



Civic Centre, 10 Watson Terrace
Mount Gambier SA 5290

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

Date: Tuesday, 13 December 2022
Time: 6.00 p.m.
Location: Council Chamber
Civic Centre
10 Watson Terrace
Mount Gambier

AGENDA

Ordinary Council Meeting 13 December 2022

A handwritten signature in black ink, appearing to read 'Sarah Philpott', written over a faint, illegible background.

Sarah Philpott
Chief Executive Officer
9 December 2022

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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.

DECLARATION OF OFFICE - AREA COUNCILLORS

The following Elected Members to read out their respective Declarations of Office:

Cr Sonya Mezinec

Cr Paul Jenner

Cr Frank Morello

2 APOLOGIES

Nil

3 LEAVE OF ABSENCE

Nil

4 CONFIRMATION OF COUNCIL MINUTES

[Ordinary Council Meeting - 29 November 2022](#)

RECOMMENDATION

That the minutes of the Ordinary Council meeting held on 29 November 2022 be confirmed as an accurate record of the proceedings of the meeting.



5 MAYORAL REPORT

5.1 MAYORAL REPORT - DECEMBER 2022 – REPORT NO. AR21/71007

- Citizenship Ceremony
- Elected Member Induction – Council Administration
- Attendance at VALO Adelaide with Manager Economy, Strategy and Engagement
- Smoking Ceremony - Wulanda
- 2022 Graduation Ceremony – Independent Learning Centre
- Pre-Tour of Wulanda - PCG
- Library Volunteers Christmas Lunch
- Audit and Risk Committee Meeting
- Elected Member Induction – Annual Program / Strategic Framework
- Grant High School Presentation Evening
- Pre-Tour of Wulanda – Community Reference Group
- Introductory Meeting Chairman of Belgravia Leisure
- Meeting with Robyn Campbell – Burrandies
- Pre-Tour of Wulanda – COMG Elected Members
- SA Forest Products Function
- Follow Up Meeting – Radiation Treatment Centre for Mount Gambier
- Elected Member Induction – Annual Program / Strategic Framework Part 2
- LCLGA Board Meeting – Wattle Range Council
- Pre-Tour of Wulanda – District Council of Grant
- Mount Gambier High School Presentation Evening
- Tenison Woods College – Middle School Awards Ceremony



6 REPORTS FROM COUNCILLORS



7 QUESTIONS WITH NOTICE

7.1 QUESTION WITH NOTICE - GARBAGE COLLECTION SERVICE

Meeting: Council
CM9 Reference: AF21/496
Member: Paul Jenner, Councillor

The following question on notice was received from Councillor Cr Jenner.

Question

Can Council please explain why over the last couple of months the garbage collection service around Mount Gambier has had delays?

Also, what preventative measures are being put in place to help stop this from occurring again and is there any strategic or budgetary measures Councillors can consider to help?

Response

To be provided at the meeting.

REPORT RECOMMENDATION

That the response to the question regarding Garbage Collection Service raised by Councillor Cr Jenner be received and noted.

ATTACHMENTS

Nil



7.2 QUESTION WITH NOTICE - FUTURE LEASING AND MASTER PLAN OF OLYMPIC PARK, THE OLD OLYMPIC PARK SWIMMING POOL AND REIDY PARK CENTRE

Meeting: Council
CM9 Reference: AF21/496
Member: Paul Jenner, Councillor

The following question on notice was received from Councillor Cr Jenner.

Question

Can a verbal update be provided on Olympic Park, the old Olympic swimming pool and Reidy Park Centre with regards to all future leasing and master planning of the area?

Response

To be provided at the meeting.

REPORT RECOMMENDATION

That the response to the question regarding future leasing and master plan of Olympic Park, the old Olympic park swimming pool and Reidy Park Centre raised by Councillor Cr Jenner be received and noted.

ATTACHMENTS

Nil



7.3 QUESTION WITH NOTICE - FUTURE OF TENNIS IN MOUNT GAMBIER

Meeting: Council
CM9 Reference: AF21/496
Member: Paul Jenner, Councillor

The following question on notice was received from Councillor Cr Jenner.

Question

Can a verbal update be provided following on the negotiations with the Mount Gambier & Districts Tennis Association with regards to the leases, future growth opportunities, upgrades to the courts and any planning with Tennis SA before their current lease runs out (commenced in 2014)?

Has there been an impact from Centrals and Reidy Tennis clubs now using Olympic Park tennis courts?

What is the future of Reidy Tennis Club rooms and courts going forward, as it has been suggested that the courts are condemned?

Response

To be provided at the meeting.

REPORT RECOMMENDATION

That the response to the question regarding the future of tennis in Mount Gambier raised by Councillor Cr Jenner be received and noted.

ATTACHMENTS

Nil



8 QUESTIONS WITHOUT NOTICE

9 PETITIONS

Nil

10 DEPUTATIONS

Nil

11 NOTICE OF MOTION TO RESCIND OR AMEND

Nil

12 ELECTED MEMBERS WORKSHOPS

Nil

13 ELECTED MEMBERS TRAINING AND DEVELOPMENT

Nil



14 COUNCIL ACTION ITEMS

14.1 COUNCIL ACTION ITEMS - 29/11/2022 – REPORT NO. AR21/71044


Meeting: Council
CM9 Reference: AF21/496
Author: Sarah Dohnt, Executive Administrator Corporate and Regulatory Services
Authoriser:

REPORT RECOMMENDATION

1. That Council Report No. AR21/71044 titled 'Council Action Items - 29/11/2022' as presented on 13 December 2022 be noted.



ATTACHMENTS

1. Council Action Items - 29 November 2022 [↓](#) 



Division:	29/11/2022	Date From:
Meeting: Council	13/12/2022	Date To:
Officer:		
Action Sheets Report		
Printed: 6 December 2022 12:05 PM		

Meeting	Officer/Authoriser	Section	Subject
Council 29/11/2022	Barber, Darren Philpott, Sarah	Council Reports	Mayoral Welcome and Report
RESOLUTION 2022/189			
Moved: Mayor Lynette Martin			
Seconded: Cr Mark Lovett			
That the Mayoral welcome and report made on 29 November 2022 be received.			
			CARRIED

Meeting	Officer/Authoriser	Section	Subject
Council 29/11/2022	McCarthy, Michael Barber, Darren	Council Reports	Returning Officer's Report - Outcome of the November 2022 General Elections - Letter from Electoral Commission SA dated 21 November 2022
RESOLUTION 2022/190			
Moved: Cr Max Bruins			
Seconded: Cr Josh Lynagh			
1. That Council Report No. AR22/70861 titled 'Returning Officer's Report - Outcome of the November 2022 General Elections - Letter from Electoral Commission SA dated 21 November 2022' as presented on 29 November 2022 be noted.			
			CARRIED



<p>Division: Meeting: Council Officer:</p> <p>Action Sheets Report</p>	<p>Date From: 29/11/2022 Date To: 13/12/2022</p> <p>Printed: 6 December 2022 12:05 PM</p>
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Meeting	Officer/Authoriser	Section	Subject
Council 29/11/2022	McCarthy, Michael Barber, Darren	Council Reports	Policy - Supplementary Elections
<p>RESOLUTION 2022/191</p> <p>Moved: Cr Max Bruins Seconded: Cr Josh Lynagh</p> <ol style="list-style-type: none"> That Council Report No. AR22/71222 titled 'Policy - Supplementary Elections' as presented on 29 November 2022 be noted. That Council adopt the Policy - Supplementary Elections as attached to Report No. AR22/71222. <p style="text-align: right;">CARRIED</p>			

Meeting	Officer/Authoriser	Section	Subject
Council 29/11/2022	McCarthy, Michael Barber, Darren	Council Reports	Statutory Returns
<p>RESOLUTION 2022/192</p> <p>Moved: Cr Mark Lovett Seconded: Cr Kate Amoroso</p> <ol style="list-style-type: none"> That Council Report No. AR22/71249 titled 'Statutory Returns' as presented on 29 November 2022 be noted. <p style="text-align: right;">CARRIED</p>			



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Action Sheets Report

Meeting	Officer/Authoriser	Section	Subject
Council 29/11/2022	McCarthy, Michael Barber, Darren	Council Reports	Member Allowances - Remuneration Tribunal Determination 2 and 5 of 2022
<p>RESOLUTION 2022/193</p> <p>Moved: Cr Max Bruins Seconded: Cr Ben Hood</p> <ol style="list-style-type: none"> 1. That Council Report No. AR22/71274 titled 'Member Allowances - Remuneration Tribunal Determination 2 and 5 of 2022' as presented on 29 November 2022 be noted. 2. That Member (Councillor / Mayoral) Allowances be paid monthly (2 weeks in advance / 2 weeks in arrears). 3. That: <ol style="list-style-type: none"> (a) Sitting Fees for a Councillor (other than the Mayor, Deputy Mayor or Presiding Member of a prescribed committee) who is the Presiding Member of a committee that is not a prescribed committee, or (b) Mayoral Allowance for a Deputy Mayor who undertakes the duties of Mayor for a period of one month or longer, be paid quarterly in arrears commencing at the end of the first quarter 2023. <p style="text-align: right;">CARRIED</p>			



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Meeting	Officer/Authoriser	Section	Subject
Council 29/11/2022	McCarthy, Michael Barber, Darren	Council Reports	Policy - Member Allowances and Benefits
<p>RESOLUTION 2022/194</p> <p>Moved: Cr Ben Hood Seconded: Cr Max Bruins</p> <ol style="list-style-type: none"> That Council Report No. AR22/71292 titled 'Policy - Member Allowances and Benefits' as presented on 29 November 2022 be noted. That the updated Member Allowances and Benefits Policy as attached (Attachment 1) to this Agenda be adopted to replace the lapsed Policy. The Mayor be approved to use the Mayoral vehicle for private purposes on the condition that all private journeys are recorded in the provided logbook and the Mayor will reimburse Council for private journeys at the cents per kilometre rate determined by the Australian Taxation Office from time to time. <p style="text-align: right;">CARRIED</p>			

Meeting	Officer/Authoriser	Section	Subject
Council 29/11/2022	McCarthy, Michael Barber, Darren	Council Reports	Policy - Member Training & Development
<p>RESOLUTION 2022/195</p> <p>Moved: Cr Mark Lovett Seconded: Cr Max Bruins</p> <ol style="list-style-type: none"> That Council Report No. AR22/71297 titled 'Policy - Member Training & Development' as presented on 29 November 2022 be noted. That the LGA (Mandatory) Training Standards for Council Members (Attachment 1) be noted. That the updated Members Training & Development Policy as attached to Report No AR22/71297 (Attachment 2) be adopted. <p style="text-align: right;">CARRIED</p>			



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Meeting	Officer/Authoriser	Section	Subject
Council 29/11/2022	McCarthy, Michael Barber, Darren	Council Reports	Conflict of Interest
RESOLUTION 2022/196			
Moved: Cr Josh Lynagh			
Seconded: Cr Kate Amoroso			
1. That Council Report No. AR22/71230 titled 'Conflict of Interest' as presented on 29 November 2022 be noted.			
			CARRIED

Meeting	Officer/Authoriser	Section	Subject
Council 29/11/2022	McCarthy, Michael Barber, Darren	Council Reports	Policy - Member Behavioural Management
RESOLUTION 2022/197			
Moved: Cr Ben Hood			
Seconded: Cr Kate Amoroso			
1. That Council Report No. AR22/71224 titled 'Policy - Member Behavioural Management' as presented on 29 November 2022 be noted.			
2. That, having been superseded by the new (deemed) Model Behavioural Management Policy, Council Policy M265 – Member Complaints Handling Procedure be revoked and new Behavioural Management Policy as provided as Attachment 1 to Council Report No. AR22/71224), based on the deemed model, be adopted.			
			CARRIED



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Action Sheets Report

Meeting	Officer/Authoriser	Section	Subject
Council 29/11/2022	McCarthy, Michael Barber, Darren	Council Reports	Elected Member Requests
<p>RESOLUTION 2022/198</p> <p>Moved: Cr Ben Hood Seconded: Cr Josh Lynagh</p> <p>1. That Council Report No. AR22/81142 titled 'Elected Member Requests' as presented on 29 November 2022 be noted.</p> <p style="text-align: right;">CARRIED</p>			

Meeting	Officer/Authoriser	Section	Subject
Council 29/11/2022	McCarthy, Michael Barber, Darren	Council Reports	Civil Liability (protection of members)
<p>RESOLUTION 2022/199</p> <p>Moved: Cr Mark Lovett Seconded: Cr Max Bruins</p> <p>1. That Council Report No. AR22/71261 titled 'Civil Liability (protection of members)' as presented on 29 November 2022 be noted.</p> <p style="text-align: right;">CARRIED</p>			



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Meeting	Officer/Authoriser	Section	Subject
Council 29/11/2022	McCarthy, Michael Barber, Darren	Council Reports	Principal Office - Place and Hours of Business
RESOLUTION 2022/200			
Moved: Cr Mark Lovett Seconded: Cr Josh Lynagh			
<ol style="list-style-type: none">1. That Council Report No. AR22/72231 titled 'Principal Office - Place and Hours of Business' as presented on 29 November 2022 be noted.2. That pursuant to Section 45 of the Local Government Act 1999, the Principal Office of the Council be the Council Office, Civic Centre, 10 Watson Terrace, Mount Gambier.3. The Civic Centre (being Council's Principal Office) shall be open to the public for the transaction of business during the hours of 9.00 a.m. and 5.00 p.m. Monday to Friday inclusive (excluding Public Holidays and an identified period over Christmas/New Year).			
CARRIED			



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Meeting	Officer/Authoriser	Section	Subject
Council 29/11/2022	McCarthy, Michael Barber, Darren	Council Reports	Meetings of Council - Meeting Days and Times
RESOLUTION 2022/201			
Moved: Cr Max Bruins			
Seconded: Cr Kate Amoroso			
<ol style="list-style-type: none"> That Council Report No. AR22/72234 titled 'Meetings of Council - Meeting Days and Times' as presented on 29 November 2022 be noted. That pursuant to Section 81 of the Local Government Act 1999, Ordinary Meetings of Council be held on the THIRD TUESDAY OF EACH MONTH commencing at 6.00 p.m. at the Council Chamber, Civic Centre, 10 Watson Terrace, Mount Gambier. That the December 2022 meeting be held one week earlier on the 2nd Tuesday of the month, being the 13th of December 2022, to avoid the week leading into Christmas. That the January 2023 meeting be held one week later on the 4th Tuesday of the month, being the 24th of January 2023, providing more opportunity for agenda preparation to occur after the Christmas / New Year period. 			
			CARRIED

Meeting	Officer/Authoriser	Section	Subject
Council 29/11/2022	McCarthy, Michael Barber, Darren	Council Reports	Items Laid on the Table
RESOLUTION 2022/202			
Moved: Cr Ben Hood			
Seconded: Cr Josh Lynagh			
<ol style="list-style-type: none"> That Council Report No. AR22/72255 titled 'Items Laid on the Table' as presented on 29 November 2022 be noted. 			
			CARRIED



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Meeting	Officer/Authoriser	Section	Subject
Council 29/11/2022	McCarthy, Michael Barber, Darren	Council Reports	Council Policies - Periodical review
RESOLUTION 2022/203			
Moved: Cr Ben Hood Seconded: Cr Max Bruins			
<ol style="list-style-type: none"> That Council Report No. AR22/72419 titled 'Council Policies - Periodical review' as presented on 29 November 2022 be noted. That the Administration be authorised to update the current suite of Council policies to reflect the current organisational structure and administrative position titles arising from the 2022 organisational restructure, with no substantive policy content being updated without further review and resolution of Council. 			
CARRIED			

Meeting	Officer/Authoriser	Section	Subject
Council 29/11/2022	McCarthy, Michael Barber, Darren	Council Reports	Determination to have a Deputy Mayor
RESOLUTION 2022/204			
Moved: Cr Ben Hood Seconded: Cr Max Bruins			
<ol style="list-style-type: none"> That Council Report No. AR22/72270 titled 'Determination to have a Deputy Mayor' as presented on 29 November 2022 be noted. That pursuant to the powers contained in Section 51 (3) and (4) of the Local Government Act 1999 Council hereby resolves to have a Deputy Mayor. That an appointment for the position of Deputy Mayor be for a term of 2 year/s. That nominations for the position of Deputy Mayor be submitted to the Chief Executive Officer by close of business on Friday 2 December 2022, for a selection (and if necessary, a voting) process to be presented to the Council meeting on 13th December 2022. 			
CARRIED			



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Action Sheets Report			
Meeting	Officer/Authoriser	Section	Subject
Council 29/11/2022	McCarthy, Michael Barber, Darren	Council Reports	Mayor and Chief Executive Officer as Council Representatives
RESOLUTION 2022/205			
Moved: Cr Max Bruins			
Seconded: Cr Mark Lovett			
<ol style="list-style-type: none"> 1. That Council Report No. AR22/72295 titled 'Mayor and Chief Executive Officer as Council Representatives' as presented on 29 November 2022 be noted. 2. That Council hereby authorises the Mayor, Deputy Mayor, Chief Executive Officer, Acting Chief Executive Officer, and Chief Executive Officer's representative to represent Council, including at (but not limited to) SA Local Government Association Annual General Meetings and other Local Government Association, Australian Local Government Association, and Limestone Coast Local Government Association meetings, functions and activities. 3. That voting privileges associated with representing Council are restricted to the Mayor, Deputy Mayor, Chief Executive Officer and Acting Chief Executive Officer (where relevant), unless such rights are exercised in accordance with an explicit Council resolution appointing a representative with such voting rights, and being in accordance with the rules of the relevant organisation. 4. That resolutions (2) & (3) are to be applied to complement and not to override or undermine any delegate/representative of Council duly nominated/appointed by resolution of Council. 			
			CARRIED



Division:	Date From: 29/11/2022
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Meeting	Officer/Authoriser	Section	Subject
Council 29/11/2022	McCarthy, Michael Barber, Darren	Council Reports	Council Decision Making Structure and representatives
RESOLUTION 2022/206			
Moved: Cr Mark Lovett			
Seconded: Cr Max Bruins			
1. That Council Report No. AR22/72311 titled 'Council Decision Making Structure and representatives' as presented on 29 November 2022 be noted.			
2. That Council's decision-making structure, from 29 November 2022, shall comprise:			
<ul style="list-style-type: none"> • CEO Performance Review Committee • Audit and Risk Committee • Junior Sports Assistance Fund • Building Fire Safety Committee 			
3. That the Terms of Reference and (independent/ex-officio) membership of the Committee structure in resolution (2) remain unchanged, subject to the operation of the Terms of Reference and any conditions of appointment, until further resolved by Council.			
4. That the following Council Members be appointed to committee and external representative positions:			
CEO Performance Review Committee (in addition to Mayor and Deputy Mayor)		Cr Sonya Meziniec Cr Paul Jenner	
Audit and Risk Committee		Cr Sonya Meziniec	
Junior Sports Assistance Fund		Cr Mark Lovett as Presiding Member	
Riddoch Arts and Cultural Trust		Cr Sonya Meziniec	
Queen Elizabeth Park Trust		Cr Max Bruins	
(or such other appointments as determined).			
5. That the appointments in resolution (3) be for an interim period of 3 months or until Council has resolved alternate arrangements.			



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Action Sheets Report	

6. That pursuant to Section 72(1) of the Local Government Act, Division 2 - Register of Interests provisions will extend to independent members of Council's Audit and Risk Committee.

CARRIED

Meeting	Officer/Authoriser	Section	Subject
Council 29/11/2022	McCarthy, Michael Barber, Darren	Council Reports	Subsidiaries - Membership of Regional Subsidiaries
RESOLUTION 2022/207			
Moved: Cr Ben Hood			
Seconded: Cr Max Bruins			
1. That Council Report No. AR22/72404 titled 'Subsidiaries - Membership of Regional Subsidiaries' as presented on 29 November 2022 be noted.			
2. That Council notes its constituent membership of the Limestone Coast Local Government Association, a regional subsidiary established pursuant to Section 43 of the Local Government Act 1999.			
CARRIED			



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Action Sheets Report

Meeting	Officer/Authoriser	Section	Subject
Council 29/11/2022	McCarthy, Michael Barber, Darren	Council Reports	Authorised Banking Signatories

RESOLUTION 2022/208

Moved: Cr Max Bruins
Seconded: Cr Josh Lynagh

1. That Council Report No. AR22/72412 titled 'Authorised Banking Signatories' as presented on 29 November 2022 be noted.
2. That the authorised signatories for the Council's financial bank accounts be any two (2) of the following:
 - Chief Executive Officer
 - General Manager City and Community Growth
 - General Manager City Infrastructure
 - General Manager Corporate and Regulatory Services
 - Manager Governance and Property
 - Manager Development Services
 - Manager Financial Services
3. That the Chief Executive Officer may by written instrument add/amend/revoke the bank signatory authorisation of officers listed in resolution (2) as necessary to align with the organisational structure, position titles/appointments, and absence/availability of officers.

CARRIED



<p>Division: Meeting: Council Officer:</p> <p>Action Sheets Report</p>	<p>Date From: 29/11/2022 Date To: 13/12/2022</p> <p>Printed: 6 December 2022 12:05 PM</p>
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Meeting	Officer/Authoriser	Section	Subject
Council 29/11/2022	McCarthy, Michael Barber, Darren	Council Reports	Auditor - Confirmation of appointment of Council's external auditor
<p>RESOLUTION 2022/209</p> <p>Moved: Cr Mark Lovett Seconded: Cr Max Bruins</p> <p>1. That Council Report No. AR22/72414 titled 'Auditor - Confirmation of appointment of Council's external auditor' as presented on 29 November 2022 be noted.</p> <p style="text-align: right;">CARRIED</p>			

Meeting	Officer/Authoriser	Section	Subject
Council 29/11/2022	McCarthy, Michael Barber, Darren	Council Reports	Strategic Management Plans
<p>RESOLUTION 2022/210</p> <p>Moved: Cr Ben Hood Seconded: Cr Josh Lynagh</p> <p>1. That Council Report No. AR22/72417 titled 'Strategic Management Plans' as presented on 29 November 2022 be noted.</p> <p>2. That the following plans be declared as constituting the Strategic Management Plans of the Council as:</p> <ul style="list-style-type: none"> • Strategic Plan i.e. 2020-2024 Strategic Plan • Long Term Financial Plan i.e. 2023-2032 Long Term Financial Plan • Infrastructure & Asset Management Plans <p style="text-align: right;">CARRIED</p>			



Division: Meeting: Council Officer:	Date From: 29/11/2022 Date To: 13/12/2022
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Meeting	Officer/Authoriser	Section	Subject
Council 29/11/2022	McCarthy, Michael Barber, Darren	Council Reports	Acting Chief Executive Officer - Leave of Absence
RESOLUTION 2022/211			
Moved: Cr Ben Hood			
Seconded: Cr Kate Amoroso			
<ol style="list-style-type: none"> 1. That Council Report No. AR22/72443 titled 'Acting Chief Executive Officer - Leave of Absence' as presented on 29 November 2022 be noted. 2. That, having consulted with the Council in accordance with Section 102(b) of the <i>Local Government Act, 1999</i>, it is noted that, in the instance of unplanned or unanticipated urgent leave, the Chief Executive Officer (CEO) appoints Ms Barbara Cernovskis (General Manager City Infrastructure), to act in the position of Chief Executive Officer. 3. That, should the acting arrangements for unplanned or unanticipated urgent leave of the CEO, as set out in resolution 2, be unsuitable due to the absence or unavailability of Ms Barbara Cernovskis, that Mr Darren Barber (General Manager Corporate and Regulatory Services), will be appointed to act in the position of Chief Executive Officer, and failing his availability, then the substantive incumbent of the position of General Manager City and Community Growth will be appointed to act in the position of Chief Executive Officer. 4. That it is noted that, in the instance of planned or anticipated leave by the Chief Executive Officer, the Chief Executive Officer will make an appointment from amongst the three General Manager positions, namely, the General Manager City Infrastructure, the General Manager Corporate and Regulatory Services or the General Manager City and Community Growth. 5. That it is intended that these arrangements remain in place, including should substantive incumbents in the General Manager roles change (excepting short-term acting arrangements), or the executive position titles change in subsequent organisational structures, until such time as Council has been further consulted and notified of any alternative appointments. 			
			CARRIED



Division:	Date From: 29/11/2022
Meeting: Council	Date To: 13/12/2022
Officer:	
Action Sheets Report	Printed: 6 December 2022 12:05 PM

Meeting	Officer/Authoriser	Section	Subject
Council 29/11/2022	McCarthy, Michael Barber, Darren	Council Reports	Register of Interests – Senior Officers
RESOLUTION 2022/212			
Moved: Cr Max Bruins			
Seconded: Cr Josh Lynagh			
<ol style="list-style-type: none"> 1. That Council Report No. AR22/80985 titled 'Register of Interests – Senior Officers' as presented on 29 November 2022 be noted. 2. Pursuant to s111 of the Local Government Act 1999, that Division 2 – Register of Interest provisions shall apply to the following officer positions of Council in addition to the Chief Executive Officer: <ul style="list-style-type: none"> • General Manager City and Community Growth • General Manager Corporate and Regulatory Services • General Manager City Infrastructure • Manager Development Services • Senior Planning Officer • Planning Officer • Manager Financial Services 			
			CARRIED



Division: Meeting: Council Officer:	Date From: 29/11/2022 Date To: 13/12/2022 Printed: 6 December 2022 12:05 PM
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Action Sheets Report

Meeting	Officer/Authoriser	Section	Subject
Council 29/11/2022	McCarthy, Michael Barber, Darren	Council Reports	2021/2022 Annual Report

RESOLUTION 2022/213
Moved: Cr Mark Lovett
Seconded: Cr Josh Lynagh

1. That Council Report No. AR22/72421 titled '2021/2022 Annual Report' as presented on 29 November 2022 be noted.
2. That the City of Mount Gambier 2021/2022 Annual Report as tabled be adopted.
3. That the Chief Executive Officer be authorised to make any non-material amendments as considered necessary prior to publication.
4. That copies of the City of Mount Gambier be distributed to the bodies/persons referred to in Section 131 of the Local Government Act 1999.

CARRIED



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

Nil



16 AUDIT AND RISK COMMITTEE MINUTES AND RECOMMENDATIONS

16.1 MINUTES OF THE AUDIT AND RISK COMMITTEE HELD ON 6 DECEMBER 2022 - [Go to Attachment](#)

RECOMMENDATION

That the Minutes of the Audit and Risk Committee meeting held on 6 December 2022 as attached be noted.

16.2 [Correspondence Received](#) – Report No. AR22/72224

RECOMMENDATION

1. That Audit and Risk Committee Report No. AR22/72224 titled 'Correspondence Received' as presented on 06 December 2022 be noted.

16.3 [Risk Report - September 2022](#) – Report No. AR22/68368

RECOMMENDATION

1. That Audit and Risk Committee Report No. AR22/68368 titled 'Risk Report - September 2022' as presented on 06 December 2022 be noted.

16.4 [Work Health, Safety and Wellbeing - September 2022](#) – Report No. AR22/68371

RECOMMENDATION

1. That Audit and Risk Committee Report No. AR22/68371 titled 'Work Health, Safety and Wellbeing - September 2022' as presented on 06 December 2022 be noted.



16.5 [Review of Audit and Risk Committee Terms of Reference](#) – Report No. AR22/65115

RECOMMENDATION

1. That Audit and Risk Committee Report No. AR22/65115 titled 'Review of Audit and Risk Committee Terms of Reference' as presented on 06 December 2022 be noted.
2. That the Audit Committee:
 - (a) Authorises the General Manager Corporate and Regulatory Services in liaison with the Presiding Member to make any minor amendments to the draft Audit and Risk Committee Terms of Reference that the Committee identifies and to then finalise the document; and
 - (b) Recommend to Council that the draft Audit and Risk Committee Terms of Reference be adopted.

16.6 [Self-assessment of Performance Audit and Risk Committee](#) – Report No. AR22/77367

RECOMMENDATION

1. That Audit and Risk Committee Report No. AR22/77367 titled 'Self-assessment of Performance Audit and Risk Committee' as presented on 06 December 2022 be noted.
2. That the Audit and risk committee:
 - (a) Authorise the General Manager Corporate and Regulatory Services in liaison with the Presiding Member to make any minor amendments to the attached draft Audit and Risk Committee Self-Assessment Annual Report 2021/2022 that the Committee identifies and to then finalise the document; and
 - (b) Recommend to Council that the Audit and risk committee's Self-Assessment Report for 2021/2022 be adopted.



16.7 [Audit and Risk Committee Work Program & Meeting Schedule 2023](#) – Report No. AR22/77371

RECOMMENDATION

1. That Audit and Risk Committee Report No. AR22/77371 titled 'Audit and Risk Committee Work Program & Meeting Schedule 2023' as presented on 06 December 2022 be noted.
2. That recommended meeting months (below) supplied by the Audit and Risk Committee be adopted by council, noting that the meeting dates are subject to change, including if an additional meeting is required:
 - (a) February 2023;
 - (b) March 2023;
 - (c) May 2023;
 - (d) July 2023;
 - (e) October 2023; and
 - (f) November 2023.
3. That the draft work program as reviewed by the Audit and Risk Committee for the calendar year 2023 (attached) be adopted, noting the meeting months and schedule are subject to change, including if an additional meeting is required.

16.8 [External Audit Management Report](#) – Report No. AR22/77370

RECOMMENDATION

1. That Audit and Risk Committee Report No. AR22/77370 titled 'External Audit Management Report' as presented on 06 December 2022 be noted.

16.9 [Asset Accounting Policy Review](#) – Report No. AR22/82159

RECOMMENDATION

1. That Audit and Risk Committee Report No. AR22/82159 titled 'Asset Accounting Policy Review' as presented on 06 December 2022 be noted.
2. That the Asset Accounting Policy as attached to Report No. AR22/82159 having been reviewed by the Audit and Risk Committee on 6 December 2022 be adopted.



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

Nil

18 BUILDING FIRE SAFETY COMMITTEE MINUTES

Nil



19 COUNCIL REPORTS

19.1 SELECTION OF DEPUTY MAYOR – REPORT NO. AR22/82893

Committee:	Council
Meeting Date:	13 December 2022
Report No.:	AR22/82893
CM9 Reference:	AF21/496
Author:	Michael McCarthy, Manager Governance and Property
Authoriser:	Darren Barber, General Manager Corporate and Regulatory Services
Summary:	This report presents the nomination and selection process for the appointment of a Deputy Mayor.
Strategic Plan Reference:	Goal 1: Our People
	Goal 2: Our Location
	Goal 3: Our Diverse Economy
	Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage
	Goal 5: Our Commitment

REPORT RECOMMENDATION

1. That Council Report No. AR22/82893 titled 'Selection of Deputy Mayor' as presented on 13 December 2022 be noted.
2. That Council accepts the nomination from Cr Ben Hood for the position of Deputy Mayor.
3. That Cr Ben Hood be declared appointed to the position of Deputy Mayor for 2 years.



TYPE OF REPORT

Legislative

BACKGROUND

At the meeting held on 29 November 2022 Council resolved in relation to having a Deputy Mayor as follows:

2. *That pursuant to the powers contained in Section 51 (3) and (4) of the Local Government Act 1999 Council hereby resolves to have a Deputy Mayor.*
3. *That an appointment for the position of Deputy Mayor be for a term of 2 year/s.*
4. *That nominations for the position of Deputy Mayor be submitted to the Chief Executive Officer by close of business on Friday 2 December 2022, for a selection (and if necessary, a voting) process to be presented to the Council meeting on 14th December 2022.*

This report presents the nominations received.

PROPOSAL

At close of business on Friday 2 December 2022 no nominations had been received for the position of Deputy Mayor had been received.

A late nomination was received by email from Cr Ben Hood at 8:03am on Monday 5 December 2022.

Before considering the late nomination further, and noting the timeframe for nominations was imposed by a formal resolution, Council might first consider whether to accept the late nomination from Cr Ben Hood, or any other late nomination, and the manner in which it intends to deal with the position of Deputy Mayor, including whether to accept further nominations.

Policy C410 Conduct of Meetings provides that where Council has resolved to have a Deputy Mayor the Mayor shall immediately call for nominations and acceptances from Members present at the Council Meeting.

Council resolved to have a Deputy Mayor at the 29 November 2022 meeting with nominations to be presented to the December (this) meeting. It is recommended that Council address the appointment of Deputy Mayor at this meeting to avoid further inconsistency with Council Policy position.

Council's options are considered to be:

Option 1

- i. Council accepts the late nomination of Cr Ben Hood.
- ii. Cr Ben Hood be declared appointed to the position of Deputy Mayor for 2 years.

Option 2

- i. Council accepts the late nomination of Cr Ben Hood.
- ii. That further nominations for the position of Deputy Mayor be accepted at the meeting.
- iii. If no further nominations are received that Cr Ben Hood be appointed to the position of Deputy Mayor for 2 years.
- iv. If further nominations are received, that resolutions be passed to endorse a voting and selection/appointment process (*refer below and draft recommendations at the meeting*).

Should Council's preference be for Option 2, Policy C410 Conduct of Meetings and section 51 of the *Local Government Act 1999* guide the nomination, selection and appointment process, as follows:

- A Member present at the meeting may be nominated.
- If only one nomination is received then that candidate is to be declared Deputy Mayor.



- Where more than one nomination is received a secret ballot shall be conducted forthwith without debate. Resolutions will be passed to endorse the voting process and appoint the Chief Executive Officer (or any other Senior Officer present at the meeting) as Returning Officer to declare the result and draw lots (if/as necessary).
- The Mayor does not vote on the question of Deputy Mayor.
- A Member not in their seat at the meeting does not vote on the question of Deputy Mayor.
- The candidate with the highest number of votes shall be declared the Deputy Mayor
- In the case of an equality of votes lots will be drawn to determine which candidate(s) is **excluded** in accordance with section 51(8) of the *Local Government Act 1999*.
- A division cannot be called when a vote on the question of appointing a Deputy Mayor is taken.
- The Mayor may (but is not required to) accept a motion endorsing the appointment of the Deputy Mayor however any failure or variation of the motion shall be of no effect on the declared result of the secret ballot.

The final point reflects the application of sub-regulation 12(3) of the *Local Government (Procedures at Meetings) Regulations 2013* that a motion the effect of which, if carried, would be to revoke or amend a resolution passed since the last general election of the council, must be brought by written notice of motion.

Notwithstanding that it was received after the date for nominations set by Council resolution, this report recommends that Council accept the only nomination received for the position of Deputy Mayor from Cr Ben Hood, and proceed with making an appointment for the resolved term of 2 years.

LEGAL IMPLICATIONS

Section 51(8) of the Local Government Act 1999 specifically provides that where the votes for two candidates for Deputy Mayor are equal, lots must be drawn to determine which candidate or candidates will be excluded.

STRATEGIC PLAN

N/A

COUNCIL POLICY

Council Policy C410 Conduct of Meetings contains provisions relating to the nomination, selection and appointment to vacant positions.

ECONOMIC IMPLICATIONS

N/A

ENVIRONMENTAL IMPLICATIONS

N/A

SOCIAL IMPLICATIONS

N/A

CULTURAL IMPLICATIONS

N/A

RESOURCE IMPLICATIONS

N/A

VALUE FOR MONEY

N/A



RISK IMPLICATIONS

N/A

EQUALITIES AND DIVERSITY IMPLICATIONS

N/A

ENGAGEMENT AND COMMUNICATION STRATEGY

N/A

IMPLEMENTATION STRATEGY

N/A

CONCLUSION AND RECOMMENDATION

Notwithstanding that it was received after the date for nominations set by Council resolution, this report recommends Option 1 that Council accept the nomination received for the position of Deputy Mayor from Cr Ben Hood, and proceed with making an appointment for the resolved term of 2 years.

Should Council prefer Option 2, draft recommendations will be available at the meeting to enable resolutions to be passed to endorse a voting and selection/appointment process.

ATTACHMENTS

Nil



19.2 WULANDA RECREATION AND CONVENTION CENTRE - VERBAL UPDATE – REPORT NO. AR22/77851

Meeting: Council
CM9 Reference: AF21/496
Author: Barbara Cernovskis, General Manager City Infrastructure
Authoriser: Sarah Philpott, Chief Executive Officer

REPORT RECOMMENDATION

1. That Council Report No. AR22/77851 titled 'Wulanda Recreation and Convention Centre - Verbal Update' as presented on 13 December 2022 be noted.

BACKGROUND

Council, at its meeting held on 16 August 2022, resolved (in part):

- “3. That the General Manager City Infrastructure provides a verbal report in open Council on the Wulanda Recreation and Convention Centre construction progress each month.”*

The General Manager City Infrastructure, Barbara Cernovskis, to provide a verbal update report on the monthly progress of the Wulanda Recreation and Convention Centre.

ATTACHMENTS

Nil



19.3 LIBRARY CAFE SOCIAL ENTERPRISE – REPORT NO. AR22/74901

Committee:	Council
Meeting Date:	13 December 2022
Report No.:	AR22/74901
CM9 Reference:	AF21/496
Author:	Georgina Davison, Manager Library and Community Development
Authoriser:	Sarah Philpott, Chief Executive Officer
Summary:	Library Café to be run as a Social Enterprise
Strategic Plan Reference:	Goal 1: Our People
	Goal 2: Our Location
	Goal 3: Our Diverse Economy
	Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage
	Goal 5: Our Commitment

REPORT RECOMMENDATION

1. That Council Report No. AR22/74901 titled 'Library Cafe Social Enterprise' as presented on 13 December 2022 be noted.
2. That Council note the direction being taken that the Library Café be operated as a Social Enterprise.



TYPE OF REPORT

Other

BACKGROUND

Council resolved on the 15 December 2020 (Resolution 2020/416), that:

(a) *the Administration:*

- (i) *renegotiate continued interim café operating arrangements for the Mount Gambier Library on more favourable terms;*
- (ii) *proceed with proposed café upgrade works without further unnecessary delay;*
- (iii) *continue negotiations with the preferred operator for a post COVID-19 commercial arrangement for the operation of the Library café.*

An update was provided through an elected member memorandum on the 25 August 2021 that the Library Café has been closed. This created an opportunity for the planned renovations to be undertaken, which have since been completed. The memorandum also advised members that Council were going to investigate, through an expression of interest process, operating the café as a social enterprise.

PROPOSAL

In line with Council's Strategic direction and the Library's role and commitment to the Community, an Expression of Interest process commenced for an appropriate, like minded business or organisation to run the Café as a 'Social Enterprise'.

Council staff have undertaken research regarding social enterprises by engaging with subject matter experts including Councils who have partnered with social enterprises, local providers and interested parties.

A social enterprise will enable:

- training in job ready skills for a variety of individuals in minority groups
- provision of qualifications where appropriate
- increase the opportunities for individuals who otherwise may not receive such opportunities to participate in other regular employment.
- increase the number of staff available for the hospitality industry, providing skilled, trained and/or qualified personnel.

Further to the memorandum referenced above, we are advising the direction being taken to operate the library café as a social enterprise (dependant on engaging an appropriate operator).

A report will be presented to Council in the new calendar year providing the outcome of the expression of interest process.

LEGAL IMPLICATIONS

N/A

STRATEGIC PLAN

Goal 1 – Our People

1.2 Community growth – we foster a sense of community by encouraging and supporting participation in community life.

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.



1.4 Care for the community – We will develop our service offering to the community to ensure all members have access to required levels of support.

1.5 Becoming an ‘earning and learning’ community - We are driving the development of local career, education and entrepreneurship pathways that build skills to grow the economy, facilitate new businesses, and provide exciting and relevant employment opportunities for all our people as we transition to an ‘earning and learning’ city.

This opportunity aligns with the Disability Access Inclusion Plan goals.

COUNCIL POLICY

[P420 Procurement and Disposal of Land and Assets](#)

ECONOMIC IMPLICATIONS

There will be no financial outlay for Council. The only financial impact will be the missed opportunity of income from rent, however community benefit will outweigh any proposed rental income.

ENVIRONMENTAL IMPLICATIONS

N/A

SOCIAL IMPLICATIONS

A social enterprise will enable the training in job ready skills for a variety of individuals in minority groups as well as the provision of qualifications where appropriate. This will increase the opportunities for these individuals who otherwise may not receive such opportunities to participate in other regular employment. It will also increase the number of staff available for the hospitality industry, providing skilled, trained and/or qualified personnel.

CULTURAL IMPLICATIONS

N/A

RESOURCE IMPLICATIONS

No assumed impact on budget.

VALUE FOR MONEY

No assumed impact on budget.

RISK IMPLICATIONS

To be addressed in the forthcoming report.

EQUALITIES AND DIVERSITY IMPLICATIONS

The operators of the café will work with local disability support and employment agencies, as well as TAFE and other training providers to upskill, train and/or assess their employees to be job ready and/or qualified for a variety of roles including, customer service, retail and hospitality.

ENGAGEMENT AND COMMUNICATION STRATEGY

The outcomes from these implications will be positive for our community and managed by the operator.

IMPLEMENTATION STRATEGY

This arrangement will be rolled out through Council’s procurement process.



CONCLUSION AND RECOMMENDATION

Council note the progress to date and the direction being taken that the Library Café be operated as a social enterprise.

ATTACHMENTS

Nil



**19.4 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE (LRCI) PROGRAM - PHASE 3
 - VARIATIONS TO APPROVED WORKS SCHEDULE – REPORT NO. AR22/83944**

Committee: Council
Meeting Date: 13 December 2022
Report No.: AR22/83944
CM9 Reference: AF21/496
Author: Barbara Cernovskis, General Manager City Infrastructure
Authoriser: Sarah Philpott, Chief Executive Officer
Summary: This report seeks Council’s endorsement to variations for Phase 3 of the Local Roads and Community Infrastructure Program.
Strategic Plan Reference: Goal 2: Our Location
 Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage

REPORT RECOMMENDATION

1. That Council Report No. AR22/83944 titled ‘Local Roads and Community Infrastructure (LRCI) Program - Phase 3 - Variations to Approved Works Schedule’ as presented on 13 December 2022 be noted.
2. That Council approve removal of the Frew Park Public Amenities project from the current approved work schedule.
3. That Council endorse the below updated work schedule for Phase 3 of the Local Roads and Community Infrastructure Program:

Description	Problem being addressed	Commence	Complete	Total project cost	LRCI Program Funding Required
<p>New Valley Lakes Public Amenities</p> <p>Design and construction of new public amenities facility that will be located adjacent to the community playground and bbq area.</p> <p>The scope of this project also includes demolition of two existing old non-compliant toilet blocks.</p>	<p>This will improve safety for children as they currently must cross internal access roads and public car parking areas to access amenities.</p> <p>The new toilets will be designed to increase accessibility for people with disabilities or impairment.</p>	Aug 22	Jun 23	\$750,000	\$750,000
<p>Shade Sail Structure for 50 metre Outdoor Pool</p> <p>This project is for the design, manufacture and installation of a shade sail structure for</p>	<p>The previous shade structure in the outdoor aquatic area were removed from site and have been assessed as unsuitable to be</p>	Jul 22	Dec 22	\$133,990	\$133,990



the outdoor 50 metre pool at Wulanda. The scope of this project also includes electrical access point.	refurbished to an accredited standard.				
Margaret Street Service Road Drainage, access road and carparking improvements.	These works will improve drainage, service road access and carparking for the Scout Building and Meals on Wheels.	Jan 23	Apr 23	\$55,000	\$55,000
Margaret Street Service Road Minor landscaping.	This is a minor landscaping package to improve the Wulanda service road amenity for the abutting community groups and local residents.	Dec 22	Mar 23	\$20,000	\$20,000
O'Halloran Terrace Sinkhole Rejuvenation work.	Rejuvenation of the O'Halloran Terrace Sinkhole complements the remediation work to be undertaken as part of the O'Halloran Terrace PLEC program.	Jan 23	Mar 23	\$15,000	\$15,000
				TOTAL	\$973,990

4. That the Chief Executive Officer and/or General Manager City Infrastructure be authorised to request the above variations to the Phase 3 Approved Work Schedule from the Commonwealth (represented by the Department of Infrastructure, Transport, Regional Development and Communications).



