (a) all necessary land holder and development approvals being obtained; and
 - (b) all works being completed in accordance with all relevant legislative and compliance standards.
4. That Council invite the Generations in Jazz committee to present a three to five year business plan and funding model at an Elected Member briefing to be held before the end of the current calendar year.
5. That Council invite the Fringe Mount Gambier committee to present a three to five year business plan and funding model at an Elected Member briefing to be held before the end of the current calendar year.
6. That Council seeks further information from Mount Gambier Community Management Inc. and Mount Gambier Swimming Club regarding their applications to be presented to the assessment panel for recommendation.

PURPOSE

The Grants and Sponsorships program assists eligible groups and individuals with funds and in-kind support to host community events, upgrade infrastructure or facilitate art projects to meet community needs and improve quality of life in accordance with the Strategic Plan.

Round one of the program consists of the following streams:

- Minor Events Grant
- Major Events Grant
- Corporate Sponsorship
- Minor Community Strengthening Grant
- Major Community Strengthening Grant
- Creative Arts Fund
- Sport and Recreation Capital Works Fund

SUMMARY OF IMPLICATIONS AND BENEFITS

Implications

- Unsuccessful applications in Round One may be at risk of not being delivered without council funding or in-kind support.
- Over subscription exceeding annual budget allocation, limiting round two funding allocations

Benefits



- The program ensures funding is administered in a responsible, just, transparent and equitable manner to all groups and individuals in the community
- The program assists eligible groups and individuals with funds to host community events and projects, upgrade infrastructure or facilitate art projects all of which strive to improve quality of life and meet community needs.
- Provides a strategic and holistic approach to funding allocations
- Provides accountability and transparency should council be required to audit funding allocations and the process to do so.

BACKGROUND / OPTIONS

Round one of the 2024/2025 City of Mount Gambier Grants and Sponsorship program opened on Friday 5 July 2024 and closed on Friday 2 August 2024. The Grants and Sponsorship assessment panel met on 19 August, 27 August and 30 August 2024 to assess the applications.

The assessment panel consisted of:

- Councillor Josh Lynagh
- Councillor Frank Morello
- General Manager City Infrastructure
- Manager Economy, Strategy and Engagement,
- Manager Library and Community Development,
- Manager Riddoch Arts and Cultural Centre
- Manager Operations and Infrastructure
- Executive Administrator City and Community Growth (minute taker)

The Grants and Sponsorship program guidelines provide an overview of the criteria and information required to complete an application for review by Council’s assessment panel, in addition to directions for the acquittal process following projects and events. The program guidelines can be viewed [here](#).

Applications were assessed using a structured evaluation matrix, which generated a ranking based on how well each application met the predetermined criteria. Key factors considered included economic impact of the event, as well as its long-term sustainability to ensure lasting benefits for the community. Attached is the ‘Evaluation Matrix - Summary’ for each stream.

The following assessment was made for each funding stream within round one for the 2024/2025 Grants and Sponsorship program.

Minor Events Grant

Funds provided to community organisations to support the delivery of community events with demonstrated benefit to Mount Gambier.

- Up to \$2,000
- Two rounds each financial year

At the close of application, Council received eight submissions for the first 2024/2025 round of funding.

MINOR EVENTS GRANT						
Applicant	Project/Event	Requested		Allocated		Outcome
		Cash	In-Kind	Cash	In-Kind	
Department of Education	South East Primary	\$2,000	-	\$2,000	-	Successful



	Schools Music Festival					
The Inside Line Incorporated	Inside Line Downhill Mountain Bike	\$1,300	\$700	\$1,300	\$1,065	Successful
Mount Gambier Legends Baseball Club	Masters Baseball	\$1,000	\$500	\$1,000	\$489	Successful
Basketball Mount Gambier	Country Basketball League South West Mens & Womens Comp	\$2,000	-	-	-	Unsuccessful
South Coast Cycling	Track Cycling Carnival	\$2,000	-	\$900	\$400	Successful
Mount Gambier Community RSL	Remembrance Day	\$1,100	\$660	-	\$1,130	Successful
Lake City Rodders	Valentines Rod Run	\$500	-	\$500	-	Successful
K9's with KAZ	K9's with KAZ	-	\$500	-	\$400	Successful

Major Events Grant

Funds provided to major/significant events held within the region to attract substantial economic benefit and visitation to Mount Gambier.

- \$2,001 to \$15,000
- Two rounds each financial year

At the close of application, Council received 10 submissions for the first 2024/2025 round of funding.

Attachment 'Evaluation Matrix – Summary' demonstrates the economic impact reporting for each application.

MAJOR EVENTS GRANT						
Applicant	Project/Event	Requested		Allocated		Outcome
		Cash	In-Kind	Cash	In-Kind	
Rotary Club of Mount Gambier West	Party in the Park	\$3,200	\$1,350	\$3,200	\$1,170	Successful
Mount Gambier A&H Society Inc	Mount Gambier 163rd Spring Show	\$5,000	\$2,500	-	\$2,243	Successful for in-kind only
Mount Gambier Disc Golf	2024 Eruption	\$2,500	\$2,500	\$2,500	\$1,300	Successful
Mount Gambier Ministers Association	Blue Lake Carols	\$5,000	\$1,000	\$5,000	\$661	Successful



Basketball Mount Gambier Inc	Junior Basketball Tournament	\$9,500	-	\$2,000	-	Successful for allocated cash
Lakes Rotary Mount Gambier	Blue Lake Fun Run	-	\$12,200	\$12,200	-	Successful. (In-kind was changed to cash.)
South Gambier Football Club	Mount Gambier Rodeo	\$6,900	\$1,000	\$6,900	\$947	Successful
Port MacDonnell Bayside Festival Association Inc	Port MacDonnell Bayside Festival	\$11,170	\$1,957	\$3,850	\$1,957	Successful
Mount Gambier Community RSL	Anzac Day Memorial Service and Parade	\$2,300	\$3,450	\$2,300	\$3,450	Successful
Mount Gambier Chamber of Commerce	Mount Gambier Christmas Parade Business Boost Event	-	\$3,865	-	\$3,865	Successful

Corporate Sponsorship

Funds for large scale signature events or programs that have the potential to be regionally, nationally or internationally significant which provide substantial visitation, media coverage, profiling opportunities and positive economic impact for Mount Gambier.

- Over \$15,000
- Two rounds each financial year

At the close of application, Council received eight submissions for the first 2024/2025 round of funding.

Attachment 'Evaluation Matrix – Summary' demonstrates the economic impact reporting for each application.

CORPORATE SPONSORSHIP						
Applicant	Project/Event	Requested		Allocated		Outcome
		Cash	In-Kind	Cash	In-Kind	
Mount Gambier Community Management Inc	New Years Eve	\$17,600	\$1,287	-	-	Undetermined
Beer & BBQ Pty Ltd	South East Beer & BBQ Fest	\$15,000	\$10,000	\$15,000	\$10,000	Successful
Australian International Pedal Prix Inc	City of Mount Gambier 8 Hour Pedal Prix	\$15,000	\$365	\$15,000	\$625	Successful
South Eastern Automobile Club	Legend of the Lakes Hillclimb	\$10,000	\$6,000	-	\$5,400	Successful for in-kind only



Limestone Coast Festivals & Events Inc	Fantasy Medieval	\$15,000	\$5,000	\$15,000	\$5,226	Successful
Generations in Jazz Inc	Generations in Jazz	\$35,000	\$5,000	-	-	Undetermined
Fringe Berrin Inc	Fringe Mount Gambier	\$50,000	\$14,000	-	-	Undetermined
Mount Gambier Swimming Club	2025 South Australian Country Swimming Championships	\$15,000	-	-	-	Undetermined

Undetermined

- **Mount Gambier Community Management Inc – New Years Eve:** Further discussions are required between event organiser and council administration to then be referred to the Assessment Panel for recommendation.
- **Generations in Jazz:** Generations in Jazz committee to present a three to five year business plan and funding model at an Elected Member briefing to be held before the end of the current calendar year.
- **Fringe Berrin Inc:** Council invite the Fringe Mount Gambier committee to present a three to five year business plan and funding model at an Elected Member briefing to be held before the end of the current calendar year.
- **2025 South Australian Country Swimming Championships:** Further discussions are required between event organiser and council administration to then be referred to the Assessment Panel for recommendation.

Minor Community Strengthening Grant

Funds for community projects that support community quality of life, increase the usage of community facilities and/or encourage people to participate in community services and activities.

- Up to \$1,500
- Two rounds each financial year

At the close of application, Council received four submissions for the first 2024/2025 round of funding.

MINOR COMMUNITY STRENGTHENING GRANTS						
Applicant	Project/Event	Requested		Allocated		Outcome
		Cash	In-Kind	Cash	In-Kind	
Grant High School	2024 Grant High School Award Presentation Night	\$300	-	-	-	Unsuccessful
Mount Gambier High School	SSSA South East Zone Competitions	Unspecified	-	-	-	Unsuccessful
CareFlight	Trauma Care Workshop	\$1,500	-	\$1,500	-	Successful
Mount Gambier	Membership Fee	\$550	-	-	-	Unsuccessful



Chamber of Commerce						
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Major Community Strengthening Grant

Funds for community projects that support community quality of life, increase the usage of community facilities and/or encourage people to participate in community services and activities.

- \$1,501 to \$10,000
- Two rounds each financial year

At the close of application, Council received two submissions for the first 2024/2025 round of funding.

MAJOR COMMUNITY STRENGTHENING GRANTS						
Applicant	Project/Event	Requested		Allocated		Outcome
		Cash	In-Kind	Cash	In-Kind	
Stand Like Stone Foundation	Stand Like Stone Foundation	\$10,000	-	\$10,000	-	Successful
Basketball Mount Gambier	Marketing of Basketball Mount Gambier school program	\$10,000	-	-	-	Unsuccessful

Creative Arts Fund

The Creative Arts Fund provides artists, community groups and non-profit community-based organisations for creative public art projects within Mount Gambier.

- Minimum total project cost of \$3,000
- One round each financial year

At the close of application, Council received five submissions for the 2024/2025 round of funding.

CREATIVE ARTS FUND						
Applicant	Project/Event	Requested		Allocated		Outcome
		Cash	In-Kind	Cash	In-Kind	
Melinda Holtz	Mural and 'vinyl decal walk'	\$5,409.04	-	-	-	Unsuccessful
Louise Agnew & Lucy Bonnin	'All Aboard!' mural	\$29,845	-	-	-	Unsuccessful
Pariya Ziakas & Ruth Stephenson	Artists' Residency Project - "Space and Place"	\$23,500	\$9,000	\$23,500	-	Successful
Burrandies Aboriginal Corporation	The Faces of Our Elders/ Our Elders	\$19,155	-	\$19,155	-	Successful



Kim Cella	Naughty's Project – Live Dance Performance	\$3,000	-	-	-	Unsuccessful
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Sport and Recreation Capital Works

Funds to assist in the development of, and/or capital renewal, of sport and recreation infrastructure within Mount Gambier.

- Up to \$50,000 – minimum total project cost of \$10,000
- One round each financial year

At the close of application, Council received three submissions for the 2024/2025 round of funding.

SPORT AND RECREATION CAPITAL WORKS						
Applicant	Project/Event	Requested		Allocated		Outcome
		Cash	In-Kind	Cash	In-Kind	
North Gambier Football & Netball Club	Vansittart Park scoreboard upgrade	\$12,000	-	\$12,000	-	Successful
Apollo Football Club	Female-friendly and inclusive amenities	\$50,000	-	\$50,000	-	Successful
Mount Gambier & District Tennis Association	Olympic Park Tennis Complex Lighting Upgrade	\$35,000	-	\$35,000	-	Successful

DETAILED IMPLICATIONS

Legal	<p>Successful applicants are required to obtain all necessary land use, landholder and development approvals and complete works in accordance with relevant legislative and compliance standards.</p> <p>Applicants must sign an Acceptance of Grant Conditions agreement, with terms set out by Council, prior to commencing project/event.</p>
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<p>Financial and Budget</p>	<p>The assessment panel recommends an allocation of \$239,805 plus \$40,328 in-kind contributions for round one of the 2024/2025 Grants and Sponsorship program, which is within the Annual Budget.</p> <p>The quick response stream of funding has allocated \$9,520 cash plus \$4,308 in kind.</p> <p>The Venue Sponsorship stream of funding has allocated \$3,088 to date.</p> <p>In September 2023, Council endorsed an amount of \$20,000 cash plus \$2,500 in-kind which was pre-allocated for the Campervan & Motorhome Club of Australia’s National Rally being hosted in Mount Gambier for September 2024. This amount has been factored into the annual budget and allocations for funding for 2024/2025 Grants and Sponsorship program.</p> <p>In March 2024, Council endorsed an amount of \$20,000 cash which was allocated to the Mount Gambier Tennis Club, pending successful state government funding. This amount has been factored into the annual budget and allocations for funding for 2024/2025 Grants and Sponsorship program.</p> <p>In March 2024, Council endorsed an amount of \$11,200 cash which was allocated to Pioneers Basketball. This amount has been factored into the annual budget and allocations for funding for 2024/2025 Grants and Sponsorship program.</p> <p>Therefore, from a total annual budget of \$509,427 cash and \$139,997 in kind, \$205,814 cash & \$92,831 in-kind remains in the 2024/2025 annual budget for round two of the program, quick response grant and venue sponsorship applications. - see table below.</p> <table border="1" data-bbox="592 1189 1449 1395"> <thead> <tr> <th></th> <th>Total Budget 2024/2025</th> <th>Allocated to date</th> <th>Recommended Allocation Roud One</th> <th>Remaining 2024/2025</th> </tr> </thead> <tbody> <tr> <td>Cash</td> <td>\$509,427</td> <td>\$63,808</td> <td>\$239,805</td> <td>\$205,814</td> </tr> <tr> <td>In Kind</td> <td>\$139,997</td> <td>\$6,808</td> <td>\$40,328</td> <td>\$92,861</td> </tr> </tbody> </table>		Total Budget 2024/2025	Allocated to date	Recommended Allocation Roud One	Remaining 2024/2025	Cash	\$509,427	\$63,808	\$239,805	\$205,814	In Kind	\$139,997	\$6,808	\$40,328	\$92,861
	Total Budget 2024/2025	Allocated to date	Recommended Allocation Roud One	Remaining 2024/2025												
Cash	\$509,427	\$63,808	\$239,805	\$205,814												
In Kind	\$139,997	\$6,808	\$40,328	\$92,861												
<p>Other Resources</p>	<p>No additional financial impact as the Council allocated Grants and Sponsorship Program is part of ongoing service delivery and within allocated budget annually.</p>															

RISK ANALYSIS

During the assessment panel evaluation, each application was assessed for its individual risk profile and placed into the round one evaluation matrix.

Consequence	Consequence Rating	Risk Likelihood Rating	Risk Rating	Risk Controls and effectiveness	Risk Mitigation Plan
Finance	Minor (2)	Possible (3)	Moderate	Applicants must sign an Acceptance of Grant Conditions agreement, with terms set out by	50% paid up front and remaining amount paid on acquittal.



				Council, prior to commencing project/event.	
Reputation	Moderate (3)	Possible (3)	Moderate	Applications assessed against predetermined criteria.	Assessment panel and evaluation matrix
Legal / Regulatory / Policy	Minor (2)	Possible (3)	Moderate	All documentation received.	Assessment panel and evaluation matrix
Service Delivery	Minor (2)	Possible (3)	Moderate	Applicants must sign an Acceptance of Grant Conditions agreement, with terms set out by Council, prior to commencing project/event.	50% paid up front and remaining amount paid on acquittal.
People	Insignificant (1)	Unlikely (2)	Low	Ongoing and regular contact between applicants and key council personnel.	Feedback collated to review process and refine.
Infrastructure	Insignificant (1)	Unlikely (2)	Low	Ongoing and regular contact between applicants and key council personnel.	Feedback collated to review process and refine.
Environmental	Insignificant (1)	Unlikely (2)	Low	Ongoing and regular contact between applicants and key council personnel.	Feedback collated to review process and refine.

APPLICATION OF MOUNT GAMBIER 2035

Infrastructure and Services

- We have diverse recreation spaces that are connected and accessible.

Economic and Business Growth

- Our local businesses are thriving due to a strong local economy and tourism.
- We enable our creative industry to contribute to employment opportunities and the social fabric of the city.

A Vibrant Community

- Our arts and cultural events are accessible across an annual calendar and through all seasons.
- Our events, activities, sport and recreation provide opportunities for connecting and engaging within the community.



- Wulanda Recreation and Convention Centre is activated (i.e. concerts, conferences, trade-shows) to contribute to the city's visitor economy and vibrancy.
- We have social networks and opportunities for all age groups.
- We have events, activities, sport and recreation opportunities that are inclusive and accessible to everyone.

APPLICATION OF STRATEGIC PLAN

Goal 1 Our People

- 1.1 Community based organisations and networks - Our community groups and network develop and grow to achieve their aspirations.
 - 1.1.1 Fostering and supporting community-based organisations [Service Provider (Part Funder)].
- 1.2 Community growth - We foster a sense of community by encouraging and supporting participation in community life.
 - 1.2.2 Helping community groups to help themselves by providing support for effective networks to develop and grow [Partnership].
- 1.3 Sense of community - The community grows in real terms at a rate that helps sustain and grow the services available within the City and for the region.
 - 1.3.1 Supporting community events and programs that bring people together, encourage interaction and promote a sense of community [Service Provider (Part Funder)].
 - 1.3.2 Providing opportunities to enable our community to be supported and involved [Owner / Custodian and Service Provider (Part Funder)].
- 1.4.2 Providing integrated services and facilities that encourage active living to improve health and wellbeing [Service Provider (Direct) and (Indirect)].
- 1.4.5 Ensuring support services and recreational activities are accessible [Advocate, Initiator / Facilitator].
- 1.4.6 Providing grant programs that assist the community in delivering services and projects that align with its aspirations [Service Provider (Indirect)].

Goal 2 Our Location

- 2.4 Recognition of our indoor and outdoor sporting assets and our adventurous opportunities - We will work on capitalising on the delivery of the Community and Recreation Hub to highlight the opportunities for sporting and other community events in Mount Gambier and we will seek to leverage the adventure sports market through support to potential providers to develop activities, effective marketing and working with our partners to raise the profile of our City and region.
 - 2.4.1 Seeking to hold at least six regional standard community or sporting events in the new Community and Recreation Hub annually [Service Provider (Part Funder), Partnership].
 - 2.4.2 Continuing to hold six regional standard sporting events (or higher) at our outdoor facilities [Service Provider (Part Funder), Partnership].
 - 2.4.3 Seeking to market our region even better for year round adventurous activities [Advocate, Initiator / Facilitator].
 - 2.4.4 Work in partnership with our sporting clubs to improve their sporting and clubhouse facilities and to help them take advantage of accommodation opportunities for groups [Partnership, Advocate, Owner / Custodian].

Goal 4 Our Climate, Natural Resources, Arts, Culture and Heritage

- 4.4.4 Providing services, programs and facilities for the community to participate in a broad range of arts and cultural activities [Service Provider (Direct) and (Indirect) and Partnership].
- 4.5 A City brought to life with public art - We will ensure that opportunities for public art are created within our city, this means not just spaces for the artwork, but also spaces where creative industries can connect and flourish.



- 4.5.4 Work with the owners of prominent buildings and structures across the City to increase the visibility of public art [Owner / Custodian, Service Provider (Part Funder)].
- 4.5.5 Establish an annual public arts fund and street art event [Initiator / Facilitator, Service Provider (Part Funder), Partnership].

RELEVANT COUNCIL POLICY

[Grants and Sponsorship](#)

[Privacy - P155](#)

[Request for Service and Complaint - C200](#)

IMPLEMENTATION, COMMUNICATION AND ENGAGEMENT

Two information sessions were held at the City Hall on Thursday 27 June 2024 to provide further details about the new grants and sponsorship process and answer questions. The program was also advertised via Council's website and social media.

The assessment panel met three times to consider all applications across nine funding streams and were unanimous with the recommendations.

Following endorsement applicants will be notified in writing of Council's decision, each successful applicant will be required to complete their project/event and acquit the funds by 30 June 2025.

CONCLUSION

Council received 40 applications for events and/or projects across nine streams of available funding.

All applications were assessed across three assessment panel meetings.

28 applications were determined to be successful.

Four applications resulted in an undetermined outcome for the following reasons.

- Two applications require further discussion between event organiser(s) and council administration to enable the assessment panel to make a considered recommendation.
- Two applicants are to be invited to present a three to five year business plan and funding model at an Elected Member briefing to be held before the end of the current calendar year.

This report seeks Council's endorsement for the distribution of \$239,805 cash plus \$40,328 in-kind contributions for round one of the 2024/2025 Grants and Sponsorship program as recommended by the 2024/2025 Grants and Sponsorship assessment panel.

ATTACHMENTS

1. Evaluation Matrix - Summary [**18.3.1** - 3 pages]
2. Evaluation Matrix - Example [**18.3.2** - 1 page]

Corporate Sponsorship Summary

Note: Applicant Name, Status, Weighted Score and Rank and automatically filled from Evaluation spreadsheet

Applicant Name	Conflict of Interest	Weighted Score	Rank	2024/25 Estimates									2023/24 Sponsorship (Actuals)			Outcome		
				Requested Cash	Requested In Kind	Allocated Cash	Allocated In Kind	Allocated Cash and In-Kind	Economic Benefit	Participation	Overnight Stays - per night	Days of Event	No. of Local Jobs	Cash	In Kind	Total	Successful/Unsuccessful	Notes
Mount Gambier Community Management Inc - New Years Eve	Nil			\$17,600.00	\$1,287.00			\$0.00	\$909,016.00	4750	238/1 nights	1	10	\$5,000.00	\$8,000.00	\$13,000.00		Undetermined.
Beer & BBQ Pty Ltd - South East Beer & BBQ Fest	Councillor Josh Lynagh, Manager Economy, Strategy and Engagement	387.50	2	\$15,000.00	\$10,000.00	\$15,000.00	\$10,000.00	\$25,000.00	\$2,408,480.00	4000	2320/2 nights	2	27			\$0.00	Successful	
Australian International Pedal Prix Inc - City of Mount Gambier 8 Hour Pedal Prix	Nil	305.00	4	\$15,000.00	\$365.00	\$15,000.00	\$625.00	\$15,625.00	\$1,098,720.00	1800	1080/2 nights	2	13	\$10,000.00	\$420.00	\$10,420.00	Successful	
South Eastern Automobile Club - Legend of the Lakes Hillclimb	Nil	265.00	5	\$10,000.00	\$6,000.00		\$5,400.00	\$5,400.00	\$1,604,064.00	1200	888/4 nights	4	20		\$4,000.00	\$4,000.00	Successful	In-kind only.
Limestone Coast Festivals & Events Inc - Fantasy Medieval	Nil	397.50	1	\$15,000.00	\$5,000.00	\$15,000.00	\$5,226.00	\$20,226.00	\$1,733,000.00	2500	2000/2 nights	2	22	\$1,000.00	\$2,000.00	\$3,000.00	Successful	
Generations in Jazz Inc - Generations in Jazz	Nil			\$35,000.00	\$5,000.00			\$0.00	\$5,664,750.00	5000	4750/2 nights	3	70	\$35,000.00	\$6,000.00	\$41,000.00		Undetermined.
Fringe Berrin Inc - Fringe Mount Gambier	Nil			\$50,000.00	\$14,000.00			\$0.00	\$2,795,216.00	884	71/16 nights	16	37	\$35,000.00	\$5,000.00	\$40,000.00		Undetermined.
Mount Gambier Swimming Club - 2025 South Australian Country Swimming Championships	Nil			\$15,000.00				\$0.00	\$1,906,300.00	1100	220/5 nights	5	23			\$0.00		Undetermined.
				Requested Cash	Requested In Kind	Allocated Cash	Allocated In Kind	Allocated Total										
				\$172,600.00	\$41,652.00	\$45,000.00	\$21,251.00	\$66,251.00										

Major Events Grant Summary

Note: Applicant Name, Status, Weighted Score and Rank and automatically filled from Evaluation spreadsheet