TYPE OF REPORT

Corporate

BACKGROUND

Council has an agreement with the Commonwealth (represented by the Department of Infrastructure, Transport, Regional Development and Communications) for Phase 3 of the Local Roads and Community Infrastructure Program (LRCI) grant funding, for a total amount of \$973,990.

The objective of this program is to help stimulate priority local roads and community infrastructure construction projects to support local communities following the impacts of the COVID-19 pandemic. All projects are 100% funded by the Commonwealth.

Council, at its meeting held on 21 June 2022, endorsed the below project nominations for Phase 3 of the LRCI grant funding:

Description	Problem being addressed	Commence	Complete	Total project cost	LRCI Program Funding Required
<p>New Valley Lakes Public Amenities</p> <p>Design and construction of new public amenities facility that will be located adjacent to the community playground and bbq area.</p> <p>The scope of this project also includes demolition of two existing old non-compliant toilet blocks.</p>	<p>This will improve safety for children as they currently must cross internal access roads and public car parking areas to access amenities.</p> <p>The new toilets will be designed to increase accessibility for people with disabilities or impairment.</p>	Aug 22	Jun 23	\$490,000	\$490,000
<p>Frew Park Public Amenities</p> <p>Design and construction of new public amenities facility.</p> <p>The scope of this project also includes demolition of the existing toilet block and improvements to the existing RV dump station.</p>	<p>The new toilets will meet compliance standards and be designed to provide accessibility for people with disabilities or impairment.</p> <p>The existing RV dump station has been vandalised on many occasions. The new improvements will reduce vandalism and maintenance costs.</p>	Jul 22	Jun 23	\$350,000	\$350,000
<p>Shade Sail Structure for 50 metre Outdoor Pool</p> <p>This project is for the design, manufacture and installation of a shade sail structure for the outdoor 50 metre pool at Wulanda.</p>	<p>The previous shade structure in the outdoor aquatic area were removed from site and have been assessed as unsuitable to be refurbished to an accredited standard.</p>	Jul 22	Dec 22	\$133,990	\$133,990



The scope of this project also includes electrical access point.					
				TOTAL	\$973,990

PROPOSAL

Council Officers have been liaising with the funding body to propose a reallocation of funding for Phase 3 projects. The funding body has confirmed that the proposed variations can be made to Council’s existing approved work schedule.

Reasons for the required adjustments are detailed below for each project.

APPROVED PROJECTS

Project One: Valley Lakes Public Amenities

This project was previously included in Phase 2, however was removed and replaced with other works to meet timeframes. At the time, Council Officers confirmed that the Valley Lakes Public Amenities project was eligible for inclusion as part of Phase 3.

The approved work schedule for this project is currently \$490,000. Due to price escalations in the current market conditions the total project budget is now \$750,000.

Project Two: Frew Park Public Amenities

This project was identified following a Disability Access Audit Report on Public Buildings within the City of Mount Gambier undertaken by an independent Building Surveyor, in July 2018. The Frew Park toilet block was recommended for demolition and upgrade works to meet compliance standards.

To reallocate funding to the Valley Lakes Public Amenities project it is recommended that this project be removed from the approved works schedule and a masterplan be developed to ensure adequate consultation is undertaken to inform the design for this significant site.

Project Three: Shade Sail Structure for 50 metre Outdoor Pool

This project is for the design, manufacture and installation of a shade sail structure for the outdoor 50 metre pool at Wulanda. The previous shade structures were removed from site and have been assessed as unsuitable to be refurbished to an accredited standard. This project delivers a compliant structure that will provide shelter and complement the landscaping of the outdoor pool area.

This project is due for completion in December and the cost is anticipated to be within the budgeted amount of \$133,990.

PROPOSED ADDITIONAL PROJECTS

Project Four: Margaret Street Service Road (Drainage, access road and carparking)

This project will improve drainage, service road access and carparking for the Scout Building and Meals on Wheels.

These works can commence in January 2023 with completion in April 2023, at a cost of \$55,000.00.

Project Five: Margaret Street Service Road (Landscaping)

This project is a minor landscaping package to improve the Wulanda service road amenity for the abutting community groups and local residents.



These works can commence in December 2022 with completion in March 2023, at a cost of \$20,000.00

Project Six: O'Halloran Terrace Sinkhole

Rejuvenation of the O'Halloran Terrace Sinkhole complements the remediation work to be undertaken as part of the O'Halloran Terrace PLEC program.

These works can commence in January 2023 with completion in March 2023, at a cost of \$15,000.00.

LEGAL IMPLICATIONS

Council has a formal executed agreement with the Department for Phase 3 grant funding and are obliged to deliver the projects within the agreed timeframes.

STRATEGIC PLAN

Goal 2: Our Location

2.1 Infrastructure development and managing our current assets

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

4.2 We will ensure that future growth is planned in a manner that provides access to, and does not detract from, the community's environmental values.

COUNCIL POLICY

[P420 Procurement and Disposal of Land and Assets](#)

ECONOMIC IMPLICATIONS

Due to the availability of several government funding aids nationwide, building and construction industries have witnessed a significant boom which has created a shortage of building materials supply and available builders' schedule. Council Officers have witnessed similar trends in Mount Gambier which is also evident by the number of recent development applications received by the Planning Team.

Schedules of potential builders are also forward booked up to 9-12 months. Therefore, an additional 15-20% costing allocation was considered for Phase 3 projects to attract potential builders and supplement increased material cost due to the Covid-19 economic impact.

ENVIRONMENTAL IMPLICATIONS

Nil

SOCIAL IMPLICATIONS

Nil

CULTURAL IMPLICATIONS

Disability Access and Inclusion Plan 2020-2021

Action Plan 3: Accessible Communities

Action 6 Council to adopt inclusive design principles that encourage best practice rather than meeting minimum legislative requirements.

RESOURCE IMPLICATIONS

Additional costing has been included for managing the project by external resourcing which will also support the principle goal of this aid funding.

VALUE FOR MONEY

These projects are fully funded under the Local Roads and Community Infrastructure Phase 3 Program.



RISK IMPLICATIONS

Project delivery schedule may change due to supply and delivery interruption as an outcome of the Covid-19 pandemic situation. Regular updates will be provided to all stakeholders.

EQUALITIES AND DIVERSITY IMPLICATIONS

The design principles will include non-gender specifications.

ENGAGEMENT AND COMMUNICATION STRATEGY

Nil

IMPLEMENTATION STRATEGY

As per conditions of the funding agreement, access to the grant money will require Council's total capital expenditure to be maintained in addition to the funding amount.

CONCLUSION AND RECOMMENDATION

That Council endorse the updated work schedule as provided in this report and authorise the Chief Executive Officer and/or General Manager City Infrastructure to request the above variations from the Commonwealth Government.

ATTACHMENTS

Nil



19.5 CREATIVE ARTS FUND 2022/2023 APPLICATIONS – REPORT NO. AR22/72720

Committee: Council
Meeting Date: 13 December 2022
Report No.: AR22/72720
CM9 Reference: AF21/496
Author: Tahlee Chant, Executive Administrator City and Community Growth
Authoriser: Georgina Davison, Manager Library and Community Development
Summary: The Creative Arts Fund applications have been received and Council endorsement is sought for the distribution of funds for 2021/2022.
Strategic Plan Reference: Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage
 Goal 5: Our Commitment

REPORT RECOMMENDATION

1. That Council Report No. AR22/72720 titled ‘Creative Arts Fund 2022/2023 Applications’ as presented on 13 December 2022 be noted.
2. That Council notes the total funding request from applicants was \$60,464.78 and shortlisted applicants was \$33,250.00 which is under the budgeted amount of funding available.
3. That \$33,250.00 be endorsed for distribution for the 2022/2023 Creative Arts Fund as follows:

<u>Project Name</u>	<u>Applicant</u>	<u>Requested</u>	<u>Approved</u>
DOG.	Meghan Amoroso	\$ 8,000.00	\$ 8,000.00
Point of Impact	MOD – University of Adelaide	\$ 13,250.00	\$ 13,250.00
Mount Gambier Mural	Uniting Communities	\$12,000.00	\$ 12,000.00*
		\$ 33.250.00	\$ 33,250.00

*Includes \$184.00 Planning SA lodgement fee for Development Application

4. That the remaining funds from 2021/2022 and 2022/2023, be re-allocated to other Arts and Culture opportunities.
5. That all applicants be notified accordingly, advising that the provision and acquittal of these grant funds will always be subject to:
 - all necessary land holder and development approvals being obtained; and
 - all works being completed in accordance with all relevant legislative and compliance standards.



TYPE OF REPORT

Other

BACKGROUND

The Creative Arts Fund provides funding to artists, community groups and non-profit community based organisations for projects which respond to local needs and issues.

The Creative Arts Fund will encourage projects and provide opportunities that make a positive contribution to the City and demonstrate consistency with outcomes from Council's Strategic Plan with a particular focus on the following key goals:

- Supporting community events and programs that bring people together, encourage interaction and promote a sense of community.
- Providing services, programs and facilities for the community to participate in a broad range of arts and cultural activities.
- Celebrating our cultural diversity.
- A City brought to life with public art.

Projects may focus on, but are not limited to, performing and visual arts, literature, film, design, multi-media, history and heritage and their expression through public debate, festivals, exhibitions, performances and public celebrations.

At the Council meeting on 18 October 2022, Council resolved as follows (Resolution Number 2022/174):

That, in line with Council's intent from the original resolution 2022/129, Council notes that a budget adjustment for the equivalent amount as was underspent from the Creative Arts Fund in 2021/22, will be presented to Council as part of Budget Review 1, along with an adjustment to the value of \$500 for the payment made from the 2022/23 budget for the Portrait Project.

It should be noted that at the end of June 2022 the balance of funds remaining in the Creative Arts fund was \$9,264.11 (noting that this did not include committed payments that would be made in the following year).

PROPOSAL

The Creative Arts Fund encourages programs, public art projects, place making activities and initiatives in any art form that culturally enrich Mount Gambier; and events and festivals that build community and cultural capacity and encourage cultural tourism in one of the following ways:

- Stimulate cultural and artistic exchange;
- Link with professional artists to build community and cultural capacity;
- Add to the City's profile as a vibrant and culturally diverse destination;
- Produce high quality artistic and cultural works that celebrate Mount Gambier's distinct arts, culture and heritage;
- Increase access for the community to an artistic, cultural or multi-cultural experience.
- Develop stimulating spaces that attract visitors and create a sense of community attachment;
- Add to the City's profile as a vibrant and culturally diverse destination.

Applicants were encouraged to refer to the following documents when preparing their submission:



- City of Mount Gambier Strategic Plan
- Mount Gambier Culture and Heritage Plan
- Public Art Strategy
- Reconciliation Action Plan

The Creative Arts Fund 2022/2023 Guidelines are attached to this report for Elected Members information (**Attachment 1**).



At the close of application, Council received five submissions for the 2022/2023 round of funding.

Applicant	Project Name	Requested Funding
<i>MOD – University of Adelaide</i>	<i>Point of Impact</i>	<i>\$16,000.00</i>
Ruth Stephenson and Pariya Ziakas	Sculpture by the Lakes	\$15,964.78
ac.care Foster Care Services	The Power of Care: Celebrating the Limestone Coast’s foster carers (working title)	\$10,000.00
<i>Uniting Communities</i>	<i>Mt Gambier Mural</i>	<i>\$ 12,000.00</i>
<i>Meghan Amoroso</i>	<i>DOG.</i>	<i>\$6,500.00</i>
TOTAL		\$60,464.78

Proposed successful applicants are shown above in italics.

The Creative Arts Fund Selection Panel met on Wednesday, 14 September 2022 with the following attendees considering the submissions:

- Diana Warnes – Manager, Riddoch Arts & Cultural Centre (Chair)
- Georgina Davison, Manager Library and Community Development
- Aunty Michelle Jacquelin-Furr – First Nations artist
- Vicky Thorpe – President, South East Arts Society

All applications were reviewed in accordance with the 2022/2023 Creative Arts Fund guidelines. After consideration by the selection panel, it was identified that two of the applications did not align with the Creative Arts Fund priorities and guidelines and therefore were not eligible for funding.

The following projects are aligned with the Creative Arts Fund priorities and meet the guidelines and are presented for Council’s consideration:

Point of Impact MOD – University of Adelaide
POINT OF IMPACT: The End of the World As We Know It, is a comedy science event as part of the MOD. POINT OF IMPACT Program. For FRINGE 2023 this show will explore the same topic of existential risk – what should we worry about most? Runaway Artificial intelligence? Ecological collapse? The end of Antibiotics? Or do we have enough to worry about already? The aim of this program is to engage people in thinking about risks, trade-offs and the impact of individuals to make change.

Mount Gambier Mural Uniting Communities
The Mural Artist will work with community members who are clients of Uniting Communities to design and come up with concept art for the Mt. Gambier mural. After establishing the imagery to be used in the mural, the artist will undertake painting the mural onto the wall of UC’s site in Mt. Gambier. Once outlining and mural foundation has been established, the artist will determine which areas of the mural can have community painting to complete the mural.

DOG. Meghan Amoroso
A collaborative exhibition of emerging young artists capturing portraits of the animal companions in the Limestone Coast. The exhibition explores a range of art mediums and styles celebrating the diversity of talent in our region.



Subject to approval by Council: Silent auction of artwork with all proceeds going to South East Animal Welfare League; with the exhibition highlighting the work of this non-for-profit and the impact they have on our companions.

Development Requirements:

	Project Name	Applicant	Development Approval Required
1	Point of Impact	MOD – University of Adelaide	✗
2	Mount Gambier Mural	Uniting Communities	✓
3	Meghan Amoroso	DOG.	✗

The total funds from the Creative Arts Fund 2022/2023 have been combined with the unallocated funds from the Creative Arts Fund 2021/2022 to create a total fund to be allocated of \$59,264.11. The funds have been allocated as follows:

- **Henry Wolff** - Remaining payment of \$4,264.11;
- **April Hague** - Payment of \$500 as per the October 2022 Council resolution;
- **2022/2023 Proposed Successful Applicants** - \$33,250.00 as above; and
- **Budget Allocation for Riddoch priorities** - The remaining budget is proposed to contribute towards Riddoch priorities.

LEGAL IMPLICATIONS

The successful parties will sign an agreement with terms set out by Council in relation to the display, maintenance and legislative requirements for the projects.

STRATEGIC PLAN

The Creative Arts Fund encourages projects, and provides opportunities, that make a positive contribution to the City and demonstrate consistency with outcomes from Council's Strategic Plan and Reconciliation Action Plan, with a particular focus on the following key goals:

- Supporting community events and programs that bring people together, encourage interaction and promote a sense of community.
- Providing services, programs and facilities for the community to participate in a broad range of arts and cultural activities.
- Celebrating our cultural diversity.
- Celebration of Boandik and/or Aboriginal and Torres Strait Islander Culture
- A City brought to life with public art.

COUNCIL POLICY

[D230 - Donations - Authority to Approve Requests](#)

ECONOMIC IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil



SOCIAL IMPLICATIONS

Nil

CULTURAL IMPLICATIONS

The Creative Arts Fund encourages artists from diverse cultural backgrounds to create, perform and display public art across the city.

RESOURCE IMPLICATIONS

The total funding requested was \$60,464.78. The total funding requested by the shortlisted applicants in the 2022/2023 financial year was \$33,250.00 which is within the budgeted amount of funding available.

The remaining funds from 2021/2022 and 2022/2023 have been allocated as shown above.

VALUE FOR MONEY

Each successful recipient will be required to submit an acquittal to Council prior to 30 June 2023 so that payment can be made in this financial year.

RISK IMPLICATIONS

Council has committed to delivering a City brought to life with public art by establishing an annual public arts fund. If the program was not delivered Council will fail to meet its Strategic Plan goal.

EQUALITIES AND DIVERSITY IMPLICATIONS

The selection panel consisted of Council Officers, Elected Members and local artists who assessed applications in line with Council's strategic documents including the Reconciliation Action Plan and Disability Access and Inclusion Plan.

ENGAGEMENT AND COMMUNICATION STRATEGY

The Creative Arts Fund was advertised via Council's website and social media platforms. Shortlisted applications were supported to submit a final application for presentation to Elected Members.



IMPLEMENTATION STRATEGY

Following endorsement applicants will be notified in writing of Council's decision, each successful applicant will be required to be complete their project and acquit the funds by 30 June 2023.

CONCLUSION AND RECOMMENDATION

Council may now determine whether to fund the 2022/2023 projects as presented in this report. A copy of the list of previous recipients of the funding has been attached (**Attachment 2**) to this report for Elected Members information.

ATTACHMENTS

1. Creative Arts Fund 2022/2023 - Guidelines [↓](#) 
2. Creative Arts Fund - Projects Previously Funded - 2019-2021 [↓](#) 





2022/2023 Fund Guidelines:

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

The Creative Arts Fund encourages projects, and provides opportunities, that make a positive contribution to the City and demonstrate consistency with outcomes from Council's Strategic Plan and Reconciliation Action Plan, with a particular focus on the following key goals:

- ▲ Supporting community events and programs that bring people together, encourage interaction and promote a sense of community.
- ▲ Providing services, programs and facilities for the community to participate in a broad range of arts and cultural activities.
- ▲ Celebrating our cultural diversity.
- ▲ Celebration of Boandik and/or Aboriginal and Torres Strait Islander Culture*
- ▲ A City brought to life with public art.

*Any project depicting Aboriginal and Torres Strait Islander culture must demonstrate appropriate engagement or connection to this community. Please discuss with Manager Ridloch Arts and Cultural Centre prior to submission.

About the Program

The City of Mount Gambier values the positive contribution arts and culture make to the social and economic well-being of regional communities and actively encourages the practice of cultural exchange.

Council also recognises that cultural sharing and artistic expression assists in the building of resilient communities with a strong sense of place.

The Creative Arts Fund supports artists, community groups and not-for-profit organisations to deliver inspiring, creative and contemporary projects that contribute to a connected, vibrant and culturally diverse community. The Creative Arts Fund will be available for:

A creative project within the City of Mount Gambier such as:

- ▲ Murals*
- ▲ Installations (temporary or long-term)
- ▲ Events or performances (must be free and accessible to the general public)
- ▲ Creative community projects with an emphasis on skill development
- ▲ Mentorships or professional development opportunity with public outcome

* Please note the building owner/s retain the right of removal after artwork has been on display for an agreed minimum period.

Projects may focus on, but are not limited to, performing and visual arts, literature, film, design, multi-media, history and heritage, festivals, performances and public celebrations.

Applications for funding under the Creative Arts Fund, as a general rule, should be for projects with a minimum total project cost of \$3,000. An allocation of \$50,000 has been made in Council's 2022/2023 budget for distribution in this annual program.





Applications will be assessed by their ability to culturally enrich Mount Gambier, build community and cultural capacity and encourage cultural tourism in one of the following ways:

- ▲ Stimulate cultural and artistic exchange;
- ▲ Link with professional artists to build community and cultural capacity;
- ▲ Add to the City's profile as a vibrant and culturally diverse destination;
- ▲ Produce high quality artistic and cultural works that celebrate Mount Gambier's distinct arts, culture and heritage;
- ▲ Increase access for the community to an artistic, cultural or multi-cultural experience.
- ▲ Develop stimulating spaces that attract visitors and create a sense of community attachment;
- ▲ Add to the City's profile as a vibrant and culturally diverse destination.

Applicants are encouraged to review and consider the following documents prior to lodging an application:

- ▲ City of Mount Gambier Strategic Plan
- ▲ Mount Gambier Culture and Heritage Plan
- ▲ Public Art Strategy
- ▲ Reconciliation Action Plan

Application Process

Submit a draft proposal outlining your idea, including what it will be, where it will be and a sketch, photograph, design or drawing of what you are proposing

You will also need to include:

- ▲ CV
- ▲ examples of previous work
- ▲ 200 - 500 words explaining your project
- ▲ 200 - 500 words outlining how it fits into the goals identified on the first page
- ▲ expected duration/completion/display dates
- ▲ draft budget

Draft submissions will be shortlisted by a panel. Those applicants whose submissions that have been shortlisted will then work with the Manager Riddoch Arts and Cultural Centre to finalise their submission, including any formal paperwork required by council, finalisation of a budget, and any final details of project. The completed application will be presented to Elected Members for endorsement and applicants will be notified of the outcome.

Timeline

Applications open	Wednesday, 17 August 2022
Draft proposal due	Monday, 12 September 2022
Shortlisted applicants notified	Friday, 16 September 2022
Final submissions due	Monday, 26 September 2022
Successful applicants notified	Wednesday, 26 October 2022
Deliverable due	Wednesday, 26 April 2022

please note all dates are subject to change without notice





Guidelines

1. The grants provided by Council are to be expended only on projects and activities outlined in the application.
2. Successful applicants will be required to complete their project within 6 months of being notified they have been successful.
3. Successful applicants will be required to complete an acquittal, which includes an evaluation of the project, and the provision of evidence of expenditure of funds, including appropriate receipts. The acquittal should be completed within 6 weeks of the completion of the project and prior to 30 June 2023.
4. Successful applications must give appropriate acknowledgement of Council's support in all promotional material and programming information for the project.
5. The grant will be fully expended within the financial year of the approval, unless approval for an extension has been requested and approved in writing.
6. Any unspent funds are to be returned to Council.

You are eligible for the fund if you identify as one of the categories below:

- ▲ An incorporated community group;
- ▲ A not-for-profit organisation limited by guarantee;
- ▲ An unincorporated group auspiced by an incorporated association;
- ▲ Professional artist with an ABN

If you are applying as an organisation, you will be required to provide financial detail such as a statements and balance sheets to demonstrate your suitability for funding. All accumulated funds should be adequately explained.

Applicants must:

- ▲ Be located within, service or have a background or other connection with the City of Mount Gambier community or demonstrate community engagement in process and/or outcome
- ▲ Maintain or be willing to get Public Liability Insurance Cover (\$20 million minimum cover).
- ▲ Have an ABN.
- ▲ Obtain all development approvals required for the delivery of the project.
- ▲ Include a copy of their organisations' Certificate of Incorporation in their grant application (where applicable).

Development Approval (for murals and installations):

Applicants are encouraged to proactively review the need for Development Approval for their project ahead of lodging their application where possible, and to provide their application for Development Approval at the same time as their grant application.

Where a grant application is lodged without a Development Application but the need for a Development Application is later identified, applicants will be expected to lodge the Development Application with required information within 7 days of being advised that it is required. Works on the project should not commence until Development Approval has been obtained, if required.

Further information regarding Development Application requirements can be found at the below link, or by contacting Council direct by phone on 08 8721 2555:

[Creative Arts Fund - Development Advice](#)





Applicants are encouraged to engage with Council early in the process to ensure their applications receive the appropriate support including to complete the Development Application process, and that the progress of the project and grant funding is not delayed.

As part of Council's commitment to the Creative Arts Fund all Council fees will be waived for assessment of applications associated with the fund (this does not include State Heritage or DPTI fees), a State Government lodgment fee of \$184.00 will be included within the grant that is awarded to the applicant for any application requiring development approval.

Applicants not eligible for funding

- ▲ Profit-making groups and organisations.
- ▲ Government departments or agencies (including schools).
- ▲ Applicants who submit incomplete applications.
- ▲ Applicants who have failed to acquit previous City of Mount Gambier grants.
- ▲ Applicants who fail to submit all relevant supporting documentation as requested.

Projects not eligible for funding

- ▲ Repeat projects.
- ▲ Projects or stages of projects which have already commenced.
- ▲ Purchase of buildings or land.
- ▲ Staff positions.
- ▲ Capital works.
- ▲ Projects undertaken for business development.
- ▲ Fundraising activities.
- ▲ Projects that are part of the organisations annual or regular program of activities, for example, end of year performances.
- ▲ Activities that are expected to return a profit through ticket sales etc.

Assessment of applications

Applications on the prescribed application form will be assessed by a selection panel in accordance with the aims, objectives, selection criteria and guidelines of the program. A report with recommendations for the allocation of grant funding will then be prepared for consideration and approval by Council.

Applicants will be assessed on the following criteria:

- ▲ The quality of support material including CV's, visual documentation, letters of support, relevant permissions.
- ▲ A clearly defined concept which is financially viable and the applicants capacity to deliver the project;
- ▲ The artistic and/or cultural strength and impact of the project
- ▲ Capacity to stimulate active community involvement and encourage, celebrate and/or demonstrate cultural diversity;
- ▲ The degree to which the project aligns with the priorities of the City of Mount Gambier's Strategic Plan.





**CREATIVE ARTS FUND
 PROJECTS PREVIOUSLY FUNDED**

Year	Recipient	Project Description	Allocation \$
2019	Justin Clarke	Commerce Arcade Wall Mural	8,000
	Kate Hill	Photojournalism	6,200
	Mount Gambier City Band	City Band Hall Wall Mural	10,000
2020	Aileen Costales-Clarke	Short Place Wall Mural	8,500
	Pariya Ziakas	Stobie Pole Art	4,800
	Pariya Ziakas & Ruth Stephenson	Ripley Arcade Wall Mural	6,433
	Scott Coleman	Commerce Arcade Wall Mural	24,300
2021	April Hague	The Portrait Project	17,500
	Henry Wolff	Return	18,000
	Mount Gambier Theatre Group	Alice in Wonderland	5,000

Last updated 28 September 2022



**19.6 SPORT AND RECREATION CAPITAL WORKS PROGRAM 2022/2023 - APPLICATIONS
 – REPORT NO. AR22/68449**

Committee: Council
Meeting Date: 13 December 2022
Report No.: AR22/68449
CM9 Reference: AF21/496
Author: Sally Wilson, Executive Administrator City Infrastructure
Authoriser: Barbara Cernovskis, General Manager City Infrastructure
Summary: The enclosed applications have been received, to seek Council endorsement for the distribution of funds for the 2021/2022 Sport and Recreation Capital Works Program.
Strategic Plan Reference: Goal 2: Our Location
 Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage

REPORT RECOMMENDATION

- That Council Report No. AR22/68449 titled ‘Sport and Recreation Capital Works Program 2022/2023 - Applications’ as presented on 13 December 2022 be noted.
- That \$100,000 be endorsed for distribution for the 2022/2023 Sport and Recreation Capital Works Program as follows:

<u>Applicant</u>	<u>Priority (Score)</u>	<u>Requested</u>	<u>Approved</u>
Mount Gambier RSL and District Bowling Club Inc	11	\$27,702.00	\$6,000.00
Mount Gambier Golf Club	14	\$15,000.00	\$11,000.00
Apollo Football Club	10	\$8,510.00	\$4,000.00
North Gambier Football Club	13	\$19,369.49	\$8,000.00
Mount Gambier Tennis Club	14	\$11,635.00	\$11,000.00
West Gambier Netball Club Inc	16	\$25,763.75	\$20,000.00
Basketball Mount Gambier	13	\$35,515.40	\$8,000.00
Lower South East Hockey Association	15	\$22,282.00	\$16,000.00
West Gambier Cricket Club	15	\$31,000.00	\$16,000.00
		\$196,777.64	\$100,000.00

- All applicants be notified accordingly, advising that the provision and acquittal of these grant funds will always be subject to:
 - all necessary land holder and development approvals being obtained; and
 - all works being completed in accordance with all relevant legislative and compliance standards.



TYPE OF REPORT

Corporate

BACKGROUND

Council resolved to provide an allocation in the annual budget for ongoing support for a Sport and Recreation Capital Works Program and to publicly call for applications. The 2022/2023 Budget provides an amount of \$100,000 for this Program.

The Sport and Recreation Capital Works Program was publicly advertised during August and September 2022, with the following applications received:

Applications Received – Overview

1. Mount Gambier RSL and District Bowling Club Inc
Project Title: Resurfacing Bowling Club Carpark and Patching of Entry Road
Total Project Cost: \$ 36,936.00
Contribution Requested: \$ 27,702.00 (75% of project)

 2. Mount Gambier Golf Club
Project Title: Course Cart Path Improvement
Total Project Cost: \$ 33,700.00
Contribution Requested: \$ 15,000.00 (45% of project)

 3. Apollo Football Club
Project Title: Roof Mounted Projector and New PA System
Total Project Cost: \$ 10,010.00
Contribution Requested: \$ 8,510.00 (85% of project)

 4. North Gambier Football Club
Project Title: Vansittart Park Scoreboard Upgrade
Total Project Cost: \$ 38,738.97
Contribution Requested: \$ 19,369.49 (50% of project)

 5. Mount Gambier Tennis Club
Project Title: Energy Efficiency Upgrade
Total Project Cost: \$ 25,615.00
Contribution Requested: \$ 11,635.00 (45% of project)

 6. West Gambier Netball Club Inc
Project Title: Court Upgrade - Fencing
Total Project Cost: \$ 36,165.00
Contribution Requested: \$ 25,763.75 (71% of project)

 7. Basketball Mount Gambier
Project Title: Various Maintenance Items
Total Project Cost: \$ 47,353.86
Contribution Requested: \$ 35,515.40 (75% of project)

 8. Lower South East Hockey Association
Project Title: Bird Damage Protection for Synthetic Playing Surface
Total Project Cost: \$ 49,582.00
Contribution Requested: \$ 22,282.00 (45% of project)
- West Gambier Cricket Club
Project Title: Erection of Barrier Net Poles at Malseed Park No. 2 Oval



Total Project Cost: \$ 41,350.00
Contribution Requested: \$ 31,000.00 (75% of project)

Two ineligible applications were received:

Blue Lake Golf Club (Grant Avenue, Mount Gambier)
Project Title: Repair and Reinstatement of Golf Course Water Dam
Total Project Cost: \$ 65,489.60
Contribution Requested: \$ 36,026.10

Reason: Council does not approve this activity unless (and until) EPA approval can be obtained for the proposed works on the site of a former EPA licenced landfill. The Blue Lake Golf Club has been advised their application is ineligible by email dated 26 October 2022.

Mount Gambier Italo Australian Club Inc (Bay Road, Moorak)
Project Title: Refurbishment of Main Hall
Total Project Cost: \$ 60,929.00
Contribution Requested: \$ 45,697.00

Reason: The Mount Gambier Italo Club is located outside the City of Mount Gambier area and cannot be considered for this grant funding. The Mount Gambier Italo Club has been advised their application is ineligible by email dated 20 September 2022.

The criteria developed for the Program Guidelines includes the following (in brief);

- as a general rule, a minimum total project cost of \$10,000 and a maximum of \$50,000
- preference to high incidence of self help
- preference to matching funds or significant in-kind contribution by the applicant (minimum 25% of total project costs)
- priority for capital renewal or upgrade of existing assets rather than enhancement/additions or new assets
- for projects aimed at increasing community usage of sport and recreation facilities
- projects that are consistent with and contribute to Council's Strategic Objectives including its Sport, Recreation and Open Spaces Strategy (SROSS) and Disability Access and Inclusion Plan (DAIP)
- not for operating costs, the purchase of land or repayment of loans
- not for projects already commenced or completed
- not for projects submitted by individuals
- projects completed and claims for payment to be submitted prior to 30 June 2022 to enable the release of funds before the end of financial year.

A copy of the guidelines (Attachment 1) developed for the 2022/2023 Program are provided for further information.



Section 1: Membership Details

		Junior		Senior		Total		Grand Total
		M	F	M	F	M	F	
1	Mount Gambier RSL and District Bowling Club Inc	0	1	127	71	127	72	199
2	Mount Gambier Golf Club	84	11	350	64	434	75	509
3	Apollo Football Club	110	40	35	16	145	56	201
4	North Gambier Football Club	150	100	60	100	210	200	410
5	Mount Gambier Tennis Club	30	37	12	10	42	47	89
6	West Gambier Netball Club Inc	26	90	18	69	44	159	203
7	Basketball Mount Gambier	314	158	232	89	546	247	793
8	Lower South East Hockey Association	108	95	185	159	293	254	547
9	West Gambier Cricket Club	44	20	50	30	94	50	144

Section 2: The Project

	Community Benefit	High	Average	Low
1	Mount Gambier RSL and District Bowling Club Inc		✓	
2	Mount Gambier Golf Club		✓	
3	Apollo Football Club		✓	
4	North Gambier Football Club		✓	
5	Mount Gambier Tennis Club		✓	
6	West Gambier Netball Club Inc		✓	
7	Basketball Mount Gambier		✓	
8	Lower South East Hockey Association	✓		
9	West Gambier Cricket Club	✓		



Location

1	Mount Gambier RSL and District Bowling Club Inc	2 Jubilee Highway East, Mount Gambier
2	Mount Gambier Golf Club	235 Attamura Road, Worrolong
3	Apollo Football Club	32 Webb Street, Mount Gambier
4	North Gambier Football Club	104 Commercial Street West, Mount Gambier
5	Mount Gambier Tennis Club	10 Heriot Street, Mount Gambier
6	West Gambier Netball Club Inc	50 White Avenue, Mount Gambier
7	Basketball Mount Gambier	451 Commercial Street West, Mount Gambier
8	Lower South East Hockey Association	200 Jubilee Highway East, Mount Gambier
9	West Gambier Cricket Club	15 White Avenue, Mount Gambier

Development Requirements

	Applicant	Planning Approval Required	Building Approval Required
1	Mount Gambier RSL and District Bowling Club Inc	x	x
2	Mount Gambier Golf Club	x	x
3	Apollo Football Club	x	x
4	North Gambier Football Club	✓	x
5	Mount Gambier Tennis Club	x	x
6	West Gambier Netball Club Inc	x	✓
7	Basketball Mount Gambier	x	x
8	Lower South East Hockey Association	x	x
9	West Gambier Cricket Club	✓	✓

*A Development Application has already been approved.



Environmental Health Requirements

	Applicant	Requirements
1	Mount Gambier RSL and District Bowling Club Inc	Nil
2	Mount Gambier Golf Club	Nil
3	Apollo Football Club	Nil
4	North Gambier Football Club	Nil
5	Mount Gambier Tennis Club	Nil
6	West Gambier Netball Club Inc	Nil
7	Basketball Mount Gambier	Nil
8	Lower South East Hockey Association	Nil
9	West Gambier Cricket Club	Nil

Governance / Property Requirements

	Applicant	Requirements
1	Mount Gambier RSL and District Bowling Club Inc	<ul style="list-style-type: none"> Private land - no conditions.
2	Mount Gambier Golf Club	<ul style="list-style-type: none"> Private land - no conditions.
3	Apollo Football Club	<p>In addition to the standard grant conditions:</p> <ul style="list-style-type: none"> The provision of full detailed plans and specifications. The preparation (and having accessible on the worksite at all times) of WHS documentation. Worksite safety induction (in accordance with Council's contractor induction requirements or equivalent) of all contractors, workers and volunteers.
4	North Gambier Football Club	<p>In addition to the standard grant conditions:</p> <ul style="list-style-type: none"> The provision of full detailed plans and specifications. The preparation (and having accessible on the worksite at all times) of WHS documentation. Worksite safety induction (in accordance with Council's contractor induction requirements or equivalent) of all contractors, workers and volunteers.
5	Mount Gambier Tennis Club	<ul style="list-style-type: none"> Private land - no conditions.
6	West Gambier Netball Club Inc	<ul style="list-style-type: none"> In addition to the standard grant conditions: The provision of full detailed plans and specifications. The preparation (and having accessible on the worksite at all times) of WHS documentation.



		<ul style="list-style-type: none"> • Worksite safety induction (in accordance with Council's contractor induction requirements or equivalent) of all contractors, workers and volunteers. • West Gambier Football Club being responsible for the supervision and safety associated with the project as the Head-Lessee. • West Gambier Football Club, as Head-Lessee addressing outstanding illegal development (signage) prior to the acquittal of funds.
7	Basketball Mount Gambier	<p>In addition to the standard grant conditions:</p> <ul style="list-style-type: none"> • The provision of full detailed plans and specifications. • The preparation (and having accessible on the worksite at all times) of WHS documentation. • Worksite safety induction (in accordance with Council's contractor induction requirements or equivalent) of all contractors, workers and volunteers. • Basketball Mount Gambier addressing outstanding illegal development (signage) and business use of the premises prior to the acquittal of funds.
8	Lower South East Hockey Association	<p>In addition to the standard grant conditions:</p> <ul style="list-style-type: none"> • The provision of full detailed plans and specifications. • The preparation (and having accessible on the worksite at all times) of WHS documentation. • Worksite safety induction (in accordance with Council's contractor induction requirements or equivalent) of all contractors, workers and volunteers.
9	West Gambier Cricket Club	<p>In addition to the standard grant conditions:</p> <ul style="list-style-type: none"> • Preparation (and having accessible at all times) of WHS documentation. • The provision of full detailed plans and specifications • Worksite safety induction (in accordance with Council's contractor induction requirements or equivalent) of all contractors, workers and volunteers. • West Gambier Football Club being responsible for the supervision and safety associated with the project as the Head-Lessee. • West Gambier Football Club, as Head-Lessee addressing outstanding illegal development (signage) prior to the acquittal of funds.

Sport Recreation and Open Space Strategy (SROSS) Strategic Principles and Priorities

	Applicant	Aligned to SROSS	Comments
1	Mount Gambier RSL and District Bowling Club Inc	✓	This will increase accessibility and safety at the bowling club.



2	Mount Gambier Golf Club	✓	Promotes the physical access around the course to increase participation by those with decreased mobility.
3	Apollo Football Club	✓	Increases the multiuse capacity of the facility.
4	North Gambier Football Club	✓	Providing for high quality infrastructure.
5	Mount Gambier Tennis Club	✓	This will increase energy efficiency and multiple uses of the facility with improved amenities.
6	West Gambier Netball Club Inc	✓	The infrastructure improvement at the co-located facilities will increase safety and amenity at the reserve.
7	Basketball Mount Gambier	✗	Maintenance items to address safety risks are supported to ensure a fit for purpose facility.
8	Lower South East Hockey Association	✓	This provides fit for purpose facilities. Maintaining the current surface is of utmost importance for player safety and longevity of the surface.
9	West Gambier Cricket Club	✓	This will increase public safety at the recreation reserve.

Section 3: Project Funding

	Funding Breakdown	Cash	In Kind	Voluntary	Grant Funding	Grant Requested	Total
1	Mount Gambier RSL and District Bowling Club Inc	\$9,234.00	-	-	-	\$27,702.00	\$36,936.00
2	Mount Gambier Golf Club	\$7,000.00	\$2,500.00	\$9,200.00	-	\$15,000.00	\$33,700.00
3	Apollo Football Club	\$1,500.00	-	-	-	\$8,510.00	\$10,010.00
4	North Gambier Football Club	\$19,369.48	-	-	-	\$19,369.49	\$38,738.97
5	Mount Gambier Tennis Club	\$7,000.00	-	\$6,980.00	-	\$11,635.00	\$25,615.00
6	West Gambier Netball Club Inc	\$9,041.25	\$400.00	\$960.00	-	\$25,763.75	\$36,165.00
7	Basketball Mount Gambier	\$6,188.46	\$5,000.00	\$650.00	-	\$35,515.40	\$47,353.86
8	Lower South East Hockey Association	\$22,300.00	\$2,000.00	\$3,000.00	-	\$22,282.00	\$49,582.00



9	West Gambier Cricket Club	\$1,500.00	\$6,100.00	\$2,750.00	-	\$31,000.00	\$41,350.00
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	Funding Breakdown	Cash	In Kind	Voluntary	Grant Funding	Total
1	Mount Gambier RSL and District Bowling Club Inc	25%	-	-	-	25%
2	Mount Gambier Golf Club	21%	7%	27%	-	55%
3	Apollo Football Club	15%	-	-	-	15%
4	North Gambier Football Club	50%	-	-	-	50%
5	Mount Gambier Tennis Club	27%	-	27%	-	54%
6	West Gambier Netball Club Inc	25%	1%	3%	-	29%
7	Basketball Mount Gambier	13%	11%	1%	-	25%
8	Lower South East Hockey Association	45%	4%	6%	-	55%
9	West Gambier Cricket Club	4%	15%	7%	-	26%

		Star Club Rating	Financial Statements	Current Bank Statements	Quotations Received	Financial Capacity (to proceed with reduced funding)
1	Mount Gambier RSL and District Bowling Club Inc	2	✓	✓	✓	✗
2	Mount Gambier Golf Club	3	✓	✓	✓	✓
3	Apollo Football Club	4	✓	✓	✓	✗
4	North Gambier Football Club	3	✓	✓	✓	✗
5	Mount Gambier Tennis Club	3	✓	✓	✓	✓
6	West Gambier Netball Club Inc	5	✓	✓	✓	✓
7	Basketball Mount Gambier	5	✓	✓	✓	✗
8	Lower South East Hockey Association	3	✓	✓	✓	✓
9	West Gambier Cricket Club	5	✓	✓	✓	✗



Section 4: Selection Rationale

The following application assessment rationale has been developed (based on the program guidelines) which in turn has influenced the recommended grant allocations.

ASSESSMENT RATIONALE LEGEND								
Rating Legend	High 3	Renew of Existing 3	50% + 3	Yes 1	Provided 1	Provided 1	None Previously 3	Rating 4 5
	Average 2	Enhance/Add to Existing 2	26-50% 2	No 0	Not Provided 0	Not Provided 0	Moderate previously 2	Rating 3 4
	Low 1	New 1	25% 1				Significant previously 1	Rating 2 3

ASSESSMENT									
	Community Benefit	Infrastructure Assessment	Contribution of Club/ Other Contributions		Guidelines Compliance				Score
Application		Infrastructure Priority	% Club Contribution	Other Contributions	Financial/Bank Statements	Quotations Provided	Previous / Level of Grants	Star Club Rating	
Mount Gambier RSL and District Bowling Club Inc	2	3	1	0	1	1	2	1	11
Mount Gambier Golf Club	2	3	3	0	1	1	2	2	14
Apollo Football Club	2	2	-	0	1	1	1	3	10
North Gambier Football Club	2	3	3	0	1	1	1	2	13
Mount Gambier Tennis Club	2	3	3	0	1	1	2	2	14
West Gambier Netball Club Inc	2	3	2	0	1	1	3	4	16
Basketball Mount Gambier	2	3	1	0	1	1	1	4	13
Lower South East Hockey Association	3	2	3	0	1	1	3	2	15
West Gambier Cricket Club	3	3	1	0	1	1	2	4	15

A copy of the list of previous recipients of the funding has been attached (Attachment 2) to this report for Elected Members information.

PROPOSAL

That the allocated \$100,000 be distributed for the 2022/2023 Sport and Recreation Capital Works Program as follows:



<u>Applicant</u>	<u>Priority (Score)</u>	<u>Requested</u>	<u>Approved</u>
Mount Gambier RSL and District Bowling Club Inc		\$27,702.00	
Mount Gambier Golf Club		\$15,000.00	
Apollo Football Club		\$8,510.00	
North Gambier Football Club		\$19,369.49	
Mount Gambier Tennis Club		\$11,635.00	
West Gambier Netball Club Inc		\$25,763.75	
Basketball Mount Gambier		\$35,515.40	
Lower South East Hockey Association		\$22,282.00	
West Gambier Cricket Club		\$31,000.00	
		\$196,777.64	

LEGAL IMPLICATIONS

Successful applicants are required to obtain all necessary landholder and development approvals and complete works in accordance with relevant legislative and compliance standards.

Applicants must sign an Acceptance of Grant Conditions agreement, with terms set out by Council, prior to commencing works.

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 demonstrated the pride we take in our environment.

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

4.2 Open Space

We will ensure that future growth is planned in a manner that provides access to, and does not detract from, the community's environmental values.

COUNCIL POLICY

Nil

ECONOMIC IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

SOCIAL IMPLICATIONS

Nil

CULTURAL IMPLICATIONS

Nil



RESOURCE IMPLICATIONS

Council has allocated \$100,000 in its budget for the Sport and Recreation Capital Works Program Grant Funding. The total funding requested by applicants is \$196,777.64 which exceeds the funding amounts available.

Each application has been assessed against the funding guidelines with the allocation of money distributed according to the priority rating.

VALUE FOR MONEY

Each successful applicant is required to submit an acquittal prior to 30 June 2023 to confirm completion of their project. Payments do not occur until an acquittal received.

The approved grant funding amounts are paid in this financial year.

RISK IMPLICATIONS

Council has committed to delivering the Sport and Recreation Capital Works Program Grant Funding and this program assists in delivering capital upgrades to local sporting clubs, including Council owned (leased/licensed) buildings and facilities.

This funding is relied upon by clubs to ensure high quality infrastructure to increase community usage of sport and recreation facilities.

EQUALITIES AND DIVERSITY IMPLICATIONS

Applications are assessed against the criteria in the guidelines and are outlined in this report.

Projects are also measured against Council's Strategic Objectives including the Sport, Recreation and Open Spaces Strategy (SROSS) and Disability Access and Inclusion Plan (DAIP).

ENGAGEMENT AND COMMUNICATION STRATEGY

The Sport and Recreation Capital Works Program Grant Funding was advertised via Council's website and social media platforms in August and September. A public notice advertisement was placed in local newspapers.

The Limestone Coast Local Government Association provided StarClub members with details of the program.

IMPLEMENTATION STRATEGY

Following endorsement applicants will be notified in writing of Council's decision, each successful applicant will be required to be complete their project and acquit the funds by 30 June 2023.

CONCLUSION AND RECOMMENDATION



It is recommended that Council approve the allocation of funds for the projects presented in this report, as detailed below:

<u>Applicant</u>	<u>Priority (Score)</u>	<u>Requested</u>	<u>Approved</u>
Mount Gambier RSL and District Bowling Club Inc		\$27,702.00	
Mount Gambier Golf Club		\$15,000.00	
Apollo Football Club		\$8,510.00	
North Gambier Football Club		\$19,369.49	
Mount Gambier Tennis Club		\$11,635.00	
West Gambier Netball Club Inc		\$25,763.75	
Basketball Mount Gambier		\$35,515.40	
Lower South East Hockey Association		\$22,282.00	
West Gambier Cricket Club		\$31,000.00	



		\$196,777.64	
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ATTACHMENTS

1. Sport and Recreation Capital Works Program 2022/2023 - Guidelines [↓](#) 
2. Sport and Recreation Capital Works Program - Projects Previously Funded - 2010-2021 [↓](#) 





2022/2023 Program Guidelines:

The aim of the City of Mount Gambier Sport and Recreation Capital Works Program is to foster and assist in the development and/or capital renewal of Sport and Recreation infrastructure, within the City.

An allocation of \$100,000 has been made in Councils 2022/2023 budget for distribution in this annual program. Applications for funding under the Sport and Recreation Capital Works Program, as a general rule, should be for projects with a minimum total project cost of \$10,000 and a maximum project cost of \$50,000. *For any application for over \$50,000, a separate business case should be provided prior to 30 November to be considered in Council's annual budget process for funding in the next financial year.*

Preference will be given to applications which can demonstrate a high incidence of self-help by either matching funds or significant in kind contributions by the organisation, towards the project evidenced by bank statements or written commitment from funding partner/s.

The applicant's contributions for this purpose may include cash from the organisation's own resources, grants or funds from sponsors or other sources or in kind support in the form of labour or services. If the applicant's contribution includes a grant from another source, the applicant must provide evidence that the grant has been awarded or confirmed with the application.

The Applicants 'Self Help' contribution, as defined, must equate to a minimum contribution of at least 25% of the total project costs.

What Types of Projects are eligible for Program Funding?

- ▲ Capital renewal of existing asset infrastructure e.g. replace lighting, pitches, upgrade courts, capital repair of buildings, grounds etc.
- ▲ Capital upgrades to enhance existing asset infrastructure e.g. building extensions, rebuild structures, upgrade lighting, additional new facilities etc.
- ▲ New capital assets - to build/develop assets not previously provided e.g. new clubrooms, toilets, lighting, change rooms etc.
- ▲ Projects which are aimed at increasing the community usage of specific sport or recreation facilities.
- ▲ Projects that improve existing buildings, fire or public safety including disability access and inclusion to meet current standards relative to their use.
- ▲ Projects that are consistent with and contribute to Council's Strategic Objectives including its Sport, Recreation and Open Spaces Strategy (SROSS) and Disability Access and Inclusion Plan (DAIP).

In respect of projects involving buildings or infrastructure, preference will be given to applications which aim to renovate, overhaul or repair existing buildings or facilities, rather than the construction of new or additional facilities.

What is not eligible for Program Funding?

- ▲ Routine or ongoing operating costs (staff wages, rent, electricity, water, insurance etc), the purchase of land or the repayment of financial loans.
- ▲ Projects which have already commenced or completed prior to grants being awarded.
- ▲ Projects submitted by individuals.





Who can apply for Grant Funding?

- ▲ Any Sport or Recreation organisation, which is based in the City of Mount Gambier area and who's activities are predominantly conducted within the City of Mount Gambier.
- ▲ Be an existing Starclub Member at a minimum rating of 2 as a pre-condition for release of funds or be a new Starclub Member registered prior to closing date for applications with demonstrated achievement of a 2 rating as a pre-condition for release of funds.

Starclub ratings must be validated by the Limestone Coast Local Government Association (LCLGA), STARCLUB Field Officer & Sporting Academy Coordinator, Tony Elletson - starclubse@lclga.sa.gov.au.

- ▲ Applicants must have a current Australian Business Number (ABN) issued by the Australian Taxation Office (ATO). Applications will not be considered unless the applicant has an ABN at the time of submitting the grant application.

Any individual or organisation can apply for an ABN very easily on-line via the Australian Business Register at <http://www.abr.gov.au/>

- ▲ An organisation may only submit one application per financial year.

Primary and Secondary schools are generally excluded from applying, unless they can demonstrate that their project is predominantly for the benefit of the wider community.

Assessment:

Council may seek additional information and support from a Local, Regional or State Association, or equivalent, when and if required for assessment of application.

Preference will be given to applications that demonstrate use of local suppliers, contractors and Australian made products or improve safety and access for the Community.

Council grant funding is subject to landowner/council consent including any engineering/building requests.

Development Approval:

Applicants are encouraged to proactively review the need for Development Approval for their project ahead of lodging their application where possible, and to provide their application for Development Approval at the same time as their grant application.

Applicants are expected to lodge the Development Application with required information within 7 days of being advised that it is required. Works on the project should not commence until Development Approval has been obtained, if required.

Further information regarding Development Application requirements can be found at the below link, or by contacting Council direct by phone on 08 8721 2555:
<https://www.mountgambier.sa.gov.au/services/development/building-and-planning>

Applicants are encouraged to engage with Council early in the process to ensure their applications receive the appropriate support including to complete the Development Application process, and that the progress of the project and grant funding is not delayed.





Applications which are not accompanied by the following documents will not be considered:

- ▲ Written Quotes - x2 for works >\$5,000, x3 for works >\$20,000
- ▲ Most recent audited annual financial statements and current financial statements.
- ▲ All bank statements for the last 3 months up to the current date.
- ▲ Evidence of registration for the Starclub program and validated Starclub member rating.
- ▲ Evidence of current tenure (lease/licence/ownership) for the land where the project is proposed.

Payment Conditions of Grants:

Grant funds will be paid to successful applicants following receipt by Council of evidence clearly demonstrating that the project has been completed that include:

- ▲ Invoices for completed works
- ▲ Development approvals / landowner consent
- ▲ Evidence of completed works (i.e. Photos, Certificate/Statement of Completion, Electrical or Plumbing Certificates)
- ▲ Validated Starclub Member at a minimum rating of 2.
- ▲ Starclub ratings must be validated by the Limestone Coast Local Government Association (LCLGA), Sport & Recreation Development Officer, Tony Elletson - starclubse@lclga.sa.gov.au.
- ▲ Warranty Certificates/documentation
- ▲ As-Constructed plans including specifications and service locations
- ▲ Financial summary of completed project
- ▲ Payment will not be made for a completed project which is not the project detailed in the grant application.
- ▲ An invoice must accompany the claim for payment.

Acquittal documentation must be submitted by 30 June 2023 to enable the release of funds before the end of the financial year.

Funds that are not acquitted by 30 June 2023 will be forfeited and no extensions will be accepted unless there are exceptional circumstances and a request, in writing, has been received by **15 March 2023**. The applicant must demonstrate that the project is or will be substantively complete at the time of submitting an extension request.

Applications must be received by the Chief Executive Officer, City of Mount Gambier, by no later than 5:00pm on the advertised closing date for the program.





SECTION 1 - INFORMATION ABOUT YOUR ORGANISATION

Name of Organisation												
ABN												
Registered for GST?	YES						NO					
Address of Organisation												
Postal Address of Organisation (If different to street address)												
Is the organisation registered for the StarClub Development Program? If so, which level?	YES				NO							
	1	2	3	4								
Is your Club/Association registered as a Good Sports Club? If so, which level?	YES				NO							
	1	2	3									
	0 (accreditation Level for clubs without a Liquor Licence)											
About Your Membership <small>(Indicate numbers under each heading)</small>	Junior				Senior				Total			
Male												
Female												
Total												





SECTION 2 - INFORMATION ABOUT YOUR PROJECT

Project Title	
Project Summary	
Why are you completing this project?	
Describe how the wider community will benefit from your project?	
Where will the project be conducted?*	

**If the construction is to occur on land owned by City of Mount Gambier, you MUST obtain approval from Council PRIOR to submitting this application, or your application will not be considered.*





SECTION 3 - PROJECT COSTS, FUNDING SOURCES AND GRANT SOUGHT

PROJECT COSTS

A. Project Cash Expenses

Item (List all items and expenses you will have to pay for with cash)	Amount (Inc GST)
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$

Sub Total (A)

B. Project In Kind Contributions

Item (List all items which are to be provided IN KIND toward your Project)	Estimated Value
	\$
	\$
	\$
	\$
	\$
	\$
	\$
	\$

Sub Total (B)





C. Project Voluntary Labour Contributions

Item (Provide an estimate of any voluntary labour directly involved in your Project)			Estimated Value
Skilled (Trade) Voluntary Labour	(hours)	X \$45/hour =	\$
Unskilled Voluntary Labour	(hours)	X \$20/hour =	\$

Sub Total (C) \$

D. Total Project Cost (A + B + C)

Sub Total (D) \$

Project Funding	Amount
E. Your Organisation's Cash Contribution	\$
F. Grant/s from other sources (Attach evidence that other grants have been awarded)	\$
G. Value of In Kind Contributions (Sub Total B from previous page)	\$
H. Value of Voluntary Labour (Sub Total C from previous page)	\$

I. Value of Grant Requested from Council	\$
J. Total Project Funding (E + F + G + H + I)	\$

[The Total Costs at (D) must equal the Total Funding at (J)]
 [Please ensure that the total of (e), (f), (g) and (h) equate to at least 25% of (j)].

REDUCED GRANT VALUE

If a lower value grant is awarded will your Organisation be able to proceed with the project?	YES	NO
If your project can still proceed, how will you meet the funding shortfall for the Project?		





SECTION 4 - CONTACT INFORMATION**

Contact Person	Mr	Mrs	Miss	Ms	Dr
Name and Position					
Phone					
Mobile					
Email					

***The above contact details will not be published within a Council agenda.*

In submitting this application, I certify that, to the best of my knowledge:

- ▲ the statements in this application are true
- ▲ I have read and understood the City of Mount Gambier Sport and Recreation Capital Works Program Guidelines
- ▲ I acknowledge that the City of Mount Gambier cannot guarantee funding for any application.
- ▲ that the applicant has the capacity and will manage and supervise the project to completion.

If the grant is successful, I agree to acknowledge the contribution and support of the City of Mount Gambier in our publicity, including all media, literature and promotional activities relating to the project, as well as in speeches during the course of any event.

I also agree to submit the required acquittal form, as well as two digital photographs relating to my project, that can be used by the City of Mount Gambier for promotional purposes, by the due date.

Applications may be lodged at the Council Office, Civic Centre, 10 Watson Terrace, posted to PO Box 56, Mount Gambier SA 5290 or emailed to city@mountgambier.sa.gov.au but must be received by Council by **5:00 pm on Friday, 16 September 2022.**





SECTION 5 - APPLICATION CHECKLIST

I have attached a copy of the following supporting documents:

Written Quotes - x2 for works >\$5,000, x3 for works >\$20,000

Most recent audited annual financial statements and current financial statements.

All bank statements for the last 3 months up to the current date.

Validated Starclub Member rating or evidence of being registered for the Starclub program.

Evidence of current tenure (lease/licence/ownership) for the land where the project is proposed.





**SPORT AND RECREATION MAJOR CAPITAL WORKS PROGRAM
PROJECTS PREVIOUSLY FUNDED**

Year	Organisation	Project Description	Allocation \$	Total Annual Allocation \$
2010	MG Little Athletics	Purchase of timing gate	10,000	45,000
	Basketball Mount Gambier	Canteen/viewing area upgrade (stage 1)	20,000	
	Suttontown Tennis	Court fencing upgrade	15,000	
2011	Apollo Soccer	Fencing	12,242	100,000
	MG Softball League	Fencing	25,000	
	Basketball Mount Gambier	Clubroom upgrade (stage 2)	31,046	
	West Gambier Cricket	Turf wicket development	22,312	
	MG Tennis Club	Kitchen upgrade	9,400	
2012	LSE Hockey Association	Upgrade/replace playing surface	40,000	100,000
	MG Croquet	Upgrade kitchen & watering system	10,000	
	MG Netball Association	Netball shelters	20,000	
	Basketball Mount Gambier	Clubroom upgrade (stage 3)	30,000	
2013	West Gambier Football Club	Clubroom air-conditioning	11,000	100,000
	MG Greyhound	Well construction	11,000	
	MG Softball League	Clubroom upgrade	18,000	
	MG Tennis Club	Safety fencing / sun shelters	10,000	
	North Gambier Football/Netball	Vansittart Park Infrastructure Upgrades (Special Allocation)	50,000	
2014	West Gambier Football Club	Purchase/Install Rainwater Tanks	10,000	70,000
	East Gambier Sportsmen's Club	Re-roof Clubrooms	20,000	
	North Gambier Football Club	Upgrade Canteen/BBQ Shed	8,000	
	Mount Gambier Little Athletics	Upgrade Athletic Track	24,000	
	Blue Lake BMX Club	Re-roof Clubrooms	8,000	
2015	Apollo Soccer Club	Water Reduction Program	15,000	70,000
	MG Harness Racing Club	Lighting Upgrade	20,000	
	MG Cricket Association	Sight Screens & Covers Upgrade	30,000	
	East Gambier Netball Club	Resurfacing of courts	5,000	
2016	West Gambier Football Club	Upgrade Flood Lighting and Tower	40,000	70,000
	South Gambier Football Club	Renovation Public Toilet Block	9,000	
	MG District Baseball League	Lighting Upgrade	14,000	
	Blue Lake Soccer Club	Storage Shed (Extension)	7,000	
2017	South Gambier Football Club	Home Change Room Renovations	15,000	56,450
	Mil-Lel Cricket Club	Upgrade Frew Park Nets	6,360	
	MG Harness Racing Club	Lighting and PA system upgrade	20,000	
	Basketball Mount Gambier	Upgrade Entrance	15,090	
2018	South Gambier Netball Club	Resurfacing of courts and new shelters	27,000	92,000
	Blue Lake Sports Club Inc.	Upgrade fences, seating, lighting and security	17,000	
	South Gambier Football Club	Modernise Change Rooms	15,500	
	MG District Baseball League	Upgrade of Batting Cages	10,500	
	Mount Gambier Golf Club	Community access pathways	11,000	

Last updated 1 August 2022



2019	East Gambier Cricket Club	construct a shelter / pergola over the canteen facility	11,000	80,531
	Blue Lake Golf Club	redevelop the existing driving range / construct shelter	14,965	
	South Gambier Football Club	relocate and modernise the umpires change rooms	10,467	
	West Gambier Football Club	for building fire safety upgrades	13,102	
	Mount Gambier Cycling Club	for building fire safety upgrades	1,061	
	North Gambier Football / Netball Club	construct a netball changeroom facility	10,467	
	Mount Gambier Netball Association	install new LED light fittings	19,469	
2020	North Gambier Football Club	construct a netball changeroom and shelter facility	10,000	86,000
	Apollo Football Club	upgrades to pitch lighting	35,000	
	Mount Gambier Bowls Club	convert existing toilet to assessable toilet	14,000	
	Mount Gambier RSL & District Bowling Club	upgrades to community bowling clubhouse	12,000	
	Blue Lake BMX Club	construct a track perimeter fence	12,000	
	Mount Gambier Golf Club	repairs to clubhouse entry and lighting upgrade	3,000	
2021	East Gambier Cricket Club	repair and seal scott park roadway	5,000	113,000
	Mount Gambier Bowls Club	re-furbish ladies toilets	14,000	
	Mount Gambier Gun Club	clay target trap upgrade	14,000	
	Mount Gambier RSL & District Bowling Club	external lighting improvements	2,000	
	North Gambier Football / Netball Club	female change room facility	25,000	
	South Gambier Football Club	solar system 30KW installation	18,000	
	South Gambier Netball Club	courtside shelter installation	9,000	
	West Gambier Football Club	installation of macerator pumps for sewage system	13,000	
	Blue Lake Golf Club	install electrical and golf ball dispensing to the Blue Lake Golf Club driving range	13,000	

Last updated 1 August 2022



19.7 BUDGET REVIEW 1 2022/2023 – REPORT NO. AR22/77364

Committee:	Council
Meeting Date:	13 December 2022
Report No.:	AR22/77364
CM9 Reference:	AF21/496
Author:	Julie Scoggins, Manager Financial Services
Authoriser:	Darren Barber, General Manager Corporate and Regulatory Services
Summary:	The purpose of the budget review as at 30 September 2022 is to provide Council, the community and other interested parties, a record of the budgeted financial activities and the financial position of the Council, compared to the adopted budget for the year ending 30 June 2023.
Strategic Plan Reference:	Goal 1: Our People
	Goal 2: Our Location
	Goal 3: Our Diverse Economy
	Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage
	Goal 5: Our Commitment

REPORT RECOMMENDATION

1. That Council Report No. AR22/77364 titled 'Budget Review 1 2022/2023' as presented on 13 December 2022 be noted.
2. That Council adopts the attached revised budget for the year ending 30 June 2023 as at 30 September 2022 (Budget Review 1).



TYPE OF REPORT

Legislative

BACKGROUND

1. **Legislation** - The *Local Government Financial Regulations 2011* Part 2 Section 9 requires Council to reconsider its budget at least three times between 30 September and the 31 May.
2. **Approach** - Budget Review 1 is the first complete forecast for 2022/2023, following the adoption of the Annual Business Plan and Budget in June 2022 and the approved budget including carry forwards in August 2022. The full year forecast has been developed in consultation with staff across the organisation for known material changes to operating revenue, expenditure and capital revenue and expenditure.

PROPOSAL

1. **Budget Review 1** - This report includes an update of operating revenue and expenditure, and changes to the budgeted capital revenue and expenditure for the financial year with key numbers shown in the table below:

\$'k	Adopted Budget	Approved Budget	Budget Review 1	Variance to Approved Budget
Budget Adopted/Presented at the Council Meeting	Jun-22	Aug-22	Dec-22	N/A
Operating Deficit	(2,669)	(2,767)	(3,389)	(622)
Capital Revenue for New/Upgrade	5,962	5,962	5,644	(318)
Capital Expenditure	21,500	23,894	28,995	(5,101)
Net (Borrowing)	(8,665)	(11,156)	(16,661)	(5,505)

Draft Budget Review Statement of Uniform Presentation Of Finances:

2. **Full Year Forecast** - The Draft Budget Review for the end of financial year is now forecast to be as follows (as per the Uniform Presentation of Finances (UPF)):

The major variances contributing to the net (borrowings) are as follows:

Operating Result of (\$3,389k) is (\$622k) higher than the Approved Budget (unfavourable variance) - The material variances for operating revenue and expenditure are detailed below:

Operating Revenue – \$1,163k or 3.1% higher than the Approved Budget (favourable variance):

- **Statutory Charges \$123k higher than the approved budget (favourable variance)** – Mainly due to increased development application fees \$50k and animal fees of \$55k.
- **User Charges \$105k higher than the approved budget (favourable variance)** - Including the recognition of Tourist Park rental income \$75k.
- **Grants, Subsidies and Contributions \$841k higher than the Approved Budget (favourable variance)** – Including the timing of recognition of grants for Local Roads and Community Infrastructure (LRCI) Phases 1,2 and 3 \$472k, Financial Assistance Grant \$241k, transfer of the Library grant to operating \$74k and other new grants awarded.
- **Investment Income \$47k** - Payment of LGFA bonus.



Operating Expenditure – (\$1,785k) or (4.5%) higher than the Approved Budget (unfavourable variance):

- **Materials, Contracts, Other (\$838k) higher than the Approved Budget (unfavourable budget)** - Including the following significant variances:
 - **Waste Management (\$298k)** - Recognition of recycling fees.
 - **Transfer from capital to operating (\$176k)** - As per the grant revenue above, library books are now purchased as an operational cost (\$108k), and (\$50k) transfer for City Signage Strategy to develop a family suite of signs.
 - **Audits and Valuations (\$117k)** - Includes infrastructure condition audits (\$100k), and accessibility audit of CBD (\$15k).
- **Depreciation (\$536k) or 5.8% higher than the Approved Budget** – Mainly due to additional depreciation for Caroline based on adjustments requested by the external auditors.
- **Finance Costs (\$411k)** - Finance costs are higher than the approved budget reflecting increased interest rates.

Council’s operating deficit has increased by (\$622k) to (\$3,389k), where additional revenue has been more than offset by a year-end adjustments and a waste budget adjustment.

It should be noted that the Executive Leadership team reviewed the initial draft of Budget Review 1 and undertook a further review of the forecast to find further opportunities to reduce the operating deficit as summarised below:

- **Additional Revenue \$467k** - Including the recognition of actual performance for statutory and user charges.

Draft Capital Expenditure & Revenue:

Capital Expenditure of \$28,995k is (\$5,101k) higher than the Approved Budget (unfavourable variance) - The key drivers for the increase in this year’s capital works program (compared to the Adopted Budget) are:

Asset Class	Adopted Budget \$'000	Approved Budget \$'000	Budget Review 1 \$'000	Variance BR1 favourable / (unfavourable) \$'000
Buildings	2,924	3,564	3,275	289
Caroline Landfill	1,236	1,236	1,236	0
Information Technology	30	136	122	14
Infrastructure	4,259	5,124	5,045	79
Other	288	698	547	151
Plant and Equipment	2,007	1,960	1,159	801
Total excl Wulanda	10,744	12,719	11,384	1,335
Wulanda	10,756	11,175	17,611	(6,436)
Total excl Wulanda	21,500	23,894	28,995	(5,101)



- **Capital Expenditure** – The increase from \$23.9m in the Approved Budget to \$29.0m at BR1 is mainly due to the following:

Capital Works Program Expenditure (Excluding Wulanda) is \$1.3m lower than the approved budget (favourable variance):

- **Cancelled Projects \$0.5m** – Including Frew Park Amenities \$0.4m (cancelled to fund Valley Lakes Amenities).
- **Savings/Completed Last Year \$0.7m** - Including the Rail Trail solar lighting project where fixed price was lower than anticipated \$0.3m, and Commercial Street West (Gray St to Bay Road) \$0.3m that was delivered in 2021/2022.
- **Transfer to Operating \$176k** – Including the transfer of library books \$108k and City Centre Signage \$50k.
- **Additional Costs (\$0.5m)** – Including the Valley Lakes Amenities upgrade (\$0.3m) and PLEC remediation project costs (\$70k).
- **New Projects \$0.2m** – Including design costs for O'Halloran Terrace remediation following PLEC \$70k and additional LRCI Phase 3 Projects \$90k.
- **Carry Forward to 2023/2024 \$0.7m** - Due to the plant availability issues including: garbage truck replacement \$0.4m, two mowers \$0.2m and tractor replacement \$0.1m.

Wulanda Capital Expenditure is (\$6.4m) higher than the approved budget (unfavourable variance) mainly due to cashflow timing including the following:

- **Cashflow Timing 2021/2022 (\$5.7m)** - Following the review of the year-end accounts a further (\$5.7m) has been incorporated in this financial year for Wulanda based on expenditure that was recognised in the prior year, but invoices were paid in early 2022/2023.
 - **Wulanda (\$0.6m)** - Costs that will be incurred in 2022/2023 aligned with the deed signed in September 2022 (noting that some expenditure will be incurred in future years).
- **Capital Revenue For New/Upgraded Assets of \$5,962k is (\$318k) lower than the Approved Budget (unfavourable variance)** - Mainly due to the following:
 - **Rail Trail Solar Lighting LGIPP Grant (\$169k)** - A reduction in the LGIPP grant for the Rail Trail Solar Lighting project driven by lower project costs (\$169k),
 - **Library Books Grant (\$74k)** - Transfer of grant from capital to operating (\$74k)

Draft Budget Review Financial Indicators:

Compared to the Adopted Budget, the key financial indicators which measure the financial sustainability and performance of Council are as follows:

- **Operating Surplus Ratio** – (1.7%) higher than the Adopted Budget ((1.4%) compared to the Approved Budget) due to the variances detailed above (unfavourable variance).
- **Net Financial Liabilities Ratio** - Is lower than the Adopted Budget.
- **Asset Renewal Funding Ratio** - Is higher than the Adopted Budget where carry forwards from 2021/2022 are greater than deferrals carried forward to 2022/2023 and the Wulanda outdoor pool expenditure reclassification to renewals.



Financial Indicator	Adopted Budget	Approved Budget	Budget Review 1
Operating Surplus Ratio	-7.2%	-7.5%	-8.9%
Net Financial Liabilities Ratio	135%		125%
Asset Renewal Funding Ratio	120%		145%

3. Draft Budget Loan Funded Borrowings:

The loan funded borrowings of \$38,126k forecast for the year-end at Budget Review 1 are \$2,807k lower than Adopted Budget of \$40,933k (favourable variance).

LEGAL IMPLICATIONS

The Local Government Financial Regulations 2011 Part 2 Section 9 requires Council to reconsider its budget at least three times between 30 September and the 31 May.

STRATEGIC PLAN

As per budget/strategic plan – no comment applicable to this report.

COUNCIL POLICY

The Annual Business Plan assesses the financial requirements of the Council for the financial year and sets out a summary of its proposed operating expenditure, capital expenditure and sources of revenue and takes into account Council's long-term financial plan.

[B300 Budget Framework Policy](#)

ECONOMIC IMPLICATIONS

As per budget/strategic plan – no comment applicable to this report.

ENVIRONMENTAL IMPLICATIONS

As per budget/strategic plan – no comment applicable to this report

SOCIAL IMPLICATIONS

As per budget/strategic plan – no comment applicable to this report

CULTURAL IMPLICATIONS

As per budget/strategic plan – no comment applicable to this report

RESOURCE IMPLICATIONS

As per budget/strategic plan – no comment applicable to this report

VALUE FOR MONEY

Budget adjusted as per the details of this report.

RISK IMPLICATIONS

The *Local Government Act 1999* requires that Council assesses the financial requirements of the Council for the financial year and sets out a summary of its proposed operating expenditure, capital expenditure and sources of revenue and takes into account the Council's long-term financial plan and relevant issues relating to the management and development of infrastructure and major assets by the Council.

EQUALITIES AND DIVERSITY IMPLICATIONS

N/A



ENGAGEMENT AND COMMUNICATION STRATEGY

N/A


IMPLEMENTATION STRATEGY

N/A

CONCLUSION AND RECOMMENDATION

Budget Review 1 - It is a legislative requirement that Council reconsiders its budget at regular intervals during the year. The budget assesses the financial requirements of Council for the financial year, it provides stability and certainty of financial outcomes and ensures continuation of delivery of essential community services and the efficient operation of infrastructure while maintaining a sound financial position.

ATTACHMENTS

1. Attachment 1 - Financial Statements [↓](#) 



City of Mount Gambier - Uniform Presentation of Finances Draft Budget Review 1 2022/2023					
2022 Actual	\$'000s		Adopted Budget 2023	Approved Budget 2023	BR1 2023
37,162	Income		36,963	36,963	38,126
35,161	Expenses		39,631	39,729	41,514
2,001	Operating surplus / (deficit)		(2,669)	(2,767)	(3,389)
Net outlays on existing assets					
5,623	Capital expenditure on renewal and replacement of existing assets		7,421	8,884	8,995
(8,479)	Depreciation, amortisation and impairment		(9,209)	(9,209)	(9,746)
(112)	Proceeds from sale of replaced assets		(333)	(333)	(333)
(2,968)	Net outlays on existing assets		(2,121)	(659)	(1,084)
Net outlays on new and upgraded assets					
35,134	Capital expenditure on new and upgraded assets <i>(including investments property & real estate developments)</i>		14,079	15,010	20,000
(20,443)	Amounts received specifically for new and upgraded assets Proceeds from sale of surplus assets <i>(including investment property and real estate developments and non-current assets held for resale)</i>		(5,962)	(5,962)	(5,644)
14,691	Net outlays on new and upgraded assets		8,117	9,048	14,356
(9,722)	Net lending / (borrowing) for financial year		(8,665)	(11,156)	(16,661)



City of Mount Gambier - Statement of Comprehensive Income Draft Budget Review 1 2022/2023				
2022	\$'000s	Budget	Approved	BR1 2023
Actuals		2023	Budget	
			2023	
Income				
23,822	Rates	24,832	24,832	24,843
633	Statutory Charges	575	575	698
5,515	User Charges	6,268	6,268	6,373
6,615	Grants, Subsidies and Contributions	4,728	4,728	5,570
14	Investment Income	0	0	47
65	Reimbursements	65	65	65
498	Other Income	495	495	530
	Net gain - equity accounted Council businesses			
37,162	Total Income	36,963	36,963	38,126
Expenses				
13,090	Employee Costs	14,682	14,682	14,682
13,234	Materials, Contracts & Other Expenses	14,675	14,773	15,611
8,479	Depreciation, Amortisation & Impairment	9,209	9,209	9,746
358	Finance Costs	1,064	1,064	1,475
	Net loss - Equity Accounted Council Businesses			
35,161	Total Expenses	39,631	39,729	41,514
2,001	Operating Surplus / (Deficit)	(2,669)	(2,767)	(3,389)
(787)	Asset Disposal & Fair Value Adjustments	0		0
17,940	Amounts Received Specifically for New or Upgraded Assets	6,215	6,215	6,045
1,760	Physical Resources Received Free of Charge	0		0
	Operating Result from Discontinued Operations			
20,914	Net Surplus / (Deficit)	3,547	3,449	2,656
Other Comprehensive Income				
Amounts which will not be reclassified subsequently to operating result				
0	Changes in Revaluation Surplus - I,PP&E	2,355	2,355	2,222
0	Impairment (Expense) / Recoupments Offset to Asset Revaluation Reserve	0	0	(932)
0	Total Other Comprehensive Income	2,355	2,355	1,290
20,914	Total Comprehensive Income	5,902	5,804	3,946



City of Mount Gambier - Statement of Financial Position Draft Budget Review 1 2022/2023			
2022 Actuals	\$'000s	Budget 2023	BR1 2023
ASSETS			
Current Assets			
250	Cash & Cash Equivalents	500	500
2,974	Trade & Other Receivables	1,447	1,609
64	Inventories	47	57
3,288	Total Current Assets	1,994	2,166
Non-Current Assets			
301,171	Infrastructure, Property, Plant & Equipment	318,117	316,904
301,171	Total Non-Current Assets	318,117	316,904
304,459	TOTAL ASSETS	320,111	319,071
LIABILITIES			
Current Liabilities			
9,331	Trade & Other Payables	4,127	4,314
1,222	Borrowings	2,930	2,630
2,784	Provisions	2,981	2,778
13,337	Total Current Liabilities	10,037	9,722
Non-Current Liabilities			
22,311	Borrowings	38,003	35,497
3,507	Provisions	3,842	4,602
25,818	Total Non-Current Liabilities	41,845	40,099
39,155	TOTAL LIABILITIES	51,883	49,821
265,304	Net Assets	268,229	269,250
EQUITY			
83,080	Accumulated Surplus	89,504	88,421
180,852	Asset Revaluation Reserves	177,840	179,457
1,372	Other Reserves	884	1,372
265,304	Total Equity	268,229	269,250



City of Mount Gambier - Statement of Cashflows Draft Budget Review 1 2022/2023			
2022 Actuals	\$'000s	Adopted Budget 2023	BR1 2023
Cash Flows from Operating Activities			
Receipts:			
23,829	Rates Receipts	24,802	24,576
633	Statutory Charges	573	773
4,335	User Charges	6,231	7,024
6,615	Grants, Subsidies and Contributions (operating purpose)	5,153	6,222
14	Investment Receipts	0	47
65	Reimbursements	68	70
896	Other Revenue	407	792
Payments:			
(13,157)	Payments to Employees	(14,664)	(14,526)
(13,852)	Payments for Materials, Contracts & Other Expenses	(14,416)	(14,828)
(136)	Finance Payments	(1,064)	(1,475)
9,242	Net Cash provided (or used in) Operating Activities	7,090	8,675
Cash Flows from Investing Activities			
Receipts:			
20,443	Amounts Received Specifically for New/Upgraded Assets	5,962	5,644
112	Sale of Replaced Assets	333	333
Payments:			
(5,623)	Expenditure on Renewal/Replacement of Assets	(7,421)	(8,995)
(1,643)	Expenditure on New/Upgraded Assets	(14,079)	(20,000)
(20,202)	Net Cash provided (or used in) Investing Activities	(15,205)	(23,018)
Cash Flows from Financing Activities			
Receipts:			
9,581	Proceeds from Borrowings	25,000	15,693
Payments:			
0	Repayments of Borrowings	(16,885)	(1,100)
(202)	Repayment of Principal Portion of Lease Liabilities	0	0
(62)	Repayment of Bonds & Deposits	0	0
9,317	Net Cash Flow provided (used in) Financing Activities	8,115	14,593
(1,643)	Net Increase/(Decrease) in Cash & Cash Equivalents	(0)	250
1,893	plus: Cash & Cash Equivalents - beginning of year	500	250
250	Cash & Cash Equivalents - end of the year	500	500



City of Mount Gambier - Statement of Equity Draft Budget Review 1 2022/2023			
2022 Actuals	\$'000s	Adopted Budget 2023	BR1 2023
242,752	Opening Balance	262,327	265,304
1,638	Adjustment for prior year correction		
20,914	Net Surplus / (Deficit) for Year	3,547	2,656
	Other Comprehensive Income		
	- Gain (Loss) on Revaluation of I,PP&E	2,355	2,222
	- Available for Sale Financial Instruments: change in fair value		
	- Impairment (loss) reversal relating to I,PP&E		
	- Impairment (expense) / recoupments offset to asset revaluation reserve		(932)
	- Share of OCI - Equity Accounted Council Businesses		
	- Other Equity Adjustments - Equity Accounted Council Businesses		
	- Other Movements		
	Other Comprehensive Income	2,355	1,290
20,914	Total Comprehensive Income	5,902	3,946
	Transfers between Equity		
265,304	Equity - Balance at end of the reporting period	268,229	269,250



City of Mount Gambier -Key Financial Ratios Draft Budget Review 22/23

2022 Actuals	\$'000s	Adopted Budget 2023	BR1 2023
5.4%	Operating surplus ratio	-7.2%	-8.9%
	$\frac{\text{Operating surplus}}{\text{Total operating revenue}}$		
97%	Net financial liabilities ratio	135%	125%
	$\frac{\text{Net financial liabilities}}{\text{Total operating revenue}}$		
79%	Asset renewal funding ratio	120%	145%
	$\frac{\text{Expenditure on renewal/replacement of assets}}{\text{Optimal level of such expenditure as per IAMP}}$		



19.8 FIRST QUARTER REPORT ON ANNUAL BUSINESS PLAN 2022/2023 ANNUAL OBJECTIVES – REPORT NO. AR22/79062

Committee:	Council
Meeting Date:	13 December 2022
Report No.:	AR22/79062
CM9 Reference:	AF21/496
Author:	Julie Scoggins, Manager Financial Services
Authoriser:	Darren Barber, General Manager Corporate and Regulatory Services
Summary:	Annual objectives were incorporated in the 2022-2023 Annual Business Plan – This report summarises progress made in the first quarter.
Strategic Plan Reference:	Goal 1: Our People
	Goal 2: Our Location
	Goal 3: Our Diverse Economy
	Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage
	Goal 5: Our Commitment

REPORT RECOMMENDATION

1. That Council Report No. AR22/79062 titled 'First Quarter Report on Annual Business Plan 2022/2023 Annual Objectives' as presented on 13 December 2022 be noted.



TYPE OF REPORT

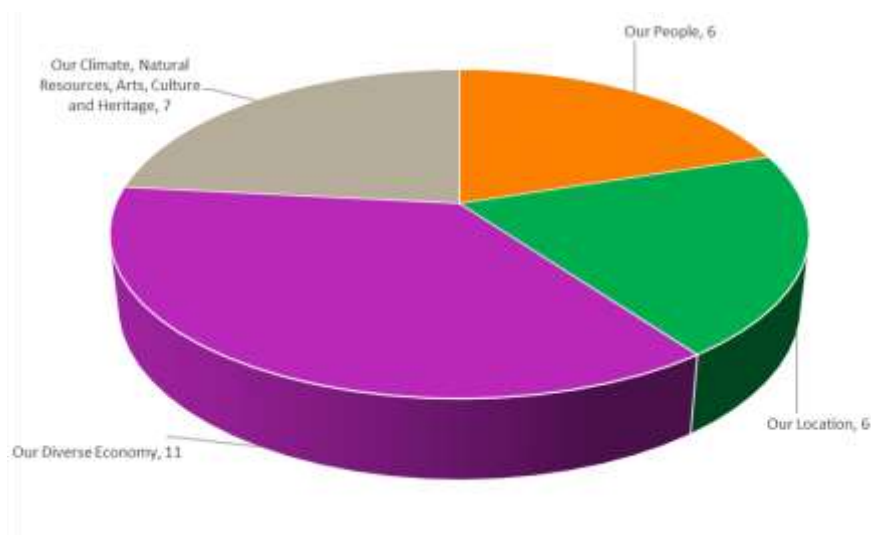
Corporate

BACKGROUND

1. **Purpose** - The Annual Business Plan and Budget for 2022/2023 was adopted on 28 June 2022 and this is the report that reports on progress against the annual objectives for the first quarter (July-September 2022). This will be brought to Council quarterly.
2. **Legislation** - Section 123 of the Local Government Act 1999 states the following:
(2) Each annual business plan of a council must—
 - (a) include a summary of the council's long-term objectives (as set out in its strategic management plans); and
 - (b) include an outline of—
 - (i) the council's objectives for the financial year; and
 - (ii) the activities that the council intends to undertake to achieve those objectives; and
 - (iii) the measures (financial and non-financial) that the council intends to use to assess the performance of the council against its objectives over the financial year;
(11) However, in any event, the summary of the annual business plan must include an assessment of the extent to which the council's objectives for the previous financial year have been attained (taking into account the provisions of the annual business plan for that financial year).






PROPOSAL

1. **Annual Objectives** - 30 annual objectives were included in the Annual Business Plan and Budget for 2022/2023 aligned with each of the four strategic goals (as shown below):



2. **Full Update** - Attachment 1 details progress made for each objective for the during the first quarter 1 July - 30 September 2022.
3. **Status Definitions** - Each annual objective has been allocated a status in accordance with the following key:



	In Progress	Work underway is underway and is on track to be delivered in accordance with the Annual Business Plan.
	At Risk	Work is underway, but may not be delivered on time/ budget/ in accordance with Annual Business Plan.
	Completed	The annual objective has been delivered/ completed
	Ongoing	The annual objective represents ongoing activities.
	Not Started	Work has not commenced.

4. **Quarter 1 Delivery** – Overall, the majority of annual objectives are in progress as shown below:



- **In Progress** - 19 annual objectives are in progress.
- **At Risk** – Three objectives are at risk including: the delivery of the capital works program due to retiming, development of detailed delivery plans, and the review of the public art strategy (which is at risk pending the strategic framework review).
- **Completed** - Four annual objectives were completed in Quarter 1 including: delivery of community programs, delivery of community education, awareness and incentive programs to reduce waste, finalisation of the agreement to establish a gas extraction facility at the Caroline Landfill site by June 2023, and establishment of renewable energy capability on Council facilities.
- **Ongoing** - Two planning and development annual objectives.
- **Not Started** - Development of a volunteer management plan and the circular economy strategy.

5. **Next Update** - The next update will be provided to Council reporting on performance in the second quarter at the February Council meeting.

LEGAL IMPLICATIONS

As detailed in the background section.

STRATEGIC PLAN

This report is an update of the progress against each of Council’s annual objectives included in the Annual Business Plan aligned with the strategic plan and the four strategic goals.

COUNCIL POLICY

Nil

ECONOMIC IMPLICATIONS

Nil



ENVIRONMENTAL IMPLICATIONS

As included in the annual objectives that relate to environmental sustainability.

SOCIAL IMPLICATIONS

As included in the progress of annual objectives that address social outcomes.

CULTURAL IMPLICATIONS

As included in the progress of annual objectives that address cultural outcomes.

RESOURCE IMPLICATIONS

The annual objectives are being delivered aligned with current Council resources including staffing and budget.

VALUE FOR MONEY

The annual objectives are being delivered in line with the budget and the procurement policy and procedures.

RISK IMPLICATIONS

Nil

EQUALITIES AND DIVERSITY IMPLICATIONS

Nil

ENGAGEMENT AND COMMUNICATION STRATEGY

A report will be brought to Council on a quarterly basis.

IMPLEMENTATION STRATEGY

Nil

CONCLUSION AND RECOMMENDATION

That Council note the progress as at Quarter 1 as provided in this report and the attachment.