Applicant Name	Conflict of Interest	Weighted Score	Rank	2024/25 Estimates									2023/24 Sponsorship (Actuals)			Outcome		
				Requested Cash	Requested In Kind	Allocated Cash	Allocated In Kind	Allocated Cash and In-Kind	Economic Benefit	Participation	Overnight Stays - per night	Days of Event	No. of Local Jobs	Cash	In Kind	Total	Successful/Unsuccessful	Notes
Rotary Club of Mount Gambier West - Party in the Park	Nil	365.00	7	\$3,200.00	\$1,350.00	\$3,200.00	\$1,170.00	\$4,370.00	\$277,710.00	1500	30/1 night	1	3	\$2,700.00	\$1,000.00	\$3,700.00	Successful	In-kind was amended.
Mount Gambier A&H Society Inc - Mount Gambier 163rd Spring Show	Nil	327.50	9	\$5,000.00	\$2,500.00		\$2,243.00	\$2,243.00	\$4,218,200.00	7000	2100/3 nights	2	52	\$3,000.00	\$2,000.00	\$5,000.00	Successful	In-kind only.
Mount Gambier Disc Golf - 2024 Eruption	Nil	425.00	2	\$2,500.00	\$2,500.00	\$2,500.00	\$1,300.00	\$3,800.00	\$323,224.00	220	198/4 nights	4	4	\$2,000.00	\$2,000.00	\$4,000.00	Successful	
Mount Gambier Ministers Association - Blue Lake Carols	Nil	430.00	1	\$5,000.00	\$1,000.00	\$5,000.00	\$661.00	\$5,661.00	\$1,086,000.00	6000	0	1	14	\$5,000.00	\$1,000.00	\$6,000.00	Successful	
Basketball Mount Gambier Inc - Junior Basketball Tournament	Nil	365.00	7	\$9,500.00		\$2,000.00		\$2,000.00	\$2,079,600.00	3000	2400/2 nights	2	26	\$2,000.00		\$2,000.00	Successful	Cash was amended.
Lakes Rotary Mount Gambier - Blue Lake Fun Run	Nil	417.50	3		\$12,200.00	\$12,200.00		\$12,200.00	\$424,100.00	2000	300/1 night	1	5		\$8,000.00	\$8,000.00	Successful	In-kind was converted to cash.
South Gambier Football Club	Nil	380.00	5	\$6,900.00	\$1,000.00	\$6,900.00	\$947.00	\$7,847.00	\$287,025.00	1500	75/1 night	1	3			\$0.00	Successful	
Port MacDonnell Bayside Festival Association Inc - Port MacDonnell Bayside Festival	Manager Economy, Strategy and Engagement	325.00	10	\$11,170.00	\$1,957.00	\$3,850.00	\$1,957.00	\$5,807.00	\$660,990.00	3000	570/1 night	1	9			\$0.00	Successful	Cash was amended.
Mount Gambier Community RSL - Anzac Day Memorial Service and Parade	Nil	415.00	4	\$2,300.00	\$3,450.00	\$2,300.00	\$3,450.00	\$5,750.00	\$1,135,680.00	6000	240/1 night	1	15			\$0.00	Successful	
Mount Gambier Chamber of Commerce - Mount Gambier Christmas Parade Business Boost Event	Nil	370.00	6		\$3,865.00		\$3,865.00	\$3,865.00	\$1,435,125.00	7500	375/1 night	1	17			\$0.00	Successful	
				Requested Cash	Requested In Kind	Allocated Cash	Allocated In Kind	Allocated Total										
				\$45,570.00	\$29,822.00	\$37,950.00	\$15,593.00	\$53,543.00										

Minor Events Grant
Summary

Note: Applicant Name, Status, Weighted Score and Rank and automatically filled from Evaluation spreadsheet

Applicant Name	Conflict of Interest	Weighted Score	Rank	2024/25 Estimates										2023/24 Sponsorship (Actuals)			Outcome	
				Requested Cash	Requested In Kind	Allocated Cash	Allocated In Kind	Allocated Cash and In-Kind	Economic Benefit	Participation	Overnight Stays - per night	Days of Event	No. of Local Jobs	Cash	In Kind	Total	Successful/ Unsuccessful	Notes
Department of Education - South East Primary Schools Music Festival	Councillor Josh Lynagh	347.50	5	\$2,000.00		\$2,000.00		\$2,000.00	\$558,540.00	600	60/3 nights	5	7	\$1,500.00		\$1,500.00	Successful	
The Inside Line Incorporated - Inside Line Downhill Mountain Bike	Nil	392.50	2	\$1,300.00	\$700.00	\$1,300.00	\$1,065.00	\$2,365.00	\$650,280.00	600	540/3 nights	2	8			\$0.00	Successful	In-kind was amended.
Mount Gambier Legends Baseball Club - Masters Baseball	Executive Administrator City and Community Growth	225.00	7	\$1,000.00	\$500.00	\$1,000.00	\$489.00	\$1,489.00	\$206,010.00	225	135/3 nights	3	3	\$500.00	\$500.00	\$1,000.00	Successful	In-kind was amended.
Basketball Mount Gambier - Country Basketball League South West Mens & Womens Comp	Nil	212.50	8	\$2,000.00				\$0.00	\$256,050.00	150	75/6 nights	6	2			\$0.00	Unsuccessful	
South Coast Cycling - Track Cycling Carnival	Nil	275.00	6	\$2,000.00		\$900.00	\$400.00	\$1,300.00	\$106,232.00	250	38/1 night	2	1			\$0.00	Successful	Cash and in-kind was amended.
Mount Gambier Community RSL - Remembrance Day	Nil	362.50	3	\$1,100.00	\$660.00		\$1,130.00	\$1,130.00	\$333,525.00	1800	36/1 night	1	4			\$0.00	Successful	
Lake City Rodders - Valentines Rod Run	Nil	357.50	4	\$500.00		\$500.00		\$500.00	\$151,002.00	150	113/2 nights	3	2			\$0.00	Successful	
K9's with KAZ	Nil	397.50	1		\$500.00		\$400.00	\$400.00	\$57,405.00	300	15/1 night	1	1		\$198.50	\$198.50	Successful	
				Requested Cash	Requested In Kind	Allocated Cash	Allocated In Kind	Allocated Total										
				\$9,900.00	\$2,360.00	\$5,700.00	\$3,484.00	\$9,184.00										

Sports and Recreation Capital Works
Summary

Note: Applicant Name, Status, Weighted Score and Rank and automatically filled from Evaluation spreadsheet

Applicant Name	Weighted Score	Rank	2024/25 Estimates					Outcome
			Requested Cash	Requested In Kind	Allocated Cash	Allocated In Kind	Allocated Cash and In-Kind	Successful/ Unsuccessful
North Gambier Football & Netball Club	372.50	3	\$12,000.00		\$12,000.00		\$12,000.00	Successful
Apollo Football Club	445.00	2	\$50,000.00		\$50,000.00		\$50,000.00	Successful
Mount Gambier & District Tennis Association	452.50	1	\$35,000.00		\$35,000.00		\$35,000.00	Successful
			Requested Cash	Requested In Kind	Allocated Cash	Allocated In Kind	Allocated Total	
			\$97,000.00	\$0.00	\$97,000.00	\$0.00	\$97,000.00	

Creative Arts Fund

Summary

Note: Applicant Name, Status, Weighted Score and Rank and automatically filled from Evaluation spreadsheet

Applicant Name	Conflict of Interest	Weighted Score	Rank	2024/25 Estimates					Outcome	
				Requested Cash	Requested In Kind	Allocated Cash	Allocated In Kind	Allocated Cash and In-Kind	Successful/Unsuccessful	Notes
Melinda Holtz	Nil	235.00	3	\$5,409.04				\$0.00	Unsuccessful	
Louise Agnew & Lucy Bonnin	Nil	185.00	4	\$29,845.00				\$0.00	Unsuccessful	
Pariya Ziakas & Ruth Stephenson	Nil	302.50	2	\$23,500.00	\$9,000.00	\$23,500.00		\$23,500.00	Successful	Cash only.
Burrandies Aboriginal Corporation	Nil	307.50	1	\$19,155.00		\$19,155.00		\$19,155.00	Successful	
Kim Cella	Nil	160.00	5	\$3,000.00				\$0.00	Unsuccessful	
				Requested Cash	Requested In Kind	Allocated Cash	Allocated In Kind	Allocated Total		
				\$80,909.04	\$9,000.00	\$42,655.00	\$0.00	\$42,655.00		

Minor/Major Community Strengthening Grants

Summary

Note: Applicant Name, Status, Weighted Score and Rank and automatically filled from Evaluation spreadsheet

Applicant Name	Conflict of Interest	Weighted Score	Rank	2024/25 Estimates					Outcome	
				Requested Cash	Requested In Kind	Allocated Cash	Allocated In Kind	Allocated Cash and In-Kind	Successful/Unsuccessful	
Grant High School	Councillor Josh Lynagh	70.00	3	\$300.00				\$0.00	Unsuccessful	
School Sports SA South East Zone		70.00	3	Unspecified				\$0.00	Unsuccessful	
Careflight		70.00	3	\$1,500.00		\$1,500.00		\$1,500.00	Successful	
Stand Like Stone Foundation	General Manager City Int	170.00	1	\$10,000.00		\$10,000.00		\$10,000.00	Successful	
Basketball Mount Gambier	Councillor Josh Lynagh	110.00	2	\$10,000.00				\$0.00	Unsuccessful	
Mount Gambier Chamber of Commerce - Membership Fee		70.00	3	\$550.00				\$0.00	Unsuccessful	
				Requested Cash	Requested In Kind	Allocated Cash	Allocated In Kind	Allocated Total		
				\$22,350.00	\$0.00	\$11,500.00	\$0.00	\$11,500.00		

Evaluation Matrix - Example

Evaluation Matrix

Evaluator Team:

[Insert Evaluator 1 (Chair)]	[Insert Evaluator 4]
[Insert Evaluator 2]	[Insert Evaluator 5]
[Insert Evaluator 3]	[Insert Evaluator 6]

		Grant High School	School Sports SA South East Zone	Careflight	Stand Like Stone Foundation	Basketball Mount Gambier	Mount Gambier Chamber of Commerce - Membership Fee
PART B: Eligibility Criteria Assessment		Response (Yes/No)	Response (Yes/No)	Response (Yes/No)	Response (Yes/No)	Response (Yes/No)	Response (Yes/No)
Was the application received by the deadline and submitted on the correct forms with all supporting documentation?	Please select Yes or No from dropdown menu.						
Is the proposed event/project to be held in the current financial year?							
Is the proposed event/project open to the general public?							
Is the applicant a not-for-profit incorporated community group, organisation, voluntary association or club? OR If the applicant is not incorporated, is it being auspiced by an incorporated body?							
Has the applicant selected at least one pillar of the Strategic Plan and provided an explanation of how the event/project will support the pillar/s?							
Does the event/project described in the application support the intent of the funding program?							
Has an ABN or ATO "Statement by a Supplier" form been supplied?							
Has evidence of a current Public Liability Insurance Policy to the minimum value of \$20 Million with a location of Australia and/or Worldwide been supplied?							
Has the applicant fulfilled previous sponsorship obligations, including provision of post event evaluation/report and financial acquittal?							
Does the proposal for funding exclude operating costs associated with running an organisation (e.g. salaries, rent, utilities etc.)?							
Does the proposal for funding exclude retrospective funding or funding of budget deficits?							
		Eligible <i>Proceed to Part C</i>	Eligible <i>Proceed to Part C</i>	Eligible <i>Proceed to Part C</i>	Eligible <i>Proceed to Part C</i>	Eligible <i>Proceed to Part C</i>	Eligible <i>Proceed to Part C</i>
PART C: Assessment 1A (Non-Weighted Criteria) Eligible/Not Eligible		Response (Yes/No)	Response (Yes/No)	Response (Yes/No)	Response (Yes/No)	Response (Yes/No)	Response (Yes/No)
Not applicable	Please select Yes or No from dropdown menu.						
		Eligible <i>Proceed to Assessment 1B</i>	Eligible <i>Proceed to Assessment 1B</i>	Eligible <i>Proceed to Assessment 1B</i>	Eligible <i>Proceed to Assessment 1B</i>	Eligible <i>Proceed to Assessment 1B</i>	Eligible <i>Proceed to Assessment 1B</i>
PART C: Assessment 1B (Non-Weighted Criteria) Eligible/Further Consideration Required		Response (Yes/No)	Response (Yes/No)	Response (Yes/No)	Response (Yes/No)	Response (Yes/No)	Response (Yes/No)
Q1: Is there a risk of the event resulting in a negative impact on Council's brand and reputation?	Please select Yes or No from dropdown menu.						
Q2: Based on Council's level of knowledge of the host organisation, are there any concerns that funds will not be used wisely and for the purposes stated?							
		Eligible <i>Proceed to Assessment 2</i>	Eligible <i>Proceed to Assessment 2</i>	Eligible <i>Proceed to Assessment 2</i>	Eligible <i>Proceed to Assessment 2</i>	Eligible <i>Proceed to Assessment 2</i>	Eligible <i>Proceed to Assessment 2</i>
PART C: Assessment 2 (Weighted Criteria)		Team Score (0-5)	Team Score (0-5)	Team Score (0-5)	Team Score (0-5)	Team Score (0-5)	Team Score (0-5)
Q1: Is there a potential to encourage the development of the community and has evidence of general community benefit been provided?	20						
Q2: Is the application for a once off project which encourages people towards active participation in community services and activities?	15						
Q3: Is the project aim to increase community usage of local facilities?	15						
Q4: Is the organisation managed predominantly by volunteers?	10						
Q5: Does the application demonstrate use of local suppliers/ businesses, contractors and Australian made products?	10						
Q6: Does the project demonstrate value for money through a project budget and the provision of any co-contributions?	10						
Q7: What is the quality of overall application and to what extent did the applicant address the criteria outlined in the guidelines?	10						
Q8: Does the applicant's submitted budget show a high incidence of self-help?	10						
Total Score (Out of 40)		0.00	0.00	0.00	0.00	0.00	0.00
Weighted Score		0	0	0	0	0	0
% of Best		#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
Rank		#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!

18.4 2024 CAPITAL WORK IN PROGRESS CARRYFORWARDS

Author: Kahli Rolton, Manager Financial Services

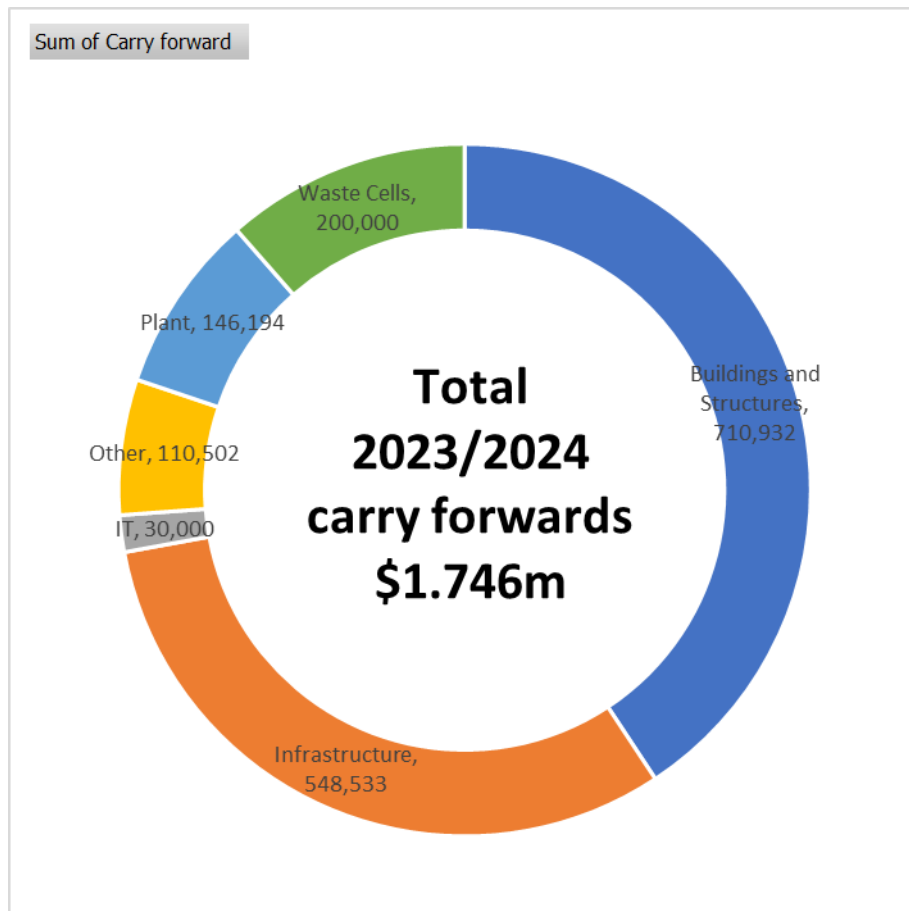
Authoriser: Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services

RECOMMENDATION

1. That Council report titled '2024 Capital Work in Progress Carryforwards' as presented on Tuesday 17 September 2024 be noted.
2. That Council approves the proposed total carry forwards of \$1.746m for capital expenditure items as at 30 June 2024 and revised annual net impact to the financing activities of \$1.693m.
3. That Council adopts the revised capital expenditure budgets for the year ending 30 June 2024.

PURPOSE

The purpose of this report is to present the capital projects still in progress as at 30 June 2024 that require budget to be carried forward to 2024/2025 financial year to enable completion. A total of \$1.746m is required to be carried forward, bringing the total capital expenditure forecast for 2024/2025 year to \$13.185m.



The following table provides detail at project level of the amounts required to be carried forward to 2024/2025 financial year including commentary.

Highlights:

- Of the total estimated capital expenditure, only 25% is requested for carryover, with majority being spent in 2023/2024 financial year.
- Only 4 out of 17 projects did not have any expenditure incurred in 2023/2024 and require 100% to be carried forward. Commitments have been made on these projects, however due to market and environmental conditions and internal pressures were unable to be completed.

Capital Project Description	Already spent FY23/24	Carry forward	Total est. investment	% carried forward	Comments
78 - Reel Mower	-	146,194	146,194	100%	Plant arriving Sep/Oct 2024
Caroline Landfill Wifi	-	30,000	30,000	100%	Due for completion Dec 2024
Civic Centre - Lift replacement	56,389	83,611	140,000	60%	work underway. Further updates may be required at BR1
Beacon Art Project	-	50,000	50,000	100%	further updates may be required at BR1
Crater Lakes Bushfire Rehabilitation	19,498	60,502	80,000	76%	engagement process with community delayed
Construction of Cell 4A	3,442,579	200,000	3,642,579	5%	practical completion 27 August 2024
Workshop extension	-	25,000	25,000	100%	
Railway Lands Playground Upgrade	22,734	127,266	150,000	85%	learn to ride space in progress. Detailed designs underway for youth and playground spaces
Wulanda - Project Management	54,790	435,055	489,845	89%	contingency and defect liability period
Automatic Gates	146,974	30,000	176,974	17%	project almost complete
Amenities renovation - Carryover	259,952	10,000	269,952	4%	project almost complete
Bertha Street - Edward St to Commercial St	1,447	220,081	221,528	99%	in contract. Defects to be corrected
Elder St - McGregor St to Suttontown Rd	149,602	190,000	339,602	56%	final seal remains
Walter St - Reginald St to End	75,771	15,000	90,771	17%	since completed
Stone Avenue - Holder St to Lake Tce East	211,605	10,000	221,605	5%	since completed
Wireless Rd East - Kennedy Ave to Attamurra Rd	352,548	83,452	436,000	19%	since completed
Pinehall Avenue - O'Leary Rd to Sunnybrae Rd	564,713	30,000	594,713	5%	project almost complete
	5,358,601	1,746,162	7,104,763	25%	

SUMMARY OF IMPLICATIONS AND BENEFITS

Implications

- Increased cash outlay in 2024/2025 for projects that were still in progress as at 30 June 2024 require budget to be carried forward for completion.
- It is too early in the financial year to know if projects required to be carried forward will impact capacity to deliver the 2024/2025 capital expenditure budget. This will be reported at future budget revisions.

Benefits

- At the 30th June required to draw a line in the sand for reporting purposes. Whilst every endeavour is made to complete projects within the relevant financial year this is not always possible due to internal and external influences and pressures. Carry forwards enable capital projects that have already had resources invested to be completed.
- Previous year budgeted cash outlay for capital projects underspent, resulting in positive impact on forecast interest expense as required less borrowings to meet capital budget in the prior year.



BACKGROUND / OPTIONS

Adopted Annual Business Plan and Budget 2023/2024

The 2023/2024 Annual Business Plan and Budget was adopted on 27 June 2023 and included a capital expenditure program of \$9.665M.

Asset Category	Renewal \$'000	New/Upgrade \$'000	Total Capital \$'000
Buildings and Structures	700	1,080	1,780
Caroline Landfill	-	2,200	2,200
Infrastructure	3,200	374	3,574
IT	30	30	60
Other	90	179	269
Plant and Equipment	1,742	40	1,782
TOTAL	5,762	3,903	9,665
<i>add</i>			
Carry Forwards brought forward from prior year FY22/23			4,320
<i>less</i>			
Carry Forwards taken to next financial year FY2024/2025			1,746
Budget revisions throughout 2023/2024			1,089
Budget savings			124
Adjusted impact on 2023/2024 capital budget			11,026

During the financial year the capacity to deliver the capital expenditure program was reviewed and items were identified that required full or partial adjustment. Fully deferred projects were reassessed and included in the 2024/2025 financial year Annual Business Plan and Budget where required.

This deferral process was a new introduction to the 2023/2024 financial year. Due to this, there will be a difference between the works program carry forwards reported as these include items fully deferred and included in the 2024/2025 financial year. The figures listed above do not include capital items fully deferred. For reference, capital items fully deferred are listed below:

- Plant 39 Garbage Compactor Replacement
- Plant 5 Tip Truck Replacement
- Plant 19 Water Truck Replacement
- Signage Strategy
- Anthony Street (Jubilee Hwy to North Tce) - Road Reconstruction
- Shelley Crescent (Shelley Cres Mid to Shelley Cres East) - Road Reconstruction
- Building Design
- Stormwater Grate Replacement – Drainage Renewal Program (FUTURE)
- Downer Street (Bray St to Pick Ave) Road Reconstruction (FUTURE)
- O'Halloran Terrace (Power St to Bay Rd) - Road Reconstruction (FUTURE)



Adopted Annual Business Plan and Budget 2024/2025

The 2024/2025 Annual Business Plan and Budget was adopted on 25 June 2024 and included a capital expenditure program of \$11.439m.

Asset Category	Renewal \$'000	New/Upgrade \$'000	Total Capital \$'000
Buildings and Structures	1,197	1,589	2,786
Caroline Landfill	-	-	-
Infrastructure	3,623	411	4,034
IT	23	140	163
Other	240	146	386
Plant and Equipment	3,613	456	4,069
TOTAL	8,696	2,743	11,439
<i>add</i>			
Carry Forwards brought forward from prior year FY23/24			1,746
Adjusted impact on 2024/2025 capital budget			13,185



Revised Uniform Presentation of Finances 2024/2025

City of Mount Gambier - Uniform Presentation of Finances LTFP 2025-2034			
\$'000s		2025 ABP	2025 ABP incl carry forward
Income			
Rates		30,314	30,314
Statutory Charges		896	896
User Charges		9,812	9,812
Grants, Subsidies and Contributions - Capital		388	388
Grants, Subsidies and Contributions - Operating		5,250	5,250
Investment Income		57	57
Reimbursements		1,192	1,192
Other Income		665	665
Total Income		48,574	48,574
Expenses			
Employee Costs		16,324	16,324
Materials, Contracts & Other Expenses		20,148	20,148
Depreciation, Amortisation & Impairment		11,857	11,857
Finance Costs		1,928	1,928
Total Expenses		50,257	50,257
Operating surplus / (deficit)		(1,683)	(1,683)
Timing Adjustment for grant revenue			
Less: grants, subsidies and contributions - capital			
Adjusted Operating Surplus (Deficit)		(1,683)	(1,683)
Net outlays on existing assets			
Capital expenditure on renewal and replacement of existing assets		(8,696)	(9,545)
Depreciation, amortisation and impairment		11,857	11,857
Proceeds from sale of replaced assets		332	385
Net outlays on existing assets		3,493	2,697
Net outlays on new and upgraded assets			
Capital expenditure on new and upgraded assets <i>(including investments property & real estate developments)</i>		(2,743)	(3,640)
grants, subsidies and contributions - capital Amounts received specifically for new and upgraded assets		250	250
Proceeds from sale of surplus assets <i>(including investment property and real estate developments and non-current assets held for resale)</i>			
Net outlays on new and upgraded assets		(2,493)	(3,390)
Annual net impact to financing activities (surplus (deficit))		(683)	(2,376)

DETAILED IMPLICATIONS

Legal	Contractual legal obligations surrounding defects liability periods are being considered where required.
Financial and Budget	Refer to detail provided in the purpose and background of this report. Net Impact on borrowings \$1.693m. This is made up of \$1.746m capital carry forward, less \$0.053 estimated proceeds from sale of plant item included as part of carry forwards. No adjustment has been made to depreciation and interest on borrowings due to: <ul style="list-style-type: none"> • Too early in the financial year to be able to accurately predict changes. • The capital projects carried forward were already included in depreciation and interest forecasts. • The amount of carry forwards due to timing adjustments is immaterial and predicted to be less than \$20k depreciation. More detailed adjustments will be proposed at future budget revisions. • This is in line with previous years carry forward assumptions.
Other Resources	Capital projects require internal and external personnel resources to complete.

RISK ANALYSIS

Consequence	Consequence Rating:	Risk Likelihood Rating:	Risk Rating	Risk Controls and effectiveness	Risk Mitigation Plan
Finance	Minor (2)	Possible (3)	Low	Minor increase to capital expenditure	Further budget reviews
Service Delivery	Moderate (3)	Possible (3)	Moderate	Compromise ability to deliver FY24/25 capital program	Monitor monthly and review at budget revision
Environmental	Minor (2)	Unlikely (2)	Low	Weather conditions could affect capital delivery	Monitor and review

APPLICATION OF MOUNT GAMBIER 2035

Infrastructure and Services

This report enables continuation of the infrastructure forward works program for infrastructure capital works still in progress.