ATTACHMENTS

1. Attachment 1- Q1 Progress against Annual Objectives ABP 2022/2023 [↓](#) 



Annual Business Plan 2022-2023

Quarter 1 Progress Against Annual Objectives

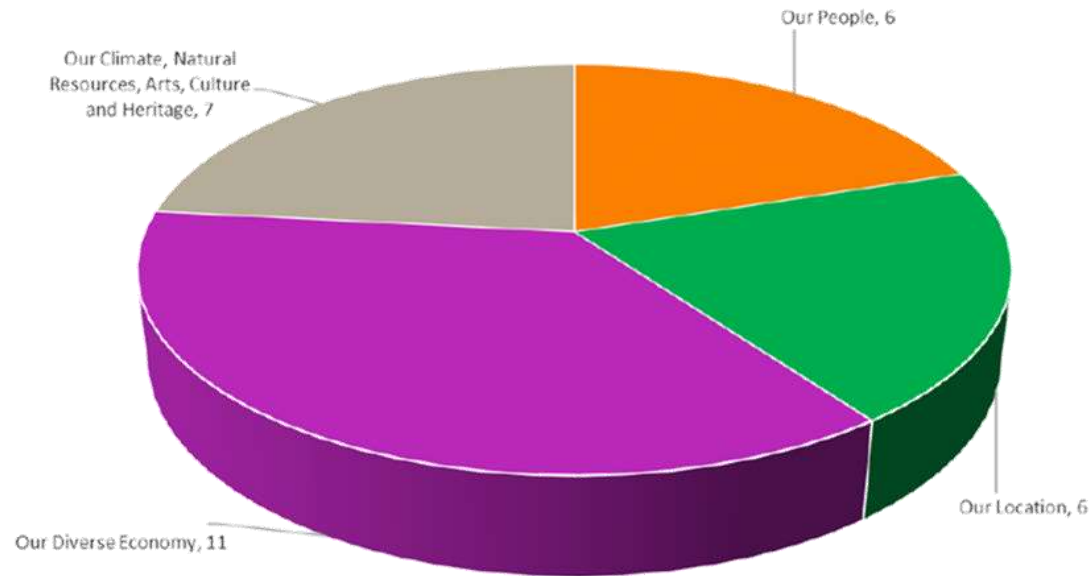
December 2022

City of
Mount Gambier



ORGANISATIONAL OVERVIEW

Annual Objectives By Strategic Goal



ORGANISATIONAL OVERVIEW







Annual Objectives Dashboard



GOAL 1 - Our People

Annual Objectives Dashboard








Annual Objective		Responsibility	Status	Comments/ Highlights
1.1.	Delivery of a Regional Public Health Plan.	Corporate & Regulatory Services		Further to the endorsement of the Disability Access and Inclusion Plan, an active program of community events and programs and participation in community representative groups has been developed and delivered.
1.2	Delivery of community programs.	City & Community Growth		A Program of events has been planned and is currently being delivered for children, youth and adults facilitated by both library staff and partnerships with local organisations/agencies etc.
1.3.	Ongoing implementation of the Disability Access and Inclusion Plan 2020-2024.	City & Community Growth		Staff training program has been implemented as well as audits conducted on some facilities. Accessible events checklist produced ensuring events are inclusive.
1.4	Development of a Volunteer Management Plan.	Corporate & Regulatory Services		Work on a volunteer management plan has not commenced.
1.5	Development of a 3 to 5 year Library Plan.	City & Community Growth		Awaiting outcomes from consultation. Consultation will be completed in Quarter 3.
1.6	Implement the Reconciliation Action Plan.	City & Community Growth		Internal training is being delivered. The RAP is underpinning decision making across council events and activities.




GOAL 2 – Our Location Annual Objectives Dashboard



Annual Objectives		Responsibility	Status	Comments/ Highlights
2.1	Deliver the capital works program.	City Infrastructure		Carry forwards as identified at the year-end were adopted by Council at the August meeting and incorporated in this year's capital works program. A review of current and future delivery was undertaken as at 30 September with the results included in the proposed Budget Review 1. A number of plant projects have been retimed to Financial Year 2024 as a result of availability and other projects have been rescheduled due to cost pressures.
2.2	Develop the Crater Lakes Activation Plan.	City & Community Growth		Consultation has paused at this stage whilst the current themes of feedback are out for review. The Trail Audit Stage 1 - is underway. The Cultural Heritage Assessment is in the procurement phase.
2.3	Commence review of services provided by the City Infrastructure function.	City Infrastructure		The preliminary service review has commenced with the data collected to inform Phase 2.
2.4	Develop detailed maintenance plans for all asset categories.	City Infrastructure		Detailed maintenance planning has commenced with an agreed delivery date of 31 December 2022.
2.5	Develop asset management plans for all asset categories.	City Infrastructure		Planning for Asset Management Plans has been undertaken. The decision to outsource condition audits for Infrastructure assets has been taken following external Audit advice. The scope for the procurement activity has been developed with an expected delivery date of January 2023.







Annual Objectives		Responsibility	Status	Comments/ Highlights
2.6	Complete the construction of the Wulanda Recreation and Convention Centre.	City Infrastructure		Project being progressed working towards first practical completion in November 2022 and soft opening in December 2022.









GOAL 3 – Our Diverse Economy Annual Objectives Dashboard




Annual Objectives		Responsibility	Status	Comments/ Highlights
3.1	Delivery of City Growth Strategy including:			
3.1 (a)	Implementation of Investment Attraction Strategy.	City & Community Growth		The appointment of Manager Economy, Strategy & Engagement has supported the delivery of this strategy. Membership with Regional Activators Alliance will also provide additional support. Planning is underway for strategic retention/attraction activities.
3.1 (b)	Implementation of Affordable Housing Strategy.	City & Community Growth		An internal project team has been established with a project plan scoped. A toolkit has been developed and is available for stakeholders.
3.1 (c)	Develop the Circular Economy Strategy.	City & Community Growth		Planned commencement due for Quarter 3 2023.
3.1 (d)	Implement Events/Tourism/Visitor Information Services Strategy.	City & Community Growth		The review of the visitor information services offering has commenced considering the requirements of the modern traveller.



Annual Objectives		Responsibility	Status	Comments/ Highlights
3.2	Activate and operate the Wulanda Recreation and Convention Centre.	City & Community Growth		Strategic Development & Recreation Coordinator appointed in Quarter 1, Operator contract signed.
3.3	Support organisations to develop strong systems to implement successful initiatives for the community by the facilitation of diverse community programs.	City & Community Growth		E-newsletters distributed to sporting & recreational organisations, providing information on funding programs and 'club of the future' initiatives. Financial support of StarClub Officer via LCLGA.
3.4	To provide professional advice and assistance to Council, colleagues, industry partners and the community in respect to development matters.	Corporate & Regulatory Services		Council undertakes building inspections as the relevant notifications are received. This is a regulatory requirement of the Planning, Development and Infrastructure Act 2016.
3.5	To ensure development is carried out in accordance with relevant legislation, standards and codes to facilitate outcomes.	Corporate & Regulatory Services		The median assessment timeframes for all applications are within the statutory time frames.
3.6	Provide community education, awareness and incentive programs to reduce waste.	City Infrastructure		Five waste talks and associated tours completed during Quarter 1, engaging more than 120 people.
3.7	Continue sift and sort activities and programs to support the reduction in waste to landfill.	City Infrastructure		Exploring opportunities for increased commodity recovery through Waste Transfer Station processing such as recycling copper electrical cords. Sourced local reprocessor for compacted polystyrene waste collected at Waste Transfer Station.










Annual Objectives		Responsibility	Status	Comments/ Highlights
3.8	Finalise agreement to establish a gas extraction facility at the Caroline Landfill site by June 2023.	City Infrastructure		Provider contracted to install a landfill gas extraction system. Flare unit to be delivered to site in early November 2022. Extraction wells to be installed by January 2023.



GOAL 4 – Our Climate, Natural Resources, Arts, Culture and Heritage

Annual Objectives Dashboard



Annual Objectives		Responsibility	Status	Comments/ Highlights
4.1	Review Public Art Strategy.	City & Community Growth		Being reviewed as part of the considerations regarding the Strategic Framework.
4.2	Deliver a beacon art project and agree the approach for future similar projects.	City & Community Growth		Following Elected Member feedback, further consideration is being applied to this project.
4.3	Work with State Government to deliver Electric Vehicle charging stations in the city.	City Infrastructure		Staff are working with the State Government's contractor to install chargers in the city.
4.4	Complete community consultation with key stakeholders based in the Crater Lakes Activation Plan.	City & Community Growth		Surveys have been issued and drop in sessions have been completed in Quarter 1.
4.5	Reduce carbon and other greenhouse gas emissions in capital projects and operational practices.	City Infrastructure		Environmentally sustainable business practice included as an assessment criteria for procurement.
4.6	Establish renewable energy capability on Council facilities.	City Infrastructure		A 720 kW (very large) solar system has been installed on Wulanda.
4.7	Develop the Shared Use Path Master Plan.	City Infrastructure		A consultant has been engaged and the project has commenced. The first stage is underway collecting existing information.



19.9 RIDDOCH ARTS AND CULTURAL TRUST (RACT) INCORPORATED - REPLACEMENT BOARD OBSERVER – REPORT NO. AR22/82894

Committee:	Council
Meeting Date:	13 December 2022
Report No.:	AR22/82894
CM9 Reference:	AF21/496
Author:	Michael McCarthy, Manager Governance and Property
Authoriser:	Darren Barber, General Manager Corporate and Regulatory Services
Summary:	This report provides for the appointment of a replacement Board Observer for Riddoch Arts and Cultural Trust Board Meetings.
Strategic Plan Reference:	Goal 1: Our People
	Goal 2: Our Location
	Goal 3: Our Diverse Economy
	Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage
	Goal 5: Our Commitment

REPORT RECOMMENDATION

1. That Council Report No. AR22/82894 titled 'Riddoch Arts and Cultural Trust (RACT) Incorporated - Replacement Board Observer' as presented on 13 December 2022 be noted.
2. In accordance with the power in clause 22.2 of the Constitution of the Riddoch Arts and Cultural Trust Incorporated the Council, as sole and founding member, resolves (and such resolution shall constitute a Member resolution) that:
 - (a) the appointed Board Observer for the Riddoch Arts and Cultural Trust (in addition to the positions of Gallery Director and Council Representative named in the Constitution) be:
 - General Manager City and Community Growth (or nominated representative)



TYPE OF REPORT

Other

BACKGROUND

Following the inaugural meeting on 25 May 2022, the Riddoch Arts and Cultural Trust Board has held two further meetings and a strategic session in preparation for the 2023 calendar and 2023/2024 financial years.

Board meeting attendance included Council's Board Observers comprising the Gallery Director (Diana Warnes), Tim Coote, and Michael McCarthy (as nominated representative of the Council Representative/Chief Executive Officer).

Further information regarding the establishment and role of the Riddoch Arts and Cultural Trust is expected to be provided to Elected Members at a future workshop session relating to the Riddoch Arts and Cultural Centre. In the meantime Members may access previous reports and attachments relating to the Riddoch Trust through the Council/Committee meeting agendas/minutes on the Member Extranet, or may address any specific enquiries to crsupport@mountgambier.sa.gov.au.

PROPOSAL

With the resignation of Tim Coote from the Council position of General Manager City and Community Growth, it is appropriate for Council to now consider appointing a replacement Board Observer.

Further, with the General Manager position currently filled on a temporary basis, the City and Community Development portfolio adequately represented by the Gallery Director, and an immediate focus on establishing an Australian Business Number (ABN), Deductible Gift Recipient (DGR) status, and a service level agreement between the Council and the Trust/Board for administrative and operational support, it is recommended that flexibility in Council's administrative observation and attendance at RACT Board meetings be maintained.

Accordingly, this report recommends that the existing Board Observers comprising the Gallery Director and Chief Executive Officer or nominated representative (as Council Representative) be maintained, and that the third Board Observer position be the General Manager City and Community Growth (or nominated representative).

This will provide flexibility for the General Manager to attend Trust Board meetings as a Board Observer or, like the Chief Executive Officer/Council Representative, to nominate another person/position to attend. Such other person/position might include the Manager Governance and Property, Manager Financial Services, or such other person/position whose attendance would be beneficial to activities between the Trust and Council at the time and the relevant agenda/items.

LEGAL IMPLICATIONS

It is necessary that both the Riddoch Arts and Cultural Trust (as an incorporated association) and Council operate in accordance with their respective governing legislation and the Trust Constitution.

STRATEGIC PLAN

The Riddoch Arts and Cultural Trust shares a range of strategic objectives with Council that have led to its establishment and continued support as resolved by Council.

COUNCIL POLICY

Further work is necessary to address Council and RACT policies that interrelate to the activities of the RACT and the Riddoch Arts and Cultural Centre business unit.

ECONOMIC IMPLICATIONS

N/A

ENVIRONMENTAL IMPLICATIONS

N/A



SOCIAL IMPLICATIONS

N/A

CULTURAL IMPLICATIONS

N/A

RESOURCE IMPLICATIONS

Resource implications associated with operations and administration of the Riddoch Arts and Cultural Trust are to form part of the annual business plan and budget preparation for the 2023/2024 year, and are to be accommodated within the approved Riddoch Arts and Cultural Centre budget for the 2022/2023 year in accordance with prior Council resolutions.

VALUE FOR MONEY

N/A

RISK IMPLICATIONS

There are no anticipated risk implications associated with the replacement of a Board Observer.

EQUALITIES AND DIVERSITY IMPLICATIONS

N/A

ENGAGEMENT AND COMMUNICATION STRATEGY

The Riddoch Arts and Cultural Trust Board will be advised of Council's Board Observer appointment.

IMPLEMENTATION STRATEGY

N/A.

CONCLUSION AND RECOMMENDATION

Council may now consider appointing a replacement Board Observer following the resignation of General Manager City and Community Growth, Mr Tim Coote.

ATTACHMENTS

Nil



19.10 PERIODIC REVIEW OF CONFIDENTIAL ITEMS - DECEMBER 2022 – REPORT NO. AR22/34295

Committee:	Council
Meeting Date:	13 December 2022
Report No.:	AR22/34295
CM9 Reference:	AF21/496
Author:	Elisa Solly, Property Support Officer
Authoriser:	Darren Barber, General Manager Corporate and Regulatory Services
Summary:	This report presents Confidential Orders made by Council up to August 2022 for annual review in accordance with the requirements of s90(9) of the Local Government Act 1999.
Strategic Plan Reference:	<p>Goal 1: Our People</p> <p>Goal 2: Our Location</p> <p>Goal 3: Our Diverse Economy</p> <p>Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage</p> <p>Goal 5: Our Commitment</p>

REPORT RECOMMENDATION

- That Council Report No. AR22/34295 titled 'Periodic Review of Confidential Items - December 2022' as presented on 13 December 2022 be noted.
- That the following Confidential Orders as specified in Attachment 1 to Report AR22/34295, having been reviewed by Council, be amended to alter their duration and release conditions:

Nil
- That the following Confidential Orders as specified in Attachment 1 to Report AR22/34295, having been reviewed by Council, be released as soon as practicable following the Council meeting on 13 December 2022:

Date	Item	Element to be Released
18/01/2022	ITEM 26.3 WULANDA RECREATION AND CONVENTION CENTRE - MANAGEMENT AND OPERATION OF MOUNT GAMBIER COMMUNITY AND RECREATION HUB UPDATE – REPORT NO. AR22/1582	Full Release
14/12/2021	ITEM 26.2 WULANDA RECREATION AND CONVENTION CENTRE - MANAGEMENT AND OPERATION OF MOUNT GAMBIER COMMUNITY AND RECREATION HUB UPDATE – REPORT NO. AR21/79179	Full Release
16/11/2021	ITEM 26.2 WULANDA RECREATION AND CONVENTION CENTRE - MANAGEMENT AND OPERATION OF MOUNT GAMBIER COMMUNITY AND RECREATION HUB UPDATE – REPORT NO. AR21/71835	Full Release
19/10/2021	ITEM 26.2 WULANDA RECREATION AND CONVENTION CENTRE - MANAGEMENT AND OPERATION OF MOUNT GAMBIER COMMUNITY AND RECREATION HUB UPDATE – REPORT NO. AR21/64857	Full Release
20/04/2021	ITEM 27.6 WULANDA RECREATION AND CONVENTION CENTRE BRANDING – REPORT NO. AR21/19990	Full Release
17/11/2020	Item 27.4 MOUNT GAMBIER COMMUNITY AND RECREATION HUB PROJECT BUDGET – REPORT NO. AR20/73063	Resolutions Only



4. That all Confidential Orders as specified in Attachment 1 to Report AR22/34295, excluding those amended or released in resolutions (2) and (3) above, having been reviewed by Council remain in operation on the grounds and release conditions specified.



TYPE OF REPORT

Legislative

BACKGROUND

Parts 3-5 of Chapter 6 of the Local Government Act 1999 provides 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.

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. Further information on the legislative requirements associated with confidentiality orders is provided under the 'legal implications' heading and the Local Government Association '*Confidentiality Guidelines: How to apply section 90 of the Local Government Act 1999*'.

Council last reviewed confidential items in May 2022 with consideration of Report No. AR22/23674. In August 2022 Council also resolved:

1. That Council Report No. AR22/54982 titled 'Notice of Motion - Wulanda Recreation and Convention Centre' as presented on 16 August 2022 be noted.
2. That the administration provides a report to Council on the confidential items for the Wulanda Recreation and Convention Centre and when the information will be released to the public.

This report presents a periodic review of confidential items as well as addressing the August 2022 resolution of Council.

PROPOSAL

This report presents for review the confidential matters contained within the attached table (**Attachment 1**) that are subject to confidentiality Orders made previously by Council up to August 2022 that remain operational and warrant review in accordance with Section 90(9) of the *Local Government Act 1999* ("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 *Local Government Act 1999*. No further action will be required for these existing Orders to continue in operation.

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

As this review of confidentiality Orders is being presented to an open meeting, if Council wish to discuss any review items in detail or to have any associated documents tabled, then consideration should be given to the making of an Order to receive and discuss such items in-confidence, and to the making of a further Order to continue the confidentiality of the tabled documents.

Alternatively, any questions regarding the content of the confidential items may be addressed to the Manager Governance and Property prior to the meeting.

Confidentiality Orders made since August 2022, and earlier Orders that fall due for periodic review will be presented in mid-2023.

Release of Wulanda Confidential Items

Members will note that the table attached to the report (**Attachment 1**) is inclusive of confidential Orders for items relating to the Wulanda project up to August 2022 for periodic review in the same



manner as other confidential Orders. Wulanda items that were not considered in-confidence, or have previously been released from confidence are not included in the table. A full list of items retained in and released from confidence is contained in the Confidential Items Register on the Council website.

The release of confidential items associated with the Wulanda project is determined by the duration or release conditions specified in the confidentiality Order made by Council. Due to the commercial nature of the construction and management aspects of the project, most of the confidentiality Orders made in relation to Wulanda have a duration or release conditions that are beyond the completion and opening of the facility, generally 12-24 months to ensure that the release of any commercial information does not jeopardise the position of Council or other 3rd parties, including breaching any duty of confidence or trust associated with contractual arrangements.

A comprehensive review of the contents of all documents associated with Wulanda confidential items that remain operational has been undertaken by the General Manager City Infrastructure for the purpose of responding to the August 2022 Council resolution.

The result of the review is that 5 items are recommended for full release, and a further item is recommended for partial release, as set out in the recommendation of this report, while the grounds and duration of all other confidentiality Orders associated with the Wulanda project remain valid and are recommended to remain in operation.

Accordingly, with the exception of the 6 items recommended for full/partial release, the release of all other confidential items associated with the Wulanda project will be in accordance with the duration or release conditions as specified in the relevant Council Order and the attached table (**Attachment 1**), or as otherwise determined by Council in its periodic reviews of confidential Orders.

It should be noted that Council has delegated to the Chief Executive Officer the power to review and release items that are subject to a confidentiality Order, enabling the Chief Executive Officer to release any information prior to the duration or release conditions being met where it is considered appropriate to do so. Section 91(9) does however prohibit the delegation of the power to extend the duration of a confidentiality Order.

LEGAL IMPLICATIONS

Section 90(9) of the Local Government Act 1999 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 Local Government Act 1999, including for the purpose of protecting the 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 3rd party.

STRATEGIC PLAN

Nil



COUNCIL POLICY

Council Policy C410 Conduct of Meetings contains the 'Code of Practice' provisions required under s92 of the Local Government Act 1999 relating to public access to meetings and documents and the application of the confidentiality provisions, which is in accordance with the Local Government Association 'Confidentiality Guidelines: How to apply section 90 of the Local Government Act 1999'.

ECONOMIC IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

SOCIAL IMPLICATIONS

Nil

CULTURAL IMPLICATIONS

Nil

RESOURCE IMPLICATIONS

Nil

VALUE FOR MONEY

Nil

RISK IMPLICATIONS

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.

EQUALITIES AND DIVERSITY IMPLICATIONS

Nil

ENGAGEMENT AND COMMUNICATION STRATEGY

A Register of Confidential Items, including web links 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](#).

IMPLEMENTATION STRATEGY

Nil

CONCLUSION AND RECOMMENDATION

This report recommends that the Confidential Orders contained in **Attachment 1** remain in operation until the specified release 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 Local Government Act 1999.

Council may determine to release any or all of 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 - December 2022 [↓](#) 



Council Meeting Date	Source Meeting	Subject	590(3) Reference	Element to be kept Confidential	Duration, Circumstances or Review	Current / Expired	Comments
18/10/2022	Council	ITEM 25.1 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #22 - AS AT 04/10/2022 - REPORT NO. AR22/68454	(b), (d), (g) and (h)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
20/09/2022	Council	ITEM 25.1 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #21 - AS AT 06/09/2022 - REPORT NO. AR22/61993	(b), (d), (g) and (h)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
23/08/2022	Special Council Meeting	ITEM 4.2 WULANDA RECREATION AND CONVENTION CENTRE - CONTRACTUAL AND FINANCIAL MATTERS - REPORT NO. AR22/56817	(b) and (d)	report, attachments, discussion, resolution/s and minutes	until further order of Council, or determination by the Chief Executive Officer to release, in part or full	Current	Contains commercial information that could confer advantage on a 3rd party
23/08/2022	Special Council Meeting	ITEM 4.1 WULANDA RECREATION AND CONVENTION CENTRE - OPERATIONAL MATTERS - REPORT NO. AR22/56796	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until the provider of the information has released Council from its duty of confidence	Current	Contains commercial information that could confer advantage on a 3rd party
16/08/2022	Council	ITEM 25.5 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #20 - AS AT 02/08/2022 - REPORT NO. AR22/52001	(b), (d), (g) and (h)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
16/08/2022	Council	ITEM 25.4 SALE OF LAND FOR NON-PAYMENT OF RATES - REPORT NO. AR22/50270	(a)	report, attachments, discussion, resolution/s and minutes	until the latter of- 12 months, or the matter being settled	Current	Relates to personal information associated with the financial situation and property of a ratepayer
16/08/2022	Council	ITEM 25.3 SALE OF LAND FOR NON-PAYMENT OF RATES - REPORT NO. AR22/50246	(a)	report, attachments, discussion, resolution/s and minutes	until the latter of- 12 months, or the matter being settled	Current	Relates to personal information associated with the financial situation and property of a ratepayer
16/08/2022	Council	ITEM 25.2 SALE OF LAND FOR NON-PAYMENT OF RATES - REPORT NO. AR22/50219	(a)	report, attachments, discussion, resolution/s and minutes	until the latter of- 12 months, or the matter being settled	Current	Relates to personal information associated with the financial situation and property of a ratepayer
16/08/2022	Council	ITEM 25.1 SALE OF LAND FOR NON-PAYMENT OF RATES - REPORT NO. AR22/50187	(a)	report, attachments, discussion, resolution/s and minutes	until the latter of- 12 months, or the matter being settled	Current	Relates to personal information associated with the financial situation and property of a ratepayer
19/07/2022	Council	ITEM 26.3 TENDER - SUPPLY CONTRACTS FOR CITY INFRASTRUCTURE WORKS - REPORT NO. AR22/46711	(b), (d) and (k)	report, attachments, discussion, resolution/s and minutes	until 12 months after the completion of the contract works	Current	Contains commercial information that could confer advantage on a 3rd party
19/07/2022	Council	ITEM 26.2 TENDER AF21/283 - DESIGN, SUPPLY & INSTALLATION OF SOLAR LIGHTING ON RAIL TRAIL - REPORT NO. AR22/45083	(b), (d) and (k)	report, attachments, discussion, resolution/s and minutes	until 12 months after the completion of the contract works	Current	Contains commercial information that could confer advantage on a 3rd party
19/07/2022	Council	ITEM 26.1 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #19 - AS AT 05/07/2022 - REPORT NO. AR22/46752	(b), (d), (g) and (h)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
19/07/2022	Chief Executive Officer Performance Review Committee	ITEM 25.2 INDEPENDENT REVIEW OF CHIEF EXECUTIVE OFFICER AND REMUNERATION REVIEW - REPORT NO. AR22/43771	(a) and (g)	report, attachments, discussion, resolution/s and minutes	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.	Current	relates to personal information associated with the employment conditions of the Chief Executive Officer
21/06/2022	Council	ITEM 26.3 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #18 - AS AT 07/06/2022 - REPORT NO. AR22/38086	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
21/06/2022	Council	ITEM 26.2 DELEGATION TO AWARD ELECTRICITY CONTRACT - REPORT NO. AR22/34770	(b)	report, attachments, discussion, resolution/s and minutes	until a contract has been executed for the relevant supply	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
21/06/2022	Council	ITEM 26.1 EXECUTION OF DEED - FIRST RIGHT OF REFUSAL - REPORT NO. AR22/38437	(a), (b) and (d)	report, attachments, discussion, resolution/s and minutes	until 2 years have elapsed from the execution of arrangements or abandonment of negotiations associated with the proposal	Current	Relates to personal information associated with the property of a ratepayer
17/05/2022	Council	ITEM 26.2 - COUNCIL'S DEBT STRUCTURING - REPORT NO. AR22/31137	(g)	report, attachments, discussion, resolution/s and minutes	until the loans have been fully amortised	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
17/05/2022	Council	ITEM 26.1 - PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #17 - AS AT 10/05/2022 - REPORT NO. AR22/30401	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
17/05/2022	Chief Executive Officer Performance Review Committee	ITEM 25.3 - PERFORMANCE REVIEW DOCUMENTATION PRESENTATION - REPORT NO. AR22/30546	(a)	report, attachments, discussion, resolution/s and minutes	until 2 years after the initial appointment term and any renewal term of the Chief Executive Officer, Sarah Philpott has elapsed	Current	relates to personal information associated with the employment conditions of the Chief Executive Officer
17/05/2022	Chief Executive Officer Performance Review Committee	ITEM 25.2 - CHIEF EXECUTIVE OFFICER - 12 MONTH PERFORMANCE UPDATE - REPORT NO. AR22/28319	(a)	report, attachments, discussion, resolution/s and minutes	until 2 years after the initial appointment term and any renewal term of the Chief Executive Officer, Sarah Philpott has elapsed	Current	relates to personal information associated with the employment conditions of the Chief Executive Officer
19/04/2022	Council	26.4 AF20/530 TENDER - PROCUREMENT - TENDER FOR RAILWAY STATION BUILDING TOILETS REFURBISHMENT - REPORT NO. AR22/24421	(k)	report, attachments, discussion, resolution/s and minutes	until 12 months after the completion of the tender works	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
19/04/2022	Council	ITEM 26.3 PROPERTY MANAGEMENT - LEASING - REPORT NO. AR22/24354	(a), (b) and (d)	report, attachments, discussion, resolution/s and minutes	until 2 years have elapsed from the execution of arrangements or abandonment of negotiations associated with the proposal	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
19/04/2022	Council	ITEM 26.2 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #16 - AS AT 05/04/2022 - REPORT NO. AR22/24271	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
19/04/2022	Council	ITEM 26.1 REQUEST FOR INTERNAL REVIEW OF COUNCIL DECISION - REPORT NO. AR22/21802	(h)	report attachments, discussion and minutes	following the matter to which the internal review request relates having been settled until further order of the Council	Current Current	includes confidential information and legal advice relating to actual or proposed litigation
15/03/2022	Council	ITEM 26.1 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #15 - AS AT 07/03/2022 - REPORT NO. AR22/16061	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
15/02/2022	Council	ITEM 26.4 AUDIT AND RISK COMMITTEE APPOINTMENT OF INDEPENDENT MEMBERS - REPORT NO. AR22/8463	(a)	attachments	be kept confidential and that confidentiality be reviewed annually	Current	Contains 3rd parties personal information of a confidential nature
15/02/2022	Council	ITEM 26.3 CRATER LAKES PROJECT PROPOSAL - REPORT NO. AR22/8597	(b), (d) and (g)	report, attachments, discussion, 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 3rd party or Council
15/02/2022	Council	ITEM 26.2 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #14 - AS AT 01/02/2022 - REPORT NO. AR22/7779	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
15/02/2022	Council	ITEM 26.1 EPA NOTICE - REPORT NO. AR22/7711	(g), (h) and (i)	report, attachments, discussion, resolution/s and minutes	until negotiations and subsequent actions arising from those negotiations have concluded	Current	includes confidential information and legal advice relating to actual or proposed litigation
18/01/2022	Council	ITEM 26.4 QUEEN ELIZABETH PARK TRUST (QEPT) UPDATE - REPORT NO. AR21/83935	(a), (b) and (d)	report, attachments, discussion, resolution/s and minutes	until 24 months after the matters contained in the report have been finalized or abandoned	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council



Council Meeting Date	Source Meeting	Subject	590(3) Reference	Element to be kept Confidential	Duration, Circumstances or Review	Current / Expired	Comments
18/01/2022	Council	ITEM 26.3 WULANDA RECREATION AND CONVENTION CENTRE - MANAGEMENT AND OPERATION OF MOUNT GAMBIER COMMUNITY AND RECREATION HUB UPDATE - REPORT NO. AR21/1582	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until a further order of Council to release	Current	Contains commercial information that could confer advantage on a 3rd party - Recommended to Release
18/01/2022	Council	ITEM 26.2 PROPERTY MANAGEMENT - LEASING - REPORT NO. AR21/430	(a), (b), (d) and (e)	report, attachments, discussion, resolution/s and minutes	until 2 years have elapsed from the execution of arrangements or abandonment of negotiations associated with the proposal	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
14/12/2021	Council	ITEM 26.4 MICROMOBILITY DEVICE PROPOSAL - REPORT NO. AR21/73765	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until an agreement has been entered into in relation to the matter and Council has been released from its duty of confidence	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
14/12/2021	Council	ITEM 26.3 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #13 - AS AT 07/12/2021 - REPORT NO. AR21/79587	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
14/12/2021	Council	ITEM 26.2 WULANDA RECREATION AND CONVENTION CENTRE - MANAGEMENT AND OPERATION OF MOUNT GAMBIER COMMUNITY AND RECREATION HUB UPDATE - REPORT NO. AR21/79179	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until a further order of Council to release	Current	Contains commercial information that could confer advantage on a 3rd party - Recommended to Release
14/12/2021	Council	ITEM 26.1 SALE OF LAND FOR NON-PAYMENT OF RATES - REPORT NO. AR21/72835	(a)	report, attachments, discussion, resolution/s and minutes	until the latter of - 12 months, or the matter being settled	Current	Relates to personal information associated with the financial situation and property of a ratepayer
16/11/2021	Council	ITEM 26.3 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #12 - AS AT 02/11/2021 - REPORT NO. AR21/71887	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
16/11/2021	Council	ITEM 26.2 WULANDA RECREATION AND CONVENTION CENTRE - MANAGEMENT AND OPERATION OF MOUNT GAMBIER COMMUNITY AND RECREATION HUB UPDATE - REPORT NO. AR21/71835	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until a further order of Council to release	Current	Contains commercial information that could confer advantage on a 3rd party - Recommended to Release
16/11/2021	Council	ITEM 26.1 AF21/68 TENDER - PROCUREMENT - CAROLINE LANDFILL - CAPPING OF CELLS 3A & B - REPORT NO. AR21/70391	(k)	report, attachments, discussion, 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 relating to tenders that have not yet been let
16/11/2021	Audit Committee	ITEM 25.5 CITY OF MOUNT GAMBIER - IT ENTITY CONTROLS REVIEW 2020/21 - REPORT NO. AR21/71285	(b), (e) and (g)	report, attachments, discussion, resolution/s and minutes	until the matters contained in the report have been satisfactorily addressed	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
16/11/2021	Chief Executive Officer Performance Review Committee	ITEM 25.3 CHIEF EXECUTIVE OFFICER PROBATIONARY PERIOD - REPORT NO. AR21/70965	(a)	report, attachments, discussion, and minutes	until 2 years after the initial appointment term and any renewal term of the Chief Executive Officer, Sarah Philpott has elapsed	Current	relates to personal information associated with the employment conditions of the Chief Executive Officer
16/11/2021	Chief Executive Officer Performance Review Committee	ITEM 25.2 CHIEF EXECUTIVE OFFICER - PERFORMANCE UPDATE - REPORT NO. AR21/71607	(a)	report, attachments, discussion, resolution/s and minutes	until 2 years after the initial appointment term and any renewal term of the Chief Executive Officer, Sarah Philpott has elapsed	Current	relates to personal information associated with the employment conditions of the Chief Executive Officer
19/10/2021	Council	ITEM 26.2 WULANDA RECREATION AND CONVENTION CENTRE - MANAGEMENT AND OPERATION OF MOUNT GAMBIER COMMUNITY AND RECREATION HUB UPDATE - REPORT NO. AR21/64857	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until a further order of Council to release	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council - Recommended to Release
19/10/2021	Council	ITEM 26.1 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #11 - AS AT 05/10/2021 - REPORT NO. AR21/64848	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
19/10/2021	Chief Executive Officer Performance Review Committee	ITEM 25.4 CHIEF EXECUTIVE OFFICER KPI'S - REPORT NO. AR21/59974	(a)	report, attachments, discussion, resolution/s and minutes	until 2 years after the initial appointment term and any renewal term of the Chief Executive Officer, Sarah Philpott has elapsed	Current	relates to personal information associated with the employment conditions of the Chief Executive Officer
19/10/2021	People and Place Committee	ITEM 25.2 MOUNT GAMBIER HEALTH PRESENTATION - REPORT NO. AR21/62736	(g) and (j)	report, attachments, discussion, resolution/s and minutes	until Council has been released from its duty of confidence by the provider of the information	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
21/09/2021	Council	ITEM 27.7 CHIEF EXECUTIVE OFFICER EMPLOYMENT AGREEMENT VARIATION (SUPERANNUATION) - REPORT NO. AR21/57924	(a)	report, attachments, discussion, resolution/s and minutes	until 2 years after the contract of employment of Mrs Sarah Philpott has expired and not been renewed or extended.	Current	relates to personal information associated with the employment conditions of the Chief Executive Officer
21/09/2021	Council	ITEM 27.6 WASTE AND MATERIALS RECYCLING OPTIONS - REPORT NO. AR21/59399	(a), (b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until further Order of Council or determined for release under delegation by the Chief Executive Officer	Current	relates to personal and commercial information of a confidential nature which could prejudice or benefit 3rd party
21/09/2021	Council	ITEM 27.5 VALLEY LAKE ALGAL CONTROL - REPORT NO. AR21/47621	(k)	report, attachments, discussion, resolution/s and minutes	until 2 years after completion of the project.	Current	Contains information relating to tenders that have not yet been met
21/09/2021	Council	ITEM 27.4 SITE STRATEGIC LAND USE ASSESSMENT - REPORT NO. AR21/52780	(b), (d), (g) and (j)	report, attachments, discussion, resolution/s and minutes	until further order of Council or determination by the Chief Executive Officer to release in part or full	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
21/09/2021	Council	ITEM 27.1 LEGAL ADVICE - REPORT NO. AR21/58597	(g), (h), (i) and (j)	report, attachments, discussion, resolution/s and minutes	until further Order of Council, to be reviewed at least once in every year	Current	includes confidential information and legal advice relating to actual or proposed litigation
21/09/2021	Wulanda Recreation and Convention Centre Committee	ITEM 26.7 WULANDA RECREATION AND CONVENTION CENTRE - MANAGEMENT AND OPERATION OF MOUNT GAMBIER COMMUNITY AND RECREATION HUB UPDATE - REPORT NO. AR21/57503	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until a further order of Council to release	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
21/09/2021	Wulanda Recreation and Convention Centre Committee	ITEM 26.6 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #10 - As at 07/09/2021 - REPORT NO. AR21/57494	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
21/09/2021	Economic & Environment Committee	ITEM 26.2 COMMUNITY HEALTH INFORMATION - REPORT NO. AR21/51525	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until a further Order is made by Council, to be reviewed at least once every 12 months	Current	Contains commercial information that could confer advantage on a 3rd party
17/08/2021	Wulanda Recreation and Convention Centre Committee	Item 26.2 Project Control Group (PCG) Progress Report #9 - As at 03/08/2021	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project.	Current	Contains commercial information that could confer advantage on a 3rd party
20/07/2021	Wulanda Recreation and Convention Centre Committee	ITEM 27.3 Design Services - Construction and Defects Liability Period	(b), (d), (g) and (h)	report, attachments, discussion, resolution/s and minutes	until services under a contract associated with the matter have been completed	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
20/07/2021	Wulanda Recreation and Convention Centre Committee	ITEM 27.2 Project Control Group (PCG) Progress Report #8 - As at 06/07/2021	(b) and (d)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
20/07/2021	Council	ITEM 28.4 TENDER AF21/209 SUPPLY AND DELIVERY OF PREMIXED CONCRETE - REPORT NO. AR21/43214	(k)	report, attachments, discussion, resolution/s and minutes	until 5 years after the expiry and non-renewal of contract.	Current	Contains information relating to tenders that have not yet been let
20/07/2021	Council	ITEM 28.3 COVID-19 TOURISM TENANCIES - REPORT NO. AR21/41157	(a), (b) and (d)	report, attachments, discussion, resolution/s and minutes	until 1 year after each listed tourism tenants current arrangements have expired or been replaced, or 1 year after the the end of the COVID19 health emergency, whichever is the later.	Current	relates to personal and commercial information of a confidential nature which could prejudice or benefit 3rd party
20/07/2021	Council	ITEM 28.2 STRATEGIC PROPERTY MANAGEMENT - LAND VALUATIONS - REPORT NO. AR21/38766	(b) and (d)	report, attachments, discussion, resolution/s and minutes	until a contract has been settled for each of the subject properties, to be reviewed every 12 months	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
20/07/2021	Council	ITEM 28.1 LEGAL ADVICE - REPORT NO. AR21/39325	(g), (h), (i) and (j)	report, attachments, discussion, resolution/s and minutes	until further Order of Council, to be reviewed at least once in every year	Current	includes confidential information and legal advice relating to actual or proposed litigation



Council Meeting Date	Source Meeting	Subject	590(3) Reference	Element to be kept Confidential	Duration, Circumstances or Review	Current / Expired	Comments
15/06/2021	Wulanda Recreation and Convention Centre Committee	ITEM 27.4 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT - AS AT 01/06/2021 - REPORT NO. AR21/32471	(b) & (d)	report, attachments, discussion, 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 3rd party or Council
15/06/2021	Wulanda Recreation and Convention Centre Committee	ITEM 27.5 REQUEST FOR EXPRESSIONS OF INTEREST - AF20/S15 MANAGEMENT AND OPERATION OF MOUNT GAMBIER COMMUNITY AND RECREATION HUB - REPORT NO. AR21/34712	(b) & (k)	report, attachments, discussion, resolution/s and minutes	until a further order of Council to release.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
15/06/2021	Council	ITEM 28.1 NOTICE OF MOTION - SURPLUS LAND DECLARATION - REPORT NO. AR21/34745	(b)	report, attachments, discussion, resolution/s and minutes	until settlement of a sales contract for both the subject properties, to be reviewed annually.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
18/05/2021	Wulanda Recreation and Convention Centre Committee	ITEM 27.5 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT - AS AT 02/05/2021 - REPORT NO. AR21/26211	(b) & (d)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project.	Current	Contains commercial information that could confer advantage on a 3rd party
20/04/2021	Council	ITEM 28.1 COUNTRY ARTS SA - SIR ROBERT HELPMANN THEATRE MASTER PLAN - REPORT NO. AR21/21895	(b), (d), (g) & (i)	report, attachments, discussion, resolution/s and minutes	until the proposal has been fully executed or 12 months after Council has abandoned any actions in relation to the proposal, whichever is the earlier.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
20/04/2021	Wulanda Recreation and Convention Centre Committee	ITEM 27.8 WULANDA RECREATION AND CONVENTION CENTRE - STAGE 3 COMMUNITY REFERENCE GROUP - MEMBERSHIP RECOMMENDATIONS - REPORT NO. AR21/16985	(a)	report, attachments, discussion, resolution/s and minutes	until a further order to be reviewed each year with the names of appointed members to be released following endorsement.	Current	relates to personal information of a confidential nature
20/04/2021	Wulanda Recreation and Convention Centre Committee	ITEM 27.7 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT - AS AT 05/04/2021 - REPORT NO. AR21/20559	(b) & (d)	report, attachments, discussion, 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 3rd party or Council
20/04/2021	Wulanda Recreation and Convention Centre Committee	ITEM 27.6 WULANDA RECREATION AND CONVENTION CENTRE BRANDING - REPORT NO. AR21/19990	(b) & (d)	report, attachments, discussion, resolution/s and minutes	until two years have elapsed	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
20/04/2021	Audit Committee	ITEM 27.4 TENDER FOR EXTERNAL AUDIT SERVICES FOR FY2022 TO FY2025 - REPORT NO. AR21/20765	(k)	report, attachments, discussion, resolution/s and minutes	until two years after the recommendation of external audit services.	Current	Contains information relating to tenders that have not yet been let
23/03/2021	Council	ITEM 4.1 WULANDA RECREATION AND CONVENTION CENTRE FUNDING - REPORT NO. AR21/17395	(b), (d) & (k)	report, attachments, discussion, resolution/s and minutes	that the item be reviewed 12 months after successful completion of the Badge construction contract for the Wulanda Recreation and Convention Centre.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party
16/03/2021	Council	ITEM 28.3 BLUE LAKE GOLF CLUB - DECEMBER 2020 QUARTERLY KPI REPORT - REPORT NO. AR21/8520	(d)	report, attachments, discussion, resolution/s and minutes	until 2 years have passed or the Blue Lake Golf Club has ceased operating, whichever is the earlier.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
16/03/2021	Council	ITEM 28.2 WULANDA RECREATION AND CONVENTION CENTRE - STAGE 3 - COMMUNITY REFERENCE GROUP - MEMBER SELECTION - REPORT NO. AR21/14861	(a)	report, attachments, discussion, resolution/s and minutes	until a further order to be reviewed each year with the names of appointed members to be released following endorsement.	Current	relates to personal and commercial information of a confidential nature which could prejudice or benefit 3rd party
16/03/2021	Council	ITEM 28.1 QUESTION WITH NOTICE - WULANDA RECREATION AND CONVENTION CENTRE FUNDING - REPORT NO. AR21/14681	(b), (d), (g) & (i)	report, attachments, discussion, resolution/s and minutes	until a loan associated with the Wulanda Recreation and Convention Centre has been fully amortised or discharged or Council has ordered that the matter be released, whichever is the earlier, and, Council has been released from its duty of confidence by the 3rd party	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
16/03/2021	Wulanda Recreation and Convention Centre Committee	ITEM 27.2 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT - AS AT 01/03/2021 - REPORT NO. AR21/11450	(b), (d) & (k)	report, attachments, discussion, resolution/s and minutes	that the item be reviewed 12 months after successful completion of the Badge construction contract for the Wulanda Recreation and Convention Centre.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party
11/03/2021	Special Council (adjourned to 16/03/2021)	ITEM 4.1 CHIEF EXECUTIVE OFFICER - CONTRACT OF EMPLOYMENT - REPORT NO. AR21/15086	(a) & (g)	report, attachments, discussion, resolution/s and minutes	until further order of Council, to be reviewed at least once in every 12 month period.	Current	relates to personal information associated with the employment conditions of the Chief Executive Officer
3/03/2021	Chief Executive Officer Selection Panel	ITEM 5.2 CHIEF EXECUTIVE OFFICER RECRUITMENT - REPORT NO. AR21/13473	(a), (b), (d) & (g)	report, attachments, discussion, resolution/s and minutes	until further order of Council, to be reviewed at least once in every 12 month period.	Current	relates to personal information associated with the employment conditions of the Chief Executive Officer
3/03/2021	Chief Executive Officer Selection Panel	ITEM 5.1 UPDATE ON THE CHIEF EXECUTIVE OFFICER SELECTION PROCESS - REPORT NO. AR21/12144	(a), (b), (d) & (g)	report, attachments, discussion, resolution/s and minutes	until further order of Council, to be reviewed at least once in every 12 month period	Current	relates to personal information associated with the employment conditions of the Chief Executive Officer
16/02/2021	Wulanda Recreation and Convention Centre Committee	ITEM 27.2 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT - AS AT 01/02/2021 - REPORT NO. AR21/6521	(b), (d) & (k)	report, attachments, discussion, resolution/s and minutes	that the item be reviewed 12 months after successful completion of the Badge construction contract for the Wulanda Recreation and Convention Centre.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party
20/01/2021	Chief Executive Officer Selection Panel	ITEM 5.1 CHIEF EXECUTIVE OFFICER RECRUITMENT - REPORT NO. AR21/3669	(a), (b), (d) & (g)	report, attachments, discussion, resolution/s and minutes	until further order of Council, to be reviewed at least once in every 12 month period.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
19/01/2021	Council	28.2 NOTICE OF MOTION - INDEPENDENT CONSULTANT MEMBER OF CHIEF EXECUTIVE OFFICER SELECTION PANEL - REPORT NO. AR21/1800	(a), (b) & (d)	report, attachments, discussion, resolution/s and minutes	until 5 years have elapsed.	Current	relates to personal and commercial information of a confidential nature which could prejudice or benefit 3rd party
19/01/2021	Council	ITEM 28.3 MOUNT GAMBIER PRIVATE HOSPITAL - FEASIBILITY STUDY STAGES 4-6 - REPORT NO. AR21/1334	(d) & (g)	report, attachments, discussion, resolution/s and minutes	until Council has been released from its duty of confidence, to be reviewed at least once in every 12 months.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
22/12/2020	Chief Executive Officer Selection Panel	ITEM 4.1 REVIEW OF INFORMATION PROVIDED BY RECRUITMENT CONSULTANTS, MORTON PHILIPS - REPORT NO. AR20/85494	(a), (b), (d) & (g)	report, attachments, discussion, resolution/s and minutes	until further order of Council, to be reviewed at least once in every 12 month period.	Current	Contains personal and commercial information of a confidential nature which could prejudice or benefit a 3rd party
15/12/2020	Council	Item 28.1 NOTICE OF MOTION - REQUEST FOR INFORMATION - COMMUNITY AND RECREATION HUB - REPORT NO. AR20/82569	(h)	report, attachments, discussion, resolution/s and minutes	until further ordered by Council, to be reviewed at least once in every year.	Current	relates to legal advice
15/12/2020	Council	Item 28.3 BLUE LAKE GOLF CLUB - SEPTEMBER 2020 QUARTERLY KPI REPORT - REPORT NO. AR20/78759	(d)	report, attachments, discussion, resolution/s and minutes	until 2 years have passed or the Blue Lake Golf Club has ceased operating, whichever is the earlier.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party
15/12/2020	Council	Item 28.2 BOOKMARK CAFE UPDATE - REPORT NO. AR20/79583	(b) & (d)	report, attachments, discussion, resolution/s and minutes	until 2 years have elapsed or 12 months after the execution of an agreement with the proponent, whichever is the earlier.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
15/12/2020	Regional Sport and Recreation Centre Committee	Item 27.2 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT - AS AT 29/11/2020 - REPORT NO. AR20/80910	(b), (d), (k)	report, attachments, discussion, resolution/s and minutes	be reviewed 12 months after successful completion of the contract.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party
17/11/2020	Regional Sport and Recreation Centre Committee	Item 27.3 FUNDING OF MOUNT GAMBIER COMMUNITY AND RECREATION HUB PROJECT - REPORT NO. AR20/73196	(b) & (d)	report, attachments, discussion, resolution/s and minutes	item be reviewed 12 months after successful completion of the contract	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party
17/11/2020	Regional Sport and Recreation Centre Committee	Item 27.4 MOUNT GAMBIER COMMUNITY AND RECREATION HUB PROJECT BUDGET - REPORT NO. AR20/73063	(b) & (d)	report, attachments, discussion, resolution/s and minutes	item be reviewed 12 months after successful completion of the contract	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party
17/11/2020	Regional Sport and Recreation Centre Committee	Item 27.5 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT - AS AT 02/11/2020 - REPORT NO. AR20/73679	(b) & (d)	report, attachments, discussion, resolution/s and minutes	item be reviewed 12 months after successful completion of the contract.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party
15/09/2020	Economic & Environment Committee	Item 26.3 VIABILITY OF ESTABLISHING MATERIAL RECOVERY FACILITIES IN THE LIMESTONE COAST REGION - REPORT NO. AR20/57874	(a), (b), (d), (g) & (i)	report, attachments, discussion, resolution/s and minutes	until two years have elapsed since the enactment of the proposal(s) contained within the report and attachments, or a further order has been made by Council to release, to be reviewed at least once in every year.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party, including information provided on a confidential basis by a public authority or official creating a duty of confidence
15/09/2020	Economic & Environment Committee	Item 26.2 MOUNT GAMBIER PRIVATE HOSPITAL FEASIBILITY STUDY - REPORT NO. AR20/56996	(b), (d), & (g)	report, attachments, discussion, resolution/s and minutes	until a further order is made by Council, to be reviewed at least once every 12 months	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party, provided on a confidential basis creating a duty of confidence.
21/07/2020	Council	Item 27.1 PROPERTY MANAGEMENT - EXPIRY OF AGREEMENT - REPORT NO. AR20/44292	(a), (b), (d) & (i)	Report, attachments, discussion and minutes	until 5 years after the expiry and non-renewal of arrangements with the current tenant	Current	relates to personal and commercial information of a confidential nature which could prejudice or benefit a 3rd party
21/07/2020	Council	Item 26.2 COMMERCIAL LEASE - REQUEST FOR EXTENDED LEASE - REPORT NO. AR20/38059	(a), (b) & (d)	Report, attachments, discussion, resolution/s and minutes	until 12 months have elapsed or a new arrangement has been entered into for the subject property, whichever is the later	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
1/07/2020	Special Council	Item 4.1 COMMUNITY AND RECREATION HUB PROCUREMENT - REPORT NO. AR20/39192	(b) & (k)	Report, attachments and discussion	until further order and will be reviewed at least annually in accordance with the Local Government Act 1999.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
19/05/2020	Council	Item 27.1 PROPOSAL FROM MOUNT GAMBIER PRIVATE HOSPITAL - REPORT NO. AR20/30776	(d)	Report, attachments, discussion and resolution/s and minutes	until Council has been released from its duty of confidence by the party who provided the information	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party



Council Meeting Date	Source Meeting	Subject	59(3) Reference	Element to be kept Confidential	Duration, Circumstances or Review	Current / Expired	Comments
5/05/2020	Special Council	Our City, Our Economy - Business Survey – Report No. AR20/26987	(d) & (g)	Report, attachments, discussion and resolution/s and minutes	until 24 months have passed since the end of the COVID-19 health state of emergency has been lifted, to be reviewed every 12 months including for the potential extension of the duration of the confidentiality order if the financial and economic impacts of the COVID-19 state of emergency remain prevalent for the survey respondents at the end of the 24 month period	Current	Contains information that could prejudice the person who supplied the information or confer advantage on a 3rd party
17/03/2020	Deputation	Item 26.2 PRESENTATION BY BEACH ENERGY – REPORT NO. AR20/8188	(d)	Report, attachments, discussion and resolution/s and minutes	until After operational plans are released by Beach Energy.	Current	Contains commercial information that could prejudice the person who supplied it or confer advantage on a 3rd party
18/02/2020	Council	Item 26.2 RIDDOCH ART GALLERY CRATE LOADER - REPORT NO. AR19/62327	(d) & (g)	Report Attachment (only)	be retained in confidence, to be released only where permission has been granted by the intellectual property holder.	Current	Contains commercial information that could confer advantage on a 3rd party
18/02/2020	Council	Item 26.1 BOOKMARK CAFÉ - EXPRESSION OF INTEREST - REPORT NO. AR20/3205	(a), (b), (d) & (g)	Report, attachments, discussion and resolution/s and minutes	until 6 years have elapsed, or 1 year after the expiry of an operating arrangement entered into in association with this Expression of interest process, whichever is the later. To be reviewed once in every year in accordance with s91(9).	Current	Contains commercial information that could confer advantage on a 3rd party
19/11/2019	Council	Item 26.3 BOOKMARK CAFE - EXPRESSIONS OF INTEREST AND REQUEST – REPORT NO. AR19/58946	(b) & (d)	Report, attachments, discussion, resolutions and minutes	Until Council has entered into a formal arrangements with regard to the subject matter and the Chief Executive has determined to publicly release details of such arrangements in anticipation of a proposed commencement date. All other details to be retained in confidence until a period of 12 months has elapsed from the date of this report or any subsequent agreements arising from the subject matter, whichever is the later.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
19/11/2019	Council	Item 26.1 BLUE LAKE HOLIDAY PARK - PROPERTY MATTERS – REPORT NO. AR19/54537	(b) & (d)	Report, attachments, discussion, resolutions and minutes	Until 12 months have elapsed, or 12 months after an agreement has been entered into with the proponent, whichever is the later.	Current	Contains 3rd parties confidential information and information that could prejudice Councils commercial position
19/11/2019	REGIONAL SPORT AND RECREATION CENTRE COMMITTEE	Item 25.8 OPERATING MODEL SCENARIOS – REPORT NO. AR19/60159	(d)	Report, attachments, discussion, resolutions and minutes	until 1 year after the opening of the Wulanda Recreation and Convention Centre	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party
15/10/2019	People & Place Committee	Item 25.2 PROPERTY - 9 PENOLA ROAD, 1-3 LAWRENCE STREET – REPORT NO. AR19/48305	(b)	Report	until the Council has settled sales transaction(s) in relation to the subject properties, being land excluded from classification as community land.	Current	includes information on the value of land, which could prejudice Council's commercial position in a subsequent sale
18/06/2019	Council	Item 26.2 PROPERTY MANAGEMENT - LICENCE EXPIRY REVIEW – REPORT NO. AR19/26427	(b) & (d)	All Details (except resolutions 1-4)	until an agreement has been executed with a new operator	Current	Contains commercial information that could confer advantage on a 3rd party
7-Mar-19	Special Council Meeting	Item 2.1 Discussion with QEPT on the WellPlayed Report, the QEPT's response to that report and their proposed sub-leasing arrangements-	(b), (c) & (g)	Discussion and resolution (b)	Until arrangements for the golf course has been resolved to the satisfaction of all current and potential future parties; and, Council has been released from its duty of confidence by the party that provided the information.	Current	Contains 3rd parties confidential information
7-Mar-19	Special Council Meeting	Item 2.2 'QEPT WellPlayed Report and Documentation' - Report No. AR19/10346	(b), (c) & (g)	Discussion, and Attachments	Until arrangements for the golf course has been resolved to the satisfaction of all current and potential future parties; and, Council has been released from its duty of confidence by the party that provided the information	Current	Contains 3rd parties confidential information
7-Mar-19	Special Council Meeting	Item 2.3 Documents Relating to the Management of the Orater Lakes Area - Report No. AR19/10304	(b), (c) & (g)	Discussion and Attachments 1, 2 & 8	Until the matter of lease arrangements for the golf course has been resolved to the satisfaction of all current and potential future parties; and, Council has been released from its duty of confidence by the party that provided the information (Attachments 1, 2 & 8)	Current	Contains 3rd parties confidential information
18-Dec-18	Council	Property Management	(b)(d)(g)	All details	Until Council has agreed on a course of action with regard to the matter, to be reviewed once every twelve months in accordance with the Local Government Act.	Current	Contains 3rd parties confidential information
21-Aug-18	Operational Standing Committee	Item 17.2 Mount Gambier Aquatic Centre 2018-19 Business Plan - Report No. AR18/30233	(g)	All details	Until permission is obtained from Innovative Leisure Management as per 18.2 of the Management Agreement.	Current	Contains operators commercial in-confidence information
17-Apr-18	Strategic Standing Committee	Item 17.2 Surplus Government Property Notice - Report No. AR18/12667	(j)	All Details	Until: A public announcement has been made by the State Government on the intended manner in which the property matter is to be dealt.	Current	Contains information provided in-confidence by a government agency
21-Nov-17	Council	Item 17.5 Report No. AR17/47214 – Surplus Government Property Notice	(b)	All details	Until: A public announcement has been made by the State Government on the intended manner in which the property matter is to be dealt.	Current	Contains information provided in-confidence by a government agency
18-Apr-17	Council	COUNCIL ITEM 1 - CEO REPORT ON CONFIDENTIAL MATTERS - Ref. AF11/1894	(g)	All details (including report, tabled attachment, discussion and resolution)	Ongoing; To be reviewed at least once in every year	Current	Relates to a matter the disclosure of which would breach state legislation
31-Jan-17	Council (Special)	ALLEGATIONS REGARDING MAYOR ANDREW LEE TO BE REFERRED TO ICAC – Ref. AF13/275	(g)	All	Ongoing – to be reviewed annually	Current	Relates to a matter the disclosure of which would breach state legislation
18-Aug-15	Operational Services Committee	PROPERTY MANAGEMENT - Railway Lands - Expression of Interest - Management of Community Markets	(b)	All details	Until a contractual arrangement has been entered into with a respondent(s), to be reviewed in 12 months in accordance with 59(9)	Current	Contains 3rd party business proposal
18-Aug-15	Operational Services Committee	PROPERTY MANAGEMENT - Railway Lands - Expression of Interest - Occupation and Use of Old Railway Station Building	(b)	All details	Until a contractual arrangement has been entered into with a respondent(s), to be reviewed in 12 months in accordance with 59(9)	Current	Contains 3rd party business proposal
15/04/2014	City of Mount Gambier Junior Sports Fund Assistance Committee	11.GOVERNANCE – Committees – City of Mount Gambier Junior Sports Assistance Fund (Section 41) - Minutes of Meeting held 2nd April, 2014 – Ref. AF11/725	(a)	All information, details concerning the personal, financial circumstances and identity of each nominee	On-going, to be reviewed annually in accordance with the provisions of the Local Government Act	current	The name of the Member Organization(s) of the successful recipient(s) and the amount allocated to each Member organization only be released. Redacted Agenda and Minutes released
17/12/2013	City of Mount Gambier Junior Sports Fund Assistance Committee	COMMERCIAL CLUB INC. - Donation to exceptional Junior sportsperson	(a)	All information, details concerning the personal circumstances and identity of each nominee	On-going, to be reviewed annually in accordance with the provisions of the Local Government Act	Current	The name of the successful awardee, that persons Member Organization and the essential achievement(s) of the awardee only be released. Redacted Agenda and Minutes released
17/12/2013	City of Mount Gambier Junior Sports Fund Assistance Committee	ROTARY CLUB OF MOUNT GAMBER LAKES - Donations to Financially Disadvantaged Junior Sportspersons	(a)	All information, details concerning the personal, financial circumstances and identity of each nominee	On-going, to be reviewed annually in accordance with the provisions of the Local Government Act	Current	The name of the Member Organization(s) of the successful recipient(s) and the amount allocated to each Member organization only be released. Redacted Agenda and Minutes released



Council Meeting Date	Source Meeting	Subject	590(3) Reference	Element to be kept Confidential	Duration, Circumstances or Review	Current / Expired	Comments
18/06/2013	Corporate and Community Services	SOCIAL, CULTURAL AND COMMUNITY SERVICES - Committees - City of Mount Gambier Junior Sports Assistance Fund (Section 41) Committee - Minutes of Meeting held 22nd May, 2013 – Ref. AF11/725	(a)	Retain all information concerning the personal and financial affairs and identify of donation recipients. All other information to be released.	On-going	Current	All information concerning the personal and financial affairs and identity of donation recipients kept confidential. All other information released



19.11 POLICY REVIEW - S140 STREET NUMBERING POLICY – REPORT NO. AR22/66685

Committee:	Council
Meeting Date:	13 December 2022
Report No.:	AR22/66685
CM9 Reference:	AF21/496
Author:	Jo Scheidl, Team Leader Revenue
Authoriser:	Darren Barber, General Manager Corporate and Regulatory Services
Summary:	Council’s Street Numbering Policy S140 has been reviewed in accordance with Policy Review Schedule. The resulting revised policy is now presented for consideration and adoption.
Strategic Plan Reference:	Goal 1: Our People
	Goal 2: Our Location
	Goal 3: Our Diverse Economy
	Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage
	Goal 5: Our Commitment

REPORT RECOMMENDATION

1. That Council Report No. AR22/66685 titled ‘Policy Review - S140 Street Numbering Policy’ as presented on 13 December 2022 be noted.
2. That Council hereby adopt the revised Council Policy S140 - Street Numbering, as attached to this report.



TYPE OF REPORT

Other

BACKGROUND

The Local Government Act 1999 defines a road as a public or private street, road or thoroughfare to which public access is available on a continuous or substantially continuous basis to vehicles or pedestrians or both and includes:

- A bridge, viaduct or subway or
- An alley, laneway or walkway.

In accordance with Section 220 of the Local Government Act 1999, Council must assign a number (as part of its primary street address) to all tenancies, buildings or allotments adjoining a public road).

Council's Policy *S140 Street Numbering* provides guidelines that ensure uniformity and consistency in the street numbering of all property within any road in the Council area.

PROPOSAL

The purpose of this Policy is to state Council's position in regard to the system of numbering of properties along roads within the Council area.

This Policy provides guidelines for numbering of properties along roads.

Council's Street Numbering Policy (S140 Street Numbering) has been reviewed in accordance with the review schedule and the revised policy is presented for consideration. The Policy is attached to this report.

Please note changes made are cosmetic and minor in nature to enhance readability and hence there is no material change to the Policy. All changes are highlighted in red text.

LEGAL IMPLICATIONS

Chapter 11 s220 of the LGA sets out provisions applicable to Councils when numbering premises and allotments

STRATEGIC PLAN

N/A

COUNCIL POLICY

AR11/4161[V4]

ECONOMIC IMPLICATIONS

N/A

ENVIRONMENTAL IMPLICATIONS

N/A

SOCIAL IMPLICATIONS

Ensure uniformity and consistency in the street numbering of all properties within the City.

CULTURAL IMPLICATIONS

N/ARESOURCE IMPLICATIONS

N/A



VALUE FOR MONEY

N/A

RISK IMPLICATIONS

Ensure street numbering is clear and concise and updates are provided to Office of the Valuer General and other related entities, i.e. emergency services

EQUALITIES AND DIVERSITY IMPLICATIONS

N/A

ENGAGEMENT AND COMMUNICATION STRATEGY

N/A

IMPLEMENTATION STRATEGY

N/A CONCLUSION AND RECOMMENDATION

In accordance with good governance and the Policy Register's schedule of reviews, Council Policy *S140 Street Numbering* has been reviewed and updated. The attached revised policy is recommended for adoption.

ATTACHMENTS

1. Revised Policy - S140 [↓](#) 



 City of Mount Gambier	S140 STREET NUMBERING	Version No:	4
		Issued:	January 2019
		Next Review:	January 2023

1. INTRODUCTION

In accordance with the Local Government Act 1999 (the Act) a road is defined as a public or private street, road or thoroughfare to which public access is available on a continuous or substantially continuous basis to vehicles or pedestrians or both and includes:

- A bridge, viaduct or subway or
- An alley, laneway or walkway.

For the purpose of this Policy, roads will not include walkways and pedestrian paths.

This document sets out the Policy of the City of Mount Gambier (the Council) for street numbering for all roads within the City of Mount Gambier.

2. PURPOSE SCOPE

The Act sets out in Chapter 11 of the Act Section 220 prescribes Councils requirements the provisions applicable to Council when numbering of premises and allotments.

In accordance with the Act, Council must:

- 2.1 As per s220(1a); assign a number (as part of its primary street address) to all buildings or allotments adjoining a public road created after the commencement of this subsection by land division.
- 2.2 As per s220 (1b); ensure that an assignment under subsection (1a) occurs within 30 days after the issue of certificate of title in relation to the relevant land division in accordance with any requirements prescribed by regulations made for the purposes of this subsection.
- 2.3 As per s220 (3); Public notice must be given of the adopting, altering or substituting of a numbering system for a particular road.
- 2.4 As per s220 (4); Council must immediately notify the Valuer-General of a decision of the council to adopt, alter or substitute a numbering system under this section.
- 2.5 As per s220 (6); an owner of land must, at the request of the council, ensure that the appropriate number for the owner's building or allotment is displayed in a form directed or approved by council.

3. PURPOSE

As a means of ensuring uniformity and consistency in the street numbering of all property within any road in the Council area, the following guidelines will be observed where practicable:

- (a) Street numbering shall proceed numerically from the commencement of the road that is geographically closest to the main intersection being Penola Road/Bay Road/Commercial Street East/Commercial Street West and then extend outwards.
- (b) Street numbering shall proceed with odd numbers on the left hand side and even numbers on the right hand side of the road when emanating from the main intersection.

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 City of Mount Gambier	S140 STREET NUMBERING	Version No:	4
		Issued:	January 2019
		Next Review:	January 2023

- (c) Within cul-de-sacs of five or less properties, then the street numbering shall be by consecutive numbers (i.e. 1, 2, 3, 4 and 5), commencing with the property geographically closest to the main intersection, commencing on the left hand side.
- (d) Within cul-de-sacs of more than five properties then the street numbering shall follow the same as referred to in (b) above.
- (e) Street numbering to any new property within any road will be allocated normally at the time of the issue of a Deposited Plan for the Plan of Division.

3. REVIEW & EVALUATION

This Policy is scheduled for review by Council during the term of this Council and will be reviewed as required by any legislative changes.

4. AVAILABILITY OF POLICY

This Policy will be available for inspection on the Council's website www.mountgambier.sa.gov.au at Council's principal office during ordinary business hours. 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.

File Reference:	AF18/48
Applicable Legislation:	Local Government Act s220
Community Plan Reference:	Goal 2: Our Location Goal 3: Our Diverse Economy
Related Policies:	Nil-S135 Council Policy – Street – Naming of
Related Procedures:	Nil
Related Documents:	Nil

DOCUMENT DETAILS

Responsibility:	Senior Rates Officer-Team Leader Revenue
Version:	4.0-5.0
Last revised date:	15th January 2019
Effective date:	15th January 2019
Minute reference:	Council Meeting 15th January, 2019 – Item 14.1
Next review date:	January, 2023-7

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 City of Mount Gambier	S140 STREET NUMBERING	Version No:	4
		Issued:	January 2019
		Next Review:	January 2023

<u>Document History</u> First Adopted By Council:	18 th February, 1999
Reviewed/Amended:	15 th April, 2003, 19 th September, 2006, 17 th February, 2009, 18 th July, 2017, 15 th January 2019

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19.12 POLICY REVIEW - REVOCATION OF E240 - EXPIATION NOTICES - CANCELLATION OR WAIVER – REPORT NO. AR22/71046

Committee:	Council
Meeting Date:	13 December 2022
Report No.:	AR22/71046
CM9 Reference:	AF21/496
Author:	Darren Barber, General Manager Corporate and Regulatory Services
Authoriser:	Sarah Philpott, Chief Executive Officer
Summary:	This report recommends the revocation of Council Policy E240 - Expiation Notices - Cancellation or Waiver.
Strategic Plan Reference:	Goal 1: Our People
	Goal 2: Our Location
	Goal 3: Our Diverse Economy

REPORT RECOMMENDATION

1. That Council Report No. AR22/71046 titled 'Policy Review - Revocation of E240 - Expiation Notices - Cancellation or Waiver' as presented on 13 December 2022 be noted.
2. That Council Policy E240 - Expiation Notices - Cancellation or Waiver as attached to Report No. AR21/18417 be revoked.



TYPE OF REPORT

Corporate

BACKGROUND

The E240 Policy - Expiation Notices - Cancellation or Waiver Policy was first approved by Council in 1999 and was due for review in November 2020.

Upon review of the current policy it is clear the policy does not accurately reflect the prescribed reasons for cancellation or waiver in line with section 16(1) of the Expiation of Offences Act 1996 (the Act) as follows:

- (1) The issuing authority may withdraw an expiation notice with respect to all or any of the alleged offences to which the notice relates if—
 - (a) the authority is of the opinion that the alleged offender did not commit the offence, or offences, or that the notice should not have been given with respect to the offence, or offences; or
 - (ab) the authority receives a statutory declaration or other document sent to the authority by the alleged offender in accordance with a notice required by law to accompany the expiation notice or expiation reminder notice; or
 - (ac) the notice is defective; or
 - (ad) the authority is of the opinion that the alleged offender is suffering from a cognitive impairment that excuses the alleged offending; or
- (b) the authority decides that the alleged offender should be prosecuted for the offence, or offences.

PROPOSAL

Following review of Policy E240 against the Act it has been determined that the policy is not required as the relevant officers are delegated by the CEO under section 16(1) of the Act to carry out the cancellation or waiver of expiations for the prescribed reasons listed within the Act.

In consideration of the above this report proposes that Policy E240 be revoked as a Council Policy and replaced by an administrative procedure authorised by the CEO.

LEGAL IMPLICATIONS

Council and Council Officers have obligations to comply with the Act and Council Policies. The current policy provisions are not consistent with section 16(1) of the act. This review will provide the foundations to support regulatory compliance.

STRATEGIC PLAN

N/A

COUNCIL POLICY

[E240 - Expiation Notice - Cancellation and Waiver](#)

ECONOMIC IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil



SOCIAL IMPLICATIONS

Nil

CULTURAL IMPLICATIONS

Nil

RESOURCE IMPLICATIONS

Nil

VALUE FOR MONEY

Nil

RISK IMPLICATIONS

Nil risks identified in revoking the policy.

EQUALITIES AND DIVERSITY IMPLICATIONS

Nil

ENGAGEMENT AND COMMUNICATION STRATEGY

Nil

IMPLEMENTATION STRATEGY

Communication and training will occur inline with the new Administration Policy with relevant staff.

CONCLUSION AND RECOMMENDATION

This report recommends that Policy E240 be revoked and replaced by an administrative procedure.

ATTACHMENTS

1. Council Policy E240 - Expiation Notice - Cancellation and Waiver [↓](#) 



 City of Mount Gambier	E240 EXPIATION NOTICE CANCELLATION AND WAIVER	Version No:	4.0
		Issued:	November, 2017
		Next Review:	November 2020

1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier ("Council") for the cancellation and waiver of expiation notices.

2. CANCELLATION OF EXPIATION NOTICES

- a) The Chief Executive Officer, General Manager City Growth and General Manager Council Business Services are authorised on behalf of Council to cancel expiation notices in the following circumstances:
- (i) the notice was incorrectly issued;
 - (ii) there is insufficient evidence to achieve a successful prosecution, and the expiation fee has not been paid;
 - (iii) the person to whom the expiation notice was issued:
 - 1. is not a resident of South Australia or Victoria, and
 - 2. cannot be located to issue a reminder notice and the expiation fee has not been paid;
 - (iv) or some other reason which may be in the best interests of Council to cancel such expiation notice.
 - (v) The Chief Executive Officer, General Manager City Growth and General Manager Council Business Services are authorised on behalf of Council to waive expiation fees where mitigating circumstances exist.

3. 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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 City of Mount Gambier	E240 EXPIATION NOTICE CANCELLATION AND WAIVER		Version No:	4.0
			Issued:	November, 2017
			Next Review:	November 2020

File Reference:	AF11/1744; AF13/416; AF13/417;
Applicable Legislation:	Expiation of Offences Act 1996
Reference: Strategic Plan – Beyond 2015	Goal - Governance, Strategic Objective 3 & 5
Related Policies:	
Related Procedures:	
Related Documents:	

DOCUMENT DETAILS

Responsibility:	General Manager City Growth General Manager Council Business Services
Version:	4.0
Last revised date:	21 st November, 2017
Effective date:	21 st November, 2017
Minute reference:	Council Meeting 21 st November 2017 - Strategic Standing Committee Item 13.16
Next review date:	November, 2020
<u>Document History</u>	
First Adopted By Council:	18 th February 1999
Reviewed/Amended:	15 th April 2003; 19 th September 2006; 17 th February 2009; 16 th May, 2017; 21 st November 2017

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20 MOTIONS WITH NOTICE

20.1 NOTICE OF MOTION - BLUE LAKE GOLF CLUB CARPARK EXTENSION

Meeting: Council
CM9 Reference: AF21/496
Member: Max Bruins, Councillor

I, Councillor Max Bruins, give notice that at the next Ordinary Meeting of Council to be held on 13 December 2022, I intend to move the following motion:

MOTION

1. That Council Report No. AR22/83537 titled 'Notice of Motion - Blue Lake Golf Club Carpark Extension' as presented on 13 December 2022 be noted.
2. That council undertake the following actions regarding the area of land marked "A" on the attached concept plan:
 - a) Crown Land consultation (as landowner) noting the State Heritage nature of the precinct, to determine if the landowner would be willing to increase the area of land leased to the Blue Lake Golf Club and if there would be any conditions Crown Lands/State Heritage require in order to do so.
 - b) Investigate and confirm the Native Vegetation status of the land and possible Crown (Native Vegetation) consents.
 - c) Investigate and confirm the Native Title status, and any existence of Native Title of the land accordance with Section 22(5)(a) of the Crown Land Management Act 2009.
 - d) Liaise with Susan Close, Minister for Climate, Environment and Water to discuss whether ministerial approval of the additional proposed lease area due to proposed development (within the meaning of the Planning, Development and Infrastructure Act 2016) in accordance with Section 22(5)(b) of the Crown Land Management Act 2009 would likely be forthcoming if there were no issues raised from items (a) to (c) above.
3. That a report be brought back to council no later than June 2023 detailing the results of the investigation into the above.
4. That the concept plan for the Blue Lake Golf Club carpark extension be included as a public submission and be considered as part of the Crater Lakes Precinct Activation Plan when work begins said plan.

RATIONALE

Following a verbal submission received in response to the 2022/2023 Draft Annual Business Plan and Budget Special Meeting held on 14 June 2022, Council resolved: "That the administration provide a report to Council which considers the lease obligations in regard to the carpark at the Blue Lake Golf Club and provides clarity about the process required to gain additional land to extend the existing carpark."



The resultant report (AR22/53879) was subsequently tabled at the August 2022 ordinary council meeting and raised several issues which would need to be clarified and satisfied before wider community engagement is undertaken regarding potentially increasing the area of land leased to the Blue Lake Golf Club for the purposes of extending their carpark.

This motion is not seeking council support/approval to proceed with the plan as per the attached, but aims to begin work on clarifying issues so council can be fully informed when considering the potential extension of the car park in due course as part of the broader body of work that is the Crater Lakes Precinct Activation Plan

I commend this Notice of Motion to Council.

ATTACHMENTS

1. Concept Plan from Tonkin Civil Engineering [↓](#) 
2. Blue Lake Golf Club Proposed Carpark Extension - Tonkin Report [↓](#) 



Blue Lake Golf Course, Mount Gambier

Proposed Carpark Extension

Blue Lake Golf Club

October 2022

Ref: 221387R001A

tonkin 

Building exceptional
outcomes together





Document History and Status

Rev	Description	Author	Reviewed	Approved	Date
A	Issued as final	NC	PS	KB	5/10/2022

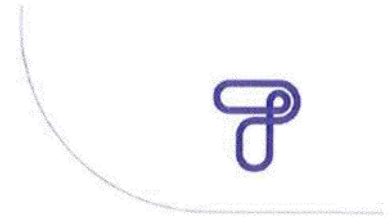
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221387R001A Blue Lake Golf Course | Proposed Carpark Extension

2





Contents

Project: Blue Lake Golf Course | Proposed Carpark Extension
Client: Blue Lake Golf Club
Ref: 221387R001A

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1 Introduction

Tonkin has been engaged by the Blue Lake Golf Club prepare a concept design of a proposed car park extension at the Blue Lake Golf Club, located on Grant Avenue on the southern outskirts of Mount Gambier SA.

We understand that the current parking arrangement consists of two accessible carparks and 87 standard carparking spaces. The existing carparking arrangement is located on the north-western side of the clubhouse with a two-way entry/exit to Grant Avenue. Based on information provided by the client, the existing carpark is over capacity during peak periods and as such the Club proposes to construct additional carparking infrastructure.

The client has sought the provision of an additional carparking.

Tonkin have not been engaged to undertake an assessment of carparking demand requirements at the site and the concept design has been provided based on the additional carpark spaces requested by the client.

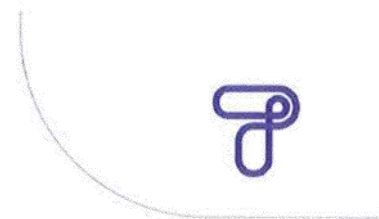
The location of the existing carpark arrangement is shown from aerial imagery in Figure 1 below.



Figure 1 - Site Locality

This report provides a preliminary assessment of current arrangement and offers recommendations for further consideration by the Blue Lake Golf Club.





2 Existing Conditions

2.1 Subject Site

The current site arrangement consists of a carparking area located adjacent the existing clubrooms on the north-western side. The existing carpark has several 90-degree parking modules with two-way traffic aisles in between modules. There is a two-way entry/exit driveway from Grant Avenue to the carparking area. The current carpark has a spray seal surface treatment with timber wheel stops to most carparks. It would appear that surface drainage is managed via overland flow paths to the south and collected in a number of grated inlet pits present in the carpark surface. It is assumed these grated inlet pits are discharged to the roadside swale/table drain located on Grant Avenue.

2.2 Surrounding Road Network

2.2.1 Adjoining Roads

The site is located adjacent Grant Avenue which is a local road Collector type road spanning between two DIT roads. The two DIT roads are; Carpenters Rocks Road at the north-western end and Bay Road at the south-eastern end of Grant Avenue. These DIT roads are classed as Sub Arterial and Arterial roads respectively. Orchid Road is a local Collector type road situated between the southern side of the golf course and the driving range. The current posted speed limit on Grant Avenue is 80km/h.

The nearest intersections to the site include;

- An unsignalized three-legged junction between Grant Avenue and Orchid Drive
- An unsignalized three-legged junction between Grant Avenue and Carpenters Rocks Road
- An unsignalized three-legged junction between Bay Road and Grant Avenue

At this stage, we have not been engaged to prepare a traffic impact assessment for the proposed car park extension. Tonkin has been made aware that the Blue Lake Golf Club are currently constructing a minigolf area adjacent to the existing clubhouse. We understand that the forecast usage/parking demand of the additional development has been included in the parking projections provided by the golf club.





2.2.2 Crash Statistics

Crash history data from 2016 to 2020 was obtained from Location SA Map Viewer. Limited crashes have been recorded in the area which can be seen summarised in Table 1 and Figure 2 below.

Table 1 - Crash Statistics Surrounding the Site

Road	Location	Crashes	Injuries	Serious Injuries	Fatalities/Casualties
Grant Avenue	Intersection with Orchid Drive	1	0	0	0
Grant Avenue	Adjacent Cemetery	1	0	0	0
Grant Avenue	Intersection with Carpenters Rocks Road	1	0	0	0



Figure 2 - Crash Statistics Surrounding the Site





2.2.3 Heavy Vehicle Routes

Information sourced from RAVnet indicates that Orchid Drive adjacent to the subject site is gazetted to take GML B-Doubles up to 26m with no restrictions (Figure 3).

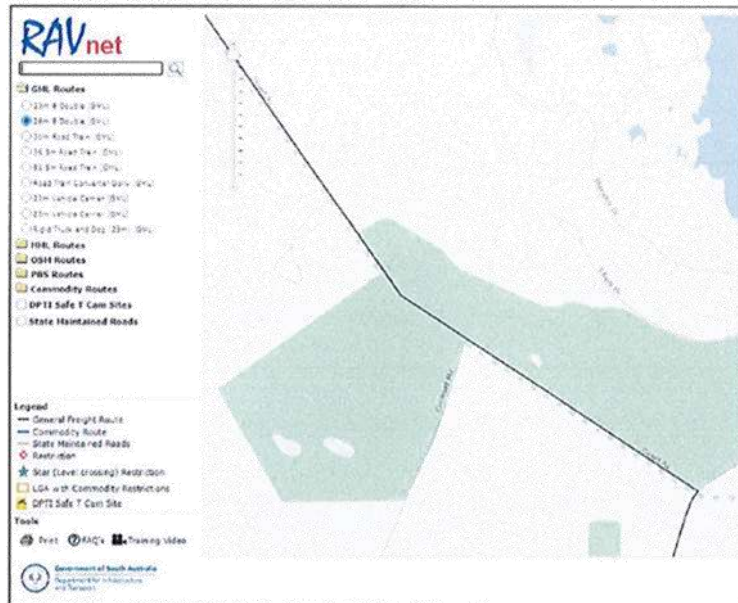


Figure 3 - RAVnet Heavy Vehicle Routes

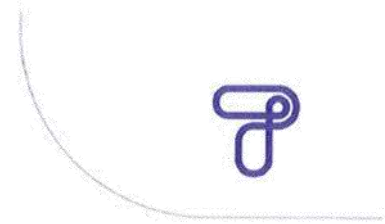
2.2.4 Public Transport

There is no public transport available within close proximity to the site. The Mount Gambier City South-East bus loop is the nearest public transport service with the nearest stop to the site located approximately 1.9km north-east.

2.2.5 Pedestrian / Cycling Infrastructure

There are several mountain trails located in close proximity to the proposed development. Such trails include hiking and mountain bike trails around the Valley Lakes precinct. Consideration should be made into the effect of the proposed development on these trails. It is noted there is potential for the development to be constructed in such a way that it provides a link to these trails.





3 Sight Distances

3.1 Approach Sight Distance (ASD)

The Approach Sight Distance (ASD) is the minimum level of sight distance which must be available to drivers on approach to an intersection and is measured from a driver's eye height of 1.1m. Equation 1 in Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections allows the calculation of the ASD and is presented in Figure 4 below.

$ASD = \frac{R_r \times V}{3.6} + \frac{V^2}{254 \times (d + 0.01 \times a)}$	1
<p>where</p> <p>ASD = approach sight distance (m)</p> <p>R_r = reaction time (sec), refer to <i>AGRD Part 3</i> (Austroads 2016b) for guidance on values</p> <p>V = operating (85th percentile) speed (km/h)</p> <p>d = coefficient of deceleration, refer to Table 3.3 and <i>AGRD Part 3</i> for values</p> <p>a = a longitudinal grade in % (in direction of travel: positive for uphill grade, negative for downhill grade)</p>	

Figure 5 - Approach Sight Distance (ASD) Equation

The following calculation presents the minimum ASD to the existing entry/exit driveway to the carpark. The calculation has assumed worst-case scenario for reaction time and deceleration coefficient. It has also assumed approximately level road surface.

It is noted that design speed has been taken as 10km/h above the posted speed limit for the site.

$R_r = 2.5$ seconds (Driver Reaction Time – Table 5.2)

$V = 90$ km/h (10km/h above posted speed limit)

$d = 0.29$ (Truck Coefficient of Deceleration – Table 5.3)

$a = 0\%$ (assumed approximately level terrain *)

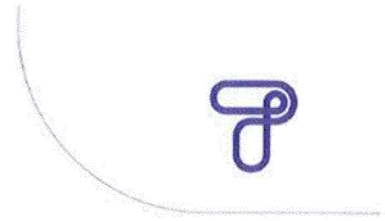
$$ASD = \frac{2.5 \times 90}{3.6} + \frac{90^2}{254 \times (0.29)} = 172.5m$$

*It is noted that the terrain is approximately level at the site with undulations in terrain on approach to the intersection.

3.2 Sight Distance Compliance

An assessment of the sight distance requirements for utilising the existing entry/exit driveway for the proposed carpark extension is to be undertaken as part of detailed design.

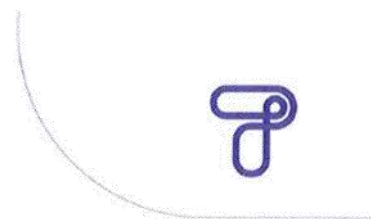




4 Current Observations

With the existing parking arrangement, vehicles are noted travelling in both directions within parking aisles. There are also many vehicles who attend the site with trailers such to transport golf buggies. With the current arrangement such vehicles towing trailers are parking perpendicular to the line-marked carpark spaces and covering multiple carpark spaces. During busy periods the existing carpark reaches capacity and excess vehicles are noticed parking along the roadside of Grant Avenue. It is understood that it is the preference of other parties to not have roadside carparking along Grant Avenue.





5 Discussion & Recommendations

Tonkin have undertaken a high-level review of the current parking arrangement servicing the Blue Lake Golf Club. This review has been undertaken as part of a proposal to construct a new carpark area adjacent the existing carpark.

Based on information provided by the client, the current parking arrangement servicing the Blue Lake Golf Club is over capacity during peak period and as such the Club is looking to construct additional carparking. The proposed development looks to provide an extension of the existing carpark area for overflow during peak periods. Such development should also consider the provision of larger parks to cater for vehicles towing trailers.

The construction of the additional carparking will likely extend to the west of the existing carpark area, creating an interface where pedestrians are crossing over the entry/exit driveway to the site. By constructing this additional carparking adjacent the existing carpark area, consideration needs to be made for pedestrian and vehicle interactions throughout the site.

It is assumed that sufficient landscaping areas with provision for new trees and potential for water sensitive urban design (WSUD) features will be provided as part of detailed design. Such features should be confirmed with a landscape designer during the detailed design process.

Autoturn movements should be undertaken to confirm design vehicle swept paths through the site, particularly at entry/exit points to the new carparking area. This is to be undertaken during detailed design and may require reconfiguration of the carparking to suit.

Consideration needs to be made for the requirements of accessible carparking at the site. Tonkin recommends placing all accessible carparks as close as practicably possible to the clubhouse. This would require modifications to the existing carpark.

Relevant signage should be provided on Grant Avenue and internally within the proposed and existing carpark areas to assist both motorists and pedestrians frequenting the site.

Due to topography of the site surrounding the existing carparking area, bulk earthworks will likely be required to extend the carpark. Such earthworks may require the construction of retaining structures to achieve acceptable pavement grades in the proposed carpark extension area.

There are several mountain trails located near the proposed development. Consideration should be made into the effect of the proposed development on these trails. It is noted there is potential for the development to be constructed in such a way that it provides a link to these trails.

Tonkin have not considered heritage, cultural and native vegetation considerations as part of our scope of services. Tonkin recommend that the client engage with any relevant stakeholders to determine any specific requirements for the development.

As part of this preliminary assessment, no consideration has been made into any emergency access/egress to the proposed carparking area including any fire truck access requirements. Such considerations should be made as part of detailed design.

A Traffic Impact Assessment (TIA) should be undertaken for the proposed development to determine turning treatments to the development from Grant Avenue based on estimated traffic volumes.





20.2 NOTICE OF MOTION - VOLUNTEER GROUPS

Meeting: Council
CM9 Reference: AF21/496
Member: Ben Hood, Councillor

I, Councillor Ben Hood, give notice that at the next Ordinary Meeting of Council to be held on 13 December 2022, I intend to move the following motion:

MOTION

1. That Council Report No. AR22/83961 titled 'Notice of Motion - Volunteer Groups' as presented on 13 December 2022 be noted.
2. That Council calls for a report that considers the establishment of volunteer group(s) with specific focus on gardens and beautification of the city, similar to the many successful "Friends of Botanic Gardens" groups throughout the country, and that:
 - (a) Consideration should be given to how such a group might contribute to key sites such as the Crater Lakes, and that;
 - (b) The report consider how other regional councils facilitate such groups and issues such as volunteer support and supervision, incorporation or other governance structures for such a group, and any resourcing requirements to enable such a program and;
 - (c) That on completion of the report, a workshop be scheduled with councillors to consider the recommendations.