APPLICATION OF STRATEGIC PLAN

Goal 2 Our Location

2.1 Infrastructure development and managing our current assets - We will commence work on meeting the community's aspirations for future infrastructure development, whilst managing our existing infrastructure and assets in a manner that demonstrates the pride we take in our environment.

RELEVANT COUNCIL POLICY

[Asset Accounting](#)
[Budget Framework - B300](#)



IMPLEMENTATION, COMMUNICATION AND ENGAGEMENT

Following approval.

CONCLUSION

For budgeting and financial reporting purposes Council is required to draw a line in the sand as at 30 June every year. At this time 17 capital expenditure items were still in progress and require budget to be carried forward to 2024/2025 financial year.

The total capital budget required to be carried forward is \$1.746m and equates to approximately 25% of the estimated total capital expenditure on these capital items.

ATTACHMENTS

Nil



18.5 CITY INFRASTRUCTURE - CAPITAL WORKS PROGRAM 2023/2024 UPDATE

Author: Karl Manarangi, Manager Operations Infrastructure
Authoriser: Barbara Cernovskis, General Manager City Infrastructure

RECOMMENDATION

1. That Council report titled 'City Infrastructure - Capital Works Program 2023/2024 Update' as presented on Tuesday 17 September 2024 be noted.

PURPOSE

This report provides a status update of all the 2023/2024 capital projects undertaken by the City Infrastructure Department concluding at the 30 June 2024.

SUMMARY OF IMPLICATIONS AND BENEFITS

Implications

- Delays in delivery for 31% capital projects due to:
 - Supply issues
 - Delivery timing
 - Contractor delays
 - Weather
 - Cost attributed to the global environment
- Reallocation of Budget to fund Civic Centre Lift project.

Benefits

- 69% of Capital Projects have been completed.
- Completion of Cell 4A at Caroline Landfill in August.
- Received two replacement mowers that were ordered in 2021.
- Approximately 30% of partially deferred and carried over projects will be completed in the first quarter of 2024/2025.

BACKGROUND / OPTIONS

The City Infrastructure Department plays a critical role in the maintenance, development, and enhancement of our City's physical infrastructure and public open spaces. Therefore, as part of a governance process it is our responsibility to ensure planned and budgeted infrastructure works, projects and programs are completed in a timely manner and within budget.

Approximately 83 capital projects were on the City Infrastructure capital works program this year under the following categories:

- Buildings
- Carparks
- Stormwater
- Footpaths
- Roads
- Plant Replacement
- Waste
- Other

The total project delivery outcome for 2023/2024 as per the table below is as follows:

- 57 Projects - Completed 69% (Green)



- 16 Projects - Carried over 19% (Purple)
- 10 Projects - Partial Deferral/ Deferral 12% (Orange)

It should be noted that of the projects that have been either partially deferred, deferred, or carried over, the reason for the delays have been out of Council's control being:

- Supply issues
- Delivery Timing
- Contractor delays
- Weather
- Cost attributed to the global environment
- Deferred to support emerging projects

City Infrastructure are confident that the bulk of these projects will be completed as part of the 2024/2025 Carry over process with the remaining 3 projects to be prioritised and represented in the FUTURE WORKS PROGRAM.

An update on the 2024/2025 Capital Projects will be provided to the October meeting as part of the City Infrastructure - Works in Progress Report.



STATUS REPORT FOR CAPITAL WORKS PROGRAM 2023-2024

Asset Class	Program	Work Order No.	Work Order Description	Status	Notes
Building	Crater Lakes	76166	Crater Lakes - Valley Lake Public Amenities Upgrade (LRCI Phase 3)	Completed	
	Depot	66090	Amenities Refurbishment	Carried Over 95% Completed	Awaiting a couple of pieces of equipment to be delivered. Completion by October.
		76293	Overhead Water Tank	Completed	
		76586	Store New Office Area	Completed	
		76548	Automatic Gates	Carried Over 95% Completed	Final electrical works due to be completed by the end of September.
	Frew Park	76364	Public Toilet Replacement (Design) (LRCI Phase 4A)	Completed	Designs completed in-house.
	Hastings Cunningham Reserve	76607	Dog Park - New Shelter Construction	Completed	
	Old Gaol	76366	Capital Renewal 2023/2024 - Walls, Roofing, Doors, Dampness Issues	Completed	2x windows, roof and some salt damp has been completed for 2023/2024 with other works to continue in 2024/2025.
	Playgrounds	76206	Railway Lands Playground Upgrade - Learn to Ride	Carried Over In Progress 50%	Painting has started however delayed due to weather.
	Railway Lands	66236	Railway Station Building - Refurbishment of Public Toilets (LRCI - Phase 2)	Completed	



	Sundry	76546	Building Design	Partial Deferral / Deferral	Deferral 2024/25 to support lift upgrade.
		76763	Civic Centre Lift	Carried Over In Progress 30%	Awaiting new engineering design of lift shaft.
	Wulanda	76547	Wulanda - Capital Renewal 2023/2024	Carried Over	Deferral to support lift upgrade.
Car Parks	Reseals	76335	Carpark Resurfacing - 2022/23 Carry Forward	Completed	
		76550	Carpark Resurfacing - Depot	Completed	
Stormwater	Drainage Renewal Program	76568	Grate Replacement	Partial Deferral / Deferral	Deferral to FUTURE WORKS PROGRAM, used to support Dohle Road - New System.
		76569	SEP Replacement (Shepherdson Rd & Boandik Tce)	Completed	
		76613	Dohle Road - New System	Completed	
Footpaths	Footpath	76393	Civic Centre - Ferrers St Carpark Footpath Renewal	Completed	
		76570	Footpath Reseal Program 2023/2024		
			DAVISON STREET - Commercial St to John St Section 331 - West	Completed	
			DAVISON STREET - Commercial St to John St Section 331 - East	Completed	
			STURT STREET - Compton St to Krummel St Section 1026 - South	Completed	
			STURT STREET - Krummel St to Crouch St Sth Section 1027 - South	Completed	
			NORTH TERRACE - Crouch St Nth to Anthony St Section 817 - North	Completed	
			NORTH TERRACE - Anthony St to Byrne St Section 818 - North	Completed	
			NORTH TERRACE - Byrne St to Livingston St Section 819 - North	Completed	
			COMPTON STREET - Sturt St to Peoples Choice - East	Completed	



			LACEPEDE ST - Shepardson Rd to Earl St - West	Completed	
			STURT STREET - St Johns Ambulance - South	Completed	
			CROUCH ST STH - Sturt to Harold - East	Completed	
		76573	Concrete Footpath Renewals (Ferrers St Carpark)	Completed	
		76533	O'Halloran Terrace PLEC Remediation	Completed	
		76593	CBD Accessibility Audit Priorities	Partial Deferral / Deferral	Deferred to 2024/2025 due to stakeholder/contractor delays.
		76574	New Footpath - O'Leary Road	Completed	
Roads	Road Reconstruction Program	76343	Grevillea Street (Acacia St to Stafford St) - Road Reconstruction 2022/23	Completed	
		76341	Bertha Street (Edward St to Commercial St) - Road Reconstruction 2022/23	Carried Over In Progress 90% Completed	Carried over to 2024/2025.
		76191	Downer Street (Bray St to Pick Ave) Road Reconstruction 2023/2024	Partial Deferral / Deferral	Deferred to FUTURE WORKS PROGRAM.
		76348	Ruwoldt Street (Howard St to End) - Road Reconstruction 2022/23	Completed	
		76554	Crouch Street South (John Watson Dr to Lake Tce East) - Road Reconstruction 2023/2024	Completed	
		76555	Anthony Street (Jubilee Hwy to North Tce) - Road Reconstruction 2023/2024	Partial Deferral / Deferral	Deferred to 2024/2025
		76556	Hammer Court (Webb St to Culdesac) - Road Reconstruction 2023/2024	Completed	
		76557	Elder Street (McGregor St to Suttontown Rd) - Road Reconstruction 2023/2024	Carried Over In Progress 95% Completed	Carried over to 2024/2025 - awaiting final seal coat.
		76558	Wehl Street South (James St to Commercial St West) - Road Reconstruction 2023/2024	Completed	
		76559	O'Halloran Terrace (Power St to Bay Rd) - Road Reconstruction 2023/2024	Partial Deferral / Deferral	Condition rating for road has been revised for this section.



					Deferred to FUTURE WORKS PROGRAM.
		76560	Walter Street (Reginald St to End) - Road Reconstruction 2023/2024	Carried Over 100% Completed	Carried over to 2024/2025 - finished late August.
		76561	Shelley Crescent (Shelley Cres Mid to Shelley Cres East) - Road Reconstruction 2023/2024	Partial Deferral / Deferral	Deferred to 2024/2025.
		76562	Guard Rail Renewal - Harauld Street 270m	Completed	
		76563	Guard Rail Reinstatement - Kennedy Avenue	Completed	
		76564	Retaining Wall Renewal - Lake Terrace West (Hay Dr to Wallace St) 166m	Completed	
		76572	Boundary Roads Program	Completed	
	Road Reseal Program	76553	Road Reseal Program 2023/2024	Completed	
	Roads to Recovery	76349	Grantville Place (Holder St to Boucaut St) - Road Reconstruction 2022/23 - R2R	Completed	
		76350	Stone Avenue (Holder St to Lake Tce East) - Road Reconstruction 2022/23 - R2R	Carried Over Now 100% Completed	Carried over to 2024/2025 - finished early September.
		76351	Strangways Street (Lake Tce East to Tallara Ave) - Road Reconstruction 2022/23 - R2R	Completed	
		76551	Wireless Road East (Kennedy Ave to Attamurra Rd) - Shoulder Reconstruction/Reseal 2023/2024 - R2R	Carried Over Now 100% Completed	Carried over to 2024/2025 - finished early September.
	Roundabouts	76571	Roundabout / Intersection Renewals	Completed	
	Special Local Roads	76354	Pinehall Avenue (O'Leary Rd to Sunnybrae Rd) - Road Reconstruction 2022/2023 - SLR	Carried Over Now 100% Completed	Carried over to 2024/2025 - finished early September.
		66233	O'Leary Road - Pinehall Avenue - Intersection Upgrade 2020/2021 - SLRP	Completed	
	Traffic Control	76291	Traffic Control - Rail Trail Crossing - Bay Road - Works undertaken on footpath/water table area (State Bicycle Fund Project)	Completed	



		76565	Traffic Light Controller Renewal - Commercial St / Ferrers St / Mitchell St Intersection	Completed	
		76566	Traffic Light Controller Renewal - Commercial St / Wehl St Intersection	Completed	
		76567	School Crossing Renewal - O'Halloran Terrace	Completed	
Building	Carinya Gardens Cemetery	76544	Concrete Mowing Strips	Completed	
		76614	Extension to Cremation Waterfall Area	Completed	
Plant	Garbage Trucks	76321	Alias 18 - Garbage Truck Replacement	Completed	
		76583	Alias 39 - Garbage Truck Replacement	Partial Deferral / Deferral	Deferral - delivery booked for 19 September 2024.
		76322	Alias 31 - Garbage Truck Replacement	Completed	
	Minor Plant	76578	Minor Plant 2023/2024	Completed	
	Mowers	76327	Alias 77 - Mower Replacement	Completed	
		76329	Alias 144 - Mower Replacement	Completed	
		76328	Alias 78 - Mower Replacement	Carried Over	Awaiting delivery end of September.
	Sundry	76326	Alias 61 - Footpath Sweeper Upgrade	Completed	
	Trucks	76323	Alias 146 - Water Truck Replacement	Completed	
		76579	Alias 5 - Medium Tip Truck Replacement	Partial Deferral / Deferral	Deferral 2024/2025 - waiting delivery October/ November.
		76580	Alias 14 - Small Tip Truck Replacement	Completed	
		76582	Alias 19 Water Truck Replacement	Partial Deferral / Deferral	Deferral 2024/2025.
	Utilities	76581	Alias 16 - 2WD Utility Replacement	Completed	



		76584	Alias 93 - 2WD Utility Replacement	Completed	
		76585	Alias 148 - 2WD Utility Replacement	Completed	
Other	Trees	76591	Crater Lakes Bushfire Rehabilitation Plan	Carried Over In Progress 50% Completed	Council have endorsed for this to go out to Community Engagement - currently working with consultants and Traditional Owners to coordinate timing for engagement to take place.
Waste		76359	Construction of Cell 4A - Caroline Landfill	Carried Over Now Completed 100%	Practical Completion 29 August 2024.
		76576	Caroline Landfill Wi-Fi	Carried Over	Design work done, scheduled for completion November 2024.
		76361	Caroline Landfill Workshop Extension	Carried Over	Scheduled completion early 2025.



DETAILED IMPLICATIONS

Legal	It is not considered that there are any legal implications in relation to this report.
Financial and Budget	This is a status report on the delivery of the Capital Works program. Financial and budget components will be reported in detail by Finance.
Other Resources	Delivering operational and maintenance Capital Works Program against the budget commitment.

RISK ANALYSIS

Consequence	Consequence Rating:	Risk Likelihood Rating:	Risk Rating	Risk Controls and effectiveness	Risk Mitigation Plan
Finance	Moderate (3)	Possible (3)	Moderate	Financial Management.	Regular monthly reviews with Finance. Quarterly budget review reports provided to Council.
Reputation	Moderate (3)	Possible (3)	Moderate	Reports to Council, media releases, response to community concerns.	Provide updates to the community outlining performance and operations.
Legal / Regulatory / Policy	Insignificant (1)	Unlikely (2)	Low	N/A	N/A
Service Delivery	Moderate (3)	Possible (3)	Moderate	Contract management.	Regular reporting and organisational meetings to ensure KPIs continue to be met.
People	Minor (2)	Unlikely (2)	Low	N/A	N/A
Infrastructure	Moderate (3)	Possible (3)	Moderate	Contract management.	Regular reporting and organisational meetings to ensure KPIs continue to be met.
Environmental	Insignificant (1)	Rare (1)	Low	N/A	N/A

APPLICATION OF MOUNT GAMBIER 2035

Infrastructure and Services

We have the infrastructure that supports active transport and a sustainable lifestyle.



APPLICATION OF STRATEGIC PLAN

Goal 2 Our Location

- 2.1 Infrastructure development and managing our current assets - We will commence work on meeting the community's aspirations for future infrastructure development, whilst managing our existing infrastructure and assets in a manner that demonstrates the pride we take in our environment.

RELEVANT COUNCIL POLICY

N/A

IMPLEMENTATION, COMMUNICATION AND ENGAGEMENT

N/A

CONCLUSION

This report is provided for Elected Members information.

ATTACHMENTS

Nil



18.6 ELECTOR REPRESENTATION REVIEW - REPRESENTATION REPORT

Author: Brittany Shelton, Manager Governance and Property
Authoriser: Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services

RECOMMENDATION

1. That Council report titled 'Elector Representation Review - Representation Report' as presented on Tuesday 17 September 2024 be noted.
2. The Elector Representation Review - Representation Report attached, having been prepared by a person who in the opinion of the Council is qualified to address the requirements and governance issues that may arise with respect to the matters under review, be received and endorsed for public consultation purposes.
3. Public Consultation on the Elector Representation Review - Representation Report be conducted in accordance with the requirements of the Local Government Act 1999 and any resultant submissions be the subject of a further report to Council for consideration.

PURPOSE

Public Consultation on the Elector Representation Review - Representation Report be conducted in accordance with the requirements of the Local Government Act 1999 (the Act) and any resultant submissions be the subject of a further report to Council for consideration.

SUMMARY OF IMPLICATIONS AND BENEFITS

Implications

Relevant Considerations

Some of the key considerations outlined in the Representation Review Paper are highlighted below for Council's reference when forming a preferred option for consultation.

Several key legislative provisions should be considered when forming a position, including:

- Section 11A(1) – Council must not comprise more than thirteen (13) members (including Mayor) without exemption certificate from the Electoral Commissioner – this provision should not have a material impact on Council, however is a relevant consideration;
- Sections 26(1)(c) and 33 – Council should analyse how the proposal relates to the listed principles and matters (the relevant factors are set out in more detail below);
- Section 51 – Principal member must be an elected Mayor – again, this provision is already adhered to under the current structure in any event.

Council should give relevant consideration to the following principles articulated at section 26 of the Act, including:

- Benefits to ratepayers of any proposed composition and structure,
- Communities of interest – including economic, recreational, social, and regional factors,
- Adequate & fair representation (avoid over-representation etc).



Benefits

The benefit of undertaking a rigorous representation review process is an opportunity for Council to connect and engage with our community to hear how they wish their voice / perspectives to be represented. In light of the recent consultation outcomes of the Local Government Participation and Elections Review undertaken by the Office of Local Government (OLG), the way in which Council's engage and represent their communities is a particular focus sector-wide.

BACKGROUND / OPTIONS

Section 12(3) of the Act indicates that Council must undertake a 'representation review' to determine whether its community would benefit from an alteration to Council's composition or ward structure. This review is required to be undertaken and completed during the period April 2024 – April 2025, as determined by the Minister for Local Government by Notice in the Gazette dated 9 July 2020.

An Elector Representation Review must be undertaken at least once every eight (8) years, as directed by the Minister, and provides a comprehensive examination of all aspects of a Council's composition including the ratio and number of Elected Members, ward structure/options, and potentially the name of the Council. Any new arrangements come into effect at the next periodic election (in this case, November 2026). Council last completed a review of its elector representation between April 2016 - April 2017.

At its July 2024 meeting Council considered Report No. AR24/48191 titled 'Elector Representation Review - Preferred Structure - July Update' and resolved as follows:

3. *That Council determine, in principle for the purpose of the preparation of a draft "Representation Report", the future composition and structure which it believes should come into effect at the next Local Government elections in 2026, be comprised of*
 - (a) *The Council area be named City of Mount Gambier.*
 - (b) *No Ward Structure.*
 - (c) *A Mayor as Principal Member elected as a representative of the area as a whole.*
 - (d) *8 Area Councillors.*
4. *That a draft "Representation Report" be prepared presenting Council's proposed/preferred future elector representation arrangement for consideration and endorsement by Council prior to the initiation of the public consultation process."*

Following Council's determination of its proposed future composition and structure at the July 2024 Council meeting, Council's Elector Representation Review consultant has provided the attached draft Representation Report (**Attachment 1**).

In summary, the draft Representation Report proposes to keep the Council area as the City of Mount Gambier, without dividing it into wards, thereby preserving the "no ward" structure established in 2010. Additionally, Council will continue to have a Mayor elected by the community, as specified in section 51 of the Act, along with eight (8) area councillors.

In accordance with the requirement of section 12(5) of the Act, the Representation Report has been prepared by Craig Rowe & Associates, a private enterprise with sufficient specific industry experience to be considered qualified to address the requirements and governance issues that may arise with respect to the matters under review.

DETAILED IMPLICATIONS

Legal	<p>The conduct of an Elector Representation Review during the relevant period determined by the Minister is a legislative requirement of section 12(4) of the Local Government Act 1999 (the Act).</p> <p>Failure to undertake a review or to take appropriate action or publish appropriate notices as required by section 12 of the Act are matters that must be referred to the Electoral Commission under section 12(19), who may take such action as appear appropriate in the circumstances (subsection 20) and recover the reasonable costs incurred from the Council (subsection 21).</p> <p>The Council must address certain matters in the review process, which include certain discretionary decisions around review options to be included in the Draft Representation Review Report.</p> <p>It is a requirement of section 12(7) of the Act to conduct public consultation on the Representation Report, which consultation must be in accordance with section 50 and Council's Community Consultation and Engagement Policy P195.</p> <p>The risk of Council failing to conduct, or properly conducting, an Elector Representation Review is that Council's structure may not meet the requirements to be considered fair and appropriate representation, the review may not be certified by the Electoral Commissioner (ECSA), or the review or any deficiency may be re-conducted by the Electoral Commissioner removing Council and Elected Members influence over the options and outcomes.</p> <p>The engagement of an experienced consultant to guide Council through the review process, including the preparation of relevant papers and reports, assists in mitigating foreseeable risks to meet its statutory review obligation to conduct the Elector Representation Review within the gazetted timeframe (by April 2025).</p>
Financial and Budget	N/A
Other Resources	N/A

RISK ANALYSIS

Consequence	Consequence Rating:	Risk Likelihood Rating:	Risk Rating	Risk Controls and effectiveness	Risk Mitigation Plan
Finance	Insignificant (1)	Rare (1)	Low	Conduct a robust elector representation review with support from a suitably qualified and experienced consultant, including appropriate community consultation process.	Risk not outside of tolerance – no further mitigation required.
Reputation	Moderate (3)	Rare (1)	Low	Conduct a robust elector representation review with support from a suitably qualified and experienced	Risk not outside of tolerance – no further mitigation required.



				consultant, including appropriate community consultation process.	
Legal / Regulatory / Policy	Major (4)	Rare (1)	Moderate	Conduct a robust elector representation review with support from a suitably qualified and experienced consultant, including appropriate community consultation process.	Risk not outside of tolerance – no further mitigation required.
Service Delivery	Insignificant (1)	Rare (1)	Low	N/A	N/A
People	Insignificant (1)	Rare (1)	Low	N/A	N/A
Infrastructure	Insignificant (1)	Rare (1)	Low	N/A	N/A
Environmental	Insignificant (1)	Rare (1)	Low	N/A	N/A

APPLICATION OF MOUNT GAMBIER 2035

N/A

APPLICATION OF STRATEGIC PLAN

Goal 5 Our Commitment

5 Our Commitment

In order for Council to best serve our community, we must facilitate a robust review of the structure and composition of the elected Council, within the context of providing just and equitable representation for our broader community. Intrinsic within this process is the engagement and consultation, providing the opportunity for opinions to be voiced and considered on Council’s preferred option, preserving the status quo.

RELEVANT COUNCIL POLICY

[Community Consultation and Engagement - P195](#)

IMPLEMENTATION, COMMUNICATION AND ENGAGEMENT

A proposed public consultation strategy, compliant with the requirements of sections 12(7) and 50 of the Act and Council’s Community Consultation and Engagement Policy P195, is set out below.

“Consult - Two-way communications designed to obtain public feedback about ideas on rationale, alternatives and proposals to inform decision making – Council will listen and acknowledge concerns and aspirations and provide feedback.”

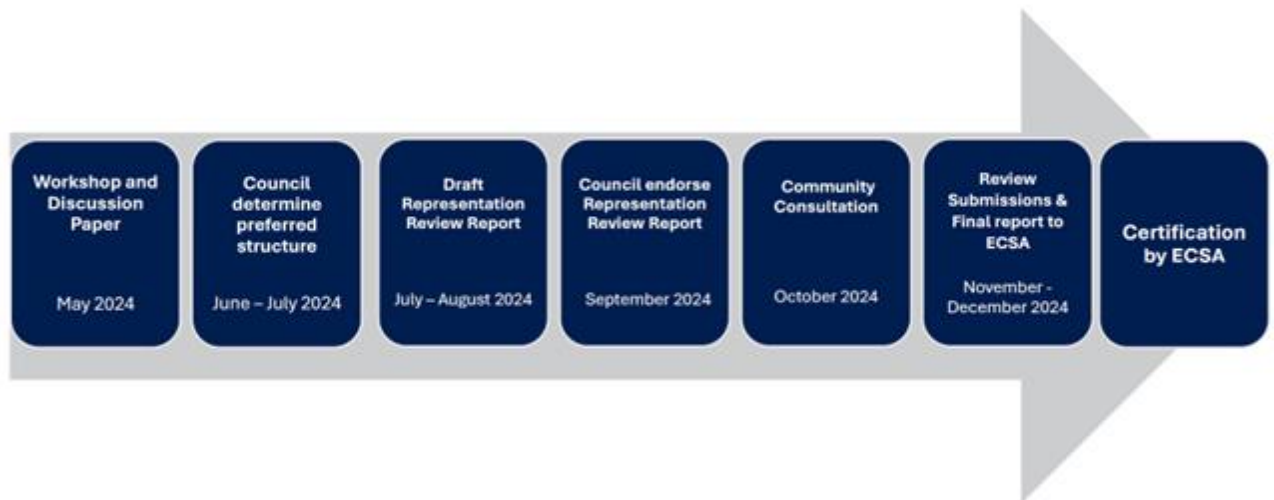
- The community consultation strategy will include the following elements:



- Information available and submissions received via the dedicated Your Say page,
- Notice and/or media release in a Newspaper circulated in the local area,
- Documents available for review at Principal Office,
- Consultation open for a minimum of 21 days,
- Submissions to be considered at a subsequent Council meeting and taken into account when making a determination as to representation structure.

A further report will be presented following the public consultation for Council to consider any submissions received and to finalise the Representation Report before referring it to the State Electoral Commissioner by April 2025 to determine and certify whether the requirements of section 12 of the Act have, in their opinion, been satisfied.