RATIONALE

Mount Gambier is home to many retirees and people who have time to volunteer in our city. There is an opportunity to engage with these residents and utilise their skills, knowledge and passion for their community in the beautification of our gardens and natural attractions. Council should be working to ensure pathways to volunteering for these residents and community groups are efficient and uncomplicated.

I commend this Notice of Motion to Council.

ATTACHMENTS

Nil



21 URGENT MOTIONS WITHOUT NOTICE

22 CONFIDENTIAL ITEMS OF COMMITTEES

Nil



23 NEW CONFIDENTIAL ITEMS

23.1 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #23 & #24 - AS AT 06/12/2022 – REPORT NO. AR22/83941

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 Agenda Item 23.1 AR22/83941 Project Control Group (PCG) Progress Report #23 & #24 - As at 06/12/2022.

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.

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 AR22/83941 Project Control Group (PCG) Progress Report #23 & #24 - As at 06/12/2022 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*.

**23.2 AF22/295 TENDER - PROCUREMENT - TENDER FOR VALLEY LAKES AMENITIES
UPGRADE – REPORT NO. AR22/83421**

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 Agenda Item 23.2 AR22/83421 AF22/295 Tender - Procurement - Tender For Valley Lakes Amenities Upgrade.

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

- tenders for the:
 - supply of goods, or
 - the provision of services, or
 - the carrying out of works

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 tenders for the: supply of goods, or the provision of services, or the carrying out of works.

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 AR22/83421 AF22/295 Tender - Procurement - Tender For Valley Lakes Amenities Upgrade and its attachments, having been considered by the Council in confidence under Section 90(2) & (3) (k) be kept confidential and not available for public inspection 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.
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*.

23.3 SECTION 270 - INTERNAL REVIEW – REPORT NO. AR22/77592

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 Agenda Item 23.3 AR22/77592 Section 270 - Internal Review.

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

- 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 matter for consideration includes associated legal advice obtained in relation to the nuisance matters being associated with the subject matter of the report, and attachments to the Internal Review report contain 3rd party information for which Council has no express or implied licence to publish and so disclosure could reasonably be expected to breach a law or duty of confidence in relation to that content.

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 AR22/77592 Section 270 - Internal Review and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (g) and (h) be kept confidential and not available for public inspection until the matter has been considered by Council, with covering Report No. AR22/77592 and Resolutions/Minutes to be released immediately following consideration by Council, the legal advice (Attachment 2) be retained in confidence until further Order of Council to release pending further review of associated matters by Council, and the Internal Review Report (Attachment 1) be retained in confidence with the Chief Executive Officer expressly authorised to release the Internal Review Report in a redacted form with only such information that is considered to not fall within the scope of the grounds in s90(3)(g) of the *Local Government Act 1999*.
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*.

24 MEETING CLOSE



COMMITTEE MINUTES

AND

REPORTS / ATTACHMENTS

**MINUTES OF CITY OF MOUNT GAMBIER
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON TUESDAY, 29 NOVEMBER 2022 AT 6.00 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Ben Hood, Cr Josh Lynagh, Cr Kate Amoroso, Cr Mark Lovett, Cr Max Bruins

OFFICERS IN ATTENDANCE:	Chief Executive Officer General Manager City Infrastructure General Manager Corporate and Regulatory Services General Manager City and Community Growth Manager Governance and Property Manager Financial Services Media and Communications Coordinator Communications Officer Executive Administrator Executive Administrator	- Mrs S Philpott - Ms B Cernovskis - Mr D Barber - Mrs G Davison - Mr M McCarthy - Mrs J Scoggins - Mr J McDonald - Ms M Brookes - Mrs S Dohnt - Ms T Chant
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1 ACKNOWLEDGEMENT OF COUNTRY

Mrs Bonnie Saunders-Waye conducted Welcome to Country at 6.00pm.

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 DECLARATION OF OFFICE - MAYOR LYNETTE MARTIN OAM

The Chief Executive Officer read out the result of the City of Mount Gambier November 2022 Mayoral Election.

Lynette Martin declared elected unopposed as Mayor of the City of Mount Gambier.

Mayor Lynette Martin OAM read out her Declaration of Office.

Mayor Lynette Martin OAM took the Chair for the following items of business.

3 DECLARATION OF OFFICE - AREA COUNCILLORS

The Chief Executive Officer read out the results of the City of Mount Gambier November 2022 Area Councillor Election.

Following the allocation of preferences the following candidates were declared elected to fill the 8 Area Councillor positions:

Cr Ben Hood

Cr Max Bruins
Cr Sonya Meziniec
Cr Josh Lynagh
Cr Paul Jenner
Cr Frank Morello
Cr Kate Amoroso
Cr Mark Lovett

The Chief Executive Officer thanked unsuccessful candidates for their nominations and participation in the councillor election process.

The following Elected Members read out their respective Declarations of Office:

Cr Ben Hood
Cr Max Bruins
Cr Josh Lynagh
Cr Kate Amoroso
Cr Mark Lovett

4 APOLOGIES

RESOLUTION 2022/187

Moved: Cr Kate Amoroso
Seconded: Cr Ben Hood

That the apology(ies) from Cr Frank Morello, Cr Paul Jenner and Cr Sonya Meziniec be received.

CARRIED

5 CONFIRMATION OF COUNCIL MINUTES

RESOLUTION 2022/188

Moved: Cr Max Bruins
Seconded: Cr Kate Amoroso

That the minutes of the Ordinary Council meeting held on 18 October 2022 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

6 MAYORAL WELCOME AND REPORT

RESOLUTION 2022/189

Moved: Mayor Lynette Martin
Seconded: Cr Mark Lovett

That the Mayoral welcome and report made on 29 November 2022 be received.

CARRIED

7 RETURNING OFFICER'S REPORT - OUTCOME OF THE NOVEMBER 2022 GENERAL ELECTIONS - LETTER FROM ELECTORAL COMMISSION SA DATED 21 NOVEMBER 2022

RESOLUTION 2022/190

Moved: Cr Max Bruins
Seconded: Cr Josh Lynagh

1. That Council Report No. AR22/70861 titled 'Returning Officer's Report - Outcome of the November 2022 General Elections - Letter from Electoral Commission SA dated 21 November 2022' as presented on 29 November 2022 be noted.

CARRIED

8 PLEBISCITE RESULT

The Chief Executive Officer read out the results of the plebiscite to ask the community the following question:

'Do you support the examination of the amalgamation of the District Council of Grant and the City of Mount Gambier into a single council?'

Plebiscite results were declared as follows:

District Council of Grant

<i>Ward</i>	<i>Yes</i>	<i>No</i>	<i>Informal</i>	<i>Total</i>
<i>Central</i>	219	2254	7	2480
<i>Tarpeena</i>	42	297	2	341
<i>Port MacDonnell</i>	17	362	1	380
<i>Total</i>	278	2913	10	3201

City of Mount Gambier

<i>Council</i>	<i>Yes</i>	<i>No</i>	<i>Informal</i>	<i>Total</i>
<i>Mount Gambier</i>	2663	4041	40	6744

9 POLICY - SUPPLEMENTARY ELECTIONS

RESOLUTION 2022/191

Moved: Cr Max Bruins
Seconded: Cr Josh Lynagh

1. That Council Report No. AR22/71222 titled 'Policy - Supplementary Elections' as presented on 29 November 2022 be noted.
2. That Council adopt the Policy - Supplementary Elections as attached to Report No. AR22/71222.

CARRIED**10 STATUTORY RETURNS****RESOLUTION 2022/192**

Moved: Cr Mark Lovett

Seconded: Cr Kate Amoroso

1. That Council Report No. AR22/71249 titled 'Statutory Returns' as presented on 29 November 2022 be noted.

CARRIED**11 MEMBER ALLOWANCES - REMUNERATION TRIBUNAL DETERMINATION 2 AND 5 OF 2022****RESOLUTION 2022/193**

Moved: Cr Max Bruins

Seconded: Cr Ben Hood

1. That Council Report No. AR22/71274 titled 'Member Allowances - Remuneration Tribunal Determination 2 and 5 of 2022' as presented on 29 November 2022 be noted.
2. That Member (Councillor / Mayoral) Allowances be paid monthly (2 weeks in advance / 2 weeks in arrears).
3. That:
 - (a) Sitting Fees for a Councillor (other than the Mayor, Deputy Mayor or Presiding Member of a prescribed committee) who is the Presiding Member of a committee that is not a prescribed committee, or
 - (b) Mayoral Allowance for a Deputy Mayor who undertakes the duties of Mayor for a period of one month or longer,be paid quarterly in arrears commencing at the end of the first quarter 2023.

CARRIED**12 POLICY - MEMBER ALLOWANCES AND BENEFITS****RESOLUTION 2022/194**

Moved: Cr Ben Hood

Seconded: Cr Max Bruins

1. That Council Report No. AR22/71292 titled 'Policy - Member Allowances and Benefits' as presented on 29 November 2022 be noted.
2. That the updated Member Allowances and Benefits Policy as attached (Attachment 1) to this Agenda be adopted to replace the lapsed Policy.

3. The Mayor be approved to use the Mayoral vehicle for private purposes on the condition that all private journeys are recorded in the provided logbook and the Mayor will reimburse Council for private journeys at the cents per kilometre rate determined by the Australian Taxation Office from time to time.

CARRIED

13 POLICY - MEMBER TRAINING & DEVELOPMENT

RESOLUTION 2022/195

Moved: Cr Mark Lovett

Seconded: Cr Max Bruins

1. That Council Report No. AR22/71297 titled 'Policy - Member Training & Development' as presented on 29 November 2022 be noted.
2. That the LGA (Mandatory) Training Standards for Council Members (Attachment 1) be noted.
3. That the updated Members Training & Development Policy as attached to Report No AR22/71297 (Attachment 2) be adopted.

CARRIED

14 CONFLICT OF INTEREST

RESOLUTION 2022/196

Moved: Cr Josh Lynagh

Seconded: Cr Kate Amoroso

1. That Council Report No. AR22/71230 titled 'Conflict of Interest' as presented on 29 November 2022 be noted.

CARRIED

15 POLICY - MEMBER BEHAVIOURAL MANAGEMENT

RESOLUTION 2022/197

Moved: Cr Ben Hood

Seconded: Cr Kate Amoroso

1. That Council Report No. AR22/71224 titled 'Policy - Member Behavioural Management' as presented on 29 November 2022 be noted.
2. That, having been superseded by the new (deemed) Model Behavioural Management Policy, Council Policy M265 – Member Complaints Handling Procedure be revoked and new Behavioural Management Policy as provided as Attachment 1 to Council Report No. AR22/71224), based on the deemed model, be adopted.

CARRIED

16 ELECTED MEMBER REQUESTS**RESOLUTION 2022/198**

Moved: Cr Ben Hood
Seconded: Cr Josh Lynagh

1. That Council Report No. AR22/81142 titled 'Elected Member Requests' as presented on 29 November 2022 be noted.

CARRIED**17 CIVIL LIABILITY (PROTECTION OF MEMBERS)****RESOLUTION 2022/199**

Moved: Cr Mark Lovett
Seconded: Cr Max Bruins

1. That Council Report No. AR22/71261 titled 'Civil Liability (protection of members)' as presented on 29 November 2022 be noted.

CARRIED**18 PRINCIPAL OFFICE - PLACE AND HOURS OF BUSINESS****RESOLUTION 2022/200**

Moved: Cr Mark Lovett
Seconded: Cr Josh Lynagh

1. That Council Report No. AR22/72231 titled 'Principal Office - Place and Hours of Business' as presented on 29 November 2022 be noted.
2. That pursuant to Section 45 of the Local Government Act 1999, the Principal Office of the Council be the Council Office, Civic Centre, 10 Watson Terrace, Mount Gambier.
3. The Civic Centre (being Council's Principal Office) shall be open to the public for the transaction of business during the hours of 9.00 a.m. and 5.00 p.m. Monday to Friday inclusive (excluding Public Holidays and an identified period over Christmas/New Year).

CARRIED**19 MEETINGS OF COUNCIL - MEETING DAYS AND TIMES****RESOLUTION 2022/201**

Moved: Cr Max Bruins
Seconded: Cr Kate Amoroso

1. That Council Report No. AR22/72234 titled 'Meetings of Council - Meeting Days and Times' as presented on 29 November 2022 be noted.

2. That pursuant to Section 81 of the Local Government Act 1999, Ordinary Meetings of Council be held on the THIRD TUESDAY OF EACH MONTH commencing at 6.00 p.m. at the Council Chamber, Civic Centre, 10 Watson Terrace, Mount Gambier.
3. That the December 2022 meeting be held one week earlier on the 2nd Tuesday of the month, being the 13th of December 2022, to avoid the week leading into Christmas.
4. That the January 2023 meeting be held one week later on the 4th Tuesday of the month, being the 24th of January 2023, providing more opportunity for agenda preparation to occur after the Christmas / New Year period.

CARRIED

20 ITEMS LAID ON THE TABLE

RESOLUTION 2022/202

Moved: Cr Ben Hood

Seconded: Cr Josh Lynagh

1. That Council Report No. AR22/72255 titled 'Items Laid on the Table' as presented on 29 November 2022 be noted.

CARRIED

21 COUNCIL POLICIES - PERIODICAL REVIEW

RESOLUTION 2022/203

Moved: Cr Ben Hood

Seconded: Cr Max Bruins

1. That Council Report No. AR22/72419 titled 'Council Policies - Periodical review' as presented on 29 November 2022 be noted.
2. That the Administration be authorised to update the current suite of Council policies to reflect the current organisational structure and administrative position titles arising from the 2022 organisational restructure, with no substantive policy content being updated without further review and resolution of Council.

CARRIED

22 DETERMINATION TO HAVE A DEPUTY MAYOR

RESOLUTION 2022/204

Moved: Cr Ben Hood

Seconded: Cr Max Bruins

1. That Council Report No. AR22/72270 titled 'Determination to have a Deputy Mayor' as presented on 29 November 2022 be noted.
2. That pursuant to the powers contained in Section 51 (3) and (4) of the Local Government Act 1999 Council hereby resolves to have a Deputy Mayor.
3. That an appointment for the position of Deputy Mayor be for a term of 2 year/s.

4. That nominations for the position of Deputy Mayor be submitted to the Chief Executive Officer by close of business on Friday 2 December 2022, for a selection (and if necessary, a voting) process to be presented to the Council meeting on 13th December 2022.

CARRIED

23 MAYOR AND CHIEF EXECUTIVE OFFICER AS COUNCIL REPRESENTATIVES

RESOLUTION 2022/205

Moved: Cr Max Bruins

Seconded: Cr Mark Lovett

1. That Council Report No. AR22/72295 titled 'Mayor and Chief Executive Officer as Council Representatives' as presented on 29 November 2022 be noted.
2. That Council hereby authorises the Mayor, Deputy Mayor, Chief Executive Officer, Acting Chief Executive Officer, and Chief Executive Officer's representative to represent Council, including at (but not limited to) SA Local Government Association Annual General Meetings and other Local Government Association, Australian Local Government Association, and Limestone Coast Local Government Association meetings, functions and activities.
3. That voting privileges associated with representing Council are restricted to the Mayor, Deputy Mayor, Chief Executive Officer and Acting Chief Executive Officer (where relevant), unless such rights are exercised in accordance with an explicit Council resolution appointing a representative with such voting rights, and being in accordance with the rules of the relevant organisation.
4. That resolutions (2) & (3) are to be applied to complement and not to override or undermine any delegate/representative of Council duly nominated/appointed by resolution of Council.

CARRIED

24 COUNCIL DECISION MAKING STRUCTURE AND REPRESENTATIVES

RESOLUTION 2022/206

Moved: Cr Mark Lovett

Seconded: Cr Max Bruins

1. That Council Report No. AR22/72311 titled 'Council Decision Making Structure and representatives' as presented on 29 November 2022 be noted.
2. That Council's decision-making structure, from 29 November 2022, shall comprise:
 - CEO Performance Review Committee
 - Audit and Risk Committee
 - Junior Sports Assistance Fund
 - Building Fire Safety Committee
3. That the Terms of Reference and (independent/ex-officio) membership of the Committee structure in resolution (2) remain unchanged, subject to the operation of the Terms of Reference and any conditions of appointment, until further resolved by Council.

4. That the following Council Members be appointed to committee and external representative positions:

CEO Performance Review Committee (in addition to Mayor and Deputy Mayor)	Cr Sonya Meziniec Cr Paul Jenner
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Audit and Risk Committee	Cr Sonya Meziniec
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Junior Sports Assistance Fund	Cr Mark Lovett as Presiding Member
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Riddoch Arts and Cultural Trust	Cr Sonya Meziniec
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Queen Elizabeth Park Trust	Cr Max Bruins
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(or such other appointments as determined).

5. That the appointments in resolution (3) be for an interim period of 3 months or until Council has resolved alternate arrangements.
6. That pursuant to Section 72(1) of the Local Government Act, Division 2 - Register of Interests provisions will extend to independent members of Council's Audit and Risk Committee.

CARRIED

25 SUBSIDIARIES - MEMBERSHIP OF REGIONAL SUBSIDIARIES

RESOLUTION 2022/207

Moved: Cr Ben Hood

Seconded: Cr Max Bruins

- That Council Report No. AR22/72404 titled 'Subsidiaries - Membership of Regional Subsidiaries' as presented on 29 November 2022 be noted.
- That Council notes its constituent membership of the Limestone Coast Local Government Association, a regional subsidiary established pursuant to Section 43 of the Local Government Act 1999.

CARRIED

26 AUTHORISED BANKING SIGNATORIES

RESOLUTION 2022/208

Moved: Cr Max Bruins

Seconded: Cr Josh Lynagh

- That Council Report No. AR22/72412 titled 'Authorised Banking Signatories' as presented on 29 November 2022 be noted.
- That the authorised signatories for the Council's financial bank accounts be any two (2) of the following:
 - Chief Executive Officer
 - General Manager City and Community Growth
 - General Manager City Infrastructure

- General Manager Corporate and Regulatory Services
- Manager Governance and Property
- Manager Development Services
- Manager Financial Services

3. That the Chief Executive Officer may by written instrument add/amend/revoke the bank signatory authorisation of officers listed in resolution (2) as necessary to align with the organisational structure, position titles/appointments, and absence/availability of officers.

CARRIED

27 AUDITOR - CONFIRMATION OF APPOINTMENT OF COUNCIL'S EXTERNAL AUDITOR

RESOLUTION 2022/209

Moved: Cr Mark Lovett

Seconded: Cr Max Bruins

1. That Council Report No. AR22/72414 titled 'Auditor - Confirmation of appointment of Council's external auditor' as presented on 29 November 2022 be noted.

CARRIED

28 STRATEGIC MANAGEMENT PLANS

RESOLUTION 2022/210

Moved: Cr Ben Hood

Seconded: Cr Josh Lynagh

1. That Council Report No. AR22/72417 titled 'Strategic Management Plans' as presented on 29 November 2022 be noted.
2. That the following plans be declared as constituting the Strategic Management Plans of the Council as:
- Strategic Plan i.e. 2020-2024 Strategic Plan
 - Long Term Financial Plan i.e. 2023-2032 Long Term Financial Plan
 - Infrastructure & Asset Management Plans

CARRIED

29 ACTING CHIEF EXECUTIVE OFFICER - LEAVE OF ABSENCE

RESOLUTION 2022/211

Moved: Cr Ben Hood

Seconded: Cr Kate Amoroso

1. That Council Report No. AR22/72443 titled 'Acting Chief Executive Officer - Leave of Absence' as presented on 29 November 2022 be noted.
2. That, having consulted with the Council in accordance with Section 102(b) of the *Local Government Act, 1999*, it is noted that, in the instance of unplanned or unanticipated urgent

leave, the Chief Executive Officer (CEO) appoints Ms Barbara Cernovskis (General Manager City Infrastructure), to act in the position of Chief Executive Officer.

3. That, should the acting arrangements for unplanned or unanticipated urgent leave of the CEO, as set out in resolution 2, be unsuitable due to the absence or unavailability of Ms Barbara Cernovskis, that Mr Darren Barber (General Manager Corporate and Regulatory Services), will be appointed to act in the position of Chief Executive Officer, and failing his availability, then the substantive incumbent of the position of General Manager City and Community Growth will be appointed to act in the position of Chief Executive Officer.
4. That it is noted that, in the instance of planned or anticipated leave by the Chief Executive Officer, the Chief Executive Officer will make an appointment from amongst the three General Manager positions, namely, the General Manager City Infrastructure, the General Manager Corporate and Regulatory Services or the General Manager City and Community Growth.
5. That it is intended that these arrangements remain in place, including should substantive incumbents in the General Manager roles change (excepting short-term acting arrangements), or the executive position titles change in subsequent organisational structures, until such time as Council has been further consulted and notified of any alternative appointments.

CARRIED

30 REGISTER OF INTERESTS – SENIOR OFFICERS

RESOLUTION 2022/212

Moved: Cr Max Bruins

Seconded: Cr Josh Lynagh

1. That Council Report No. AR22/80985 titled 'Register of Interests – Senior Officers' as presented on 29 November 2022 be noted.
2. Pursuant to s111 of the Local Government Act 1999, that Division 2 – Register of Interest provisions shall apply to the following officer positions of Council in addition to the Chief Executive Officer:
 - General Manager City and Community Growth
 - General Manager Corporate and Regulatory Services
 - General Manager City Infrastructure
 - Manager Development Services
 - Senior Planning Officer
 - Planning Officer
 - Manager Financial Services

CARRIED

31 2021/2022 ANNUAL REPORT

RESOLUTION 2022/213

Moved: Cr Mark Lovett

Seconded: Cr Josh Lynagh

1. That Council Report No. AR22/72421 titled '2021/2022 Annual Report' as presented on 29 November 2022 be noted.

2. That the City of Mount Gambier 2021/2022 Annual Report as tabled be adopted.
3. That the Chief Executive Officer be authorised to make any non-material amendments as considered necessary prior to publication.
4. That copies of the City of Mount Gambier be distributed to the bodies/persons referred to in Section 131 of the Local Government Act 1999.

CARRIED

32 MEETING CLOSE

The Meeting closed at 6:32pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 13 December 2022.

.....
PRESIDING MEMBER

**MINUTES OF CITY OF MOUNT GAMBIER
AUDIT AND RISK COMMITTEE MEETING
HELD AT THE LEVEL 4 COMMITTEE ROOM, CIVIC CENTRE, 10 WATSON TERRACE,
MOUNT GAMBIER
ON TUESDAY, 6 DECEMBER 2022 AT 4.00 P.M.**

PRESENT: Mr Paul Duka (Presiding Member) (virtual), Mayor Lynette Martin (OAM), Cr Sonya Meziniec, Mr Alexander Brown (virtual), Ms Belinda Johnson

OFFICERS IN ATTENDANCE:	Chief Executive Officer	- Mrs S Philpott
	General Manager Corporate and Regulatory Services	- Mr D Barber
	Manager Financial Services	- Mrs J Scoggins
	Executive Administrator	- Mrs S Dohnt
	Acting Manager Organisational Development	- Ms Leanne Little

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 APOLOGY(IES)

Nil

3 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Alexander Brown
Seconded: Cr Sonya Meziniec

That the minutes of the Audit and Risk Committee meeting held on 26 September 2022 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 QUESTIONS WITHOUT NOTICE

Nil

5 REPORTS

5.1 CORRESPONDENCE RECEIVED

COMMITTEE RESOLUTION

Moved: Alexander Brown
Seconded: Belinda Johnson

1. That Audit and Risk Committee Report No. AR22/72224 titled 'Correspondence Received' as presented on 06 December 2022 be noted.

CARRIED

5.2 RISK REPORT - SEPTEMBER 2022

COMMITTEE RESOLUTION

Moved: Paul Duka
Seconded: Alexander Brown

1. That Audit and Risk Committee Report No. AR22/68368 titled 'Risk Report - September 2022' as presented on 06 December 2022 be noted.

CARRIED

5.3 WORK HEALTH, SAFETY AND WELLBEING - SEPTEMBER 2022

COMMITTEE RESOLUTION

Moved: Mayor Lynette Martin
Seconded: Cr Sonya Mezinac

1. That Audit and Risk Committee Report No. AR22/68371 titled 'Work Health, Safety and Wellbeing - September 2022' as presented on 06 December 2022 be noted.

CARRIED

5.4 REVIEW OF AUDIT AND RISK COMMITTEE TERMS OF REFERENCE

COMMITTEE RESOLUTION

Moved: Alexander Brown
Seconded: Belinda Johnson

1. That Audit and Risk Committee Report No. AR22/65115 titled 'Review of Audit and Risk Committee Terms of Reference' as presented on 06 December 2022 be noted.
2. That the Audit Committee:
 - (a) Authorises the General Manager Corporate and Regulatory Services in liaison with the Presiding Member to make any minor amendments to the draft Audit and Risk Committee Terms of Reference that the Committee identifies and to then finalise the document; and
 - (b) Recommend to Council that the draft Audit and Risk Committee Terms of Reference be adopted.

CARRIED

5.5 SELF-ASSESSMENT OF PERFORMANCE AUDIT AND RISK COMMITTEE

COMMITTEE RESOLUTION

Moved: Cr Sonya Mezinac

Seconded: Belinda Johnson

1. That Audit and Risk Committee Report No. AR22/77367 titled 'Self-assessment of Performance Audit and Risk Committee' as presented on 06 December 2022 be noted.
2. That the Audit and risk committee:
 - (a) Authorise the General Manager Corporate and Regulatory Services in liaison with the Presiding Member to make any minor amendments to the attached draft Audit and Risk Committee Self-Assessment Annual Report 2021/2022 that the Committee identifies and to then finalise the document; and
 - (b) Recommend to Council that the Audit and risk committee's Self-Assessment Report for 2021/2022 be adopted.

CARRIED

5.6 AUDIT AND RISK COMMITTEE WORK PROGRAM & MEETING SCHEDULE 2023

COMMITTEE RESOLUTION

Moved: Paul Duka

Seconded: Alexander Brown

1. That Audit and Risk Committee Report No. AR22/77371 titled 'Audit and Risk Committee Work Program & Meeting Schedule 2023' as presented on 06 December 2022 be noted.
2. That recommended meeting months (below) supplied by the Audit and Risk Committee be adopted by council, noting that the meeting dates are subject to change, including if an additional meeting is required:
 - (a) February 2023;
 - (b) March 2023;
 - (c) May 2023;
 - (d) July 2023;
 - (e) October 2023; and
 - (f) November 2023.
3. That the draft work program as reviewed by the Audit and Risk Committee for the calendar year 2023 (attached) be adopted, noting the meeting months and schedule are subject to change, including if an additional meeting is required.

CARRIED

5.7 EXTERNAL AUDIT MANAGEMENT REPORT

COMMITTEE RESOLUTION

Moved: Alexander Brown

Seconded: Cr Sonya Mezinac

1. That Audit and Risk Committee Report No. AR22/77370 titled 'External Audit Management Report' as presented on 06 December 2022 be noted.

CARRIED

5.8 ASSET ACCOUNTING POLICY REVIEW

COMMITTEE RESOLUTION

Moved: Belinda Johnson
Seconded: Alexander Brown

1. That Audit and Risk Committee Report No. AR22/82159 titled 'Asset Accounting Policy Review' as presented on 06 December 2022 be noted.
2. That the Asset Accounting Policy as attached to Report No. AR22/82159 having been reviewed by the Audit and Risk Committee on 6 December 2022 be adopted.

CARRIED

6 MOTIONS WITHOUT NOTICE

Nil

7 MEETING CLOSE

The Meeting closed at 5.02 p.m.

The minutes of this meeting were confirmed at the Audit and Risk Committee.

.....
PRESIDING MEMBER

16.2 CORRESPONDENCE RECEIVED – REPORT NO. AR22/72224

Meeting: Audit and Risk Committee
CM9 Reference: AF11/863
Author: Sarah Dohnt, Executive Administrator Corporate and Regulatory Services
Authoriser: Darren Barber, General Manager Corporate and Regulatory Services

REPORT RECOMMENDATION

1. That Audit and Risk Committee Report No. AR22/72224 titled 'Correspondence Received' as presented on 06 December 2022 be noted.



BACKGROUND

The report provides details of correspondence received since the previous ordinary meeting of the Audit and Risk Committee held 26 September 2022 and is provided for information.

DISCUSSION

The following correspondence has been received since the last ordinary meeting:

- ICAC Alert - Integrity Spotlight - Recruitment in Local Government

CONCLUSION

This report presents the attached correspondence received for presentation to the Audit and Risk Committee for noting in line with the Audit and Risk Committee Terms of Reference:

13.3 Other Matters - Shall give consideration to:

- **Relevant Audits** - *Consider the findings and recommendations of relevant audits undertaken by the SA Auditor General's Office, the South Australian Ombudsmen, Independent Commissioner Against Corruption (ICAC) and other agencies to ensure Council considers the relevant recommendations.*

ATTACHMENTS

1. ICAC Alert - Integrity Spotlight - Recruitment in Local Government





Integrity Spotlight

V1.0 – October 2022

Alert

The selection and recruitment of staff can have a considerable impact on the integrity of an organisation.

Recruitment in Local Government

The Commission has recently dealt with matters arising from perceptions of favourable treatment during recruitment processes across local government.

These matters involved recruitment decisions made in the face of a personal connection between the candidate and the Council's decision maker.

The Commission is also aware of allegations that Council employees had received favourable employment conditions as a result of being managed by a family member.

This occurs more often in regional areas where such associations in the workplace are commonplace.

The process of recruiting staff can have a considerable impact on the integrity of an organisation. It is important that recruitments are fair and transparent, and that those involved in the selection of staff understand their roles and responsibilities.

Observations

Matters observed by the Commission in the course of investigations include:

- Selection panel members not declaring associations or relationships with candidates
- Roles being filled by individuals known to employees of the Council without being advertised or following a selection process
- Selection panel members influencing the outcome of recruitment decisions to advantage candidates with a personal association
- Selection criteria for positions being tailored to suit favoured candidates
- Employment terms being enhanced by managers who had a personal relationship with the employee, for example:
 - Part time or contract staff securing full time or permanent positions
 - Employees offered higher duties (in some cases for lengthy periods of time)
 - Existing employees moved into roles with higher salaries without the position being advertised or a selection process taking place.

What's the problem?

Favouritism and nepotism in recruitment can result in unsuitable staff being placed into roles. Where individuals have been, or are seen to have been, recruited through favoured treatment, this can lead to a broader culture of disregard of policies and expectations.

In these scenarios there is an increased risk of inappropriate conduct, and corruption.

Further, where there is the perception that recruitment processes are not fair and transparent, organisations can lose the public's confidence.

Regional councils must be particularly careful when recruiting new staff and managing employees where personal relationships may exist.

Things to consider

Set out the process in policies and procedures

Expectations in respect of recruitment ought to be clearly set out in policies and procedures. This is to ensure that agreed processes are followed, and those involved understand their roles and responsibilities.

A recruitment policy should require all members of a selection panel to declare any conflicts of interest. Doing so would trigger a management plan.

It may be that staff who would ordinarily form part of a selection panel for a particular role must excuse themselves if they encounter candidates with whom they have an association. It would hardly be appropriate to do otherwise.

A policy should set out the requirements for documenting each stage of the process. As a minimum, records ought to be maintained to explain the rationale for the recruitment and the approach adopted, as well as selection panel members' conflict of interest declarations, their assessment of each candidate, and a selection summary report that sets out how a preferred candidate was identified.

The panel must clearly document the justification for preferring a candidate.

The recruitment process should also set out a mechanism for complaints to be managed, ideally by individuals not involved in the process and without any conflict of interest.

Staff involved in a recruitment process should receive appropriate training to ensure they understand their roles and responsibilities.

Managing conflicts of interest in the workplace

In regional areas working with family members or friends is often inevitable. Perceptions of favouritism or bias can arise where employees are seen to be advantaged through their connection with decision makers.

This might be in terms of being awarded promotions, in the allocation of overtime, or in the approval of leave and other entitlements, including favourable changes to working arrangements or contract terms.

Where possible, conflicts ought to be avoided. If unavoidable, steps should be taken to manage the conflict to ensure equity and transparency throughout the process.

A conflicts of interest policy should define what a conflict of interest is, the process for declaring any conflicts, and the approach for managing conflicts when they arise.

Where conflicts of interest exist in the management of staff, a plan for managing approvals like leave, timesheets, overtime and any changes to working arrangements such as higher duties should be put in place. These responsibilities might best rest with an alternative manager when personal relationships give rise to a conflict.

Recommendations

- Clearly set out the recruitment process in policy and procedures, including:
 - roles and responsibilities
 - requirements for selection panel members to declare conflicts of interest
 - records that must be prepared and retained for each stage of the process (ie. selection panel's assessments and selection reports).
- Clearly set out the process for identifying, disclosing and managing conflicts of interest in a policy document. A central register of conflicts should be maintained.
- Have a plan for managing conflicts of interest in the workplace, in particular for those managing staff where there is a personal relationship.
- Ensure staff involved in recruitment and selection processes receive the appropriate training to fully understand their roles and responsibilities.

Further information

Local Government Act 1999

The Local Government Act sets out that the chief executive officer must ensure *that selection processes are based on an assessment of merit, and are fair and equitable*.¹

The Act also describes an employee's obligations in respect of conflicts of interest, and the circumstances where a person is considered closely associated with an employee of a council.²

<https://www.legislation.sa.gov.au>

Code of Ethics for the South Australian Public Sector

obliges public sector employees to avoid actual or perceived conflicts of interest, ensure their personal interests do not influence or interfere with the performance of their role, and disclose in writing to their agency head any actual or potential conflicts of interest.

<https://www.publicsector.sa.gov.au/hr-and-policy-support/ethical-codes/code-of-ethics>

Section 27 of the **Public Sector (Honesty and Accountability Act) Act 1995** imposes a duty on a range of public officers to disclose in writing any personal interests that conflict or may conflict with their duties, and to comply with any written directions to resolve the conflict.

<https://www.legislation.sa.gov.au>

Evaluation of the Practices, Policies and Procedures of the City of Playford Council

Independent Commissioner Against Corruption, November 2019.

<https://www.icac.sa.gov.au/publications/published-reports/evaluation-of-city-of-playford>

Identify, Disclose and Manage: Conflicts of Interest in Public Administration

Independent Commissioner Against Corruption, June 2021.

<https://www.icac.sa.gov.au/publications/published-reports/i-identify-disclose-manage>


¹ *Local Government Act 1999*, s 107 (2) (a).

² *Ibid* s 120.

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16.3 RISK REPORT - SEPTEMBER 2022 – REPORT NO. AR22/68368

Committee:	Audit and Risk Committee
Meeting Date:	6 December 2022
Report No.:	AR22/68368
CM9 Reference:	AF11/863
Author:	Leanne Little, HR and Risk Coordinator
Authoriser:	Darren Barber, General Manager Corporate and Regulatory Services
Summary:	This report describes the findings, recommendations and associated action plan following the Risk Evaluation Audit conducted by Local Government Risk Services (LGRS) in November 2021. This report also describes the funding applications that have been made to source funds from the scheme to enhance the risk profile of the organisation.
Strategic Plan Reference:	Goal 1: Our People Goal 2: Our Location Goal 3: Our Diverse Economy Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage Goal 5: Our Commitment

REPORT RECOMMENDATION

1. That Audit and Risk Committee Report No. AR22/68368 titled 'Risk Report - September 2022' as presented on 06 December 2022 be noted.



TYPE OF REPORT

Other

BACKGROUND

Local Government Risk Services (LGRS) are a business partner of the Local Government Association and administer the Mutual Liability Scheme and Workers Compensation for South Australian Councils.

LGRS provide specialist risk services to City of Mount Gambier including the development and implementation of proactive systems and processes for Risk Management, claims management and insurance risk transfer.

Every two years the LGRS provide a Risk Evaluation service to review the Councils Risk Management system against Local Government Sector baselines and other external requirements such as legislation, Return to Work South Australia Performance Standards and Self-Insurer requirements.

Risk Management at the City of Mount Gambier

1. Risk Management Update

The organisational update aims to highlight Risk Management processes that are periodic or specific in demonstrating a deliberate focus on improving Strategic Risk Management profile and accountability across the organisation.

1.1 Mutual Liability Coverage Overview 2022/2023

This section aims to provide an overview and update of focus areas in relation to Mutual Liability Coverage (Insurance).

The ELT has endorsed a Mutual Liability (Insurance) Administrative Principle which provides guidance for employees in understanding financial function responsibilities in correlation with best practice risk management. This clarity will provide a structured approach to the upcoming 2023/2024 renewal period.

The current financial climate has resulted in unprecedented increase in property value. To effectively reduce any potential exposure or loss the organisation engaged AssetVal under its current contractual arrangements to conduct a desktop valuation of major assets resulting in a significant increase of property value. Subsequently the risk has been minimised with insurance values increased on these properties.

Wulanda Recreation Centre is reaching the final stages of practical completion in November 2022 and City of Mount Gambier will assume asset responsibility.

The valuation process is complex and involves a combination of information from LGRS, Belgravia, COMG and Badge Construction and includes but not limited to, the building, contents owned by COMG and Belgravia.

This assessment will be completed by the end of November 2022 and before practical completion.

1.2 JLT Public Risk report 2021



The JLT Public Sector Risk Report for 2021 has been released. This report details the key Local Governments Risks and prioritises them based on specialised Local Government Knowledge experience and knowledge.

This table below represents the greatest risks for Local Government as determined by JLT Public Sector.

Rank	JLT Public Sector 2021
1	Financial Sustainability
2	Cyber Security
3	Assets and Infrastructure
4	Disaster and Catastrophic Events
5	Reputation
6	Business Continuity
7	Climate Change / Adaption
8	Impact of Pandemic
9	Statutory & Regulatory Requirements
10	Ineffective Governance
11	Waste Management
12	HR / WHS Management
13	Civil Liability Claims
14	Terrorism

The organisation has started to utilise this Public sector report as guideline when evaluating the City of Mount Gambier Risk rankings in the same category.

1.3 Risk Management Action Plan Overview

The Risk Management Action Plan 2022 is a summary of deliberate actions that have been identified following the November Risk Evaluation Audit in 2021.

There is a total of twenty-four (24) actions to be completed by December 2022. As at the end of September there was a total of twelve (12) actions or 50% had been completed.

A report was provided to ELT for discussion in October 2022 detailing barriers faced with completion of tasks as well as recommendations and opportunities to assist the organisation meeting the targets by engaging Strategic Risk Consultants through LGRS.

A new Risk Management Action Plan for 2022/2023 has been drafted and will be submitted to Executive Leadership Team for endorsement and comment at this meeting which will include the uncompleted tasks carried over and additional actions identified for action by the Human Resource and Risk Coordinator.

There may be further actions applied to the plan following recommendations by LGRS Strategic Risk Consultant report to be received by February 2023.

2. Review and Development of Organisational Risk Registers

Following endorsement of new Risk Management Principle and Framework earlier this year the organisation will now review and develop new organisational risk register.



The Executive Leadership Team participated in a Strategic Risk Workshop in October 2022 resulting in a reviewed Corporate Strategic Risk Register.

Following this workshop, a similar Strategic Risk Workshop will be conducted with the Management Team to educate on how the Strategic Risks link with Operational Risk Registers and business unit planning.

A schedule will be developed for endorsement by ELT which will outline the timeline of risk register development for all departments across the organisation. This schedule will be completed by late December 2022.

3. LGRS Risk Scheme Training & Prevention Programs

The mutual schemes have developed and implemented a suite of funded and partially funded WHS, and risk-based programs customised for South Australian Local Government Councils.

The organisation has access to these programs to identify and mitigate emerging risks as well as supporting development of internal Risk Management and Compliance programs.

In addition to this the organisation has been invited to participate within the Local Government Vulnerability project which will assist in gathering data about the organisation and its preparedness to plan for emergency and unplanned events.

The organisation currently has the following programs underway or in planning mode.

Program	Details	Value	Outcome
CyberCX Uplift Program	Assesses Cyber Vulnerability and Risk Profiling	\$15250	Approved
Phriendly Phishing Program	Employee Cyber Awareness automated program	\$ N/A	Approved
LGRS Strategic Risk Services	Strategic Risk Maturity Assessment, Development of Strategic Risk Training Plan	\$ N/A	Approved
LG Vulnerability Project	Assessment and vulnerability profiling	\$N/A	Approved

Summary

The City of Mount Gambier continues to develop and build on structured Risk Management practices within the organisation which will result in raising the risk profile and maturity of the organisation.

- Partnering with LGRS Strategic Risk Consultant to understand the risk maturity level across the organisation, development of training plan and receipt or report and recommendations by February 2023
- Development of Risk Register Schedule by the end of December 2022
- Participation in Local Government Vulnerability Project in 2023

Development of Playground Compliance Corrective Actions Process with acting Parks and Gardens Coordinator by February 2023



PROPOSAL

The City of Mount Gambier provide the Audit and Risk Committee with regular reporting on the organisational Risk Management Action Plan as part of the Risk Management Framework.

LEGAL IMPLICATIONS

Section 125 of the Local Government Act 1999 ('LG Act') requires Council to ensure that appropriate policies practices and procedures of internal control are implemented and maintained in order to assist the Council to carry out its activities in an efficient and orderly manner to achieve its objectives.

Section 132A of the LG Act requires Council to ensure that appropriate policies, practices, and procedures are implemented and maintained to ensure compliance with statutory requirements and achieve and maintain standards of good public administration.

Section 134(4) (b) of the LG Act requires Council to adopt risk management policies

STRATEGIC PLAN

Nil

COUNCIL POLICY

The Risk Management Framework will support [Council Policy - Risk Management](#).

ECONOMIC IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

SOCIAL IMPLICATIONS

Nil

CULTURAL IMPLICATIONS

Nil

RESOURCE IMPLICATIONS

Nil

VALUE FOR MONEY

Nil

RISK IMPLICATIONS

The City of Mount Gambier has participated in the November 2021 Risk Evaluation conducted by LGRS and thereby met its obligation of being a member of the scheme. Following the evaluation and to meet its legislative requirement the organisation will continue to work on adopting and regularly monitoring its risks through effective policies, procedures, and frameworks.

EQUALITIES AND DIVERSITY IMPLICATIONS

Nil

ENGAGEMENT AND COMMUNICATION STRATEGY

Nil

IMPLEMENTATION STRATEGY

Following the November 2021 Risk Evaluation, the City of Mount Gambier received a draft report from LGRS which allowed for the organisation to provide comment and feedback prior to official findings. The official report was received by the organisation in mid-February 2022 and was signed off by the CEO on 24 February 2022 and sent back to the scheme.



The 2022 Risk Management Action Plan has been completed with the 2023 planning process underway.

This process will be completed conjunction with the LGRS to ensure the City of Mount Gambier adequately addresses the opportunities for improvement.

CONCLUSION AND RECOMMENDATION

The City of Mount Gambier must provide the Audit and Risk Committee with regular reporting on organisation's Risk Management Action Plan as part of the Risk Management Framework.