An indicative elector representation review process and schedule was presented to Members at the May information/briefing session, as follows:



This report represents the 3rd and 4th steps in the above review process, Council considering and endorsing the Draft Representation Review Report for public consultation purposes. The process remains in line with the projected target, with the above timeline anticipating completion by December 2024.

The next steps in the process are as follows:

- Council resolves to adopt the draft Review Report identifying support for a proposal (composition and structure) and proceed to public consultation on the preferred elector representation option.
- Following consultation and consideration of the community's feedback, Council endorse a final option and instruct CL Rowe and Associates to prepare the requisite submission to ECSA for certification.

CONCLUSION

Council is now asked to determine the future composition and structure which it believes should come into effect at the next Local Government periodic elections in 2026. More specifically, Council will need to:

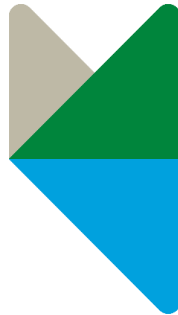
- examine the question of whether the number of elected members should be retained, reduced or increased;
- determine whether the council area should continue to remain without wards; and
- if the preference is for the council area is to be divided into wards, identify the preferred future ward structure, including the names/titles of the proposed wards and the level of representation in each ward.

Having received and considered the Draft Representation Report based upon Council's determined preferred structure to apply from the 2026 local government elections, Council may now proceed to the next stage of the Elector Representation Review being to endorse and conduct public consultation on the Representation Report in accordance with the Act.

ATTACHMENTS

1. Draft Elector Representation Review Report - C L Rowe & Associates Pty ~ For Public Consultation [**18.6.1** - 13 pages]





City of
Mount Gambier

REPRESENTATION REPORT

(SECTIONS 12(5) & (6) OF THE LOCAL GOVERNMENT ACT 1999)

Prepared for the City of Mount Gambier by C L Rowe and Associates Pty Ltd

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Table of Contents

1. INTRODUCTION	1
2. BACKGROUND	2
3. PROPOSAL	2
4. PROPOSAL RATIONALE	3
4.1 Composition	3
4.2 Wards/No Wards.....	3
4.3 Area Councillors (in addition to Ward Councillors)	5
4.4 Ward Names	5
4.5 Number of Councillors.....	5
5. LEGISLATIVE REQUIREMENTS	7
5.1 Quota	7
5.2 Communities of Interest	7
5.3 Topography	7
5.4 Feasibility of Communication.....	8
5.5 Population and Demographic Trends	8
5.6 Adequate and Fair Representation	9
5.7 Section 26, Local Government Action 1999.....	9
6. CURRENT PUBLIC CONSULTATION	10

1. Introduction

Section 12(3) of the *Local Government Act 1999* (the Act) indicates that Council must undertake a “representation review” to determine whether the community would benefit from an alteration to Council’s composition or ward structure.

Section 12(4) of the Act states: *“A review may relate to a specific aspect of the composition of the council, or of the wards of the council, or may relate to those matters generally – but a council must ensure that all aspects of the composition of the council, and the issue of the division, or potential division, of the area of the council into wards, are comprehensively reviewed under this section at least once in each relevant period that is prescribed by the regulations”.*

Representation reviews are generally undertaken every eight (8) years, and the Minister for Local Government has specified that the City of Mount Gambier (Council) is required to undertake and complete a review during the period April 2024 - April 2025.

This report has been prepared in accordance with the requirements of Sections 12(5) and 12(6) of the Act. It sets out the elector representation proposal that Council believes should be carried into effect at the next Local Government elections in November 2026; provides information pertaining to matters relevant to the composition and structure of Council; and presents an analysis of how Council’s proposal relates to the relevant provisions and principles prescribed under Section 26(1)(c) and Section 33 (2) of the Act.

The key issues that need to be addressed during the review include:

- the number of elected members of Council that are required to provide fair and adequate representation to the community;
- the division of the Council area into wards, or alternatively the retention of the existing “no ward” structure; and
- if applicable, the level of ward representation, the name of any proposed future wards, and the need for area councillors in addition to ward councillors (under a ward structure).

Whilst the proposal presented herein reflects the current position of the Council, no final decision will be made in respect to Council’s future composition and/or structure until consideration has been given to any and all public submissions which may be received during the current public consultation stage.

2. Background

The City of Mount Gambier covers only approximately 34.0 km²; and had an estimated resident population of 27,846 as at the 30 June 2023. According to Electoral Commission SA, there were 20,401 eligible electors within the Council area as at the 24 April 2024, this equating to an elector ratio (i.e. the average number of electors represented by a councillor) of 1:2,550.

The Council area is not divided into wards; and is represented by eight (8) area councillors. The Mayor is the ninth and principal member of Council.

The current arrangement was adopted by Council at the completion of the previous representation review which was undertaken in 2016/2017. This arrangement formally came into effect at the Local Government elections in November 2018.

Council commenced its current review on the 14 May 2024 with a briefing of the elected members; discussions regarding the various relevant review issues; and consideration of a detailed Discussion Paper, including potential ward structure options. Subsequently, at a meeting on the 18 June 2024, Council identified its preferred future composition and structure, and resolved to present this proposal to the community for consideration and comment. This decision was reaffirmed by Council at a meeting on the 16 July 2023.

3. Proposal

Having duly considered all relevant provisions of the Act and considerable information pertaining to the primary issues, Council proposes the following in respect to its future composition and structure.

- The Council area continue to be named City of Mount Gambier.
- The Council area not be divided into wards (i.e. the “no ward” structure which was introduced in 2010 be retained).
- The principal member of Council continue to be a Mayor elected by the community (as per the requirements of section 51 of the Act).
- The future elected body of Council comprise the mayor and eight (8) area councillors.

The reasons for Council's “in principle” decisions, together with an analysis of compliance with the relevant provisions and requirements of the Act, are provided hereinafter.

4. Proposal Rationale

4.1 Composition

Section 51 of the Act stipulates that the principal member of Council must be appointed (by the Governor under circumstances prescribed under Section 10 of the Act) or elected as a representative of the area as a whole; and is to be called mayor. The Act no longer affords any alternative.

Section 52(1) of the Act specifies that all members of Council, other than the principal member, shall have the title of councillor.

Section 52(2) states that a councillor will (depending on how the council is constituted):

- be elected by the electors for the area, as a representative of the area as a whole (whether or not the area is divided into wards); or
- if the area is divided into wards, be elected by the electors of a particular ward, as a representative of the ward.

4.2 Wards/No Wards

The Council area has not been divided into wards since the Local Government elections in 2010.

Currently thirty-five (35) of the forty-nine (49) regional councils have no wards, as do two (2) of the nineteen (19) metropolitan councils (i.e. the Towns of Gawler and Walkerville).

Council acknowledges that the advantages of a ward structure may include:

- wards guarantee some form and level of direct representation to all parts of the Council area and/or existing communities of interest;
- ward councillors can focus on local issues as well as council-wide issues;
- ward councillors are more likely to be known to their ward constituents (and vice versa);
- ward councillors can have more of an affiliation with the local community and more understanding of the local issues and/or concerns;
- the task and expense of contesting a ward election may be less daunting to prospective candidates, whereas the task and expense of contesting council-wide elections (under the "no wards" alternative) could be prohibitive, and therefore may deter appropriate/quality candidates;
- Council only has to conduct elections and supplementary elections within contested wards (potential cost saving), whereas under the no ward" alternative Council has to conduct elections and supplementary elections across the whole of the Council area (at a significant expense);
- existing ward councillors already deliberate and make decisions on the basis of achieving the best outcome for the whole of the Council area (as would be the role of an area councillor under the "no ward" alternative) and
- ward based elections have the potential to deliver councillors from various parts of the Council area, potentially resulting in a greater diversity in the skill sets, experience, expertise and opinions amongst the elected members.

Despite the aforementioned, the argument in favour of wards is weakened by the fact that ward councillors are not required to reside in the ward that they represent. As such, ward councillors may (potentially) have little or no relationship with the ward or constituents that they represent.

Other disadvantages include:

- electors can only vote for councillors/candidates within their ward;
- candidates can be favoured by the peculiarities of the ward based electoral system (e.g. candidates elected unopposed or having been unsuccessful despite attracting more votes than elected candidates in other wards);
- ward councillors may develop ward-centric attitudes and be less focused on the bigger council-wide issues;
- ward boundaries are lines which are based solely on elector distribution and may serve to divide the community rather than foster civic unity; and
- despite comparable ward elector ratios, inequitable levels of representation between wards and/or the physical sizes of wards can create a perception of imbalance in voting power within Council.

Council believes that the current "no wards" structure exhibits considerable merit and is particularly well suited to the circumstances of the City of Mount Gambier.

The arguments in favour of the current "no ward" structure include the following.

- The City of Mount Gambier covers a small area and, as such, the community is considered to comprise a single entity.
- The community will be afforded the opportunity to vote for all members of Council.
- The most favoured candidates from across the Council area will likely be elected, rather than candidates who may be favoured by the peculiarities of a ward based system.
- The elected members should be free of parochial local/ward attitudes.
- The "no wards" structure is not affected by fluctuations in elector numbers, the on-going need to review elector distribution and/or ward boundaries, and/or the constraints of complying with quota tolerance limits.
- A council area which is not divided into wards can be perceived as a strong and united entity with a focus on the community as a whole.
- Existing "communities of interest" are not affected or divided by arbitrary ward boundaries.
- If an area councillor leaves Council, the casual vacancy can be carried by Council, thereby avoiding the need for, and cost of, a supplementary election (subject to Council having a relevant policy in place).
- The lines of communication between Council and its community should be enhanced, given that members of the community will be able to consult with any and/or all members of Council, rather than be obliged to consult with their specific ward councillors.

- The “no wards” structure still affords opportunities for the small communities to be directly represented on Council, provided they can muster sufficient support for a preferred candidate.
- The introduction of postal voting has facilitated the dissemination of campaign literature throughout the Council area, thereby reducing the difficulty and cost of contesting council-wide elections.

Council believes that the aforementioned are sound arguments in favour of the retention of the existing “no ward” structure.

4.3 Area Councillors (in addition to ward councillors)

Council is aware that only one council in South Australia (the City of Adelaide) has two tiers of representation (i.e. area councillors in addition to ward councillors); and considers that this form of elected member/representation affords few advantages. Under a ward structure area councillors hold no greater status than a ward councillor; have no greater responsibilities than a ward councillor; nor need comply with any extraordinary or additional eligibility requirements. In addition, ward councillors generally consider themselves to represent not only the ward in which they were elected, but the council area as a whole.

For these reasons it is considered that the introduction of area councillors (under a ward structure) would be unwarranted; unnecessary; and potentially a costly additional tier of representation.

Notwithstanding the above, as Council is proposing to retain the existing “no wards” structure, the issue of area councillors (in addition to ward councillors) is not applicable.

4.4 Ward Names

Wards can be identified through the allocation of numbers, alphabetical letters, direction or geographical references (e.g. north, south, east, west, central); place names; and/or names of European and/or Aboriginal heritage/cultural significance. However, as Council is proposing to retain the existing “no wards” structure, the issue of ward names is not relevant at this time.

4.5 Number of Councillors

Council has comprised the Mayor and eight (8) “area councillors” since the Local Government elections in November 2018. Prior to this Council comprised the mayor and nine (9) area councillors.

Section 11A of the Act specifies that a council must not be comprised of more than thirteen (13) members (including the principal member) unless it has been granted an “exemption certificate” by the Electoral Commissioner under Section 12(11b) of the Act.

In addition, Sections 26(1)(c) and 33(1) of the Act express the need to ensure adequate and fair representation while at the same time avoiding over-representation in comparison to other councils of a similar size and type (at least in the longer term).

Table1 provides (for comparison purposes) the elector data, elector ratios (i.e. the average number of electors represented by a councillor), and the size/area of councils that are considered to be of a similar in size (elector numbers) and type (regional) as the City of Mount Gambier. The data indicates that the current elector representation arrangements of Council compare favourably with the arrangements of the cited councils.

Table 1: Representation comparisons with councils of a similar size and type

Council	Councillors	Electors	Elector Ratio
Whyalla (1,032.5 km ²)	9	15,960	1:1,773
Murray Bridge (1,832 km ²)	9	15,977	1:1,775
Barossa (912 km ²)	11	19,395	1:1,763
Alexandrina (1,827 km ²)	9	22,992	1:2,547
Mt Gambier (33.9 km²)	8	20,401	1:2,550
Mt Barker (595 km ²)	10	29,916	1:2,992

Source: Electoral Commission SA (24 April 2024)

Council believes that, in order to provide fair and adequate elector representation across the whole of the Council area, a total of eight (8) Councillors is necessary and appropriate at this time. Whilst a reduction in the number of Councillors would obviously result in some savings by Council (primarily as a consequence of fewer payments of member’s allowances) and the community, Council desires to maintain the level and quality of representation that has been experienced and expected by the local community over past years.

In addition, when determining the appropriate number of Councillors required to provide fair and adequate representation, Council was mindful that:

- whilst the Council area covers only approximately 34.0km², it contains approximately 28,000 residents (including over 20,400 eligible electors), many of whom have needs of, and demands for, assistance and representation by/from the elected members;
- sufficient elected members must be available to manage the affairs of Council;
- the elected member’s workloads should not become excessive;
- there is an appropriate level of elector representation;
- the potential for diversity in member’s skill sets, experience, expertise, opinions and backgrounds should be maintained to ensure robust discussion amongst the elected members; and
- adequate lines of communication must exist between the community and Council.

Given the aforementioned, Council has formed the opinion that a change in the number of councillors is not warranted at this time.

5. Legislative Requirements

The provisions of Sections 26(1)(c) and 33 of the Act require Council consider, as far as practicable, the following when developing a proposal that relates to its composition and structure.

5.1 Quota

Section 33(2) of the Act indicates that a proposal which relates to the formation or alteration of wards of a council must also observe the principle that the number of electors represented by a Councillor must not, as at the relevant date (assuming that the proposal were in operation), vary from the ward quota by more than 10%.

According to Section 33(2a)(b) of the Act, ward quota is determined to be: *“the number of electors for the area (as at the relevant date) divided by the number of Councillors for the area who represent wards (assuming that the proposal were in operation and ignoring any fractions resulting from the division).”*

As Council is proposing to retain its existing “no ward” structure, Section 33(2) of the Act is not applicable.

5.2 Communities of Interest

The Act speaks of the desirability of reflecting communities of interest of an economic, social, regional or other kind.

“Communities of interest” have previously been defined “as aspects of the physical, economic and social systems which are central to the interactions of communities in their living environment”, and are generally identified by considering factors relevant thereto, including neighbourhood communities; history and heritage communities; sporting facilities; community support services; recreation and leisure communities; retail and shopping centres; work communities; industrial and economic development clusters; and environmental and geographic interests.

The Council area only covers approximately 34.0 km² and comprises the whole of the township of Mount Gambier and parts of the surrounding districts/localities of Glenburnie, Suttontown, O B Flat and Worrolong. This being the case, the Council area is considered to comprise a single entity or community of interest. In addition, the current distribution pattern of electors throughout the Council area makes it particularly difficult to divide the Council area into wards on a rational and/or equitable basis without dissecting some existing communities.

Council believes that the retention of the “no ward” structure avoids potential impacts upon, and the division of, the existing communities of interest within the Council area and, as such, should serve to continue to foster a sense of unity within the local community.

5.3 Topography

The City of Mount Gambier is only 34.0 km² in area and generally comprises flat to undulating land which has long been developed for urban (township) use. As such, there are parts of the Council area which exhibit varying characteristics and visual amenity; and there is a long established local road network.

Council believes that:

- the size and topography of the Council area have little impact upon the elected members' ability to attend to the requirements and/or demands of the community; and
- its proposal to retain the existing "no ward" structure avoids the need to identify ward boundaries which would serve to delineate an equitable distribution of elector numbers and also have to take into account the general topography and the physical features within the Council area.

5.4 Feasibility of Communication

Council believes that the proposed level of representation (i.e. a Mayor and eight (8) area councillors) will continue to provide adequate lines of communication between the elected members of Council and the community, considering the ever improving communication and information technology; and the fact that Council has operated effectively over the past six (6) years with the same level of representation.

5.5 Population and Demographic Trends

During the review process (and associated deliberations), Council has taken into account the following information.

- Data sourced from Electoral Commission SA indicates that the number of eligible electors enrolled to vote in a Council election increased by 2,461 or 13.72% (i.e. 17,940 – 20,401) over the period 2010 to 2024. Interestingly, since the Local Government election in 2018, elector numbers have increased by 1,065 or 5.51% (as of 24 April 2024).
- Population projections prepared by the Department of Planning, Transport and Infrastructure (Local Area (SA2 and LGA), Population Projections for South Australia, 2021 – 2041, published March 2024) indicate that the population of the City of Mount Gambier is anticipated to increase by 4,511 or 16.3% (i.e. 27,635 – 32,148) during the period 2021 – 2041.
- Data provided by the Australian Bureau of Statistics (refer 3218.0 Regional Population Growth, Australia) indicates that the estimated population of the Council area increased by 3,578 or 14.12% over the period 2001 – 2018; and then increased by a further 604 or 2.22% during the period 2018 – 2023. This equates to a total increase of 4,182 or 17.67% during the period 2001 - 2023.
- Australian Bureau of Statistics "Quick Stats" indicate that the estimated population of the Council area increased by 4,222 people or 18.64% during the period 2001 - 2021 (i.e. 22,656 – 26,878).
- Investigations have revealed that future residential growth opportunities (primarily via existing approved land division applications) generally exist throughout the township and the areas at the periphery of the township (i.e. Glenburnie, OB Flat, Suttontown, and Worrolong). Further investigations will be required to ascertain the locations and scale of these land divisions so as to assist in the assessment of the capability of any future ward structure to accommodate anticipated future population growth.
- It is also understood that urban infill/redevelopment is not currently a key development factor in the township and, as such, does not currently contribute significantly to the population growth within the City.

5.6 Adequate and Fair Representation

For the reasons espoused earlier, Council is confident that its proposed future composition of the Mayor and eight (8) area councillors will be sufficient to continue to adequately manage the affairs of Council; provide an appropriate level of elector representation; maintain an appropriate diversity in the skill set, experience and expertise amongst the elected members; and present adequate lines of communication between the community and Council.

5.7 Section 26, Local Government Act 1999

Section 26(1) of the Act requires that a number of broader Principles also be taken into account during the review process. These are similar in nature to those presented under Section 33 of the Act and include:

- the desirability of avoiding significant divisions within the community;
- proposed changes should, wherever practicable, benefit ratepayers;
- a Council having a sufficient resource base to fulfil its functions fairly, effectively and efficiently;
- a Council should reflect communities of interest of an economic, recreational, social, regional or other kind, and be consistent with community structures, values, expectations and aspirations; and
- residents should receive adequate and fair representation within the local government system, while over-representation in comparison with Councils of a similar size and type should be avoided (at least in the longer term).

The composition and structure being proposed by Council is considered to comply with the cited legislative provisions, in that it will:

- avoid the potential division of the community through the introduction of lines of division (i.e. ward boundaries) which are primarily based on the distribution of elector numbers;
- incorporate sufficient elected members to undertake the various roles and responsibilities of Council;
- have little if any detrimental impact upon the ratepayers and/or existing communities of interest;
- continue to provide adequate and fair representation to all electors; and
- compare favourably with the composition and elector ratios of other regional councils that are of a similar size (in terms of elector numbers) and type.

6. Current Public Consultation

In accordance with Section 12(7) of the Act, interested persons are invited to make a written submission to Council in respect to this report, and more specifically the composition and structure that Council proposes to retain at (and beyond) the date of the next Local Government elections in November 2026. Any person who makes a written submission at this time will be afforded the opportunity to address Council or a committee thereof, either in person or by a representative, in support of their submission.

Interested members of the community are invited to make a submission expressing their views on the future composition and structure of Council. Submissions can be made as follows, and will be accepted until 5.00pm on (add day and date when known) 2024.

- Via the Council website (www.mountgambier.sa.gov.au).
- Written submission addressed to the Chief Executive Officer, PO Box 56, Mount Gambier 5290
- Emailed to city@mountgambier.sa.gov.au.

Further information regarding the elector representation review can be obtained on Council's website or by contacting the Manager Governance and Property on telephone 8721 2555 or email city@mountgambier.sa.gov.au.

18.7 ELECTION OF 2024 LGFA REPRESENTATIVE MEMBERS

Author: Kate Gilmore, CEO and Mayoral Executive Support

Authoriser: Sarah Philpott, Chief Executive Officer

RECOMMENDATION

1. That Council report titled 'Election of 2024 LGFA Representative Members' as presented on Tuesday 17 September 2024 be noted.
2. That Council endorse the following two candidates for the 2024 election of Local Government Finance Authority Representative Members:
 - (a) Xxx
 - (b) Xxxand the ballot paper be marked, sealed and returned to the Returning Officer accordingly.

PURPOSE

Council's endorsement of two candidates for the 2024 election of Local Government Finance Authority Representative Members.

BACKGROUND / OPTIONS

On 1 July 2024 nominations were called by Local Government Association Circular for two positions of Local Government Finance Authority Representative Members.

Five nominations were received necessitating an election process to be conducted. There is only currently one retiring member, who is eligible for re-election, being Mr Michael Sedgman (City of Adelaide).

Council has received correspondence from the Local Government Finance Authority advising of the election process for two (2) Representative Members.

The five candidates, in no particular order, are:

- Mr Michael Phillips-Ryder, Councillor – Light Regional Council;
- Mr Jonathan Pietzsch, Councillor – Coorong District Council;
- Mr Grant Piggott, Councillor – City of Norwood Payneham & St Peters;
- Mr Michael Sedgman, Chief Executive Officer – City of Adelaide; and
- Mr John Smedley, Councillor – City of Holdfast Bay.

Candidate details for each of the five candidates can be found as Attachment 1 for information.

The election process requires a resolution of Council to determine the candidates (being no more than two) it wishes to elect, after which the ballot paper will be marked, sealed and returned to the Returning Officer.

The completed ballot must be received in hardcopy by no later than 5:00pm on 11 October 2024.



CONCLUSION

Having considered the candidates for the position of Local Government Finance Authority Representative Members Council may now consider its preferred candidates for election.

Based upon the information provided and sectoral knowledge, the nominated candidates shall receive the Council's endorsement and vote.

ATTACHMENTS

1. Letter from LGFA, including candidate resumes [**18.7.1** - 10 pages]





Local Government
Finance Authority

TO: Chief Executive Officer

RE: Elections for the positions of Representative Members of the Board of Trustees

Our circular of 1 July 2024 called for nominations to fill the two representative board member positions (provided by Section 7(1)(a) of the *Local Government Finance Authority Act 1983*) currently held by Ms Annette Martin (City of Charles Sturt) and by Mr Michael Sedgman (City of Adelaide).

Five nominations have been received for the two positions, and as previously indicated in the abovementioned circular, the election will be conducted by postal ballot.

Enclosed please find details supplied by each candidate to assist councils in determining the candidates for whom they wish to vote. If councils wish to ascertain further details, they may contact the individual candidates direct.

In order to comply with the Rules of the Authority, the casting of the vote by your council must be conducted as follows:-

1. The voting must be on the enclosed ballot paper which has all the candidates listed in alphabetical order together with the closing date for the election.
2. The council must by Resolution determine which candidates (being not more than two) they wish to elect.
3. The council's representative to the AGM of the Local Government Finance Authority of South Australia (or in his absence the councillor chairing the council meeting) shall at the council meeting in his own handwriting mark the ballot paper with an "x" next to the two candidates whom the council wishes elected. Please do not type in the "x" after the meeting or mark the ballot paper in any other way.
4. (a) The ballot paper should then be inserted in the attached small white 11B envelope addressed to the Returning Officer which is marked "Confidential Ballot Paper".
4. (b) The "Confidential Ballot Paper" envelope should then be placed in the middle sized DL envelope addressed to the Returning Officer and the council's name is to be recorded only on this particular envelope. It will be noted that the signature of the appointed AGM delegate should be added (if the delegate is absent the signature of the Chair of the council meeting).
4. (c) Finally, the middle sized envelope is to be returned to the Chief Executive Officer, Local Government Finance Authority of South Australia, Suite 1205, 147 Pirie Street, Adelaide, 5000, in the self addressed large C5 envelope which is included for that purpose. Please allow for adequate postage times.

5. All votes must be received by the Returning Officer by 5.00 pm on **Friday 11 October 2024**.
6. Only use the ballot paper enclosed with the signature of G Hollitt on the reverse, and if an error is made, return the spoilt ballot paper to this office and another will be returned to you.

If you have any further queries on the matter, please contact the undersigned, or Geoff Hollitt at this office.

Kindly arrange for this circular to be included on the council's next agenda for the information of the elected members.



Davin Lambert
Chief Executive Officer



Geoff Hollitt
Returning Officer

3 September 2024

Ballot Paper to go into small 11B envelope -

A)

<p>CONFIDENTIAL BALLOT PAPER</p> <p>The Returning Officer Local Government Finance Authority of South Australia Suite 1205, 147 Pirie Street ADELAIDE SA 5000</p>

then small envelope into middle size DL envelope

B)

<p>The Returning Officer Local Government Finance Authority of South Australia Suite 1205, 147 Pirie Street ADELAIDE SA 5000</p> <hr/> <p style="text-align: center;">COUNCIL NAME SIGNATURE AGM REPRESENTATIVE</p>
--

then POST to LGFA in large C5 envelope provided (Please allow adequate postage times)

C)

<p>Chief Executive Officer Local Government Finance Authority of South Australia Suite 1205, 147 Pirie Street ADELAIDE SA 5000</p>
--

BOARD NOMINATION RESUMES 2024



NAME

MICHAEL PHILLIPS-RYDER

OCCUPATION

Operations Manager - Construction (SA/WA/NT)

QUALIFICATIONS & AWARDS

Bachelor of Construction Management & Economics (Hons.)
Bachelor of Laws
Graduate Diploma in Legal Practice
Barrister and Solicitor of the Supreme Court of South
Australia

**CURRENT POSITION IN
LOCAL GOVERNMENT**

Councillor
Light Regional Council

PERIOD IN LOCAL GOVERNMENT

2 years

**OTHER COMMITTEES/ BODIES OF
LOCAL GOVERNMENT INVOLVEMENT**

Past

Light Regional Council

- CEO Selection Committee

Present

Light Regional Council

- Audit and Risk Committee

Gawler River Floodplan Management Authority

- Board Member

BOARD NOMINATION RESUMES 2024



NAME

JONATHAN PIETZSCH

OCCUPATION

Primary Producer and Agricultural Contractor

QUALIFICATIONS & AWARDS

Diploma in Agriculture

**CURRENT POSITION IN
LOCAL GOVERNMENT**

Councillor
Coorong District Council

PERIOD IN LOCAL GOVERNMENT

2 years

**OTHER COMMITTEES/ BODIES OF
LOCAL GOVERNMENT INVOLVEMENT**

Past

Tilly Swamp CFS

- Captain

Coonalpyn Lutheran Parish

- Chairman

Culburra Tennis Club

- President

Tintinara Hall– Section 41 Committee

- Community Member

Present

Tintinara Regional Area Development Enterprises

Laneway Assets Pty Ltd

- Chairman

Colebatch CFS

- 2nd Leutenant,

Tintinara Golf Club

- Treasurer

Tintinara Hall - Section 41 Committee

- Councillor

Family Agricultural companies.

- Director

Various Section 41 committees of council

BOARD NOMINATION RESUMES 2024



NAME

GRANT PIGGOTT

OCCUPATION

Business & Financial Management Consultant

QUALIFICATIONS & AWARDS

Bachelor of Economics, University of Adelaide
Qualified Chartered Accountant
Graduate of Institute of Company Directors
Graduate Diploma of Financial Planning

**CURRENT POSITION IN
LOCAL GOVERNMENT**

Councillor
City of Norwood Payneham & St Peters

PERIOD IN LOCAL GOVERNMENT

14 years

**OTHER COMMITTEES/ BODIES OF
LOCAL GOVERNMENT INVOLVEMENT**

Past

Eastern Waste Services

- Board Member, 2010 —2019

City of Burnside

- Council Member, 2010 — 2022
- Development Assessment Panel 2011-2014,2016
- Audit & Risk Committee 2015-2016, 2021
- CEO Performance & Appraisal Committee 2013-2014, 2017, 2019

Present

City of Norwood Payneham & St Peters

- Council Member, 2022 - Current
- Audit & Risk Committee, 2022 — Current
- Business & Economic Development Advisory Committee, 2022 – Current

ERA Water

- Board Member, 2022- Current

Highbury Landfill Authority

- Present Board Member, 2022 - Current

BOARD NOMINATION RESUMES 2024



NAME

MICHAEL SEDGMAN

OCCUPATION

Chief Executive Officer

QUALIFICATIONS & AWARDS

Master of Commercial Law (Deakin) 2007
Master of Business Administration (Deakin) 2005
Bachelor of Commerce (Deakin) 1987
Fellow of CPA Australia - FCPA
Fellow of Governance Institute of Australia - FGIA
Fellow of Chartered Governance Institute - FCG

**CURRENT POSITION IN
LOCAL GOVERNMENT**

Chief Executive Officer
City of Adelaide

PERIOD IN LOCAL GOVERNMENT

25 years

**OTHER COMMITTEES/ BODIES OF
LOCAL GOVERNMENT INVOLVEMENT**

Past

- Local Government Professionals SA 2019-2023
- Local Government Association Workers Compensation Scheme 2011-15
- Local Government Association Mutual Liability Scheme 2009-2015
- Waste Care SA 2010-2013
- South Australian Local Government Consulting 2006-2009
- Inner Northern Group Training Limited 2000-2004
- Yarra-Melbourne Regional Library Corporation 1999-2004 and 2006

Present

Local Government Finance Authority of South Australia

- Board Trustee since January 2019
- Audit and Risk Committee member 2019-20
- Board/Chair/Presiding Member since February 2021

Overview Committees of

- LGFA Asset Mutual Fund since 2017, Chair since 2019
- LG Income Protection Fund since 2017

BOARD NOMINATION RESUMES 2024



NAME

JOHN SMEDLEY

OCCUPATION

Elected Member
Somerton Ward, City of Holdfast Bay

Smedley Finance Solutions Pty Ltd
Self Employed Corporate/Property Finance Specialist
Previously 40+ years in Senior Business/Corporate Banking and Finance roles with various Bank and Non-Bank institutions, including NAB, Westpac, Citibank and Bendigo Adelaide Bank, Angas Securities Ltd. & Turner Securities Ltd.

QUALIFICATIONS & AWARDS

Master of Business Administration (University of Adelaide)
Fellow of Financial Services Institute of Australasia
Diploma in Banking & Finance
Diploma in Accounting
Diploma in Mortgage & Finance Broking

CURRENT POSITION IN LOCAL GOVERNMENT

Councillor
Somerton Ward

PERIOD IN LOCAL GOVERNMENT

10 years

OTHER COMMITTEES/ BODIES OF LOCAL GOVERNMENT INVOLVEMENT

Past

Somerton Ward at City of Holdfast

- Deputy Mayor & Councillor

Adelaide Airport Consultative Committee

- Member

Glenelg Oval Consultative Committee

- Member

Present

Holdfast Bay Audit and Risk Committee

- Presiding Member

Southern Regional Waste Resource Authority

- Board Member

Executive Committee

- Member

Adelaide Coastal Councils Network

- Member

Transforming Jetty Road Committee

- Member



LOCAL GOVERNMENT FINANCE AUTHORITY OF SOUTH AUSTRALIA

BALLOT PAPER

REPRESENTATIVE BOARD MEMBER

Two (2) Required:-

Place "X" next to two names you wish to vote for.

PHILLIPS-RYDER, M

PIETZSCH, J

PIGGOTT, G

SEDGMAN, M

SMEDLEY, J

CLOSING DATE: 5.00 PM at the office of the LGFA, Friday 11 October 2024

THE RETURNING OFFICER
LOCAL GOVERNMENT FINANCE AUTHORITY OF SOUTH AUSTRALIA
SUITE 1205, 147 PIRIE STREET
ADELAIDE SA 5000



11 OCTOBER 2024

18.8 POLICY REVIEWS

Author: Sally Wilson, Executive Administrator City Infrastructure
Authoriser: Barbara Cernovskis, General Manager City Infrastructure

RECOMMENDATION

1. That Council report titled 'Policy Reviews' as presented on Tuesday 17 September 2024 be noted.
2. That the following reviewed and updated policy be endorsed:
 - (a) W125 Waste Management - Kerbside Refuse Collection.

PURPOSE

Since the last Council meeting, one policy has been reviewed and is submitted for Council's endorsement:

Policy:	Proposed Changes:
W125 Waste Management - Kerbside Refuse Collection	<ul style="list-style-type: none">• Limiting x 3 FOGO bins per property• Non-rateable properties cannot purchase FOGO bins as they do not pay the waste service charge.• Replacement of stolen bins require customers to complete a Statutory Declaration.• Returning for missed collections to be within 5 days aligned with the scheduled weekly pickup.

A copy of the marked-up policy is attached to this report.

SUMMARY OF IMPLICATIONS AND BENEFITS

Implications

- Policies that are non-compliant or do not reflect current practices increases Council's liability.
- If policies are not regularly reviewed this can cause inefficiencies and incorrect decisions being made.

Benefits

- Regular reviews of policies to ensure Council is compliant with mandatory policies under by the Local Government Act 1999.
- Policies help to shape the framework for our community and ensure correct management of public resources.
- Regular reporting on outstanding policies to the Audit and Risk Committee and Council ensures transparency for the community.

BACKGROUND / OPTIONS

Council periodically reviews its policies over the term of the Council to ensure they remain up to date with legislative, administrative or civic requirements, Council and community expectation and emerging practices in local government.

Following the Interim Audit carried out in May 2023 the review of all policies continues with an action plan and regular reporting on progress to the Executive Leadership Team.



As of 20 August 2024, 13 of Council's 78 policies require review/updating. A spreadsheet detailing Council's policies along with status update for those requiring attention, is attached.

DETAILED IMPLICATIONS

Legal	The <i>Local Government Act 1999</i> and other Acts require Council to adopt certain 'mandatory' policies. Except where prescribed there is no legislative requirement to review policies with any particular frequency or time period, however it is good practice, and Council has resolved to review each policy at least once during the Council term (i.e. during the period November 2022 to November 2026). Noting the election caretaker period commencing in August/September 2026.
Financial and Budget	N/A
Other Resources	The review of policies does not itself manage risk, except where there is a requirement to review within a certain timeframe. However, the continual periodic review of policy provisions to ensure their currency assists with managing relevant risks. Similarly, in circumstances where the risk of adopting policy that is at variance to legislative requirements, there is a risk in the premature review of policy ahead of other supporting resources.

RISK ANALYSIS

Consequence	Consequence Rating:	Risk Likelihood Rating:	Risk Rating	Risk Controls and effectiveness	Risk Mitigation Plan
Finance	Insignificant (1)	Rare (1)	Low	Appropriate financial delegations.	Internal financial protocols. Procurement Policy.
Reputation	Minor (2)	Unlikely (2)	Low	Proactive approach and transparency for the community.	Regular reports to Council on outstanding policies. Quarterly reporting to Audit and Risk Committee.
Legal / Regulatory / Policy	Major (4)	Rare (1)	Moderate	Develop policies that comply with relevant regulations to minimise exposure.	Regularly examining policy provisions to remain current.
Service Delivery	Minor (2)	Rare (1)	Low	N/A	N/A
People	Catastrophic (5)	Rare (1)	High	Ensure correct management of public resources.	Up to date staff knowledge. Induction process for new employees.
Infrastructure	Insignificant (1)	Rare (1)	Low	N/A	N/A



Environmental	Insignificant (1)	Rare (1)	Low	N/A	N/A
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APPLICATION OF MOUNT GAMBIER 2035

Policies provide a structure for decision making processes and help shape the framework for our community.

To best serve our community, it is essential that Council develops policies that comply with legislation, provide transparency and best practice for long-term planning.

APPLICATION OF STRATEGIC PLAN

Goal 5 Our Commitment

5 Our Commitment

RELEVANT COUNCIL POLICY

[Waste Management - Refuse Collection - W125](#)

IMPLEMENTATION, COMMUNICATION AND ENGAGEMENT

The updated policy is intended to be managed in the same way as in previous years.

CONCLUSION


This report recommends the following reviewed and updated policy be endorsed:

- W125 Waste Management - Kerbside Refuse Collection.

ATTACHMENTS

1. Draft - Council Policy W125 - Waste Management - Kerbside Refuse Collection [18.8.1 - 9 pages]
2. Policies Due for Review - as at 20 August 2024 [18.8.2 - 4 pages]



	W125 WASTE MANAGEMENT		Version No:	6
	KERBSIDE REFUSE COLLECTION		Issued:	
			Next Review:	November 2026

1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier (“Council”) for the kerbside collection of household/putrescible waste, recyclables, food organics and garden organics (FOGO) refuse within the Council area.

2. PURPOSE

The purpose of this policy is to provide guidance in the provision of a **safe**, environmentally and financially sustainable kerbside collection service and assist in **actively diverting ~~reducing~~ waste to landfill and reducing contamination to Recyclable and FOGO disposal facilities** at an equitable cost.

3. SCOPE

This policy applies to the collection of kerbside waste for the City of Mount Gambier.

4. DEFINITIONS

Key Term - Acronym	Definition
Food Organics and Garden Organics (FOGO)	*Acceptable materials to be placed in the FOGO waste bin.
Commercial Entities	Rateable properties that provide a commercial business activity.
Contiguous Properties	Where two or more adjoining properties have the same owner and occupier.
Landowner	Owner of land or property.
Mobile Garbage Bin (MGB)	Standalone bin mounted on wheels - 140 litres (household) and 240 litres (recyclable and FOGO).
Non-rateable Premises	Land that is not required to pay Council rates as defined in LGA s147(2).
Occupiable Premises	Land that has a building fit for occupancy.
Rateable Premises	Tax imposed on land within the Council area, in accordance with the Local Government Act 1999.
Recyclable Waste	*Acceptable materials to be placed in the recyclable waste bin.
General Waste	*Acceptable materials to be placed in the general waste bin.

*Refer to Council’s website - <https://www.mountgambier.sa.gov.au/sustainability>

5. ROLES AND RESPONSIBILITIES


Council

Responsible for adopting the policy, allocating resources, and providing high level oversight of the delivery of the Council’s asset management strategy and plans. The council is also responsible for ensuring that organisational resources are appropriately funded to ensure sustainable service delivery.

The Chief Executive Officer

Responsible for resourcing the development of a waste management strategy, plans and procedures and reporting on the status and effectiveness of waste management within Council.

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	W125 WASTE MANAGEMENT KERBSIDE REFUSE COLLECTION	Version No:	6
		Issued:	
		Next Review:	November 2026

The General Manager – City Infrastructure

Responsible for developing and implementing a Waste Management Strategy and associated management plans for kerbside refuse collections, to achieve the strategic objectives within the agreed time frame. Monitor and review the effectiveness of Council's Waste Management Strategy and Plan.

Manager Waste, ReUse and Environment

Responsible to develop waste management plans for kerbside refuse collections, using best practice waste management principals, to achieve waste reduction at landfill. To implement improvement plans for general waste, recycling and FOGO collections. To implement action plans (such as education campaigns, maintenance programs, capital works programs) in accordance with waste management plans. To deliver levels of service to agreed risk and cost standards. To present information to the Council and Chief Executive in terms of Community needs, lifecycle, risk and costs. To ensure statutory requirements are met and ensure EPA regulatory requirements are incorporated into related waste management strategies and plans.


Employees

Employees are responsible for adhering to the policy. Any staff member that has a responsibility to program, instigate, govern or oversee work that is related to kerbside refuse collections must collect all required data related to that activity and ensure that all information collected is entered into the relevant Council system(s) in accordance with waste management procedures, strategy and plans.

6. HOUSEHOLD GENERAL WASTE (RED LID)

- (a) Council will provide a weekly general waste collection to all rateable premises within the Council area and on which an occupiable premises is erected. The collection day for each premises shall be determined by the General Manager City Infrastructure and/or the Manager Waste, ReUse and Environment.
- (b) Each rateable premises (on which an occupiable premises is erected) will be entitled to place out for collection, on the nominated day, one 140 litre mobile garbage bin (MGB) (green body - red lid), for household and putrescibles waste.
- (c) ~~Initial~~The MGB's will be supplied by Council ~~at no cost and will be collected by Council at no extra charge.~~ Noting that the bins are owned by Council and oOnly bins supplied by Council will be collected.
- (d) Any MGB that is lost, stolen, damaged or otherwise deemed non-useable (fair wear and tear excepted) is to be replaced by the landowner at the landowner's expense. If the landowner can provide a ~~Police Report or~~ Statutory Declaration proving the bin has been stolen the replacement fee can be waived at the discretion of the General Manager City Infrastructure and/or the Manager Waste, ReUse and Environment.
- (e) Non-rateable premises do not receive a bin service.
- (f) For contiguous properties, where two or more adjoining properties have the same owner and occupier (as per Council Policy Rates - Rating Policy), these properties will be charged one waste service fee and only receive x1 general waste and x1 recycle bin.
- (g) Rateable recreational or sporting activities (community groups) will be provided x1 general waste and x1 recycle bin at no cost.

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--	-------------

	W125 WASTE MANAGEMENT		Version No:	6
	KERBSIDE REFUSE COLLECTION		Issued:	
			Next Review:	November 2026

- (h) Council agrees to supply and collect, at no additional cost, a second MGB (to maximum size 140 litre) for residents who have a medical condition. This collection will only be available for the duration of the medical condition. An additional MGB for a medical condition will be determined by the General Manager City Infrastructure on provision of a medical certificate.
- (i) Commercial entities are not entitled to additional services and are encouraged to engage local contractors.


7. RECYCLABLES (YELLOW LID)

- (a) Council will provide a fortnightly recyclable waste collection to all rateable premises within the Council area and on which an occupiable premises is erected. The collection day for each premises shall be determined by the General Manager City Infrastructure and/or the Manager Waste and ReUse.
- (b) Each rateable premises (on which an occupiable premises is erected) will be entitled to place out for collection, on the nominated day, one 240 litre mobile garbage bin (MGB) (blue body - yellow lid), for recyclable waste.
- (c) ~~Initial~~The MGB's will be supplied by Council at no cost and will be collected by Council at no extra charge. Noting that the bins are owned by Council and oOnly bins supplied by Council will be collected.
- (d) Any MGB that is lost, stolen, damaged or otherwise deemed non-useable (fair wear and tear excepted) is to be replaced by the landowner at the landowner's expense. If the landowner can provide a ~~Police Report or~~ Statutory Declaration proving the bin has been stolen the replacement fee can be waived at the discretion of the General Manager City Infrastructure and/or the Manager Waste, ReUse and Environment.
- (e) Under no circumstances is FOGO material to be deposited in the yellow lid MGB placed out for fortnightly collection. Council reserves the right not to collect a yellow lid MGB with FOGO material (or prescribed waste as defined later). MGB's detected to be containing anything other than approved recyclable waste will not be collected and a formal warning given to the owner/occupier. Repeat breaches may result in a suspension of the service for two collection periods (i.e. 4 weeks).
- (f) Under no circumstances are non-recyclable materials to be deposited in the yellow lid recycling MGB placed out for fortnightly collection. Council reserves the right not to collect a yellow lid recycling MGB which contains non-recyclable waste. MGB's detected to be containing anything other than approved recyclable waste will not be collected and a formal warning given to the owner/occupier. Repeat breaches may result in a suspension of the service for two collection periods (i.e. 4 weeks).

Acceptable recyclable materials include:

- Paper and cardboard.
- Cartons.
- Plastics 1-5 (not 6 & 7).
- Glass bottles and jars (not broken).
- Tins and cans.

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---	--------------------


	W125 WASTE MANAGEMENT		Version No:	6
	KERBSIDE REFUSE COLLECTION		Issued:	
			Next Review:	November 2026

- (g) Non-rateable premises do not receive a bin service.
- (h) For contiguous properties, where two or more adjoining properties have the same owner and occupier (as per Council Policy Rates - Rating Policy), these properties will be charged one waste service fee and only receive x1 general waste and x1 recycle bin.
- (i) Rateable recreational or sporting activities (community groups) will be provided x1 general waste and x1 recycle bin at no cost.
- (j) Commercial entities are not entitled to additional services and are encouraged to engage local contractors.
- (k) Schools can apply for additional recyclable waste ~~and/or FOGO~~ services for education purposes. Applications must be made in writing to the General Manager City Infrastructure. Council reserves the right to engage with entities to develop education programs as part of the additional bin requests.

8. FOGO WASTE COLLECTION

- (a) Council will provide, on a once-off payment for a MGB, a fortnightly FOGO waste collection service to residential premises within the Council area and on which an occupiable premises is erected. The collection day for each premises shall be determined by the General Manager City Infrastructure and/or the Manager Waste, ReUse and Environment. ~~This is an optional service.~~
- (b) Council will collect one 240 litre MGB (green body - lime green lid) of FOGO waste per fortnight from residential premises that have purchased the appropriate Council approved MGB. Council will allow a premises to have ~~in excess of one up to three~~ 240 litre MGB's for the FOGO waste collection service and will collect each bin as a separate service, on payment for the additional MGB (strictly Council purchased bins capped at three).
- (c) Customers with existing non-conforming FOGO bins can contact Council for a replacement lid (lime green) at no cost.
- (d) Any MGB that is lost, stolen, damaged or otherwise deemed non-useable (fair wear and tear excepted) is to be replaced by the landowner at the landowner's expense. If the landowner can provide a Statutory Declaration proving the bin has been stolen the replacement fee can be waived at the discretion of the General Manager City Infrastructure and/or the Manager Waste, ReUse and Environment.
- (e) Only FOGO material is to be placed in the 240 litre MGB. FOGO waste includes all types of organic garden waste, lawn clippings, food scraps (can be wrapped in newspaper), meat, bones, etc. Clean and uncontaminated organic waste is of paramount importance to the long-term viability of the FOGO waste collection and disposal service.
- (f) Hard materials such as metals, stone etc are not to be deposited in the FOGO waste MGB.

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--	--------------------

	W125 WASTE MANAGEMENT KERBSIDE REFUSE COLLECTION	Version No:	6
		Issued:	
		Next Review:	November 2026

(g) MGB's detected to be containing anything other than approved FOGO waste will not be collected and a formal warning given to the owner/occupier. Repeat breaches may result in a suspension of the service for two collection periods (i.e. 4 weeks).

~~(h) Non-rateable premises are able to utilise this service under the same terms and conditions as rateable premises.~~

(h) Users of the system are to ensure that the total weight of the MGB does not exceed 75kg (wet grass clippings can be extremely heavy), or the volume does not exceed 240 litres.

(i) Schools can apply for additional ~~recyclable waste and/or~~ FOGO services for education purposes. Applications must be made in writing to the General Manager City Infrastructure. Council reserves the right to engage with entities to develop education programs as part of the additional bin requests.

9. GENERAL

(a) All MGB's placed out for collection must be positioned in accordance with the attached plan and must be at least 1m apart.

(b) MGB's for collection shall be placed in the appointed place for collection by 6:00am on the nominated collection day for that premises (including Public Holidays).


(c) The following materials are prohibited from being placed out for collection:

1. Prescribed wastes as listed in Schedule 1, Part B, of the *Environment Protection Act*. This does not apply to empty contaminated herbicide, fungicide and pesticide containers, that are less than four (4) litres capacity; and the contents of which have been used for domestic purposes.
2. Potentially explosive material.
3. Liquid wastes.
4. Hot ashes.
5. Commercial and industrial wastes.
6. E-waste and fluorescent lighting.

(d) The following constitutes grounds for refusal to make collection of refuse placed out for collection:

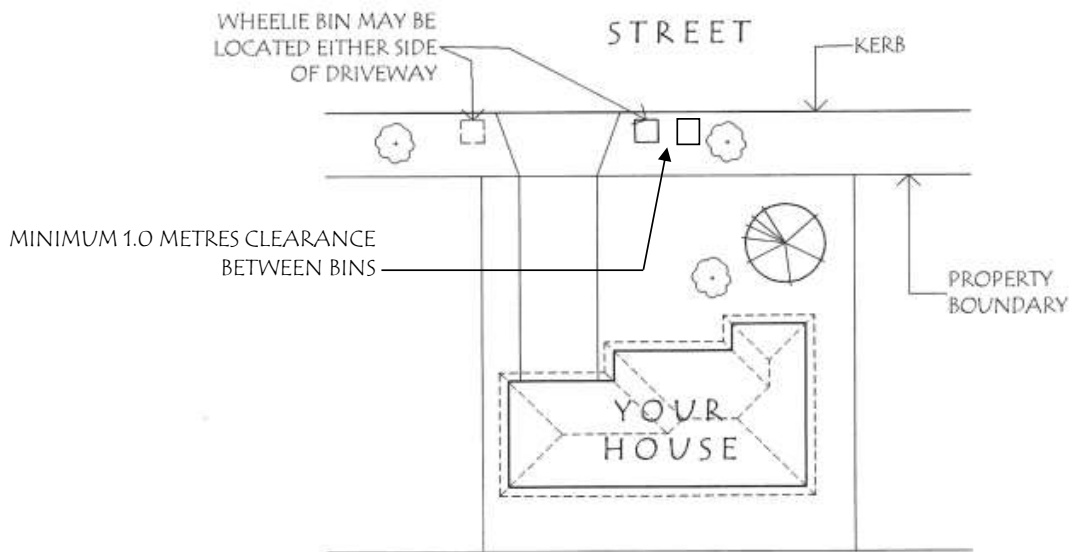
1. The MGB contains matter prohibited by this policy.
2. The MGB was late being placed out for collection or was not positioned in accordance with this policy.
3. The incorrect bin was placed out for collection on the scheduled day.
4. The MGB was placed out for collection in front of a premises which did not have an occupiable premises on it.