ATTACHMENTS

Nil



16.4 WORK HEALTH, SAFETY AND WELLBEING - SEPTEMBER 2022 – REPORT NO. AR22/68371

Committee:	Audit and Risk Committee
Meeting Date:	6 December 2022
Report No.:	AR22/68371
CM9 Reference:	AF11/863
Author:	Leanne Little, HR and Risk Coordinator
Authoriser:	Darren Barber, General Manager Corporate and Regulatory Services
Summary:	This report is a summary of Council’s performance in the area of Workplace Health, Safety and Wellbeing. The report also provides an overview of key initiatives underway in this area.
Strategic Plan Reference:	Goal 1: Our People
	Goal 2: Our Location
	Goal 3: Our Diverse Economy
	Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage
	Goal 5: Our Commitment

REPORT RECOMMENDATION

1. That Audit and Risk Committee Report No. AR22/68371 titled 'Work Health, Safety and Wellbeing - September 2022' as presented on 06 December 2022 be noted.



TYPE OF REPORT

Other

BACKGROUND

This report is a presentation for the ongoing reporting structure for workplace health, safety and wellbeing at City of Mount Gambier. Its purpose is to provide the Audit and Risk Committee with a summary of our safety performance with insights for continuous improvement. This format will evolve as our data and reporting capability improves, and once there are established KPIs and targets that can provide a strategic oversight of safety performance with lag and lead indicators.

PROPOSAL

That City of Mount Gambier's Audit and Risk Committee receives a regular Work Health Safety and Wellbeing report presenting a quarterly update on performance, compliance and initiatives.

LEGAL IMPLICATIONS

Section 125 of the Local Government Act 1999 ('LG Act') requires the City of Mount Gambier to ensure that appropriate policies practices and procedures of internal control are implemented and maintained in order to assist the organisation to carry out its activities in an efficient and orderly manner to achieve its objectives.

City of Mount Gambier is required to provide and undertake measures to eliminate risks to health and safety, so far as is reasonably practicable. If it is not reasonably practicable to eliminate risks to health and safety, then to minimise those risks so far as is reasonably practicable and to demonstrate a systematic approach to the planning and implementation of Work Health and Safety processes that are compliant with the legislation, regulations and self-insurance requirements covered under:

- Work Health and Safety Act 2012
- Work Health and Safety Regulations 2012
- Return to Work Act 2014
- Return to Work Regulations 2015
- Code for the Conduct of Self-Insured Employers under the Return to Work Scheme which includes the Performance Standards (Injury management standards for self-insured employers April 2019 and Work Health and Safety standards for self-insured employers August 2017)

STRATEGIC PLAN

Nil

COUNCIL POLICY

The Workplace Health and Safety Management System supports [Council Policy - Risk Management](#).

ECONOMIC IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

SOCIAL IMPLICATIONS

Nil

CULTURAL IMPLICATIONS

Nil



RESOURCE IMPLICATIONS

Nil

VALUE FOR MONEY

Nil

RISK IMPLICATIONS

This report will assist the City of Mount Gambier to manage its risk associated with workplace health and safety ensuring it meets its legislative requirements and that its workforce and community are kept safe and healthy in the delivery of services and operations.

EQUALITIES AND DIVERSITY IMPLICATIONS

Nil

ENGAGEMENT AND COMMUNICATION STRATEGY

Nil

IMPLEMENTATION STRATEGY

City of Mount Gambier's Executive Leadership Team (ELT) and Work Health and Safety Committee (WHSC) have been receiving workplace health and safety reporting on a regular basis since late last year which will inform the quarterly report presented to the Audit and Risk Committee.

CONCLUSION AND RECOMMENDATION

This report provides a summary of our safety performance with insights for continuous improvement. It also provides a summary of key initiatives that are currently being worked on within this area.

It is recommended that a Workplace Health, Safety and Wellbeing Report continue to be presented to the Audit Risk Committee to ensure effective monitoring of compliance and performance.

ATTACHMENTS

1. Work Health Safety and Wellbeing Management Report August -September 2022






WORK, HEALTH, SAFETY AND WELLBEING MANAGEMENT REPORT

Bi-Monthly Report | August - September 2022

SAFETY ALWAYS





1. Summary

This report aims to provide a snapshot of the current state for safety compliance and performance at City of Mount Gambier (COMG). The organisation continues to show signs of improvement and has taken measures to increase and raise the profile of WHS including an emphasis of reporting incidents and hazards across the organisation.

The number of hazards reported for August (26) and September (23) has increased significantly compared to previous months (average of 5). The organisation needs to continue to focus on initiatives for improving hazard reporting and following through with hazard investigations.

There was one new notifiable incident in August 2022 and one in September 2022 reported to Safework SA who then determined that these matters were non notifiable.

Current focus areas for the COMG:

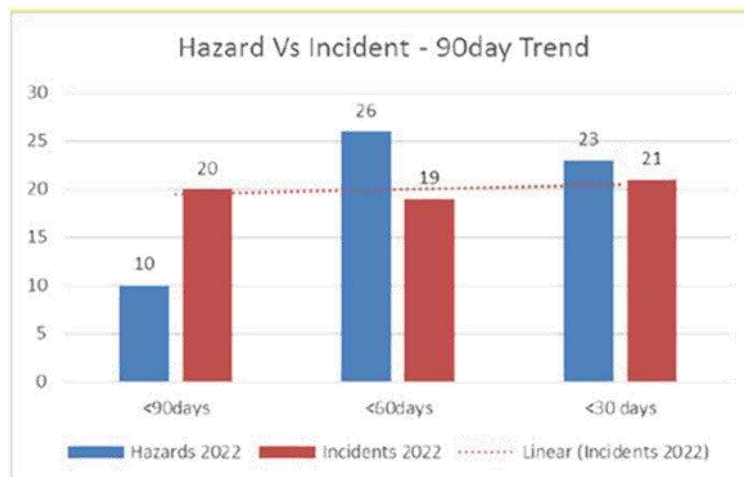
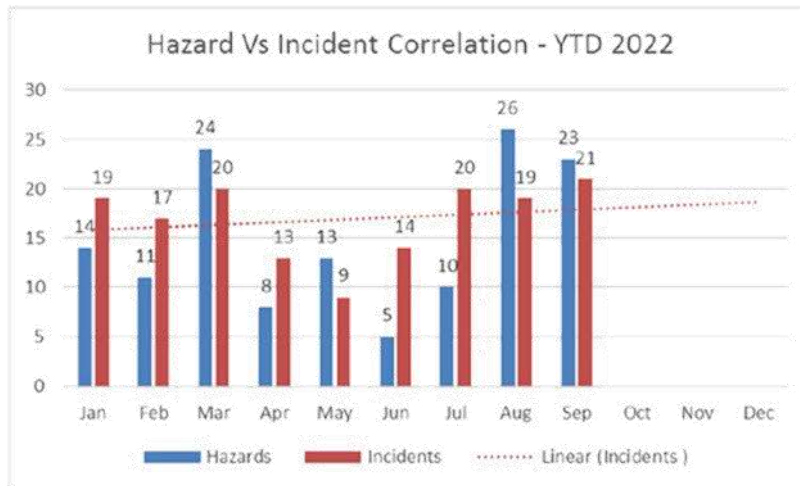
- WHS IM Action Plan Monitoring tool for 2022 following the Risk Evaluation Audit finalised and tasks completed as detailed in the plan in a timely manner.
- Ongoing management of injury management claims with LGWCS.
- Embedding of the new WHS Committee
- Focus on increased hazard reporting and investigation for the organisation.
- Partnering with People Leaders to develop targeted investigation, incident, and corrective action training, using real organisation scenarios for maximum effectiveness (Expected to be delivered in February 2023).





2. Correlation between Hazards vs. Incidents

2.1



3. Hazard Management

3.1 Total Hazard Reports - Yearly Comparison

This graph demonstrates the comparison of the Organisational hazard reporting for each month compared to the same month in the previous year.

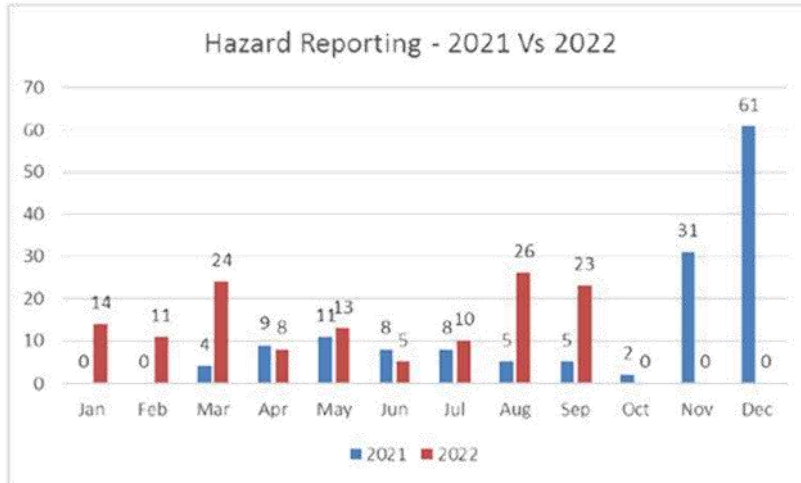
This assists with providing management an analysis of seasonal hazard trends which may occur across the organisation.



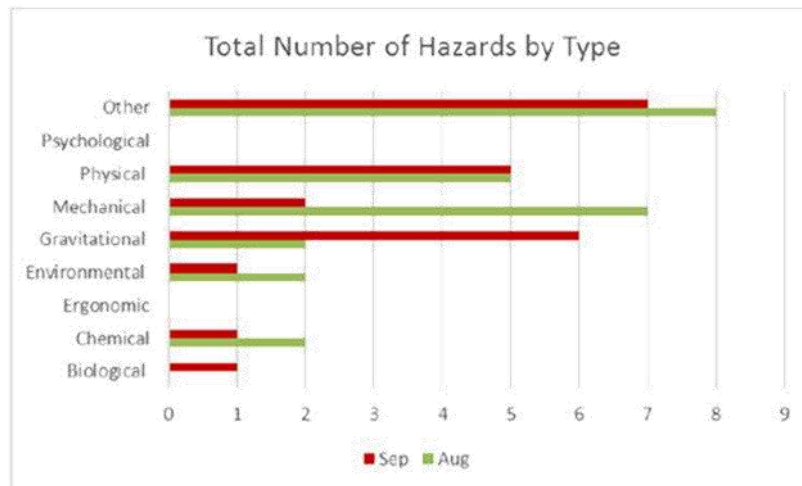


There was a total of twenty-six (26) hazards reported for August 2022 and twenty-three (23) for September 2022 compared to five (5) for August and five (5) for September in 2021.

This data indicates that the organisations need to continue to promote and focus on increasing hazard reporting.



3.2 Hazards by Type



3.3 Effective Hazard Management for the month of August and September 2022

The total amount of hazards outstanding is one hundred (100).

The total percentage of hazards closed for the period of until September 2022 is 22.48%
 The average days taken to assess and close a hazard in the August to September period is 7.18 days. This is a significant improvement on the prior period which was an average 20 days to close out hazards.

The number of open hazards and average days to close a hazard has decreased and this is can be attributed to an increase in understanding of hazard investigation and a continual focus on safety responsibility.



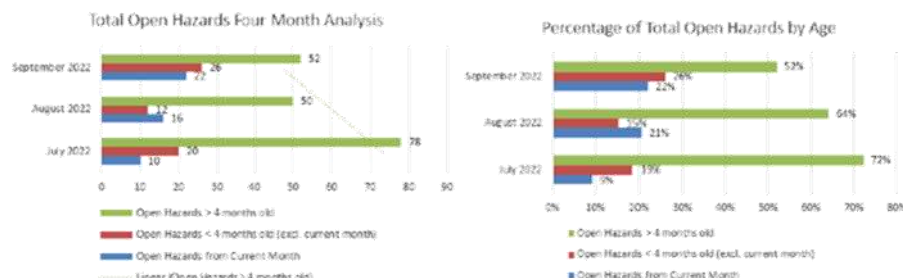
3.4 Hazard Management Closure Rate by Four-month Analysis

Open hazards may indicate that an investigation is still open and or that corrective actions have not been identified or implemented to a level that is acceptable by the organisation. The closure rate is based on a four-month analysis.

The total amount of open hazards within four months has increased from 19% to 26% as at September 2022. Whilst this is a small increase the overall outstanding hazards has decreased from 108 to 100 and the average days to close out hazards has improved from an average of 20 days to average of 7 days.

The total amount of open hazards that are outstanding greater than four months has decreased from 72% to 52%. This is indicative that the organisation has improved within hazard assessment understanding.

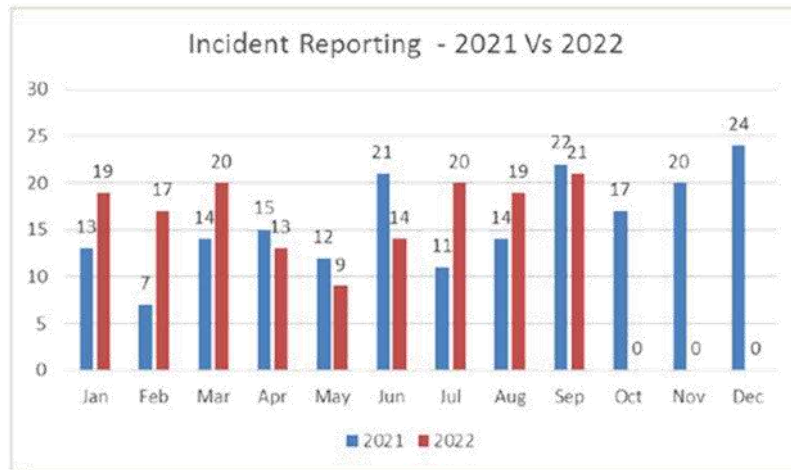
The linear trend on the four-month analysis indicates the total number of hazards open greater than four (4) months is steadily decreasing.



4. Incident and Investigation Management

4.1. Incident Reporting

This report demonstrates the total number of incidents reported across the organisation for the period of August was nineteen (19) and September was twenty-one (21) this is indicating the trend is increasing each month.

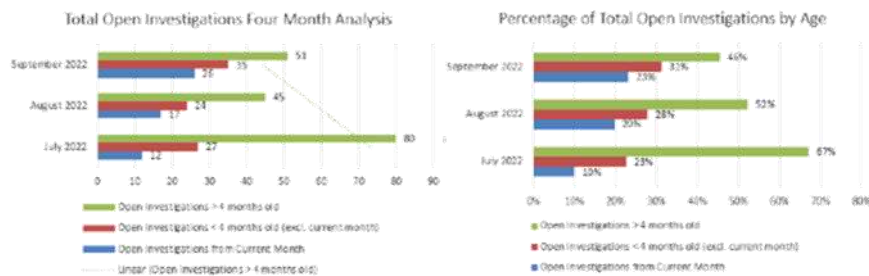


4.2 Effective Investigation Management

Open investigations indicate that an investigation is not complete and or that corrective actions have not been identified or implemented to a level that is acceptable by the organisation. The closure rate is based on a four-month analysis.

The total amount of open investigations that are outstanding within four months has increased from 23% at the end of at the end of July 2022 to 41% at the end of September 2022.

The total amount of open investigations that are outstanding greater than four months has decreased from 67% at the end of July 2022 to 46% at the end of September 2022





4.43 Open and Overdue Investigations by Department

There is a total of one hundred and twelve (112) open investigations for the organisation at the end of September 2022, this is an increase from eighty-six (86) at the end of August 2022.

5. Inspections and Audits

Workplace inspections have continued to occur in line with the scheduled inspection cycle.

Current overdue inspections:

There are currently no overdue site inspections.

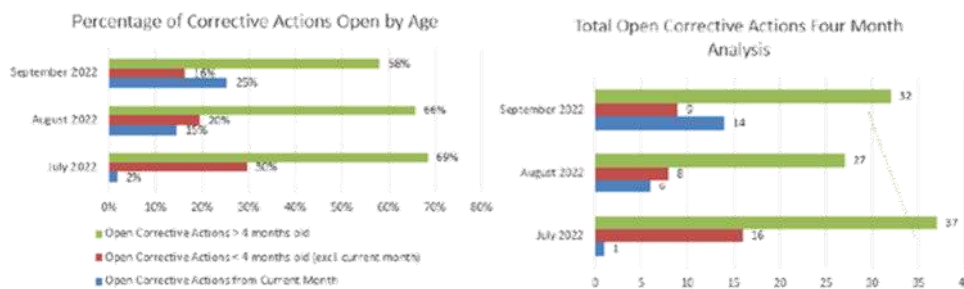
6. Corrective Actions Register

Open corrective actions indicate that an agreed action to rectify an incident or investigation has not been completed to a level that is acceptable by the organisation. The closure rate is based on a four-month analysis.

There was a total of fourteen (14) corrective actions issued in September 2022 and a total of six (6) issued in August, as at the end of September 2022 an overall total of fifty-five (55) outstanding actions.

The total amount of open corrective actions that are closed within four months has decreased from 20% in August 2022 to 16% in September 2022

The total amount of open corrective actions that are outstanding greater than four months has decreased from 66% in August 2022 to 58% in September 2022



7. Injury Management

7.1 Lost Time Injury Frequency Rate (LTIFR) – Work in Progress



A lost-time injury is something that results in a fatality, permanent disability or time lost from work. It could be as little as one day or shift.

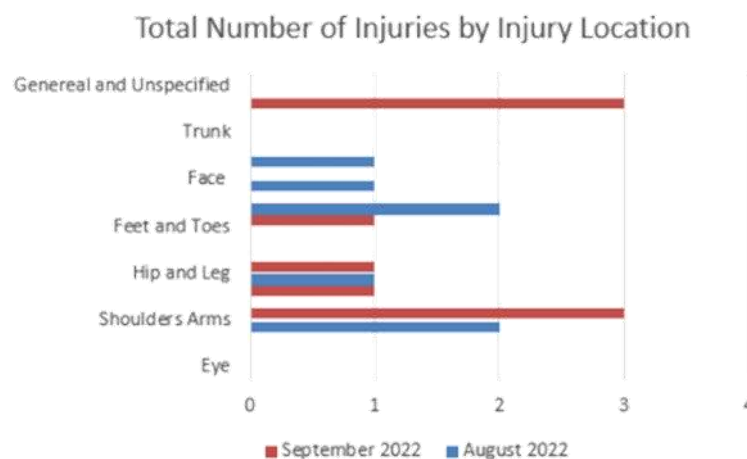
- LTIFR refer to the number of lost-time injuries within a given accounting period, relative to the total number of hours worked in that period.
- LTIFR is a proxy measurement for safety performance.

LTIFR calculations measure the number of lost-time injuries per million hours worked during an accounting period. It is a figure that can be benchmarked with others in the industry.

The organisation is currently unable to report on LTIFR.

The Human Resources Team has identified a function within Skytrust that will enable the organisation to report on this information. The team are currently working through a process to capture and report on this data.

7.2 Injuries by body location details – August 2022 to September 2022



8. IM WHS Action Plan

8.1 WHS IM Action Plan Progress Report– (Yearly action plan – AR21/73314 (v4))

The Human Resources team meet with LGRS Regional Risk Coordinator monthly to review the progress of the IM WHS Action plan. Progress for the months of August and September 2022 is listed below.

September 2022 progress

- As at end of September 94% (September) of planned actions have been closed out

- A total of 32 actions have been identified to be closed out by end of September 2022
- Achievement to date is 30 actions closed with 2 to be completed

August 2022 progress

- As at end of August 93% (August) of planned actions have been closed out
- A total of 32 actions have been identified to be closed out by end of September 2022
- Achievement to date is 27 actions closed with 5 to be completed

9. Wellbeing Initiatives

9.1 Ageing and Work Health Program – AR20/45900

The Ageing Work Health program will continue to be highlighted within the Weekly Wellbeing Newsletter

The program provides guidance tools to help support the Ageing and Work Health Program for the City of Mount Gambier and is supported by Local Government Risk Services.

9.2 Wellbeing Program

The Wellbeing Program continues to receive positive feedback and engage employees with 48% of the entire organisation participating within the program until June 2022.

Due the level of engagement and positive feedback the organisation will submit an award nomination for this initiative through the Local Government Risk Management Awards 2022/2023.

10. Continuous Improvement/ Projects

10.1. Principle and Procedure development and review schedule

The procedures listed below were reviewed by relevant People Leaders in further detail after the November WHS Committee meeting and recommendation provided outlined that these procedures should be provided to the relevant workgroups for consultation.

Principle/ Procedure Name	Document number	Responsibility	Review Date	Status
Emergency Management Principle	AR17/33071	WHSC	Apr-21	Reviewed at committee meeting held 22/03/2022 members to provide further reviews to the HR inbox by Friday 1st April 2022. Reviewed by EPC Committee September 2022. Requires draft changes by HR and distribution to ELT for review and endorsement.

Emergency Management procedure	AR21/33128	WHSC	May-21	Reviewed at committee meeting held 22/03/2022 members to provide further reviews to the HR inbox by Friday 1st April 2022. Reviewed by EPC Committee September 2022. Requires draft changes by HR and distribution to ELT for review and endorsement.
Contractor Management Procedure	AR17/33125	WHSC	Feb 2021	WHS committee required to provide feedback by 14/10/2022. HR will then make recommended changes and forward to ELT for review and endorsement.
Hot work Procedure	AR17/33079	WHSC	Jan 2022	WHS committee required to provide feedback by 14/10/2022. HR will then make recommended changes and forward to ELT for review and endorsement.
Corrective and Preventative Action Procedure	AR17/33126	WHSC	Feb 2022	WHS committee required to provide feedback by 14/10/2022. HR will then make recommended changes and forward to ELT for review and endorsement.
Ageing and Work Health Program - Age Friendly Workplace Guidance Tool	AR22/53241	WHSC	New guidance tool	WHS committee required to provide feedback by 14/10/2022. HR will then make recommended changes and forward to ELT for review and endorsement.

16.5 REVIEW OF AUDIT AND RISK COMMITTEE TERMS OF REFERENCE – REPORT NO. AR22/65115

Committee:	Audit and Risk Committee
Meeting Date:	6 December 2022
Report No.:	AR22/65115
CM9 Reference:	AF11/863
Author:	Julie Scoggins, Manager Finance
Authoriser:	Darren Barber, General Manager Corporate and Regulatory Services
Summary:	This report is presented to enable the Audit Committee to review the Draft Audit and Risk Committee Terms of Reference and provide a recommendation to Council to adopt at the next Council meeting.
Strategic Plan Reference:	Goal 1: Our People
	Goal 2: Our Location
	Goal 3: Our Diverse Economy
	Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage
	Goal 5: Our Commitment

REPORT RECOMMENDATION

1. That Audit and Risk Committee Report No. AR22/65115 titled 'Review of Audit and Risk Committee Terms of Reference' as presented on 06 December 2022 be noted.
2. That the Audit Committee:
 - (a) Authorises the General Manager Corporate and Regulatory Services in liaison with the Presiding Member to make any minor amendments to the draft Audit and Risk Committee Terms of Reference that the Committee identifies and to then finalise the document; and
 - (b) Recommend to Council that the draft Audit and Risk Committee Terms of Reference be adopted.



TYPE OF REPORT

Other

BACKGROUND

1. **Decision Making Structure** - Council adopted at its meeting held on 29 November 2022 a decision making structure that included the Audit and Risk Committee (a Committee established under s41 of the Local Government Act 1999).
2. **Current Terms of Reference** - The Audit Committee's Terms of Reference - (under 14.2) indicate that the Committee shall at least once every two years review its terms of reference. In addition to the requirement in the Terms of Reference, the Audit Committee works program suggests a yearly review of the Terms of Reference.
3. **Prior Formal Review** – One prior formal review by the Committee was on 12 April 2021 and the Terms of Reference were adopted at the Council meeting held on 20 April 2021.
4. **Initial Review** – It was recognised that the initial Draft Terms of Reference presented to the Audit Committee included significant changes for the committee's consideration, and therefore the document was provided as a first draft at the Audit Committee meeting on 20 September 2021.
5. **Legislative Changes** – It should be noted that these changes assisted the committee in the transition to an Audit and Risk Committee as prescribed in the new Local Government Act Statutes Amendment (Local Government Review) Act 2021.
6. **Initial Review** - An initial review of the Audit & Risk Committee Terms of Reference was undertaken at the Audit Committee meeting on 20 September 2021.
7. **Further Review/Benchmarking** – Following feedback and review of Terms of Reference for other South Australian Councils, further changes were made to the draft Audit & Risk Committee Terms of Reference.
8. **Terms of Reference Review and Adoption** – The Terms of Reference was reviewed by the Audit and Risk Committee on 8 November 2021 and adopted by Council at the meeting in November 2021.
9. **New Legislation** - The new Local Government Act Statutes Amendment (Local Government Review) Act 2021 recommended a number of changes that were incorporated as best practice in the Terms of Reference prior to the effective date of the legislative changes..

PROPOSAL

1. **Minor Changes** – A number of minor changes have been made to the Terms of Reference including the following items that have been removed (as shown in red in the Draft Terms of Reference attached):
 - **7.1 Voting Rights** - *The Chairperson of the Committee shall have a casting vote on occasions where there is an equal number of votes on a matter.* This has been removed as this is contrary to **9.6 Deliberate Vote** - *Each Member of the Committee including the Chairperson present at any meeting of the Committee shall have one deliberate vote only.*
 - **14.3 Biannual Report** – *The Committee must prepare a biannual report to Council describing the activities of the Committee including its findings and recommendations. This report will be provided to the CEO for tabling at the next Council meeting.* This has been removed as minutes are taken to the Council meeting following the Audit Committee meeting and the Self-Assessment Report is taken to Council annually.
2. **Review** - The Draft Terms of Reference of the Audit and Risk Committee are presented for review by the Audit and Risk Committee prior to recommendation for Council to adopt.



LEGAL IMPLICATIONS

As outlined in this report, the Local Government Act Statues Amendment (Local Government Review) Act 2021 has been considered in the development of these recommendations.

STRATEGIC PLAN

Nil

COUNCIL POLICY

[T150 Treasury Management Policy](#)

[B300 Budget Framework Policy](#)

[F225 Fraud and Corruption Prevention Policy](#)

[P415 Prudential Management](#)

[R105 Rating](#)

ECONOMIC IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

SOCIAL IMPLICATIONS

Nil

CULTURAL IMPLICATIONS

Nil

RESOURCE IMPLICATIONS

Nil

VALUE FOR MONEY

Nil

RISK IMPLICATIONS

A high functioning Audit and Risk Committee is a valuable resource in Council's overall risk strategy and management.

EQUALITIES AND DIVERSITY IMPLICATIONS

Nil

ENGAGEMENT AND COMMUNICATION STRATEGY

Nil

IMPLEMENTATION STRATEGY

The terms of reference once adopted will be uploaded onto Council's website. Audit & Risk Committee reports will also include details of their alignment to the Terms of Reference.

CONCLUSION AND RECOMMENDATION

This report recommends that the Audit Committee consider its draft terms of reference with the intent of recommending that this draft is adopted at the next Council meeting.

ATTACHMENTS

1. Draft Audit and Risk Committee Terms of Reference December 2022





Audit and Risk Committee

TERMS OF REFERENCE

A Committee of Council
established pursuant to the provisions of
Sections 126 and 41
of the Local Government Act 1999

Terms of Reference for the conduct of the business of the Audit and Risk Committee were approved and adopted by the City of Mount Gambier at its meeting held on **xxxx 2022**.



Audit and Risk Committee

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1. ESTABLISHMENT:

- 1.1 **Legislation** - Pursuant to Sections 41 and 126 of the Local Government Act 1999 the Council has established a Committee to be known as the City of Mount Gambier Audit & Risk Committee ("the Committee").
- 1.2 **Functions** - The functions of the Audit and Risk Committee include, per the Local Government Act 1999, Division 2, Section 126 (4):
- (a) reviewing annual financial statements to ensure that they present fairly the state of affairs of the council; and
 - (b) proposing and providing information relevant to, a review of the council's strategic management plans or annual business plan; and
 - (c) proposing and reviewing, the exercise of powers under section 130A; and
 - (d) liaising with the council's auditor; and
 - (e) reviewing the adequacy of the accounting, internal control, reporting and other financial management systems and practices of the council on a regular basis.
- 1.3 **Delegation** - The Committee has no delegation to act, with all recommendations of the Committee (and of any Sub-Committees established by the Committee) to be considered by full Council for final decision and resolution.

2. INTERPRETATION:

- 2.1 For the purpose of these Terms of Reference, unless inconsistent with the subject matter or context:

Term	Interpretation
Act	The Local Government Act 1999 and includes all Regulations and Schedules.
Committee	The Committee of Council established pursuant to clause 3.
Committee Member	The persons appointed by the Council to the Committee pursuant to clause 4.
Commencement Date	The date on which the Committee is established and becomes operative pursuant to clause 3.
Council	The City of Mount Gambier that established the Committee and to which the Committee reports.
Chair Person	The person appointed to that position pursuant to clause 5.
Observers	Those persons attending any meeting of the Committee of Council, but not having a vote on any matter to be determined by the Committee and not having been appointed as Committee Members.
Sub-Committee	A sub-committee established in accordance with the Act.

- 2.2 Any words, phrases or terms used in these Terms of Reference that are defined in the Act shall have the same meaning as are given in the Act.
- 2.3 A reference in these Terms of Reference to a "singular" includes a reference to the "plural" and a reference to a "plural" includes a reference to the "singular".
- 2.4 These Terms of Reference shall be interpreted in line with the provisions of the Act.
- 2.5 **Notices** - All communications to be given to the Committee shall be addressed to:
- City of Mount Gambier Audit and Risk Committee



PO Box 56
MOUNT GAMBIER SA 5290
Email: city@mountgambier.sa.gov.au

3. **AUTHORITY:**

3.1 **Overall Objective** - The Committee is created with the express objective of providing considered advice to Council within the scope of its purpose and reasons for establishment.

3.2 **Delegation Status** - The Committee does not have delegated powers or delegated financial responsibilities or authority to implement actions in areas over which management has responsibility.

3.3 **Management Function** - Therefore, the Committee does not have any management function and is independent to management.

3.4 **Council Authorisation** - Within its scope of responsibility, Council authorises the Committee to:

- (a) perform activities within the scope of this Terms of Reference;
- (b) require the attendance of Senior Council Officers at meetings as required;
- (c) have access to members of Executive Leadership Team, employees and relevant information;
- (d) oversee the performance and meet with both the external auditor and the internal auditor;
- (e) request necessary financial resources to be provided to enable the Committee to receive any necessary legal, accounting or other professional advice.

4. **MEMBERSHIP/COMPOSITION:**

4.1 **Membership** - Members of the Audit & Risk Committee are appointed by Council. The size of the Committee be between three (3) and five (5) members (inclusive) consistent with any Regulations and shall consist of:

- At least one (1) Councillor;
- At least two (2) Independent members.

4.2 **Appointment to Committee** - Appointments to the Committee shall be for a period of at least two years, reviewed at a common appointment date every two years. The common appointment date for existing appointees is 31 December. Appointees may be reappointed by Council.

4.3 **Resignation** - Of the appointment must be in writing.

4.4 **Confidentiality** - Committee members shall not directly or indirectly release or make available to any person any information relating to the work or discussions of the Committee of which he or she is a member or was in his or her possession except in accordance with such terms and in such a manner as stipulated by City of Mount Gambier Council.

4.5 **Vacancies** – A vacancy in the membership of the committee will not invalidate any decisions of the committee, provided a quorum is maintained during meetings.



- 4.6 **Advisors** - The Chief Executive Officer (CEO), the General Manager Shared Services (GMSS) and the Manager Finance are not members of the Committee, but should attend meetings in an advisory capacity.
- 4.7 **Role Of Mayor** - Is an ex officio member of the Committee.
- 4.8 **Council Members** - The Council members of the Committee shall be appointed by Council at its Statutory Meeting, unless otherwise determined by the Chairperson of the Committee.
- 4.9 **External Auditors** - Council's external auditors shall be invited to attend a minimum of two (2) meetings of the Committee each financial year. Attendance is at the external auditor's discretion.
- 4.10 **Voting Rights** - Only members of the Committee are entitled to vote (move and second) in Committee meetings.
- 4.11 **Role of Council Staff** - Members of Council's staff may attend any meeting as observers and be responsible for preparing papers for the Committee.
- 4.12 **Committee Meeting Location** - In accordance with the principles of open, transparent and informed decision making, Committee meetings must be conducted in a place open to the public.

5 INDEPENDENT MEMBERS

Independent Members are external members who are neither Councillors or a member of Council staff, as outlined in section 126(2) of the Act.

- 5.1 **Required Skills & Experience** - Independent Members shall have senior business or financial management/reporting knowledge and expertise, and be conversant with the financial, risk management and governance issues, and have extensive accounting, auditing or legal skills and other reporting requirements of Local Government.
- 5.2 **Appointment** - The appointment of external independent members shall be made by Council resolution following public advertisement in the local newspaper and Council website.
- 5.3 **Tenure** - Independent members shall be appointed for a term of two years, after which time Council can choose to exercise an option to renew the appointment for another term. Independent members can only serve for two consecutive terms without public advertisement, however, members may re-apply at the end of their term(s) and be re-appointed for further terms through the public advertisement process.
- 5.4 **Remuneration** - Remuneration paid to independent members will be a set fee per meeting with an additional amount paid to the Chairperson. Travelling costs will also be reimbursed.
- 5.5 **Resignation** - In the event of a resignation of an external independent member or statutory change, the Committee has the option to review unsuccessful applicants from the initial recruitment process and recommend to Council to appoint an applicant, if this occurs within the previous 12 month period.



6. COUNCIL MEMBERS

6.1 **Appointment** - The Council member(s) of the Committee shall be appointed by Council at its Statutory Meeting, unless otherwise determined by the Chairperson of the Committee.

7. COMMITTEE CHAIRPERSON:

7.1 **Role** – The role of the Chairperson is to:

- **Meeting Conduct** - Oversee the orderly conduct of meetings in accordance with the *Local Government Act 1999*, the *Local Government (Procedures at Meetings) Regulations 2013* and the Council's Code of Conduct for Meeting Procedures;
- **Guiding Principles** - Ensure that the Guiding Principles in Regulation 4 are observed and that all Committee Members have an opportunity to participate in discussions in an open and responsible manner.
- ~~**Voting Rights** – The Chairperson of the Committee shall have a casting vote on occasions where there is an equal number of votes on a matter.~~

7.2 **Appointment** - The Chairperson of the Committee must be appointed by Council resolution and be an independent member. The Chairperson will be appointed for two years.

7.3 **Tenure** - After serving two years, the Committee may choose to appoint the Chairperson for a further one year term or the Committee may choose to nominate another Chairperson from the independent membership for a one year term. The process will be dependent on the Committee seeking nominations from the current independent membership and providing a report for noting to the Council.

7.4 **Acting Chairperson** - In the absence of the appointed Chairperson from a meeting, the meeting will appoint an acting Chairperson from the Independent members present at the meeting.

8. NOTICE OF MEETINGS:

8.1 The Committee shall conduct its meetings in the Council Chamber, 10 Watson Terrace, Mount Gambier.

8.2 In accordance with Section 87 of the Act a notice of each meeting confirming the venue, date and time, together with an agenda of items to be discussed, shall be forwarded to each member of the Committee and observers, no later than three (3) clear days before the date of the meeting. Supporting papers shall be sent to Committee Members (and to other attendees as appropriate) at the same time.

9. MEETINGS AND DOCUMENTATION:

9.1 **Number of Meetings** - The Committee have an ordinary meeting at least four times a year at appropriate times in the reporting and audit cycle and otherwise as required.

9.2 **Additional Meetings** – Shall be convened at the discretion of the Chairperson or at the written request of a Committee member, the CEO or the internal or external auditors.



- 9.3 **Quorum** - At all meetings of the Committee a quorum must be present, noting the following:
- No business shall be transacted at any meeting of the Committee unless a quorum of Members is present.
 - A quorum will be determined by dividing by 2 the number of Members formally appointed to the Committee ignoring any fraction and adding 1. A duly convened meeting of the Committee at which a quorum is present shall be competent to exercise all or any authorities, powers and discretions vested in or exercisable by the Committee.
- 9.4 **Role of Chairperson** - The Chairperson, when physically present, shall preside at all meetings of the Committee and at any other time the Committee shall appoint an Acting Chairperson who shall preside at that meeting.
- 9.5 **Voting Rights** - Each Member of the Committee including the Chairperson present at any meeting of the Committee must vote on any matter requiring determination and all decisions shall be decided on a simple majority of votes cast.
- 9.6 **Deliberate Vote** - Each Member of the Committee including the Chairperson present at any meeting of the Committee shall have one deliberate vote only.
- 9.7 **Meeting Access** - In accordance with the principles of open, transparent and informed decision making, Committee meetings must be conducted in a place open to the public. The agenda and minutes of the Committee meetings, subject to any items that are discussed in confidence under Section 90 of the Local Government Act 1999 and subsequently retained as confidential under Section 91 of the Act, are also required to be made available to the public.
- 9.8 **Documents** - Members of the public shall have access to all documents related to the Committee unless prohibited by resolution of the Committee under the confidentiality provisions of Section 90 and 91 of the Local Government Act 1999.

10. MINUTES OF MEETINGS:

- 10.1 **Role of The CEO** - The CEO shall ensure that the proceedings and resolutions of all meetings of the Committee, including recording the names of those present are minuted and that the minutes otherwise comply with the requirements of the *Local Government (Procedure at Meetings) Regulations 2013*.
- 10.2 **Minutes Review** - The Chairperson will review the minutes within one week of the meeting and these will be presented to the next practicable Council meeting. The minutes will then be formally approved at the subsequent meeting of the Committee.
- 10.3 **Minutes Availability** – Minutes shall be made available to all Members of the Committee, Council and the public.
- 10.4 **Minutes Confirmation** - Minutes of the Committee Meeting shall be submitted for confirmation at the next meeting of the Committee and if confirmed, shall be signed by the Chairperson or other person presiding at the subsequent meeting.
- 10.5 **Submission To Council** - Minutes of the Committee Meeting and any recommendations (including the minutes and recommendations of any Sub-Committee established by the Committee) shall be submitted to Council and shall be of no effect until endorsed as a resolution of Council.



11. MEETING PROCEDURE:

- 11.1 **Legislation** - The Committee shall conduct meetings in accordance with the *Local Government Act 1999* and *Local Government (Procedures at Meetings) Regulations 2013*.
- 11.2 **Conflict of Interest** – Conflict of Interest declarations pursuant to S 73 – 75B of the Local Government Act 1999.

12. ROLE OF THE AUDIT AND RISK COMMITTEE:**12.1 Financial Reporting:**

The Committee shall:

- 12.1.1 **Financial Statements** - Monitor the integrity of the financial statements of the Council, including in its annual report, reviewing significant financial reporting issues and judgements which they contain.
- 12.1.2 **Review and challenge** - where necessary:
- The consistency of, and/or any changes to accounting policies.
 - The methods used to account for significant or unusual transactions where different approaches are possible.
 - The compliance with appropriate accounting standards and use of appropriate estimates and judgements, taking into account the views of the external auditor.
 - The clarity of disclosure in the Council's financial reports and the context in which statements are made; and
 - All material information presented with the financial statements, such as the operating and financial review and the corporate governance statement (insofar as it relates to the audit and risk management).

12.2 Internal Controls and Risk Management Systems

The Committee shall:

- 12.2.1 **Effectiveness** - Monitor the effectiveness of the Council's internal controls and risk management systems; and
- 12.2.2 **Review and recommend the approval** - Where appropriate, of statements to be included in the annual report concerning internal controls and risk management.
- 12.2.3 **Risk Profile** - Keep under review Council's overall risk profile and monitor risk exposure.
- 12.2.4 **Risk Management** - Monitor the risk exposure of Council by determining if management has appropriate risk management processes and adequate management information systems.
- 12.2.5 **Risk Management Framework** - Review Council's Risk Management Policy and Framework and risk profile. Monitor the process of review of Council's risk profile to ensure that material risks are dealt with appropriately.
- 12.2.6 **Risk Register** - Receive status reports on a regular basis of the risk register and actions being taken to manage identified risks.



12.3 Public Interest Disclosure Act

The Committee shall:

12.3.1 Council's Arrangements - Review the Council's arrangements for its employees to raise concerns, in confidence, about possible wrongdoing in financial reporting or other matters.

12.3.2 The Committee shall ensure these arrangements allow independent investigation of such matters and appropriate follow-up action.

12.4 Internal Audit (where Council does not have a separate internal audit function)

The Committee shall:

12.4.1 Monitor and Review - The effectiveness of the Council's internal audit function in the context of the Council's overall risk management system.

12.4.2 Program - Consider and make recommendation on the program of the internal audit function and the adequacy of its resources and access to information to enable it to perform its function effectively and in accordance with the relevant professional standards.

12.4.3 Reports - Review all reports on the Council's operations from the internal auditors.

12.4.4 Findings and Recommendations - Review and monitor management's responsiveness to the findings and recommendations of the Internal Auditor; and

12.4.5 Direct Access - Provide the internal Auditor with the right of direct access to the Mayor of the Council and to the Chairperson of the Committee.

12.5 External Audit:

The Committee shall:

12.5.1 Consider and make recommendations to the Council, in relation to the appointment, re-appointment and removal of the Council's external auditor.

12.5.2 Selection/Resignation Process - The Committee shall oversee the selection process for a new external auditor and if an auditor resigns the Committee shall investigate the issues leading to this and decide whether any action is required.

12.5.3 Relationship - Oversee Council's relationship with the external auditors including, but not limited to:

- **Remuneration** - Recommending the approval of the external auditor's remuneration, whether fees for audit or non-audit services, and recommending whether the level of fees is appropriate to enable an adequate audit to be conducted.
- **Terms of Engagement** - Recommending the approval of the external auditor's terms of engagement, including any engagement letter issued at the commencement of each audit and the scope of the audit.



- **Independence & Objectivity** - Assessing the external auditor's independence and objectivity taking into account relevant professional and regulatory requirements and the extent of Council's relationship with the external auditors, including the provision of any non-audit services.
 - **Relationships** - Satisfying itself that there are no relationships (such as family, employment, investment, financial or business) between the external auditor and the Council (other than in the ordinary course of business).
 - **Assessment** - Assessing the external auditor's qualifications, expertise and resources and the effectiveness of the audit process (which shall include a report from the external auditors on the Committee's own internal quality procedures).
 - **Follow up** - Action(s) to follow up on matters raised by the external auditors.
- 12.5.4 **Meeting** - Meet as needed with the external auditor. The Committee shall meet the external auditor at least once a year to discuss the external auditor's report and any issues arising from the audit.
- 12.5.5 **Annual Audit Plan** - Review and make recommendations on the annual audit plan, and in particular its consistency with the scope of the external audit engagement.
- 12.5.6 **Audit Findings** - Review the findings of the audit with the auditor. This shall include, but not be limited to, the following:
- A discussion of any major issues which arose during the external audit;
 - Any accounting and audit judgements; and
 - Levels of errors identified during the external audit.
- 12.5.7 **Effectiveness** - The Committee shall also review the overall effectiveness of the external auditor.
- 12.5.8 **Representation Letter(s)** - Review any representation letter(s) requested by the auditor before they are signed by management.
- 12.5.9 **Management Letter** - Review the management letter and management's response to the external auditor's findings and recommendations. Subsequent to the initial review the Committee will oversee action to follow up on matters raised by the external auditors.
- 12.6 **Review of Strategic Management and Business Plans:**
The Committee shall review and provide advice on Council's strategic management plans (at the time of their preparation and scheduled review), which include the following:
- Strategic Plan;
 - Key principles and assumptions of the Long Term Financial Plan;
 - Various Asset Management Plans; and
 - Annual Business Plan.