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---	-------------

	W125 WASTE MANAGEMENT		Version No:	6
	KERBSIDE REFUSE COLLECTION		Issued:	
			Next Review:	November 2026

- 5. Rubbish was jammed or stuck in the MGB.
 - 6. The MGB was over filled or plastic liners were not enclosed inside the MGB.
 - 7. The MGB was too heavy.
- (e) Council will repair bin lids and wheels (where possible), and also replace bins damaged during the collection process. Customers are required to ring Council for any repairs to bins or replacements.
- (f) Council will not return for bins that are not placed out in time for collection (being by 6:00am on the nominated collection day for that premises, including Public Holidays). Customers must wait until the next scheduled collection or can take their waste directly to the Waste Transfer Station and pay the relevant fee.
- (g) Where rubbish has not been collected in accordance with this policy, notice shall be left at the premises giving the reason the collection was not made.
- (h) At the refuse collector's discretion, a collection may be made which could have been refused pursuant to this policy. In such cases, a notice shall be left at the premises advising that future collections will not be made unless specified remedial action is taken by the owner/occupier.
- (i) For all missed bin requests, Council will return within ~~53~~ clear business days.

 City of Mount Gambier	W125 WASTE MANAGEMENT		Version No:	6
	KERBSIDE REFUSE COLLECTION		Issued:	
			Next Review:	November 2026



	W125 WASTE MANAGEMENT KERBSIDE REFUSE COLLECTION	Version No:	6
		Issued:	
		Next Review:	November 2026


10. REVIEW & EVALUATION

This Policy is scheduled for review by Council in November 2026, however, will be reviewed as required by any legislative changes which may occur.

11. AVAILABILITY OF POLICY

This Policy will be available for inspection at Council’s principal office during ordinary business hours and on the Council’s website www.mountgambier.sa.gov.au. Copies will also be provided to interested members of the community upon request, and upon payment of a fee in accordance with Council’s Schedule of Fees and Charges.

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	W125 WASTE MANAGEMENT KERBSIDE REFUSE COLLECTION	Version No:	6
		Issued:	
		Next Review:	November 2026

File Reference:	AF11/1743
Applicable Legislation:	Environment Protection (Waste to Resources) Policy 2010
Strategic Plan Reference:	Goal 2: Our Location
Related Policies:	Waste Management - Receival of Waste - Caroline Landfill Rates - Rating Policy
Related Procedures:	Relevant SOP's
Related Documents:	Schedule of Fees and Charges Annual Business Plan and Budget Waste and Resource Recovery Strategy 2023-2030

DOCUMENT DETAILS

Responsibility:	General Manager City Infrastructure
Version:	6
Last revised date:	
Effective date:	
Minute reference:	
Next review date:	November 2026
<u>Document History</u>	
First Adopted By Council:	20 June 2000
Reviewed/Amended:	15 April 2003; 19 September 2006; 17 February 2009; 17 July 2014; 16 May 2017; 19 December 2017; 19 April 2022

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--	-------------

COUNCIL POLICES DUE FOR REVIEW – AS AT 20 AUGUST 2024

1/11/2019	GMCRS	C290 - Internal Review of Council's Decisions	AR11/4211[v4]	Awaiting the final release from the LGA of the updated Template/Model Section 270 Policy(s), which is understood to be drafted but not yet finalised. This will incorporate the content of C290/C200 following the Local Government Reform Bill.
1/03/2021	GMCRS	C200 - Request for Service and Complaint Policy	AR11/4123[v5]	Awaiting the final release from the LGA of the updated Template/Model Section 270 Policy(s), which is understood to be drafted but not yet finalised. This will incorporate the content of C290/C200 following the Local Government Reform Bill.
1/07/2022	GMCRS	M270 - Members - Mayor Seeking Legal Advice	AR11/7140[v2]	Proposed to be incorporated into Member Allowances and Benefits Policy when it is presented to rectify Member reimbursement issue. This is awaiting some Member information before legal advice and draft policy/procedural recommendations can be finalised.
1/04/2023	GMCCG	P195 - Community Consultation and Engagement Policy	AR11/4309[v3]	Pending an updated LGA Template/Model Policy following LG Reform Bill, which in turn is pending State Government finalisation of Statewide LG Community Engagement Charter (CEC).
1/08/2023	GMCRS	P910 - Provision of Loans or Guarantees to Community Groups TEMPORARILY SUSPENDED - COUNCIL RESOLUTION 2023/253 - 12/12/2023	AR19/47356	
1/08/2023	GMCRS	L130 - Land Divisions	AR14/31659[v13]	Will move to City Infrastructure.

COUNCIL POLICES DUE FOR REVIEW – AS AT 20 AUGUST 2024

1/11/2023	GMCI	Emergency Management	AR20/82686	
1/11/2023	GMCRS	E200 - Employees - Service Awards - Gifts as Resignation/Retirement TEMPORARILY SUSPENDED AS PER COUNCIL RESOLUTION 2023/253 - 12/12/2023	AR11/4339[v3]	
1/11/2023	GMCCG	A240 - Assemblies and Events on Streets and Other Council Land	AR11/4169[v7]	
1/12/2023	GMCRS	Unreasonable Conduct	AR20/86076	This policy also involves interactions related to internal reviews, service requests, and complaints. Therefore, it is recommended that these be reviewed and presented to the Council together after each has been aligned with the LGA Model.
1/03/2024	GMCI	W125 - Waste Management - Kerbside Refuse Collection	AR11/4389[v5]	
1/04/2024	GMCI	A900 - Asset Management	AR19/47005[v2]	
1/09/2024	GMCI	Memorials	AR20/82705	
1/11/2024	GMCRS	T150 - Treasury Management	AR11/4120[v9]	
1/04/2025	GMCI	T120 - Tree Policy	AR11/4488[v5]	
1/05/2025	GMCRS	R105 - Rates - Rating Policy	AR11/4090[v15]	
1/05/2025	GMCRS	R155 - Rates - Rebate Policy	AR11/5724[v14]	
1/06/2025	GMCRS	- Asset Accounting	AR22/29744[v5]	
1/07/2025	GMCRS	P900 - Public Interest Disclosure	AR19/38894[v3]	
1/07/2025	GMCRS	R200 - Reserves - Lease/Licence/Rental Arrangements	AR14/13125[v12]	

COUNCIL POLICES DUE FOR REVIEW – AS AT 20 AUGUST 2024

1/08/2025	GMCRS	C700 - Corporate Branding and Identity	AR17/39353[v2]	
1/11/2025	GMCRS	B300 - Budget Framework Policy	AR12/18558[v6]	
1/01/2026	GMCRS	- Council Election Caretaker Policy (formerly C305 - Caretaker Policy)	AR11/4214[v5]	
1/02/2026	GMCCG	- Dual Naming	AR22/22212	
1/05/2026	GMCRS	M405 - Council Members - Allowances and Benefits	AR14/44893[v4]	
1/11/2026	GMCRS	- Behavioural Management	AR22/86585[v2]	
1/12/2026	GMCRS	M500 - Members Training & Development Policy	AR16/77[v3]	
1/12/2026	GMCRS	S400 - Supplementary Elections	AR14/44891[v3]	
1/01/2027	GMCRS	S140 - Street Numbering	AR11/4161[v5]	
1/08/2027	GMCRS	- Animal Management - Unclaimed Dogs	AR23/56504	
1/08/2027	GMCRS	P155 – Privacy	AR14/13130[v3]	
1/08/2027	GMCRS	L230 - Licensed Premises	AR11/4470[v10]	
1/08/2027	GMCRS	P135 - Entertainment Venues	AR11/4473[v8]	
1/08/2027	GMCRS	F510 - Inspectorial - Footways and Council Land - Fundraising and Promotion	AR15/11759[v4]	
1/08/2027	GMCRS	F505 - Footways and Council Land - Sale of Commodities	AR15/11756[v3]	
1/08/2027	GMCRS	F500 - Footways and Council Land - Removal of Objects	AR15/11754[v3]	
1/08/2027	GMCRS	F135 - Flammable Undergrowth	AR11/4417[v7]	
1/08/2027	GMCRS	- F125 - City Burning	AR18/28145[v2]	
1/08/2027	GMCRS	A520 - Animal Control	AR15/11766[v3]	
1/08/2027	GMCRS	A515 - Animal Control – Dogs	AR15/11765[v4]	
1/08/2027	GMCCG	- Illumination of Assets	AR23/26815[v2]	
1/08/2027	GMCi	W115 - Waste Management - Receiving of Waste - Caroline Landfill	AR11/4388[v4]	
1/09/2027	GMCCG	- Grants and Sponsorship	AR24/39109	
1/09/2027	GMCRS	- External Grant Funding	AR23/65871	
1/09/2027	GMCRS	- Political Neutrality and Government Relations	AR23/65568	
1/09/2027	GMCi	S120 - Street Signs - Directional, Tourist and Other Scenic Facility Signs	AR11/4368[v5]	
1/09/2027	GMCi	C120 - Cemeteries - Carinya Gardens and Lake Terrace Cemetery	AR17/44799[v7]	
1/09/2027	GMCRS	P415 - Prudential Management)	AR14/45050[v3]	
1/09/2027	GMCRS	- Internal Controls	AR22/37682[v2]	
1/09/2027	GMCi	E135 - Encroachments - Protection of Public During Building and Maintenance Works	AR14/37664[v4]	
1/09/2027	GMCi	R270 - Road Pavement - Excavation and Reinstatement Of	AR11/4367[v9]	
1/09/2027	GMCi	F175 - Footways and Crossovers	AR14/37645[v4]	
1/09/2027	GMCi	F190 - Footways - Paving in City Centre Zone	AR11/4362[v4]	
1/09/2027	GMCi	F110 - Fencing Costs - Contributions by Council	AR11/4414[v4]	
1/09/2027	GMCi	C355 - Council Land - Irrigation Policy	AR11/4479[v5]	
1/09/2027	GMCi	S115 - Fencing of Stormwater Retention Basins	AR11/17212[v5]	
1/10/2027	GMCRS	- Volunteer Management	AR23/74317	
1/12/2027	GMCRS	- Internal Audit	AR23/89179	

COUNCIL POLICES DUE FOR REVIEW – AS AT 20 AUGUST 2024

1/12/2027	GMCRS	- Disposal of Land and Assets	AR23/89192	
1/12/2027	GMCRS	- Procurement	AR23/89189	
1/12/2027	GMCRS	C320 - Council Chamber and Reception Area - Use of	AR11/4217[v6]	
1/01/2028	GMCRS	- Council Determined Meeting Procedures	AR24/6538	
1/01/2028	GMCRS	- Information Security	AR24/6584	
1/01/2028	GMCRS	M205 - Members - Mayor - Anniversary Messages	AR11/4234[v4]	
1/01/2028	GMCRS	F140 - Flags – Protocol	AR11/4133[v8]	
1/01/2028	GMCRS	E115 - Elections - Council Entitlement to Vote	AR11/4132[v6]	
1/01/2028	GMCRS	s92 Code of Practice for Access to Meeting and Documents	AR14/45048[v13]	
1/03/2028	GMCRS	- Citizen of the Year Awards (formerly A270 - Australia Day Awards)	AR11/4170[v6]	
1/03/2028	CEO	M130 - Media - Statements on behalf of Council	AR11/4222[v3]	
1/03/2028	GMCCG	- Riddoch Arts and Cultural Centre Hire (formerly C140 - Main Corner Complex - Hire)	AR11/4171[v9]	
1/03/2028	GMCCG	S135 - Street - Naming of	AR11/4474[v4]	
1/05/2028	GMCRS	R180 - Records Management	AR14/13683[v5]	
1/05/2028	GMCRS	O110 - Order Making	AR11/4427[v12]	
1/05/2028	GMCCG	- Library Collection Development	AR23/76530	
1/06/2028	GMCRS	- Risk Management	AR20/82678[v2]	
1/08/2028	GMCRS	U900 Unsolicited Proposals	AR19/38900[v2]	
1/08/2028	GMCRS	- Onsite Waste Water Systems (formerly B150 - Building - Sewer Connections, Waste Management Control and Provision of Toilet Facilities)	AR11/4402[v8]	
1/08/2028	GMCRS	F225 - Fraud, Corruption, Misconduct and Maladministration Prevention Policy	AR11/4220[v11]	

18.9 PERIODIC REVIEW OF CONFIDENTIAL ITEMS - SEPTEMBER 2024

Author: Brittany Shelton, Manager Governance and Property
Authoriser: Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services

RECOMMENDATION

1. That Council report titled 'Periodic Review of Confidential Items - September 2024' as presented on Tuesday 17 September 2024 be noted.
2. That the following Confidential Orders as specified in Attachment 1, having been reviewed by Council, be amended to alter their duration and release conditions:
Nil.
3. That the following Confidential Orders as specified in Attachment 1, having been reviewed by Council, be released as soon as practicable following the Council meeting on 17 September 2024:
Nil.
4. That all Confidential Orders as specified in Attachment 1, excluding those amended or released in resolutions (2) or (3) above, having been reviewed by Council, remain in operation on the grounds and durations/release conditions as specified.

PURPOSE

Council's periodic review of confidential items in accordance with section 90(9) of the Local Government Act 1999 (the Act).

SUMMARY OF IMPLICATIONS AND BENEFITS

Implications

Section 90(9) of the Act requires that any order to retain a matter 'in-confidence' that operates for a period exceeding 12 months must be reviewed at least once in every year.

Further, Section 91(9) provides that:

- (i) The duration of an order cannot be extended after the order has ceased to apply; and
- (ii) An order extending the duration of such an order cannot be delegated by the relevant Council or Council Committee.

Upon consideration of this report Council will have fulfilled its review obligations for the confidential matters presented and the relevant Confidentiality Orders will remain in operation.

Council may also determine to release any or all of the matters from confidence, in part or full, and in doing so should specify which parts of each Order are to be released or are to remain in operation.

Council should note the validity of the use of the confidentiality provisions in the Act, including for the purpose of protecting commercial position of the Council (and community) and to mitigate Council (and the community) exposure to risk and liability that could arise from the inappropriate or premature release of information that could jeopardise the commercial position or breach the trust of a third party.



Benefits

Council must balance the ability and appropriateness of considering and retaining matters ‘in-confidence’ against the public interest, which may suffer a benefit and/or a loss from the (premature) public release of information protected by a Confidentiality Order.

BACKGROUND / OPTIONS

Parts 3-5 of Chapter 6 of the Act provide for public access to Council and Committee meetings and establishes the confidentiality framework by which Council may restrict public access to Council meetings and associated reports, attachments and minutes/resolutions in accordance with sections 90-92 of the Act.

This framework is also set out in Council’s s92 Code of Practice for Access to Meetings and Documents as adopted in January 2024 following public consultation in October 2023 and a Member Workshop on 28 November 2023. Further information relating to this is available in Council Report No. AR23/67199 titled ‘Periodic Review of Confidential Items – March 2024’ as considered at the 19 March 2024 Council meeting.

Further information on the legislative requirements associated with Confidentiality Orders is also provided under the ‘implications’ heading of this report, and in the Local Government Association ‘Confidentiality Guidelines: How to apply section 90 of the Local Government Act 1999’ (LGA Guidelines).

DETAILED IMPLICATIONS

Legal	Council and council committee meetings are open to the public and attendance by the public is facilitated through notification of meeting details. In some instances, a council (or the council committee) may form the view that it is necessary in the broader community interest to exclude the public from the discussion (and, if necessary, decision) of a particular matter. The public will only be excluded when it is considered proper and necessary i.e. the need for confidentiality outweighs the principle of open decision making. The appropriate balance of the various legal tensions is paramount to ensure that Council complies with a range of legal requirements, including copyright, intellectual property and competitive neutrality principles, as well meeting the transparency of decision-making expectations of a local government agency.
Financial and Budget	Nil
Other Resources	Nil

RISK ANALYSIS

Consequence	Consequence Rating:	Risk Likelihood Rating:	Risk Rating	Risk Controls and effectiveness	Risk Mitigation Plan
Finance	Moderate (3)	Rare (1)	Low	Appropriate application of s90 confidentiality provisions as required.	Risk within tolerance – no additional mitigations required.
Reputation	Major (4)	Unlikely (2)	Moderate	Adhering to best practice expectations to ensure open and accountable decision-making, building professional relationships with	Risk within tolerance – no additional mitigations required.



				local media, specific media protocols for high-interest or controversial topics.	
Legal / Regulatory / Policy	Major (4)	Rare (1)	Moderate	Appropriate application of s90 confidentiality provisions as required.	Risk within tolerance – no additional mitigations required.
Service Delivery	Minor (2)	Rare (1)	Low	Appropriate application of s90 confidentiality provisions as required.	Risk within tolerance – no additional mitigations required.
People	Minor (2)	Rare (1)	Low	Appropriate application of s90 confidentiality provisions as required.	Risk within tolerance – no additional mitigations required.
Infrastructure	Moderate (3)	Rare (1)	Low	Appropriate application of s90 confidentiality provisions as required.	Risk within tolerance – no additional mitigations required.
Environmental	Minor (2)	Rare (1)	Low	Appropriate application of s90 confidentiality provisions as required.	Risk within tolerance – no additional mitigations required.

APPLICATION OF MOUNT GAMBIER 2035

Economic and Business Growth

The appropriate use of confidential provisions enables commercially competitive tendering, innovation and promotes economic development within our Council area and our region.

APPLICATION OF STRATEGIC PLAN

Goal 5 Our Commitment

5 Our Commitment

In order for Council to best serve our community, we must ensure that we have strong governance frameworks and mechanisms to support open and transparent decision-making, whilst also preserving the intellectual property rights, commercially sensitive information, and legal advice of our organisation, partners and stakeholders.

RELEVANT COUNCIL POLICY

[s92 Code of Practice for Access to Meetings and Documents](#)

Council's s92 Code of Practice for Access to Meetings and Documents contains the provisions required under s92 of the Act relating to public access to meetings and documents and the application of the confidentiality provisions, which is in accordance with the LGA Guidelines.



IMPLEMENTATION, COMMUNICATION AND ENGAGEMENT

Section 90(9) provides that any Confidentiality Order that operates for a period exceeding 12 months must be reviewed at least once in every year. Council last reviewed Confidentiality Orders in March 2024, including those made by Council up until October 2023.

This report presents for review the Confidential Orders contained within the attached table (**Attachment 1**) as previously made by Council up to March 2024 that remain operational and warrant review in accordance with Section 90(9) of the Act.

In reviewing, Council may consider that the Confidential Orders for each of these matters should remain in operation and continue to be reviewed in accordance with the Act. No further action will be required for these existing Confidentiality Orders to continue in operation.

Alternatively, Council may determine that one or more of the existing Confidential Orders should be amended or cease to operate; and accordingly, may Order that the confidential item be partially or fully released, or to amend the grounds for keeping confidential or duration/conditions for release.

As this review of Confidentiality Orders is being presented to an open meeting, if Council wish to discuss any of the confidential content of items or have associated documents tabled, then it is recommended that a Confidentiality Order be made to enable consideration in-confidence, and that a further Confidentiality Order may be necessary to maintain the confidentiality of tabled documents (if any). Alternatively, Members may access and review the confidential agendas, minutes, reports and attachments associated with the Confidential Orders presented for review through the Member Extranet and address any queries to the Manager Governance and Property prior to the meeting.

Confidentiality Orders made since March 2024, and earlier Orders that fall due for periodic review will be presented in a further report in early-2025.

It is noted that several significant reports, attachments and resolutions, including a number relating to the Wulanda Recreation Centre, will be due for release in or around November 2024, unless confidentiality orders are amended / extended prior. These items are currently under review and consideration regarding the appropriateness of any such amendment / extension, which may form the basis of a future report to Council.

A Register of Confidential Items, including weblinks to released items, is published on the Council website, including the grounds, duration and release conditions for items that remain subject to the operation of a Confidentiality Order.

The Register of Confidential Items can be accessed [here](#).

CONCLUSION

This report recommends that the Confidential Orders contained in Attachment 1 remain in operation until the specified release date / duration or criteria, if any, have been met and for each to be reviewed at least once in every year in accordance with Section 90(9) of the Act. Council may determine to release any or all the presented matters from confidence, in part or full, and in doing so should specify which parts of each Order are to be released or to remain in operation.

ATTACHMENTS

1. Confidential Items Review - September 2024 [**18.9.1** - 2 pages]

Council Meeting Date	Source Meeting	Subject	S90(3) Reference	Element to be kept Confidential	Duration, Circumstances or Review	Current / Expired	Release comments (not to be included in public register)
16/04/2024	Council	Item 23.2 - QUESTION WITH NOTICE - REGIONAL WASTE – REPORT NO. AR24/24863	(b) (d) and (g)	report, attachments, resolution/s and minutes	until further order of Council or as determined for release under delegation by the Chief Executive Officer.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a third party or Council
16/04/2024	Council	Item 23.1 - VISITOR SERVICING MODEL - UPDATE – REPORT NO. AR24/23696	(b) and (d)	report, attachments, recommendations and resolutions and resolution/s	until each of the matters in the report, attachments, recommendations and resolutions has been fully implemented and settled including any subsequent actions that might arise in association with these activities, with relevant resolutions to be released to affected parties as considered necessary by the Chief Executive Officer in order to give effect to the proposals contained in the report, and other resolutions to be released publicly as determined appropriate by the Chief Executive Officer as the activities in the report are implemented.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a third party or Council
19/03/2024	Council	Item 23.7 - STATUS REPORT - WULANDA RECREATION AND CONVENTION CENTRE – REPORT NO. AR24/16660	(b)(d) and (g)	report, attachments, resolution/s and minutes	until 12 months after completion of the project.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a third party or Council
19/03/2024	Council	Item 23.6 - STRATEGIC PROPERTY MANAGEMENT – REPORT NO. AR24/15120	(b) and (d)	report, attachments, resolution/s and minutes	until the earlier of: an agreement relating to the subject matter of the report having been fully executed and settled, or 2 years after the matter has been formally abandoned.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a third party or Council
19/03/2024	Council	Items 23.5 - SALE OF LAND FOR NON-PAYMENT OF RATES – REPORT NO. AR24/17620	(a)	report, attachments, resolution/s and minutes	until the latter of:- 12 months, or the matter being settled	Current	Contains information concerning personal affairs of a confidential nature
19/03/2024	Council	Item 23.4 - SALE OF LAND FOR NON-PAYMENT OF RATES – REPORT NO. AR24/17614	(a)	report, attachments, resolution/s and minutes	until the latter of:- 12 months, or the matter being settled	Current	Contains information concerning personal affairs of a confidential nature
19/03/2024	Council	Item 23.3 - SALE OF LAND FOR NON-PAYMENT OF RATES – REPORT NO. AR24/17606	(a)	report, attachments, resolution/s and minutes	until the latter of:- 12 months, or the matter being settled	Current	Contains information concerning personal affairs of a confidential nature
19/03/2024	Council	Item 23.2 - Crater Lakes unsolicited Proposal Report No. AR24/19114	(b) (d) and (g)	report, attachments, resolution/s and minutes	until the latter of: two years after the expiry of an agreement entered into in relation to the matter, or two years after the proposal has been abandoned, and Council has been released from its duty of confidence.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a third party or Council
19/03/2024	Council	Item 23.1 - VISITOR SERVICING MODEL – REPORT NO. AR24/18981	(b) and (d)	report, attachments, resolution/s and minutes	until each of the matters in the report, attachments, recommendations and resolutions has been fully implemented and settled including any subsequent actions that might arise in association with these activities, with relevant resolutions to be released to affected parties as considered necessary by the Chief Executive Officer in order to give effect to the proposals contained in the report, and other resolutions to be released publicly as determined appropriate by the Chief Executive Officer as the activities in the report are implemented.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a third party or Council
20/02/2024	Council	Item 23.2 - QUESTION WITH NOTICE - UNSOLICITED PROPOSAL - PROPERTY THIRD PARTY PROPOSAL – REPORT NO. AR24/6186	(a), (b) and (d)	report, attachments, resolution/s and minutes	until 2 years after the 3rd party proposal has been settled or abandoned, with the exception of any information that is prohibited from being withheld under s91(8) being disclosed being released upon any arrangements being fully executed by both parties, or any part of the information determined by the Chief Executive Officer to be released under delegation	Current	Contains commercial information of a confidential nature which could prejudice or benefit a third party or Council
20/02/2024	Council	Item 23.1 - QUESTION WITH NOTICE - CRATER LAKES UNSOLICITED PROPOSAL – REPORT NO. AR24/6182	(b), (d), and (g)	report, attachments, resolution/s and minutes	until two years after the expiry of an agreement entered into in relation to the matter or two years after the proposal has been abandoned and Council has been released from its duty of confidence, whichever is the later.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a third party or Council

23/01/2024	Council	ITEM 23.2 AUDIT AND RISK COMMITTEE - INDEPENDENT MEMBER APPOINTMENT - REPORT NO. AR24/1084	(a)	attachment/s	to be reviewed annually	Current	Contains information concerning personal affairs of a confidential nature
23/01/2024	Council	ITEM 23.1 RAA EV CHARGING STATION PROJECT - REPORT NO. AR24/26360	(b), (d) and (g)	report, attachments and minutes	until 36 months have elapsed since the proponents last dealings with Council on the proposal, or 12 months after an agreement and any renewal or extended term has expired and not been renewed, whichever is the later, with the resolutions to be released upon the execution by all parties of an agreement and a joint public announcement having been made on the proposal	Current	Contains commercial information of a confidential nature which could prejudice or benefit a third party or Council
12/12/2023	Council	ITEM 23.2 af23/431 TENDER - PROCUREMENT - RECONSTRUCTION OF FOUR ROAD SEGMENTS - REPORT NO. AR23/84680	(k)	report, attachments, resolution/s and minutes	until 12 months after the completion of the tender works, with the name of the successful tenderer and the tender contract value to be disclosed following execution of a contract.	Current	Contains information about tenders which have not yet met release conditions
12/12/2023	Council	ITEM 23.1 RIDDOCH ARTS AND CULTURAL TRUST - BOARD MEMBER APPOINTMENT - REPORT NO. AR23/83171	(a)	attachments	until further order of Council	Current	Contains information concerning personal affairs of a confidential nature
21/11/2023	Council	ITEM 23.7 QUESTION WITH NOTICE - WULANDA RECREATION AND CONVENTION CENTRE - STRATEGIC STATUS UPDATE – REPORT NO. AR23/78853	(b)	report, attachments, resolution/s and minutes	until 30 November 2024.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a third party or Council
21/11/2023	Council	ITEM 23.6 AF23/254 TENDER - PROCUREMENT - TENDER FOR CIVIC CENTRE LIFT UPGRADE – REPORT NO. AR23/79137	(k)	report, attachments, resolution/s and minutes	until 12 months after the completion of the tender works	Current	Contains information about tenders which have not yet met release conditions
21/11/2023	Council	ITEM 23.5 CRATER LAKES UNSOLICITED PROPOSAL – REPORT NO. AR23/78247	(b), (d) and (g)	report, attachments, resolution/s and minutes	until two years after the expiry of an agreement entered into in relation to the matter or two years after the proposal has been abandoned and Council has been released from its duty of confidence, whichever is the later.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a third party or Council
21/11/2023	Council	ITEM 23.4 UPDATE ON TELSTRA CO-INVESTMENT PROPOSAL FOR MOBILE BLACKSPOTS – REPORT NO. AR23/76480	(b), (d), (g) and (j)	report, attachments, resolution/s and minutes	until an appropriate agreement has been executed releasing Council from its duty of confidence or Telstra provide express permission to release the information, whichever is the earlier.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a third party or Council
21/11/2023	Council	ITEM 23.3 SALE OF LAND FOR NON-PAYMENT OF RATES – REPORT NO. AR23/74290	(a)	report, attachments, resolution/s and minutes	the latter of:- 12 months, or the matter being settled	Current	Contains information concerning personal affairs of a confidential nature
21/11/2023	Council	ITEM 23.2 SALE OF LAND FOR NON-PAYMENT OF RATES – REPORT NO. AR23/74289	(a)	report, attachments, resolution/s and minutes	the latter of:- 12 months, or the matter being settled	Current	Contains information concerning personal affairs of a confidential nature
21/11/2023	Council	ITEM 23.1 SALE OF LAND FOR NON-PAYMENT OF RATES – REPORT NO. AR23/74286	(a)	report, attachments, resolution/s and minutes	the latter of:- 12 months, or the matter being settled	Current	Contains information concerning personal affairs of a confidential nature

19 MOTIONS WITH NOTICE

19.1 MOTION WITH NOTICE - BLOOD DONOR SERVICES MOUNT GAMBIER

I, Councillor Kate Amoroso, give notice that at the next Ordinary Meeting of Council to be held on Tuesday 17 September 2024, I intend to move the following motion:

MOTION

1. That the motion from Cr Kate Amoroso as presented on Tuesday 17 September 2024 be noted.
2. That Council write to the Hon Mark Butler MP - Minister for Health and Aged Care and Minister Chris Picton MP – Minister for Health and Wellbeing advocating for a permanent blood collection service for Mount Gambier.
3. That a copy of the letter be sent to the Hon Clare Scriven – Minister for Regional Development, Mr Tony Pasin MP - Federal Member for Barker, Mr Troy Bell MP - Member for Mount Gambier and the Limestone Coast Local Area Health Network to seek their support in advocating for a permanent blood collection service.

RATIONALE

Australian Red Cross Lifeblood recently issued an immediate call for donors as reserves of most blood types drop to critical levels. The current demand for blood is high and the current levels of donations are struggling to meet the demand. Blood and plasma are used to treat a number of life threatening conditions and their use continues to grow each year. Mount Gambier does not offer a permanent blood donation service.

Advocating for permanent blood donor services is essential for creating a reliable, sustainable blood supply system. By emphasizing community involvement, donor relationships, cost-efficiency, organizations and advocates can work toward a future where blood donation is an integral and regular part of community health support systems.

I commend this Notice of Motion to Council.

ATTACHMENTS

Nil



19.2 MOTION WITH NOTICE - CBD ACTIVATION OPPORTUNITIES

I, Councillor Max Bruins, give notice that at the next Ordinary Meeting of Council to be held on Tuesday 17 September 2024, I intend to move the following motion:

MOTION

1. That the motion from Cr Max Bruins as presented on Tuesday 17 September 2024 be noted.
2. That Council staff undertake some early stage preliminary research into the “Riverside Markets” communal market/dining space in Christchurch, New Zealand and the “Elliot Stables” communal dining space in Auckland, New Zealand, paying particular attention to things such as:
 - Venue Size / Number of proprietors
 - Venue design/layout
 - Operating model
3. That a brief report be brought back to council by the end of the 2024 calendar year with some background on both venues and whether Council wishes to proceed with undertaking some more detailed investigations into these venues and similar and gauge the potential for something similar to be considered for Mount Gambier, in either the Railway Station building or an alternative location.

RATIONALE

Having recently returned from a holiday to New Zealand and personally visiting both the Riverside Market precinct in Christchurch and the Elliot Stables facility in Auckland, it was fantastic to see communal dining spaces approached with a very different lens to the traditional “food court”. Both venues have been very well designed and thought out, with a carefully curated atmosphere which brings the community together in a communal dining space that is inviting and welcoming as opposed to a traditional communal dining space which can be quite clinical in feel.

Whilst I acknowledge both cities are considerably larger than Mount Gambier, given our continual focus on CBD activation and vibrancy, it would be great if we could look at other examples of CBD activation that have been very successfully executed with a view to taking elements of these facilities to apply locally.

I commend this Notice of Motion to Council.

ATTACHMENTS

Nil



20 URGENT MOTIONS WITHOUT NOTICE

21 CONFIDENTIAL ITEMS OF COMMITTEES

Nil

22 NEW CONFIDENTIAL ITEMS

22.1 MICROMOBILITY (E-SCOOTER) UPDATE

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 the Mayor, Councillors and (Council Officers) be excluded from attendance at the meeting for the receipt and consideration in confidence of Micromobility (e-scooter) Update.

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

- (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
 - (i) 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; and
 - (ii) would, on balance, be contrary to the public interest.
- (g) 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, any duty of confidence, or 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 information regarding mobility devices contains commercial information of a confidential nature provided to Council in-confidence, and the consideration of which if conducted in open could prejudice the position of Council or the party that provided the information or confer a commercial advantage on a third party.

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 Micromobility (e-scooter) Update and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:
 - (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and

- (ii) would, on balance, be contrary to the public interest.
- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
 - (i) 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; and
 - (ii) would, on balance, be contrary to the public interest.
- (g) 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, any duty of confidence, or other legal obligation or duty.

be kept confidential and not available for public inspection until such time as the proponent has been formally advised of the outcome of their Unsolicited Proposal and Council has been released from its duty of confidence.

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.



22.2 DELEGATION TO AWARD ELECTRICITY CONTRACT

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 the Mayor, Councillors and (Council Officers) be excluded from attendance at the meeting for the receipt and consideration in confidence of Delegation to Award Electricity Contract.

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

- (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.

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 to be discussed in this item relates to a contract between Council and LGA Procurement for the supply of energy. The disclosure of information in association with this item could reasonably be expected to prejudice the commercial position of Council or confer advantage on third parties and is considered on balance to be contrary to the public interest as it could prejudice the Councils position in obtaining best value on behalf of the community.

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 Delegation to Award Electricity Contract and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:

- (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.

be kept confidential and not available for public inspection until a contract has been executed for the relevant supply.

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.

22.3 DISCRETIONARY RATE REBATE

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 the Mayor, Councillors and (Council Officers) be excluded from attendance at the meeting for the receipt and consideration in confidence of Discretionary Rate Rebate.

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

- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
 - (i) 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; and
 - (ii) would, on balance, be contrary to the public interest.
- (j) information the disclosure of which -
 - (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
 - (ii) would, on balance, be contrary to the public interest.

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 as arrangements between the proponent and a Government authority are not yet public.

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 Discretionary Rate Rebate and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:

- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
 - (i) 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; and
 - (ii) would, on balance, be contrary to the public interest.
- (j) information the disclosure of which -
 - (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
 - (ii) would, on balance, be contrary to the public interest.

be kept confidential and not available for public inspection until the arrangements between the proponent and Government authority have been made public.

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.

22.4 WULANDA RECREATION AND CONVENTION CENTRE - PROJECT UPDATE

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 the Mayor, Councillors and (Council Officers) be excluded from attendance at the meeting for the receipt and consideration in confidence of Wulanda Recreation and Convention Centre - Project Update.

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

- (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
- (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -
 - (i) 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; and
 - (ii) would, on balance, be contrary to the public interest.
- (g) 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, any duty of confidence, or other legal obligation or duty.
- (h) legal advice.

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 within the report and attachments presents matters relating to contracts between Council and contractors associated with the construction and operation of the Wulanda Recreation and Convention Centre. The disclosure of information contained in this report and attachments could reasonably be expected to prejudice the commercial position of Council or the third parties and is considered on balance to be contrary to the public interest as it could prejudice the Councils position in obtaining best value project delivery on behalf of the community.

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 Wulanda Recreation and Convention Centre - Project Update and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:
 - (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
 - (d) commercial information of a confidential nature (not being a trade secret) the disclosure of which -



- (i) 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; and
- (ii) would, on balance, be contrary to the public interest.
- (g) 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, any duty of confidence, or other legal obligation or duty.
- (h) legal advice.

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.



- 23 MEETING CLOSE**
- 24 ATTACHMENT - PREVIOUS COUNCIL MINUTES**



City of Mount Gambier
Ordinary Council Meeting Minutes

20 August 2024

**MINUTES OF CITY OF MOUNT GAMBIER
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON TUESDAY, 20 AUGUST 2024 AT 6.00 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Frank Morello (entered the meeting at 6:01pm),
Cr Josh Lynagh, Cr Kate Amoroso, Cr Max Bruins, Cr Sonya Mezinec, Cr Jason
Virgo

OFFICERS IN ATTENDANCE:	Chief Executive Officer	- Mrs S Philpott
	General Manager City Infrastructure	- Ms B Cernovskis
	General Manager Corporate and Regulatory Services	- Mrs J Fetherstonhaugh
	Acting Manager Governance and Property	- Mrs A Pasquazzi
	Manager Financial Services	- Mrs K Rolton
	Media and Communications Coordinator	- Ms S McLean
	Executive Administrator	- Miss T Chant

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 FIRST NATIONS PEOPLES HAVE WITH THE LAND.

2 APOLOGIES

RESOLUTION 2024/172
Moved: Cr Jason Virgo
Seconded: Cr Kate Amoroso
That the apology(ies) from Cr Mark Lovett and Cr Paul Jenner be received.
CARRIED

3 LEAVE OF ABSENCE

Nil

4 CONFIRMATION OF COUNCIL MINUTES

RESOLUTION 2024/173
Moved: Cr Sonya Mezinec
Seconded: Cr Josh Lynagh
That the minutes of the Ordinary Council meeting held on 16 July 2024 be confirmed as an accurate record of the proceedings of the meeting.
CARRIED



Cr Frank Morello entered the meeting at 6:01pm

5 MAYORAL REPORT

5.1 MAYORAL REPORT - AUGUST 2024

- SAROC Meeting (Adelaide)
- Tour of Eastern Regions Alliance (with SAROC) – hosted by LGA
- Radio interview with Llew Jones – 5GTR FM
- Mayoral Welcome to Mount Gambier morning tea with Tenison Woods College Japanese Exchange Students
- Meeting with Peter Gandolfi – Mount Gambier Education and Training Precinct – request for letter of support
- CEO Performance Review Committee Meeting
- Morning tea with the Probus Club and 100th birthday celebration for Isobel Phillips
- LCLGA Special Board Meeting
- Tour of Englebrecht Cave
- Elected Member Briefing with Ben Hood MLC, Shadow Assistant Minister for Regional South Australia
- Elected Member Briefing with Member for Barker, Tony Pasin MP
- Radio interview – ABC
- Introductory meeting with Craig Chatterton, Pique Global
- Meeting with Deb Brokenshire, LCLGA interim EO
- LGA Mayors and CEO's Forum – networking dinner and drinks and forum
- Meeting with Lucy Bonnin (local artist) – request for letter of support
- Internal meeting to discuss Mayor's Christmas Appeal
- Audit and Risk Committee Meeting
- Interview – Music SA live music announcement – The Border Watch
- Story Time at the Mount Gambier Library
- Prerecord radio interview – Southern Cross Austereo – State of the States Report
- Elected Member Briefing – Draft Strategic Plan 2024-2028
- Confidential Elected Member Briefing – Operational Update
- Radiation Therapy Working Group Meeting with Limestone Coast Local Health Network
- Radiation Therapy Working Group Meeting
- Funeral of Rosemary McCourt
- Meeting with Deb Brokenshire, LCLGA interim EO – LCLGA Meeting Agenda
- LCLGA Mayor's catch-up (virtual)
- Meeting with Bernadette O'Connor, Australian Renewables Academy



- Meeting with Deb Brokenshire, LCLGA interim EO
- Meeting with Sarah Philpott, CEO, and Deb Brokenshire, LCLGA interim EO
- Funeral of Joan Tremelling
- Official Book Launch – The Alex Campbell Story
- Elected Member Briefing – New Agenda Management System
- Elected Member Briefing – Council Chamber AV
- Elected Member Briefing – s92 Code of Practice, Discretionary Procedures and r6 Code of Practice
- Minister for Health and Wellbeing visit to Limestone Coast – Mount Gambier Hospital announcement and sod turning
- Minister for Health and Wellbeing meeting with Radiation Therapy Working Group
- Meeting regarding Old Mitre 10 Site
- District Council of Grant Citizenship Ceremony
- LCLGA General Meeting (hosted by District Council of Grant)
- Mount Gambier Horse Trials Presentations
- Meeting with Brigadier Tim Orders
- Elected Member Briefing – Council's Strategic Plan 2024-2028 Workshop 1
- Elected Member Briefing (with Audit and Risk Committee) – Waste Financial Modelling
- Audit and Risk Committee Meeting
- LCLGA Mayor's catch-up (virtual)
- Radiotherapy Working Group Meeting
- Vietnam Veteran's Day – wreath laying
- Meeting with Minister Nat Cook, Minister for Human Services – Updated City of Mount Gambier Partnership Priorities and Advocacy 2024-2025
- George the Farmer Concert – National Forestry Day

RESOLUTION 2024/174

Moved: Cr Jason Virgo

Seconded: Cr Max Bruins

That the Mayoral report made on 20 August 2024 be received.

CARRIED

6 REPORTS FROM COUNCILLORS

- Cr Josh Lynagh Mount Gambier Eisteddfod vocal division, Mount Gambier Eisteddfod music division, Pioneers men semi-final, Pioneers women prelim-final, Science Week activities.
- Cr Max Bruins Launch of Alex Campbell Biography.



City of Mount Gambier
Ordinary Council Meeting Minutes

20 August 2024

- Cr Sonya Meziniec Exhibition Openings at Riddoch Arts and Cultural Centre – Creating Dreams, Island Welcome, Finding the Fab Five
- Cr Frank Morello CEO Performance Review meeting, Assessment Panel meeting – Grants and Sponsorship, Waste Financial Modelling meeting.

RESOLUTION 2024/175

Moved: Cr Frank Morello
Seconded: Cr Kate Amoroso

That the reports made by Councillors on 20 August 2024 be received.

CARRIED

7 QUESTIONS WITH NOTICE

7.1 QUESTION WITH NOTICE - COUNCIL SYSTEMS

The following question on notice was received from Councillor Max Bruins.

Question

Following recent events in Wattle Range Council, which saw cybercriminals hack into Council systems and obtain sensitive data which has begun to be released online, what safeguards does the City of Mount Gambier have in place to prevent similar attacks on our systems, and have our systems been audited or reviewed following the Wattle Range incident to ensure we do not have the same vulnerabilities?

Response

General Manager Corporate and Regulatory Services provided the following response:

When we were made aware of the Cyber Security Breach at Wattle Range we quickly identified that the attack targeted their legacy servers. Our team immediately conducted a thorough check of all our systems.

City of Mount Gambier holds no legacy servers as we operate within a Managed Service Provider environment, Our MSP undertakes regular penetration testing to identify vulnerabilities.

As part of our Business Systems Unlocking strategic project, all software and system procurement has been centralized, allowing our iServices team to conduct cyber security analyses and risk assessments on any new software or systems before they are introduced. Only products that meet our security standards are procured.

In 2023, an internal audit reviewed our software systems and staff access levels, identifying areas where security could be tightened to limit unnecessary access and reduce the risk of data breaches through employee logins.

Additionally, our Team Leader of iServices has been working with all departments to assess and reduce the amount of historical and personal data stored in our systems. This ongoing project aims to minimise unnecessary data retention and lower the risk of information exposure while still ensuring compliance with legislative requirements regarding data retention.

Through these proactive measures, the City of Mount Gambier continues to prioritise cyber security by maintaining robust systems, tightening access controls, and minimising data retention. These efforts help safeguard our organisation from potential cyber threats and ensure compliance with data protection standards.



7.2 QUESTION WITH NOTICE - ERBIUM LASER TREATMENT

The following question on notice was received from Councillor Max Bruins.

Question

Following the response from the Limestone Coast Local Health Network to Council's letter to the possibility of Erbium Laser facilities being provided in the region to alleviate the need for skin cancer patients to travel to Adelaide, has any follow up been undertaken with the health professionals it was suggested that Council reach out to on this issue?

Response

Mayor Lynette Martin provided the following response:

Letters were written to two health professionals in response to the suggestion from the then Limestone Coast Local Health Network Chair person, Mr King. Those letters were sent on 14th August.

One doctor has responded to the letter, with advice that he does not believe this equipment would be a useful purchase for the hospital at this moment. He explains that the treatment is more commonly used in private dermatology/cosmetic clinics, and unless there was a specialist dermatologist who could find time in a busy dermatology clinic to use this, he does not think there would be any use for this in the hospital setting.

This doctor advised he also discussed the viability of an Erbium laser with the head of surgery, who also felt that it was unlikely this laser would be of benefit to the hospital at this time.

We are awaiting a reply from the other health professional.

8 QUESTIONS WITHOUT NOTICE

Nil

9 PETITIONS

Nil

10 DEPUTATIONS

Nil

11 NOTICE OF MOTION TO RESCIND OR AMEND

11.1 AGENDA MANAGEMENT SYSTEM AND IMPLEMENTATION

RESOLUTION 2024/176

Moved: Cr Max Bruins

Seconded: Cr Josh Lynagh

1. That Council Report No. AR24/57321 titled 'Agenda Management System and Implementation' as presented on 20 August 2024 be noted.



City of Mount Gambier
Ordinary Council Meeting Minutes

20 August 2024

2. That, having considered Council Report No. AR24/57321 as a report submitted by the Chief Executive Officer under regulation 21 of the *Local Government (Procedures at Meetings) Regulations 2013*, Council Resolution dated 16 October 2018, as follows:
- (a) *Coinciding with the InfoCouncil project that Standing Committee and Council Agendas be prepared in such a way that all reports and correspondence pertaining to the items are included as attachments to said Agendas.*
- (b) *An opt in system be made available to Councillors to collect a hard copy of the full Agenda.*
- be revoked.

CARRIED

12 ELECTED MEMBERS INFORMATION BRIEFING SESSIONS

12.1 ELECTED MEMBER INFORMATION/BRIEFING SESSIONS FROM 15/07/2024 TO 16/08/2024

RESOLUTION 2024/177

Moved: Cr Max Bruins
Seconded: Cr Sonya Meziniec

1. That Council Report No. AR23/81518 titled 'Elected Member Information/Briefing Sessions from 15/07/2024 to 16/08/2024' as presented on 20 August 2024 be noted.

CARRIED

13 ELECTED MEMBERS TRAINING AND DEVELOPMENT

Nil

14 COUNCIL ACTION ITEMS

14.1 COUNCIL ACTION ITEMS - 16/07/2024

RESOLUTION 2024/178

Moved: Cr Sonya Meziniec
Seconded: Cr Kate Amoroso

1. That Council Report No. AR23/81544 titled 'Council Action Items - 16/07/2024' as presented on 20 August 2024 be noted.

CARRIED



City of Mount Gambier
Ordinary Council Meeting Minutes

20 August 2024

15 JUNIOR SPORTS ASSISTANCE (SECTION 41) COMMITTEE MINUTES AND RECOMMENDATIONS

15.1 MINUTES OF THE JUNIOR SPORTS ASSISTANCE FUND HELD ON 7 AUGUST 2024

RESOLUTION 2024/179

Moved: Cr Josh Lynagh
Seconded: Cr Jason Virgo

That the Minutes of the Junior Sports Assistance Fund meeting held on 7 August 2024 as attached be noted.

CARRIED

15.2 COMMERCIAL CLUB INC. - ANNUAL DONATIONS - EXCEPTIONAL JUNIOR PROGRAM – REPORT NO. AR24/55423

RESOLUTION 2024/180

Moved: Cr Josh Lynagh
Seconded: Cr Frank Morello

1. That Junior Sports Assistance Fund Report No. AR24/55423 titled 'Commercial Club Inc. - Annual Donations - Exceptional Junior Program' as presented on 07 August 2024 be noted.
2. To assist with awarding an additional nominee funding for the Exceptional Junior Program the Junior Sports Assistance Fund will match the contribution from the Commercial Club and provide a \$1,500 donation;
2. The following juniors receive the Commercial Club Inc. donation to assist them to advance in their chosen sport and to achieve their potential:
Awardees: Kai Arbery, Mount Gambier Cycling
Bree Ridding, Mount Gambier and District Baseball League
3. The presentation of the Commercial Club Inc. donation take place at a time convenient to the recipients, member organisations, representatives of the Commercial Club Inc. and the Junior Sports Assistance Fund.
4. The media be invited to attend the presentation.

CARRIED

16 AUDIT AND RISK COMMITTEE MINUTES AND RECOMMENDATIONS

16.1 MINUTES OF THE AUDIT AND RISK COMMITTEE HELD ON 29 JULY 2024

RESOLUTION 2024/181

Moved: Mayor Lynette Martin
Seconded: Cr Jason Virgo



City of Mount Gambier
Ordinary Council Meeting Minutes

20 August 2024

That the Minutes of the Audit and Risk Committee meeting held on 29 July 2024 as attached be noted.

CARRIED

16.2 CORRESPONDENCE RECEIVED – REPORT NO. AR24/43693

RESOLUTION 2024/182

Moved: Mayor Lynette Martin

Seconded: Cr Max Bruins

1. That Audit and Risk Committee Report No. AR24/43693 titled 'Correspondence Received' as presented on 29 July 2024 be noted.

CARRIED

16.3 INTERNAL AUDIT - PAYROLL AND REMUNERATION – REPORT NO. AR24/29749

RESOLUTION 2024/183

Moved: Mayor Lynette Martin

Seconded: Cr Sonya Meziniec

1. That Audit and Risk Committee Report No. AR24/29749 titled 'Internal Audit - Payroll and Remuneration' as presented on 29 July 2024 be noted.
2. That it be noted that progress achieved on the actions resulting from the Internal Audit - Payroll and Remuneration will be reported in future internal audit updates.

CARRIED

16.4 INTERNAL AUDIT - PDI ACT - POST IMPLEMENTATION AUDIT – REPORT NO. AR24/29750

RESOLUTION 2024/184

Moved: Mayor Lynette Martin

Seconded: Cr Frank Morello

1. That Audit and Risk Committee Report No. AR24/29750 titled 'Internal Audit - PDI Act - Post Implementation Audit' as presented on 29 July 2024 be noted.
2. That it be noted that progress achieved on the actions resulting from the Internal Audit - PDI Act - Post Implementation Audit will be reported in future internal audit updates.
1. That the Audit and Risk Committee note the importance of recommendation 5 – *“Reintroduce regular, re-current scheduled meetings between Development Services and Operations & Engineering teams and other stakeholders”* and the significance of these meetings in fostering collaboration, ensuring effective communication, and enhancing the overall efficiency and coordination of development projects.

CARRIED



16.5 QUARTERLY INTERNAL AUDIT UPDATE REPORT – REPORT NO. AR24/46781

RESOLUTION 2024/185

Moved: Mayor Lynette Martin
Seconded: Cr Sonya Meziniec

1. That Audit and Risk Committee Report No. AR24/46781 titled 'Quarterly Internal Audit Update Report' as presented on 29 July 2024 be noted.
2. That a revised Internal Audit Plan including a reassessment of risk for each proposed internal audit be presented to the Audit and Risk Committee at its meeting scheduled for 25 November 2024.

CARRIED

16.6 LEASE AND LICENCE UPDATE - JULY 2024 – REPORT NO. AR24/49333

RESOLUTION 2024/186

Moved: Mayor Lynette Martin
Seconded: Cr Max Bruins

1. That Audit and Risk Committee Report No. AR24/49333 titled 'Lease and Licence Update - July 2024' as presented on 29 July 2024 be noted.
2. That an update on Leases and Licences be presented to the Audit and Risk Committee at its meeting scheduled for 25 November 2024.

CARRIED

16.7 COUNCIL POLICY UPDATE – REPORT NO. AR24/49733

RESOLUTION 2024/187

Moved: Mayor Lynette Martin
Seconded: Cr Jason Virgo

1. That Audit and Risk Committee Report No. AR24/49733 titled 'Council Policy Update' as presented on 29 July 2024 be noted.
2. That an update on Council Policies including a timeline for review of each policy and the approach to be taken for timely policy reviews be presented to the Audit and Risk Committee at its meeting scheduled for 25 November 2024.

CARRIED



16.8 2023/2024 EXTERNAL AUDIT INTERIM MANAGEMENT REPORT – REPORT NO. AR24/50401

RESOLUTION 2024/188

Moved: Mayor Lynette Martin

Seconded: Cr Max Bruins

1. That Audit and Risk Committee Report No. AR24/50401 titled '2023/2024 External Audit Interim Management Report' as presented on 29 July 2024 be noted.
2. That having been reviewed by the Audit and Risk Committee on 29 July 2024, the 2023/2024 External Audit Interim Management Report be adopted.
3. That the Audit and Risk Committee commend the administration on the work undertaken to reduce the actions / recommendations from the prior year's interim audit management report.

CARRIED

16.9 AUDIT AND RISK COMMITTEE MEETING REPORT – REPORT NO. AR24/29752

RESOLUTION 2024/189

Moved: Mayor Lynette Martin

Seconded: Cr Josh Lynagh

1. That Audit and Risk Committee Report No. AR24/29752 titled 'Audit and Risk Committee Meeting Report' as presented on 29 July 2024 be noted.

CARRIED

16.10 MINUTES OF THE AUDIT AND RISK COMMITTEE HELD ON 14 AUGUST 2024

RESOLUTION 2024/190

Moved: Mayor Lynette Martin

Seconded: Cr Sonya Meziniec

That the Minutes of the Audit and Risk Committee meeting held on 14 August 2024 as attached be noted.

CARRIED



**16.11 CAROLINE LANDFILL 2023/2024 POST CLOSURE PROVISION UPDATE –
REPORT NO. AR24/57290**

RESOLUTION 2024/191

Moved: Mayor Lynette Martin
Seconded: Cr Frank Morello

1. That Audit and Risk Committee Report No. AR24/57290 titled 'Caroline Landfill 2023/2024 Post Closure Provision update' as presented on 14 August 2024 be noted.
2. That it be noted that a workshop providing detailed progress on Caroline Landfill including financial modelling, accounting treatment and associated financial impacts was held 14 August 2024.
3. The Audit and Risk Committee support the methodology of the financial model and acknowledge the extensive work in the modelling undertaken to date.
4. Acknowledges the requirement to continuously review and update financial modelling annually and ensure reflected in Long Term Financial Plan and Asset Management Plans. And that financial impacts relevant to the 2024/2025 financial year will be included in future budget revisions.

CARRIED

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

**17.1 MINUTES OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW
COMMITTEE HELD ON 22 JULY 2024**

RESOLUTION 2024/192

Moved: Cr Max Bruins
Seconded: Cr Josh Lynagh

That the Minutes of the Chief Executive Officer Performance Review Committee meeting held on 22 July 2024 as attached be noted.

CARRIED

18 BUILDING FIRE SAFETY COMMITTEE MINUTES

Nil

19 COUNCIL REPORTS

19.1 STRATEGIC PLAN ANNUAL UPDATE

RESOLUTION 2024/193

Moved: Cr Sonya Meziniec



City of Mount Gambier
Ordinary Council Meeting Minutes

20 August 2024

Seconded: Cr Max Bruins

1. That Council Report No. AR24/57233 titled 'Strategic Plan Annual Update' as presented on 20 August 2024 be noted.
2. That Council Report No. AR24/57233 titled 'Strategic Plan Annual Update be acknowledged as the final update for the City of Mount Gambier Strategic Plan 2020 – 2024.
3. That Council notes that the process to develop a new strategic plan for the next four years, scheduled for completion by November 2024, is now underway.

CARRIED

19.2 FINAL QUARTER REPORT ON ANNUAL BUSINESS PLAN 2023/2024 ANNUAL OBJECTIVES

RESOLUTION 2024/194

Moved: Cr Josh Lynagh
Seconded: Cr Max Bruins

1. That Council Report No. AR24/10207 titled 'Final Quarter Report on Annual Business Plan 2023/2024 Annual Objectives' as presented on 20 August 2024 be noted.

CARRIED

Pursuant to Section 75 of the Local Government Act 1999, Mayor Lynette Martin disclosed a material conflict of interest in Item 19.3.

In accordance with Section 75B Mayor Lynette Martin informed the meeting:

Nature of Interest:

I am president of the Association and a member of the Board.

Intention to Participate:

I will be leaving the meeting room such that I cannot view or hear any discussion (including questions) or voting at the meeting.

In accordance with Section 75B of the Local Government Act 1999 Mayor Lynette Martin left the meeting at 06:26 PM.

Cr Max Bruins as Deputy Mayor took the chair for Item 19.3.

19.3 LIMESTONE COAST LOCAL GOVERNMENT ASSOCIATION (LCLGA) BUSINESS PLAN 2024/2025

RESOLUTION 2024/195

Moved: Cr Sonya Meziniec
Seconded: Cr Josh Lynagh

1. That Council Report No. AR24/49057 titled 'Limestone Coast Local Government Association (LCLGA) Business Plan 2024/2025' as presented on 20 August 2024 be noted.
2. That Council support the Limestone Coast Local Government Association (LCLGA) Budget and Business Plan for the 2024/2025 financial year.
3. That an Elected Member Briefing be convened for the purpose of discussing future directions and priorities of the Limestone Coast Local Government Association (LCLGA).

CARRIED

Mayor Lynette Martin resumed the meeting at 06:28 pm and resumed the Chair.

19.4 2024 LGA ANNUAL GENERAL MEETING - ITEMS OF BUSINESS

RESOLUTION 2024/196

Moved: Cr Sonya Mezinec

Seconded: Cr Frank Morello

1. That Council Report No. AR24/58438 titled '2024 LGA Annual General Meeting - Items of Business' as presented on 20 August 2024 be noted.
2. That Council endorse the following items of business as presented, for submission to the 2024 LGA Annual General Meeting (AGM):
 - (a) Ability to Raise Interim Rates.
 - (b) SA Water and Infrastructure to Support Housing.

CARRIED

19.5 FOOD BUSINESS ORGANICS COLLECTION TRIAL - FINAL REPORT

RESOLUTION 2024/197

Moved: Cr Josh Lynagh

Seconded: Cr Max Bruins

1. That Council Report No. AR23/14990 titled 'Food Business Organics Collection Trial - Final Report' as presented on 20 August 2024 be noted.
2. That Council acknowledge the successful diversion of over 200 tonnes of food waste away from landfill to a commercial composting business that directly supports the local circular economy and provides sound environmental benefits for our community.

CARRIED

19.6 MOUNT GAMBIER AND DISTRICT SALEYARDS UPDATE

RESOLUTION 2024/198

Moved: Cr Frank Morello

Seconded: Cr Sonya Mezinec

1. That Council Report No. AR24/54866 titled 'Mount Gambier and District Saleyards Update' as presented on 20 August 2024 be noted.
2. That Council reiterates it's in principle support for the Mount Gambier Districts Livestock 2030 Transformation Project, and continues to advocate for the project as appropriate.
3. That Council notes that the allocation of funding of \$38,500 for 2024/25 will not be required, and will be removed at Budget Review 1.
4. That Council notes that the details of any future application for funding or changes to scope will be presented to Council for consideration.

CARRIED

19.7 SUBMISSION - DOG AND CAT MANAGEMENT (CAT MANAGEMENT) AMENDMENT BILL 2024

RESOLUTION 2024/199

Moved: Cr Max Bruins
Seconded: Cr Josh Lynagh

1. That Council Report No. AR24/55695 titled 'Submission - Dog and Cat Management (Cat Management) Amendment Bill 2024' as presented on 20 August 2024 be noted.
2. That the submission to the Dog and Cat Management (Cat Management) Amendment Bill 2024 as attached to Report No. AR24/55695 be approved.
3. That the Chief Executive Officer or Delegate be authorised to make any necessary changes to the document arising from feedback given at the meeting, and to make minor typographical or formatting corrections that do not materially impact the intention of the submission.

CARRIED

19.8 BUS PARKING ZONES - WEHL STREET SOUTH

RESOLUTION 2024/200

Moved: Cr Jason Virgo
Seconded: Cr Kate Amoroso

1. That Council Report No. AR24/55376 titled 'Bus Parking Zones - Wehl Street South' as presented on 20 August 2024 be noted.

That the Traffic Impact Statements attached to Report No AR24/55376, be endorsed.

That Council, in accordance with the power delegated by the minister under Section 17(1) and (2) of the Road Traffic Act (Instrument of Delegation dated 22 August 2013, resolves the following.

Prohibited Area
Ref No. 2.1.087

BUS ZONE

WEHL STREET SOUTH (Western Side) – From 44.5 metres to 66.5 metres south of the intersection with Edward Street – 8.30am to 5:00pm.

Prohibited Area
Ref No. 2.1.088

BUS ZONE

WEHL STREET SOUTH (Western Side) – From 31.5metres to 48.5 metres south of the intersection with Shepherdson Road – 8.30am to 5:00pm.

Prohibited Area
Ref No. 2.1.089

BUS ZONE



WILLIAM STREET (Northern Side) – From 5 metres to 25 metres east of the intersection with Bertha Street – 8.30am to 5:00pm.

CARRIED

19.9 NO PARKING AND 15 MINUTE PARKING ZONES - BLACKWOOD STREET

RESOLUTION 2024/201

Moved: Cr Jason Virgo
Seconded: Cr Sonya Meziniec

1. That Council Report No. AR24/56706 titled 'No Parking and 15 Minute Parking Zones - Blackwood Street' as presented on 20 August 2024 be noted.
2. That the Traffic Impact Statement and proposed area shown on the aerial map attached to Report No AR24/56706 be endorsed.

Prohibited Area
Ref No. 1.2.075

NO PARKING

BLACKWOOD STREET (northern side) - From 51.5 metres to 73.3 metres east of the intersection with Oak Street.

To apply from 7:30am to 9:30am and 2:30pm to 4:00pm

Prohibited Area
Ref No. 1.2.076

NO PARKING

BLACKWOOD STREET (southern Side) - From 34.8 metres to 81.5 metres east of the intersection with Oak Street.

To apply from 7:30am to 9:30am and 2:30pm to 4:00pm

Prohibited Area
Ref No. 3.5.101

15 MINUTE PARKING

BLACKWOOD STREET (northern Side) - From 78 metres to 87.5 metres east of the intersection with Oak Street.

To apply from 7:30am to 9:30am and 2:30pm to 4:00pm

CARRIED

19.10 INTERNAL REVIEW OF COUNCIL ACTIONS 2023/2024

RESOLUTION 2024/202

Moved: Cr Max Bruins
Seconded: Cr Sonya Meziniec

1. That Council Report No. AR24/51064 titled 'Internal Review of Council Actions 2023/2024' as presented on 20 August 2024 be noted.
2. That the background and proposal contained in Council Report No. AR24/51064 relating to Section 270 of the Local Government Act 1999 be included in Council's 2023/2024 Annual Report.



CARRIED

19.11 POLICY REVIEWS

RESOLUTION 2024/203

Moved: Cr Frank Morello

Seconded: Cr Max Bruins

1. That Council Report No. AR24/44197 titled 'Policy Reviews' as presented on 20 August 2024 be noted.
2. That the following reviewed and updated policies as attached to Council Report No. AR24/44197 be endorsed:
 - U900 - Unsolicited Proposals
 - R200 - Community Land (Reserves) - Lease/Licence/Rental Arrangements
 - F225 - Fraud, Corruption, Misconduct and Maladministration Prevention Policy
 - Onsite Wastewater Systems *previously titled B150 - Building - Sewer Connections, Waste Management Control and Provision of Toilet Facilities*
3. That the following policies as attached to Council Report No. AR24/44197 be revoked:
 - D150 - Building and Swimming Pool Inspections
 - M225 - Members - Service Recognition

CARRIED

19.12 REVIEW OF COUNCIL DELEGATIONS UPDATE - AUGUST 2024

RESOLUTION 2024/204

Moved: Cr Sonya Mezinec

Seconded: Cr Frank Morello

1. That Council Report No. AR24/57775 titled 'Review of Council Delegations Update - August 2024' as presented on 20 August 2024 be noted.
2. That Council grants the delegation of powers and functions of the Council as provided for in the tables accompanying Council Report No. AR24/57775 to the person occupying or acting in the office of Chief Executive Officer of the Council pursuant to section 44 of the Local Government Act 1999.
3. The delegations granted in resolution (2) above pursuant to:
 - (a) the Local Government Act to the Council's Chief Executive Officer, in accordance with sections 44(4)(b) and 101 of the Local Government Act, but subject to section 44(3a) of the Local Government Act

may, unless indicated by resolution or in the tables accompanying Council Report No. AR24/20938, be further sub-delegated by the Chief Executive Officer or delegate.

Noting: no sub-delegation is permitted under the Environment Protection Act.

4. Planning, Development and Infrastructure Act Delegations
- (a) In exercise of the power contained in Section 100 of the Planning, Development and Infrastructure Act 2016 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the Instrument of Delegation (Attachment 1 accompanying Report No. AR24/57775 and titled 'Delegations updates as at August 2024') are hereby delegated to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
 - (b) Such powers and functions delegated in resolution 4 (a) may be further sub-delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 and Section 100(2)(c) of the Planning, Development and Infrastructure Act 2016 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the relevant Instrument of Delegation;
5. General
- The delegations granted in resolutions (2) to (4) above are subject to the following conditions and limitations:
- (a) If two or more delegates are nominated in respect of a power or function, then each nominated person or position is granted a delegation and may exercise the power or function independently of any other delegate.
 - (b) the delegate must exercise a delegated function or power in accordance with and due regard to:
 - (i) applicable legislative and other legal requirements; and
 - (ii) relevant policies and guidelines adopted by the Council.
 - (c) Each delegation of a power or function is granted independent of, and severable from, every other delegation granted under this or any other resolution or instrument.
 - (d) A delegation of a power or function determined to be invalid or unlawful will be deemed to be severed from the delegations granted under this or any other resolution or instrument and remaining delegations will continue to operate according to their terms.
 - (e) These delegations will come into operation on Wednesday 21 August 2024 and remain in force until varied or revoked by resolution of the Council.
 - (f) Previous delegations granted by the Council of the powers and functions delegated under these resolutions are revoked with effect from Wednesday 21 August 2024.
- CARRIED**

Pursuant to Section 74 of the Local Government Act 1999, Cr Lynagh disclosed a general conflict of interest in Item 20.1.

In accordance with Section 75B Cr Josh Lynagh informed the meeting:

Nature of Interest:

The motion asks for a letter to be sent to Claire Scriven MLC who I work for.

Intention to Participate:

I intend to stay in the meeting and vote on the matter. I will not move or second the motion, nor will I be engaging in discussion on the matter.

Reason for Participating:



City of Mount Gambier
Ordinary Council Meeting Minutes

20 August 2024

The action that I am taking is sufficient to address and deal with my conflict adequately by not moving or seconding the motion or speaking to the motion. I intend to vote and represent the community with my vote as I feel that is important.

In accordance with Section 75B of the Local Government Act 1999 Cr Josh Lynagh remained in the meeting for Item 20.1.

Having participated in the meeting for Item 20.1 Cr Josh Lynagh voted in favour of the motion.

20 MOTIONS WITH NOTICE

20.1 NOTICE OF MOTION - REQUEST FOR REVIEW INTO HIGH RISK INTERSECTION (BAY ROAD)

RESOLUTION 2024/205

Moved: Cr Max Bruins

Seconded: Cr Jason Virgo

1. That Council Report No. AR24/56014 titled 'Notice of Motion - Request for Review into High Risk Intersection (Bay Road)' as presented on 20 August 2024 be noted.
2. That Council write to Minister for Police, Emergency Services and Correctional Services (with responsibility for road safety), The Hon. Dan Cregan MP requesting an urgent formal review into the intersection on Bay Road and Lake Terrace high risk intersection, particularly noting the following:
 - The high number of motor vehicle accidents that occur at this intersection
 - The risk that accidents at this intersection pose to pedestrians
 - The broader impact of accidents at this intersection to the community given there is above ground electricity infrastructure situated in areas frequently damaged by motor vehicle accidents
 - The impact on residents and property owners in the vicinity of this intersection who frequently have boundary fences damaged
3. That a copy of the letter also be sent to following:
 - Troy Bell MP – Member for Mt Gambier
 - The Hon. Clare Scriven MLC - Minister for Primary Industries and Regional Development
 - The Hon. Ben Hood MLC – Shadow Minister Infrastructure and Transport Regional Roads and Government Accountability
 - The Hon. Vincent Tarzia MP – Leader of the Opposition

CARRIED

21 MOTIONS WITHOUT NOTICE

Nil



22 CONFIDENTIAL ITEMS OF COMMITTEES

CONFIDENTIAL ITEMS OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE HELD ON 22 JULY 2024

22.1 INDEPENDENT REVIEW OF CHIEF EXECUTIVE OFFICER AND REMUNERATION REVIEW 2024 – REPORT NO. AR24/50717

RESOLUTION 2024/206

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 Council orders that all members of the public, except the Mayor, Councillors and S Philpott, B Cernovskis, J Fetherstonhaugh, A Pasquazzi, K Rolton, S McLean and T Chant be excluded from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 22.2 AR24/50717 Independent Review of Chief Executive Officer and Remuneration Review 2024.

The Council is satisfied that, pursuant to section 90(3) (a) and (g) 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)
- 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 includes information concerning the personal employment affairs of the Chief Executive Officer, Sarah Philpott for which a duty of confidence has been established.

CARRIED

Chief Executive Officer, Mrs Sarah Philpott, declared a conflict of interest and left the meeting at 6:49pm

RESOLUTION 2024/207

Moved: Cr Max Bruins
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 22.2 AR24/50717 Independent Review of Chief Executive Officer and Remuneration Review 2024 and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (a) and (g) be kept confidential and not available for public inspection until 2 years after the

initial appointment term and any renewal term of the Chief Executive Officer, Sarah Philpott has lapsed, to be reviewed at least once in every 12 month period, with the exception of the relevant salary register details which are to be updated within 28 days of any change in remuneration.

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

Mrs Sarah Philpott returned to the meeting at 6:51pm

CONFIDENTIAL ITEMS OF THE AUDIT AND RISK COMMITTEE HELD ON 29 JULY 2024

22.2 LEGAL/LITIGATION COST/LIABILITY (RISK) EXPOSURE – REPORT NO. AR24/43578

RESOLUTION 2024/208

Moved: Cr Sonya Meziniec

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 the Mayor, Councillors and S Philpott, B Cernovskis, J Fetherstonhaugh, A Pasquazzi, K Rolton, S McLean and T Chant be excluded from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 22.4 AR24/43578 Legal/Litigation Cost/Liability (Risk) Exposure.

The Council is satisfied that, pursuant to section 90(3) (a), (b), (d), (f), (g), (h) and (i) 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)
- 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

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

- 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

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

- information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the:
 - prevention, detection, or investigation of a criminal offence, or
 - the right to a fair trial
- 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
- legal advice
- information relating to:
 - actual litigation, or
 - litigation that the Council or Council committee believes on reasonable grounds will take place,
 - involving the Council or an employee of the Council

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 to be considered relates to litigation that has commenced and has been provided to Council on a strictly confidential basis.

CARRIED

RESOLUTION 2024/209

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 22.4 AR24/43578 Legal/Litigation Cost/Liability (Risk) Exposure and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (a), (b), (d), (f), (g), (h) and (i) be kept confidential and not available for public inspection until further ordered by Council or released in part or full by the Chief Executive Officer under delegation, to be reviewed annually.
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



23 NEW CONFIDENTIAL ITEMS

23.1 UPDATE ON UNSOLICITED PROPOSAL - PROPERTY THIRD PARTY – REPORT NO. AR24/17886

RESOLUTION 2024/210

Moved: Cr Jason Virgo
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 the Mayor, Councillors and S Philpott, B Cernovskis, J Fetherstonhaugh, A Pasquazzi, K Rolton, S McLean and T Chant be excluded from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 23.1 AR24/17886 Update on Unsolicited Proposal - Property Third Party.

The Council is satisfied that, pursuant to section 90(3) (a), (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 would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)
- 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 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 to be received and discussed includes the client details of the unsolicited proposal applicant, and the disclosure of Council's deliberations on the proposal would confer an advantage on the applicant and their client and prejudice the Council's commercial position in obtaining best value for the community from Council assets.

CARRIED

The Mayor sought the approval of at least two-thirds of the members present at the meeting to suspend meeting procedures:

Purpose of the Suspension: To further discuss Item 23.1

Carried by more than two-thirds of the members present at the meeting.

Meeting Procedures were suspended at 06:53 PM



The Mayor determined that the period of suspension should be brought to an end;

Carried by more than two-thirds of the members present at the meeting.

The Period of Suspension came to an end and Meeting Procedures resumed at 07:11 PM

RESOLUTION 2024/211

Moved: Cr Max Bruins
Seconded: Cr Josh Lynagh

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 23.1 AR24/17886 Update on Unsolicited Proposal - Property Third Party and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (a), (b) and (d) be kept confidential and not available for public inspection until further order of Council after the proposal contained in the report has been settled or abandoned, with the exception of any information that is prohibited from being withheld under s91(8) being disclosed being released upon the matter being settled, or any part of the information determined by the Chief Executive Officer to be released under delegation.
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

23.2 CHIEF EXECUTIVE OFFICER KPI'S 2024/2025 – REPORT NO. AR24/57657

RESOLUTION 2024/212

Moved: Cr Frank Morello
Seconded: Cr Josh Lynagh

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 the Mayor, Councillors and S Philpott, B Cernovskis, J Fetherstonhaugh, A Pasquazzi, K Rolton, S McLean and T Chant be excluded from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 23.2 AR24/57657 Chief Executive Officer KPI's 2024/2025.

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 subject matter includes information concerning the personal employment affairs of the Chief Executive Officer, Sarah Philpott for which a duty of confidence has been established.

CARRIED

Chief Executive Officer, Mrs Sarah Philpott, declared a conflict of interest and left the meeting at 7:12pm

RESOLUTION 2024/213

Moved: Cr Max Bruins

Seconded: Cr Jason Virgo

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 23.2 AR24/57657 Chief Executive Officer KPI's 2024/2025 and its attachments, 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 KPI's have been adopted by Council.
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

Mrs Sarah Philpott returned to the meeting at 7:13pm

**23.3 WULANDA RECREATION AND CONVENTION CENTRE - PROJECT UPDATE -
REPORT NO. AR24/56252**

RESOLUTION 2024/214

Moved: Cr Sonya Mezinec

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 the Mayor, Councillors and S Philpott, B Cernovskis, J Fetherstonhaugh, A Pasquazzi, K Rolton, S McLean and T Chant be excluded from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 23.3 AR24/56252 Wulanda Recreation and Convention Centre - Project Update.

The Council is satisfied that, pursuant to section 90(3) (b), (d), (g) and (h) 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
- 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
- legal advice

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 within the report and attachments presents matters relating to contracts between Council and contractors associated with the construction and operation of the Wulanda Recreation and Convention Centre. The disclosure of information contained in this report and attachments could reasonably be expected to prejudice the commercial position of Council or the third parties and is considered on balance to be contrary to the public interest as it could prejudice the Councils position in obtaining best value project delivery on behalf of the community.

CARRIED

RESOLUTION 2024/215

Moved: Cr Jason Virgo
Seconded: Cr Kate Amoroso

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 23.3 AR24/56252 Wulanda Recreation and Convention Centre - Project Update and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b), (d), (g) and (h) 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

24 MEETING CLOSE

The Meeting closed at 7:34pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 17 September 2024.



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PRESIDING MEMBER