12.7 **Prudential Reports:**



12.7.1 **Review** - The Committee shall provide advice on the management of any prudential reports prepared for Council and provide advice to Council.

13. OTHER MATTERS:

The Committee:

- 13.1 **Annual Work Program** - The Committee must adopt an annual work program.
- 13.2 **Oversee Investigations** - Shall oversee any investigation of activities that are within its Terms of Reference.
- 13.3 **Other Matters** - Shall give consideration to:
- **Relevant Audits** – Consider the findings and recommendations of relevant audits undertaken by the SA Auditor General's Office, the South Australian Ombudsmen, Independent Commissioner Against Corruption (ICAC) and other agencies to ensure Council considers the relevant recommendations.
 - **Any Other Matters** - any other matters referred to it by Council meeting resolution or the CEO.
- 13.4 **Resources** - Shall have access to reasonable resources to carry out its duties.
- 13.5 **Training** - Be provided with appropriate and timely training, both in the form of an induction program for new members and an ongoing basis for all members.
- 13.6 **Insurance** - Shall advise Council's insurers of any civil liability or risk management issue. It should also be noted that Members of the Committee will be covered by Council's insurance policies while engaged in the business of the Committee.
- 13.7 **Legislation** - Give due consideration to the *Local Government Act 1999* and regulations made under the Act.

14. REVIEW/REPORTING:

- 14.1 **Recommendations** - The Committee shall make whatever recommendations to Council it deems appropriate on any area within these Terms of Reference where in its view action or improvement is needed.
- 14.2 **Self-Assessment Reports** - The Committee will at least once a year, review its own performance and provide a Self-Assessment Report to the CEO for tabling at the next Council meeting.
- ~~14.3 **Biannual Report** – The Committee must prepare a biannual report to Council describing the activities of the Committee including its findings and recommendations. This report will be provided to the CEO for tabling at the next Council meeting.~~
- 14.3 **Terms of Reference** – The Committee shall at least once every two years review its terms of reference.
- 14.4 **Council Review** - Council may review and amend the Committee Terms of Reference at any time, providing that the Committee has an opportunity to provide Council with any concerns that arise.



15. **ACCESS TO TERMS OF REFERENCE:**

- 15.1 The Audit and Risk Committee Terms of Reference is available for public inspection at the Customer Centre, 10 Watson Terrace, Mount Gambier, South Australia and on the Council's website www.mountgambier.sa.gov.au



16.6 SELF-ASSESSMENT OF PERFORMANCE AUDIT AND RISK COMMITTEE – REPORT NO. AR22/77367

Committee:	Audit and Risk Committee
Meeting Date:	6 December 2022
Report No.:	AR22/77367
CM9 Reference:	AF11/863
Author:	Julie Scoggins, Manager Finance
Authoriser:	Darren Barber, General Manager Corporate and Regulatory Services
Summary:	To present for consideration and adoption, the draft Audit and Risk Committee Self-Assessment Annual Report.
Strategic Plan Reference:	Goal 1: Our People
	Goal 2: Our Location
	Goal 3: Our Diverse Economy
	Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage
	Goal 5: Our Commitment

REPORT RECOMMENDATION

1. That Audit and Risk Committee Report No. AR22/77367 titled 'Self-assessment of Performance Audit and Risk Committee' as presented on 06 December 2022 be noted.
2. That the Audit and risk committee:
 - (a) Authorise the General Manager Corporate and Regulatory Services in liaison with the Presiding Member to make any minor amendments to the attached draft Audit and Risk Committee Self-Assessment Annual Report 2021/2022 that the Committee identifies and to then finalise the document; and
 - (b) Recommend to Council that the Audit and risk committee's Self-Assessment Report for 2021/2022 be adopted.



TYPE OF REPORT

Other

BACKGROUND

1. **Audit and Risk Committee Terms of Reference** – The following section of the current Audit and Risk Committee Terms of Reference is relevant to this report:

The Committee shall:

14.2 Self Assessment Reports - *The Committee will at least once a year, review its own performance and provide a Self Assessment Report to the CEO for tabling at the next Council meeting.*

2. **Performance Review** - The Audit and Risk committee Terms of Reference requires the Committee to review its own performance to seek to ensure that it is operating at maximum effectiveness and recommend any desired changes to Council.
3. **The Local Government Act Financial Sustainability Information Paper 3** - On Audit and Risk Committees recommends that the Committee provide an annual report to Council.
4. **Committee Minutes** - The Minutes of each Committee meeting are provided to each Council Member and Committee Member and recommendations from the Committee are provided to the following Council meeting for consideration/adoption. All Committee recommendations in 2021/2022 have been adopted by Council.
5. **Meetings** - The Committee met 6 times during 2021/22 and considered reports on topics including but not limited to: The Annual Financial Statements, Annual Work Plan, Annual Business Plan, Long Term Financial Plan and Asset Management Plans, Audit Engagement, Policies, Quarterly Budget Reviews, Risk and Work Health and Safety, and the Self-Assessment of the Audit and Risk Committee.

PROPOSAL**Self-assessment**

The Audit and risk committee's self-assessment are drafted in Table 1. This table is consistent with the review table included in the 8 November 2021 audit and risk committee report.

The audit and risk committee members are encouraged to provide any additional or alternative input into the drafted response for inclusion before finalisation.

Table 1: Self performance considerations

AREA	COMMENT
Role & Terms of Reference	The audit and risk committee is of the view that functions and extent of authority as defined under S126 (4) local government act are adequately defined in the <i>Terms of Reference</i> established by Council. The last review of the Terms of Reference was performed on 8 November 2021.
	The audit and risk committee is of the view that its role and function includes the monitoring of Financial Reporting and Management, Internal controls and Risk Management Systems, the effectiveness of internal audit functions and the external audit arrangements.
Independence	Independent Opinions/Views - The audit and risk committee is of the view that it is able to form opinions and express views independently without perceiving a conflict of interest based on their current position within or outside Council.
	Council Staff Attendance - The audit and risk committee believes that the invited attendance of the CEO, a General Manager, the



AREA	COMMENT
	Manager Financial Services, or other Council staff at times, provides direction without influence. Continued attendance is desirable.
Committee Skills/Training	<p>Selection - The audit and risk committee is of the view that its members have been selected due to their qualifications and expertise and their combined qualifications and experience allow it to perform its role appropriately.</p> <p>Skills/Experience - Members' backgrounds include a combination of accounting, risk management, internal control and/or external audit experience and exposure. Members have access to relevant and ongoing professional training.</p>
Work Program	2021/2022 Program - The audit and risk committee's work program for 2021/2022 met its areas of focus and the audit and risk committee recognises that its work program can be updated based on changing expectations and/or to address topical issues and emerging trends.
Council Structure and Decision Making	<p>Council - The audit and risk committee are aware of the processes of Council, Council's organisational structure and decision-making processes.</p> <p>Documentation - Audit and risk committee members are provided with copies of financial statements, policies and reports of Council if and when relevant. In the 2022/2023 Financial Year Council staff will continue to present and discuss relevant financial processes to promote transparency and understanding.</p>
Meeting Operation and Frequency	Frequency - 6 audit and risk committee meetings were held in 2021/22 with 5 ordinary meetings and one special meeting which has exceeded the requirement to meet at a minimum of four times a year.
Resources available to the Audit and risk committee	<p>Staff Resources - The audit and risk committee utilises the resources of Council through the attendance of the external audit service provider, the CEO, the General Manager Corporate and Regulatory Services, the Manager Financial Services and other employees as requested.</p> <p>External Auditors - The audit and risk committee has liaised with external auditors and Council employees as required in order to meet its role and terms of reference. The audit and risk committee has met with the auditor three times during the last financial year.</p>
Audit and risk committee's working relationship with Council and the senior management team	<p>Role & Function - Council appears to be aware of role and function of audit and risk committee. Presence of CEO, the Manager Financial Services and the General Manager Corporate and Regulatory Services assists the audit and risk committee in decision achievement.</p> <p>Support - No issues of conflict have arisen. The audit and risk committee recognises the significant role played by Council employees to address and advise the Committee.</p>
The Audit and risk committee's access to appropriate Council information	<p>Oversight - The audit and risk committee notes its oversighting role regarding financial and risk management within Council. Although it has no operational responsibility it has access to necessary information to perform its review role around the policies, procedures and compliance related to policies and procedures guiding decisions with major financial or risk implications.</p> <p>Works Program - The audit and risk committee is able to contribute to the Annual Works Program incorporating any subjects is</p>



AREA	COMMENT
	determines to be either topical or of consistent interest to the committee.
The extent to which the Audit and risk committee's advice is contributing to the effective operation of the Council	Terms of Reference - The audit and risk committee recognises that its role and terms of reference are a requirement of the local government act. Members are cognisant of their requirements, roles and responsibilities.
	Function and Role - The audit and risk committee holds the view that its function and role will be increasingly viewed as complimentary to Council in its activities for ratepayers.
	Policies - Five policies were taken to the audit and risk committee for review including the following: B300 Budget Framework, T150 Treasury Management Policy, P420 Procurement and Disposal of Land and Assets, Asset Accounting Policy and A900 Asset Management Policy.
	Annual Report – Council's Annual Report includes a summary of the annual works program undertaken for the year, the number of meetings held and meeting attendance.

LEGAL IMPLICATIONS

Local Government Act Sections 126 and 41.

Local Government (Financial Management) Regulations 2011

Terms of Reference – Audit and risk committee

STRATEGIC PLAN

N/A

COUNCIL POLICY

N/A

ECONOMIC IMPLICATIONS

N/A

ENVIRONMENTAL IMPLICATIONS

N/A

SOCIAL IMPLICATIONS

N/A

CULTURAL IMPLICATIONS

N/A

RESOURCE IMPLICATIONS

N/A

VALUE FOR MONEY

N/A

RISK IMPLICATIONS

N/A

EQUALITIES AND DIVERSITY IMPLICATIONS

N/A



ENGAGEMENT AND COMMUNICATION STRATEGY

N/A

IMPLEMENTATION STRATEGY

N/A

CONCLUSION AND RECOMMENDATION

The recommendation to Council is that they adopt the Audit and Risk committee's Self-Assessment Report based on the information contained in this report.

ATTACHMENTS

Nil



**16.7 AUDIT AND RISK COMMITTEE WORK PROGRAM & MEETING SCHEDULE 2023 –
REPORT NO. AR22/77371**

Committee:	Audit and Risk Committee
Meeting Date:	6 December 2022
Report No.:	AR22/77371
CM9 Reference:	AF11/863
Author:	Julie Scoggins, Manager Financial Services
Authoriser:	Darren Barber, General Manager Corporate and Regulatory Services
Summary:	This report provides details of the proposed Audit and Risk Committee work program and meeting schedule.
Strategic Plan Reference:	Goal 1: Our People Goal 2: Our Location Goal 3: Our Diverse Economy Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage Goal 5: Our Commitment

REPORT RECOMMENDATION

1. That Audit and Risk Committee Report No. AR22/77371 titled 'Audit and Risk Committee Work Program & Meeting Schedule 2023' as presented on 06 December 2022 be noted.
2. That recommended meeting months (below) supplied by the Audit and Risk Committee be adopted by council, noting that the meeting dates are subject to change, including if an additional meeting is required:
 - (a) February 2023;
 - (b) March 2023;
 - (c) May 2023;
 - (d) July 2023;
 - (e) October 2023; and
 - (f) November 2023.
3. That the draft work program as reviewed by the Audit and Risk Committee for the calendar year 2023 (attached) be adopted, noting the meeting months and schedule are subject to change, including if an additional meeting is required.



TYPE OF REPORT

Corporate

BACKGROUND

1. **Terms of Reference** - The Audit and Risk Committee (ARC) Terms of Reference was adopted by Council in November 2021, the following sections of the terms of reference are relevant to this report:

9.1 **Number of Meetings** - *The Committee have an ordinary meeting at least four times a year at appropriate times in the reporting and audit cycle and otherwise as required.*

9.2 **Additional Meetings** - *Shall be convened at the discretion of the Chairperson or at the written request of a Committee member, the CEO or the internal or external auditors.*

The Committee:

13.1 **Annual Work Program** - *The Committee must adopt an annual work program.*

2. **Purpose of the Work Program** - The Audit and Risk Committee has a work program that enables responsibilities from the Terms of Reference to be scheduled across the various committee dates.

PROPOSAL

1. **Number of Meetings** - The meetings scheduled in this report ensure that there are a minimum of four meetings per financial year aligned with the Audit and Risk Committee Terms of Reference.
2. **Meetings Schedule** - The meetings for 2023 are scheduled to occur on a Monday, the timing of which accommodates the forwarding of ARC recommendations to the next Council meeting which is held on the third Tuesday of each calendar month, except for December:
 - February 2023;
 - March 2023;
 - May 2023;
 - July 2023;
 - October 2023; and
 - November 2023.
3. **Changes to Schedule** - The meeting dates and schedule are subject to change, including if an additional meeting is required.
4. **Publication of Work Program** - The program will be published on the Audit and Risk Committee's page of Council's website.
5. **Internal Audit** - At this stage no specific reports have been defined or reports allocated to particular dates. The internal audit approach and work program are currently being established for the coming financial year.

LEGAL IMPLICATIONS

The Audit and Risk Committee is required under S126 of the Local Government Act 1999.

STRATEGIC PLAN

N/A



COUNCIL POLICY

N/A

ECONOMIC IMPLICATIONS

N/A

ENVIRONMENTAL IMPLICATIONS

N/A

SOCIAL IMPLICATIONS

N/A

CULTURAL IMPLICATIONS

N/A

RESOURCE IMPLICATIONS

Sitting fees are included in the annual budget.

Reports for the Audit and Risk Committee are incorporated into staff work plans.

VALUE FOR MONEY

N/A

RISK IMPLICATIONS

There is a risk that some reports identified in the work program may be delay to a different meeting.

EQUALITIES AND DIVERSITY IMPLICATIONS

N/A

ENGAGEMENT AND COMMUNICATION STRATEGY

N/A

IMPLEMENTATION STRATEGY**CONCLUSION AND RECOMMENDATION**

The Audit and Risk Committee draft Work Program 2023 is sufficiently detailed and flexible to enable the Committee to fulfill its Terms of Reference.

ATTACHMENTS

1. Audit and Risk Committee Program



Audit & Risk Committee - Draft Work Program

Month	February	March	May	July	October	November
Recommendations To Council Meeting Dates	March	April	May	August	October	December
Financial Reporting & Management:						
Review statutory financial statements					■	
Comparison of actual performance to budget as at year-end					■	
Review performance of investments and borrowings				■		■
External Audit Attendance Letter				■		
Audit & Risk Committee self-assessment and annual report						■
Internal Controls and Risk Management Systems:						
Monitor effectiveness of Council's internal controls & risk mgt systems.			■			
Strategic Risk Register		■	■		■	
Review of insurances					■	
Local Government Act Reform		■	■		■	
Work Health Safety Update	■	■	■		■	
Internal Audit (TBC):						
Internal Audit - Oversight of program planning and scope.						
Progress on internal audits						
External Audit:						
Review annual audit plan	■					
Meeting with auditors to review audit findings					■	
Review audit management report and management's response	■		■	■	■	■
Review any Mgt Representation Letter before they are signed by management.					■	
Review of Strategic Management and Business Plans:						
Review Asset Management Plans (Forward Works Program)			■			
Review Long Term Financial Plan			■			
Review Annual Business Plan			■			
Budget Reviews (BR1, BR2, BR3)	■	■	■			
Policy Reviews:						
Asset Accounting Policy (Annual review)		■				
Any other policies as required						
Other:						
Review annual work plan						■



16.8 EXTERNAL AUDIT MANAGEMENT REPORT – REPORT NO. AR22/77370

Committee:	Audit and Risk Committee
Meeting Date:	6 December 2022
Report No.:	AR22/77370
CM9 Reference:	AF11/863
Author:	Julie Scoggins, Manager Financial Services
Authoriser:	Darren Barber, General Manager Corporate and Regulatory Services
Summary:	To inform the Audit and Risk Committee of the progress against Council's External Auditor's recommendations for the 2020/2021 and the 2021/2022 years.
Strategic Plan Reference:	Goal 1: Our People
	Goal 2: Our Location
	Goal 3: Our Diverse Economy
	Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage
	Goal 5: Our Commitment

REPORT RECOMMENDATION

1. That Audit and Risk Committee Report No. AR22/77370 titled 'External Audit Management Report' as presented on 06 December 2022 be noted.



TYPE OF REPORT

Corporate

BACKGROUND

1. **Audit and Risk Committee Terms of Reference** - The following section of the Audit and Risk Committee Terms of Reference is relevant to this report:

*12.5.6 **Audit Findings** - Review the findings of the audit with the auditor. This shall include, but not be limited to, the following:*

 - *A discussion of any major issues which arose during the external audit;*
 - *Any accounting and audit judgements; and*
 - *Levels of errors identified during the external audit.*

*12.5.9 **Management Letter** - Review the management letter and management's response to the external auditor's findings and recommendations. Subsequent to the initial review the Committee will oversee action to follow up on matters raised by the external auditors.*
2. **External Auditor Recommendations** - Council's previous external auditor, Galpins Accountants Auditors and Business Consultants, were appointed as Council's external auditor in 2016 and undertook interim and balance date audits over the following 5 years. Recommendations for improvement were put forward by Galpins with follow up actions agreed with Council.
3. **Appointment of External Auditors** - Dean Newbery and Partners were appointed as Council's external Auditors for a period of 5 years commencing with the audit of the financial year ending 30 June 2022.
4. **Audit and Risk Committee Recommendation February 2022** – A report be provided to the Audit and Risk Committee at least on a quarterly basis throughout the financial year to provide an update on the progress against the recommendations raised by the External Auditors.
5. **Interim Audit Visit** - Council's external auditors (Dean Newbery and Partners) undertook an interim site visit in April 2022 in relation to the external audit for the year ended 30 June 2022.
6. **Balance Date Audit** – Council's external auditors (Dean Newbery and Partners) undertook a balance date audit site visit in August 2022 in relation to the external audit for the year ended 30 June 2022.

PROPOSAL

1. **Action Plan** - Council staff have prepared and are continuing to implement an action plan to address the items identified in the Management Reports.
2. **Council's Progress** - This report and its attachments provide an update on Council's progress in implementing the continuous improvement recommendations noted on the 28th February 2022 Audit and Risk Committee Agenda (Attachment 1).
3. **2020/2021 Internal Controls Report** - As shown in Attachment 1 of this report of the five activities highlighted, one has been completed, two are partially completed and two are yet to implemented pending a Business Systems review.
4. **Interim Management Report May 2022 Management Response** - Attachment 2 also shows the progress against the fourteen risks raised can be categorised as follows:
 - **Actions That Are Complete (6 Risks)** - Including User access levels – payroll Masterfile, general journal review, asset revaluation reserve adjusting entry, user access levels – segregation of duties, payroll and accounts payable back up duties, and procurement exemption register.
 - **Actions That Are Partially Complete (8 Risks)** – Including internal financial controls, internal plant hire and full cost attribution, policy register, grants register, Riddoch Art



Collection - Curatorial and Preservation Policy and Library books accounting treatment, leases and licences register and payroll procedure.

5. **Balance Date Audit 2021/2022** – Two matters were raised to be addressed for future financial years including Caroline Landfill Post Closure Provision Review and Infrastructure Asset Revaluation. Initial actions have been taken to address both of these matters (Attachment 3).
6. **Next Update** – The next update will be brought to the Audit and Risk Committee at the February 2023 meeting.

LEGAL IMPLICATIONS

Actions are required to be resolved to ensure compliance with the Local Government Act 1999, Local Government (Financial Management) Regulations 2011 and accounting standards.

Section 129 of the Local Government Act 1999.

STRATEGIC PLAN

N/A

COUNCIL POLICY

[A900 Asset Management Policy](#)

[P420 Procurement, & Disposal of Land and Assets](#)

[Asset Accounting Policy](#)

[B300 Budget Framework](#)

[T150 Treasury Management Policy](#)

ECONOMIC IMPLICATIONS

N/A

ENVIRONMENTAL IMPLICATIONS

N/A

SOCIAL IMPLICATIONS

N/A

CULTURAL IMPLICATIONS

N/A

RESOURCE IMPLICATIONS

N/A

VALUE FOR MONEY

N/A

RISK IMPLICATIONS

N/A

EQUALITIES AND DIVERSITY IMPLICATIONS

N/A

ENGAGEMENT AND COMMUNICATION STRATEGY

N/A



IMPLEMENTATION STRATEGY**CONCLUSION AND RECOMMENDATION**

The external audit management reports indicate that overall Council has effective controls in place, with opportunity for improvements noted, action plans established to achieve best practice and progress made to date.

ATTACHMENTS

1. Attachment 1 - Interim Audit 2021
2. Attachment 2 - Interim Audit 2022
3. Attachment 3 - Balance Date Audit



Attachment 1

Auditor Recommendation or Comment	Risk	Progress	Target Date	Status	Responsibility	Completion Date
2020/21 Internal Controls Letter						
Purchase Orders raised after invoices are received	M	Executive reporting developed and implemented.	31-Dec-21	Complete	JS	31-Dec-21
		Revised procurement policy and recommendations from procurement review presented to Executive, Audit and Risk Committee and Council. Updated policy adopted by Council at the April 2022 Council meeting. Draft procurement procedures have been prepared and are currently being reviewed.	31-Dec-22	Partially Complete	JS	
No formal maintenance plans supporting general maintenance strategies per the Asset Management Plan.	L	Asset maintenance programs will be developed following service reviews including a review of required service levels.	31-Dec-22	Partially Complete	BC	
Accounts Payable - Improvements required in process for uploading supplier EFT files into online banking system.	M	A business systems review is scheduled. Any direct interface would need to be considered following completion of the review. As shown in the original response audit checks are already in place that would identify any changes.	30-Jun-23	Not started	JS	
Payroll - Improvements required in process for uploading supplier EFT files into online banking system.	M	A business systems review is scheduled. Any direct interface would need to be considered following completion of the review. As shown in the original response audit checks are already in place that would identify any changes.	30-Jun-23	Not started	JS	



Attachment 2

Ref	Auditor Recommendation or Comment	Risk	Progress	Target Date	Status	Responsibility	Completion Date
2021/22 Interim Management Report							
1	User Access Levels - Payroll Masterfile	H	A review of finance systems access was undertaken by the Manager Financial Services with recommendations provided to the Executive team in June 2022. All payroll processing and ability to make changes to the payroll masterfile has been removed from staff not directly involved in the processing of payroll.	30-Jun-22	Complete	JS	30-Jun-22
2	Internal Control Self Assessment	H	The internal controls policy was reviewed by the Audit and Risk Committee in July and adopted by Council in August. A cross-functional team has agreed an approach.	31-Mar-23	Partially Complete	JS	
3	General Journal Review	H	Evidence of journal review was provided to the Auditors for the balance date audit. The responsibility for the raising of journals has been reviewed with recommendations made to the Executive team.	31-May-22	Complete	JS	30-Jun-22
4	Asset Revaluation Reserve - Adjusting Entry	H	The entry was reversed at the year-end and highlighted in the year-end reporting.	31-May-22	Complete	JS	31-May-22
5	User Access Levels - Segregation of Duties	M	A review of finance systems access was undertaken by the Manager Financial Services with recommendations provided to the Executive team in June 2022.	30-Jun-22	Complete	JS	30-Jun-22
6	Internal Plant Hire Rates and Full Cost Attribution	M	To be outsourced with expected delivery by the end of Quarter 3 2023.	31-Mar-23	Partially Complete	JS	
7	Policy Register	M	A quarterly report on policies for review is scheduled in the corporate calendar for presentation to the Executive Leadership Team.	Ongoing	Partially Complete	MM	
8	Payroll and Accounts Payable Back Up Duties	L	Backfill has occurred whilst key staff have been on leave and the procedures have been tested.	31-Dec-22	Complete	JS	30-Nov-22
9	Grants Register	L	A grants schedule was developed in preparation for the year-end process with details of all grants awarded.	31-Mar-23	Partially Complete	JS	
10	Procurement Exemption Register	L	A procurement exemption register was created in April 2022 aligned with the specified requirements. The relevant procurement procedure was amended and presented to the Executive team in June/July 2022 with example reporting. The process has been implemented with training provided to key stakeholders across the organisation.	30-Jun-22	Complete	JS	20-Jul-22
11	Riddoch Art Collection - Curatorial and Preservation Policy	L	Draft policy constructed. To be brought to Audit and Risk Committee in the new calendar year.	31-Mar-23	Partially Complete	JS	
12	Library Assets - Capital vs Operating	L	Revised Asset Accounting Policy included for review at Audit and Risk Committee meeting on 25 July 2022. Change in treatment included in draft Budget Review 1 to be taken to the December Council meeting.	30-Jun-23	Partially Complete	JS	
13	Leases and Licences Register	L	The Lease / Licence Register data entry is now 100% complete and up to date. It will continue to be updated as and when things change. It is available in the RelianSys system for various staff to view, use and add actions for them which will provide them with email notifications when due.	30-Jun-23	Partially Complete	MM	
14	Payroll Procedure	L	Payroll procedures have been developed and are on track for delivery by the end of December 2022.	31-Dec-22	Partially Complete	JS	



Attachment 3

Ref	Auditor Recommendation or Comment	Risk	Progress	Target Date	Status	Responsibility	Completion Date
2021/22 Balance Date Audit - Matters to be addressed in future financial years							
1	Caroline Landfill - Post Closure Provision	H	The Manager Waste and Reuse has started to collate the required information and is preparing the draft forward works program for review in January 2023.	30-Jun-23	Partially Complete	MM	
2	Infrastructure - Asset Revaluation	H	The outsourcing of condition audits is being finalised prior to undertaking the procurement exercise for the outsourcing of the valuation for this asset category.	30-Jun-23	Partially Complete	AMJS	



16.9 ASSET ACCOUNTING POLICY REVIEW – REPORT NO. AR22/82159

Committee:	Audit and Risk Committee
Meeting Date:	6 December 2022
Report No.:	AR22/82159
CM9 Reference:	AF11/863
Author:	Julie Scoggins, Manager Financial Services
Authoriser:	Darren Barber, General Manager Corporate and Regulatory Services
Summary:	Following discussions with the External Auditors at the Audit and Risk Committee meeting on 26 September 2022 minor changes are proposed for the Asset Accounting Policy to provide further flexibility for the Infrastructure asset category.
Strategic Plan Reference:	Goal 1: Our People
	Goal 2: Our Location
	Goal 3: Our Diverse Economy
	Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage
	Goal 5: Our Commitment

REPORT RECOMMENDATION

1. That Audit and Risk Committee Report No. AR22/82159 titled 'Asset Accounting Policy Review' as presented on 06 December 2022 be noted.
2. That the Asset Accounting Policy as attached to Report No. AR22/82159 having been reviewed by the Audit and Risk Committee on 6 December 2022 be adopted.



TYPE OF REPORT

Corporate

BACKGROUND

1. **Audit and Risk Committee Terms of Reference** - The following section of the Audit Committee Terms of Reference is relevant to this report:

The Committee shall:

12.1.2 *Review and challenge - where necessary:*

- *The consistency of, and/or any changes to accounting policies.*

2. **Audit and Risk Committee Review** – The new Asset Accounting policy was reviewed by the Audit and Risk Committee at the meeting on 28 March 2022.

3. **Council Meeting** – The following resolution was made at the Council meeting on 19 April 2022:

RESOLUTION 2022/74

Moved: Cr Sonya Mezinac

Seconded: Cr Max Bruins

1. *That Audit and Risk Committee Report No. AR22/19830 titled 'Asset Accounting and Asset Management Policies' as presented on 28 March 2022 be noted.*
 2. *That the Asset Accounting Policy as attached to Report No. AR22/19830 having been reviewed by the Audit and Risk Committee on 28 March 2022 be adopted with the following changes:*
 - (a) the right of use of leases assets be included*
 - (b) the purpose be altered to exclude Treasury Management*
 - (c) the policy review date be changed to annually*
 3. *That Policy A900 - Asset Management as attached to Report No. AR22/19830 having been reviewed by the Audit and Risk Committee on 28 March 2022 be adopted.*
 4. *That Council Policy C375 Council Vehicles - Provision and Replacement as attached to Report No. AR22/19830 be revoked.*
4. **External Auditors Recommendation Interim Audit April 2022** - With the introduction of the One Card system in 2014/15 under Libraries SA, the requirement of control, to recognise an asset, over these library books may no longer be met by Council due to the patron's ability to borrow and return books at any public library across South Australia. As a result, the External Auditors recommended that Council Administration review the accounting treatment of library books.
 5. **Interim Audit Action** – The interim audit letter management response included the following actions:
 - Accounting treatment change to be implemented from the 2022/23 financial year.
 - Revised Asset Accounting Policy to be taken to the Audit and Risk Committee including this change in July 2022 and to Council for adoption in August 2022.
 - The change in accounting treatment will be recognised in the 2022/23 budget at Budget Review 1 in December 2022.
 - The change will be recognised in the actual financial statements for 2022/23
 6. **Council Meeting August 2022** – Two minor amendments were made to the draft Asset Accounting policy as follows:



- **Library Books** - Were removed from this policy to be treated as an operating expense from 2022/23 financial year following Budget Review 1.
- **Other Assets** - The asset life for other assets was increased from 7 years to 10 years to reflect the removal of library books that were depreciated over 7-10 years.

PROPOSAL

1. Minor changes are proposed for the Asset Accounting Policy to ensure the following (as shown in red in the attached draft policy):
 - **Infrastructure Assets** - This asset category has been broken down into more granular asset classes to facilitate a more flexible approach to condition audits and valuations. This is a category that includes a significant number of assets with a considerable value. The current structure of the asset accounting policy means that Council needs to value this whole category at one time.
 - **Heritage Place and Open Space** - This is a new asset category which will be created and used for future use.
 - **Other** – Other minor adjustments have been made for consistency and in recognition of the nature of new assets acquired for the Wulanda Recreation and Convention Centre.
2. It should be noted that these minor changes are not anticipated to represent the formal review of the policy that will be undertaken on an annual basis.

LEGAL IMPLICATIONS

- The Asset Accounting Policy is a key financial policy that ensure that all Council owned assets are valued and depreciated in accordance with relevant Australian Accounting Standards (“the Standards”) pursuant to Local Government Act 1999 under section 303(4).

STRATEGIC PLAN

N/A

COUNCIL POLICY

The Asset Accounting Policy is aligned with the following Council Policies:

[A900 Asset Management Policy](#)

[P420 Procurement, & Disposal of Land and Assets](#)

ECONOMIC IMPLICATIONS

Aids in the delivery of economic outcomes.

ENVIRONMENTAL IMPLICATIONS

N/A

SOCIAL IMPLICATIONS

N/A

CULTURAL IMPLICATIONS

N/A

RESOURCE IMPLICATIONS

N/A

VALUE FOR MONEY

N/A



RISK IMPLICATIONS

Prudent management of Council's financial sustainability ensures that long and short term financial risk is mitigated.

EQUALITIES AND DIVERSITY IMPLICATIONS

N/A

ENGAGEMENT AND COMMUNICATION STRATEGY

N/A

IMPLEMENTATION STRATEGY

It is intended that these changes will be implemented as required.

CONCLUSION AND RECOMMENDATION


The Asset Accounting Policy is a key financial policy that ensure that all Council owned assets are valued and depreciated in accordance with relevant Australian Accounting Standards ("the Standards") pursuant to Local Government Act 1999 under section 303(4).

It is anticipated that no further changes to the minor changes included in the draft policy are considered at this time.

ATTACHMENTS

1. Draft Asset Accounting Policy V3.0



 City of Mount Gambier	COUNCIL POLICY	
	ASSET ACCOUNTING POLICY	
	Version No:	3.0
	Issued:	Jan 2023
	Next Review:	Jan 2024

1. INTRODUCTION:

The purpose of this policy is to ensure that all Council owned assets are valued and depreciated in accordance with relevant Australian Accounting Standards ("the Standards") pursuant to Local Government Act 1999 under section 303(4).

2. PURPOSE:

The purpose of this policy is to provide clear direction to management, staff and Council in relation to the Asset Accounting function.

3. SCOPE:

The scope of this policy is to ensure:

- **Asset Life** - That Council makes a distinction between costs incurred on long-lived assets and costs incurred on goods and services for immediate consumption;
- **Depreciation** - All depreciation estimates are prepared and maintained in accordance with the Standards and reviewed annually; and
- **Revaluations** - Are performed at a sufficient frequency to ensure that the carrying amount does not differ materially from the fair value at the reporting date.

This Policy is applicable to all Council owned assets.

The scope of this policy includes 'right-of-use assets' as defined in AASB 16 Leases.

The scope of this policy excludes library books that will be treated as an operating expense from 2022/23 financial year following Budget Review 1.


4. DEFINITIONS:

Key Term - Acronym	Definition
Amortisation	The systematic allocation of the depreciable amount of an asset over its useful life (e.g. for an asset valued at \$500,000 with a 5 year useful life the annual amount amortised would be \$100,000 per annum).
Asset	A resource with economic value that is owned or controlled by an entity with the expectation that it will provide a future benefit.
Asset Consumption Ratio	Value of infrastructure assets/gross current replacement cost of infrastructure assets.
Asset Renewal Funding Ratio	Capital expenditure on renewal or replacement of existing assets as a percentage of asset management plans allocation. Capital expenditure on renewal or replacement of existing assets / Asset Management Plan.

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Key Term - Acronym	Definition
Asset Register	A register for reliably recording inventory type details of an asset and may incorporate other information such as condition, valuation and location.
Carrying Amount	The amount at which an asset is recognised after deducting any accumulated depreciation and accumulated impairment losses.
Cost	The amount of cash or cash equivalents paid, or the fair value to acquire an asset at the time of its acquisition or construction.
Depreciation	The monetary value of an asset decreases over time (useful life) due to use, wear and tear or obsolescence. This decrease is measured as depreciation. Depreciation is the measure of 'using up' or consumption of the asset, in providing that asset to the community and is measured on an annual basis.
Depreciable Amount	The cost of an asset or any other amount substituted for cost, less its residual value.
Fair Value	Is the amount for which an asset could be exchanged between knowledgeable, willing parties in an arm's length transaction.
Gifted Assets	Is an asset constructed by a party other than a Council (typically a developer) and transferred to Council to maintain.
Intangible Assets	Are identified as non-monetary assets without physical substance. Some examples of intangible assets include; licences, intellectual property and computer software.
Maintenance	Regular ongoing day-to-day work necessary to keep assets operating, and does not extend the asset's useful life e.g. road patching. This is an operating expense as this does not increase the value of the asset.
New Asset	Is the creation of a new asset to meet additional service level requirements, e.g. a new building.
Non-current assets	Are assets that have an estimated life of greater than one year. They also include some financial assets that are not expected to be recovered within a year of the reporting date.
Operations	Regular activities of the council e.g. street sweeping, grass mowing, street lighting.
Right Of Use Asset	A right of use asset, or ROU, is a lessee's right to use an asset over the course of a lease.

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Key Term - Acronym	Definition
Renewal or replacement	Of an asset is where a previously existing asset is replaced, or its service life extended, without enhancement of the service capability except where this is incidental and unavoidable. e.g. gravel re-sheeting, reseal, etc.
Residual value	Of an asset is the estimated amount that an entity would currently obtain from disposal of the asset, after deducting the estimated costs of disposal at the end of its useful life.
Upgrade	Is the enhancement of an existing asset to provide a higher level of service, e.g. sealing an unsealed road.
Useful life	Is defined as the period over which an asset is expected to be available for use by the entity.

5. ROLES & RESPONSIBILITIES:

5.1 Council:

Council is responsible for adopting the policy, allocating resources, and providing high level oversight of the delivery of the Council's asset accounting policy. The Council is also responsible for ensuring that organisational resources are appropriately funded to guarantee adherence with this policy.

5.2 Chief Executive Officer:

The Chief Executive Officer is responsible for resourcing the implementation of the asset accounting policy and supporting procedures.

5.3 General Managers, Asset Managers, Manager Financial Services:

General Managers, Asset Managers and the Manager, Financial Services are responsible for the application of the asset accounting policy and supporting procedures.

5.4 Employees:

Employees are responsible for adhering to the policy.

6. POLICY STATEMENTS:


6.1 This Policy applies the provisions of the Local Government Act 1999 (the Act) Section 124 (Accounting Records to be Kept) regarding Council's Fixed Assets and how financial information pertaining to Fixed Asset transactions and reconciliations are undertaken across all Council operations.

6.2 This Policy underpins how Council treats various categories of transactions recorded on its fixed asset register and fixed asset transactions, culminating in their publication in the annual financial statements required under Section 127 (Financial Statements) of the Act.

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7. POLICY PRINCIPLES

7.1 Depreciation

7.1.1 Recognition of Depreciation Expense:

- **Commencement** - Depreciation expense commences from the time the asset is first put into use or held ready for use. Work-in-progress will not be depreciated until the asset is first put into use or held available for use.
- **Cessation** - Depreciation of an asset ceases when the asset is fully depreciated, or if the asset is determined to be held for sale. Depreciation does not cease when the asset becomes idle or is retired from active use unless the asset is fully depreciated.
- **Calculation** - In calculating depreciation on assets, each component of the asset which has a cost that is significant in relation to the total cost of the asset and has a materially different useful life, is to be depreciated separately.
- **Leasehold Improvements** - Where improvements are made to a leasehold property, these improvements will be allocated progressively over the unexpired portion of the lease or the useful lives of the improvements, whichever is the shorter. The unexpired period of the lease should include any options to extend the lease term when the exercise of the option is reasonably certain.
- **Non-Recognition Of Depreciation** - Council does not recognise depreciation on the following:
 - Inventories, as they are current assets;
 - Non-current assets whilst classified as held for sale;
 - Land, works of art, rare books, manuscripts, unique historical and cultural objects where their service potential is not expected to diminish with time or use.

7.2 Impairment:

- An asset is impaired if the amount at which it is recognised in the Council's financial records is greater than its fair value. Council will ensure that the amount at which an asset is capitalised does not exceed its fair value. This will be reviewed on an annual basis and all impairment losses are to be shown in the operating statement as expenditure.

7.3 Depreciation Methodology:

- **Asset Lives** - All assets with a useful life of more than one year, including intangible assets are depreciated over the useful life of the asset in accordance with Accounting Standards.

Asset Useful Lives	
Asset Class	(Years)
<i>Infrastructure:</i>	10 to 150
Sealed Roads	12 to 150
Unsealed Roads	40 to 75
Paving and Footpaths, Kerb & Gutter	10 to 70
Carparks	20 to 60

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Stormwater Drainage	50 to 70
Buildings & Other Structures	10 to 100
Waste Management – Landfill Assets	Capacity in use
Recreation-Heritage Place and Open Space	10 to 50 -100
Plant & Equipment and IT	3 to 25
Artworks & Historical Collections	Indefinite
Other	10 to 15
Right of Use Assets	Life of the lease

- **Depreciation** - Are calculated on a "straight line basis" i.e. the depreciable amount divided by the useful life of the asset.
- **Asset Additions** - Any expenditure that increases the value of the asset, are depreciated over the remaining useful life of the asset to which it relates.
- **Useful Life** - The useful life of an asset will be reviewed at least at the end of each annual reporting period.

7.4 Revaluations

Revaluation Methodology:

- **Asset Valuation** - Council treat the valuation of assets in two ways:
 - Firstly, where an asset is carried at cost and has some useful life after it has been fully depreciated, revaluation of the asset will not occur.
 - Secondly, assets that are carried at fair value will be revalued to ensure assets are not fully depreciated before the end of their useful life.
- **Current Replacement Costs** - Are calculated using Council's own current contract unit rates, industry benchmarks and information supplied by other Councils where available. These costs are independently assessed by an appropriately qualified professional.
- **Condition Audits** - Are undertaken to determine the consumption of the asset and hence its fair value in respect to the replacement cost.

Frequency of Revaluation:

- **Fair Value Assets** - All assets carried at fair value are reviewed annually. To achieve this Council review replacement costs and apply incremental adjustments where material and appropriate for each asset class.
- **Condition Audits** - Are performed as per the asset management plans or where there is a material movement between the carrying value and fair value of the assets.


Revaluations and Accumulated Depreciation:

- **Accumulated Depreciation** - Following a revaluation the accumulated depreciation is restated proportionately to the gross carrying amount of the asset, so that the carrying amount of the asset after revaluation equals its revalued amount. This is a

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requirement to achieve a comparative in the calculation of the asset consumption ratio.

- **Assets Not Subject To Revaluation** - Plant and equipment are recognised at actual cost less accumulated depreciation and any accumulated impairment.

7.5 Capitalisation:

Recognition and Thresholds:

- An item of property, plant and equipment that qualifies for recognition as an asset shall be measured at its cost.
- AASB 116 states:

'The cost of an item of property, plant and equipment shall be recognised as an asset if, and only if:

(a) it is probable that future economic benefits associated with the item will flow to the entity;

and


(b) the cost of the item can be measured reliably.'

- Council transfer assets to the asset register only when complete.
- Council recognises the capital cost of an asset comprises of:
 - > **Purchase Price** - Its purchase price, including import duties and non-refundable purchase taxes, after deducting trade discounts and rebates;
 - > **Directly Attributable Costs** - Any costs directly attributable to bringing the asset to the location and condition necessary (for example costs of site preparation, installation and assembly) for it to be capable of operating in the manner intended by Council;
 - > **Employee Benefits** - Costs of employee benefits arising directly from the construction or acquisition of the item of property, plant equipment e.g. project management costs;
 - > **Testing** - Costs of testing whether the asset is functioning properly, after deducting net proceeds from selling any items needed to bring the asset to that location and/or condition;
 - > **Demolition/Removal** - Costs associated with the dismantling and/or removal of the asset and restoration or rehabilitation of the site on which it was located; and
 - > **Gifted Assets** - AASB 116 provides for a specific example relating to Local Government entities where an asset may be gifted to Council at no or nominal measurable cost. When this occurs, Council's administration is obliged to recognise the asset at fair value.
- Council will classify all capital expenditure into the following categories:
 - > New / Upgrade; and
 - > Renewal.
- **Threshold** - A capitalisation recognition threshold is applied to each asset type using the concept of materiality. Costs below these thresholds are accordingly treated as an operating expense. No capitalisation threshold will be applied to the acquisition of land, interest in land or the Riddoch art collection.

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Asset Class:	Capital Threshold
<i>Infrastructure:</i>	\$5,000
Road construction and reconstruction	\$5,000
Paving & Footpaths, Kerb & Gutter	\$5,000
Carparks	\$5,000
Stormwater Drainage	\$5,000
Buildings & Structures	\$5,000
Waste Management - Landfill Assets	\$5,000
Park & Playground Furniture & Equipment	\$1,000
Other Recreation-Heritage Place and Open Space	\$5,000
Office Furniture & Equipment-Other (including IT)	\$1,000
Other Plant & Equipment	\$5,000
Right of Use Asset	\$5,000

7.6 Disposal Of Assets:

- **Gain Or Loss** - The difference between any net proceeds from disposal (after deducting selling costs) and the remaining carrying value of an asset will be treated as either a gain or loss in the year the asset is retired or disposed of.
- **Renewal** - Where existing assets are renewed the value of the component of the asset that has been renewed is to be disposed and a new asset created. If the part of the asset disposed of has been retained, its value needs to be recognised in the new asset or separated into a new asset component if its useful life differs materially to the new asset.
- **Further Guidance** - Further guidance and controls over the disposal of assets is provided under Council Policy 'P420 Procurement and Disposal of Land and Assets Policy'.

8. TRAINING / EDUCATION

Relevant staff will be adequately trained and qualified to implement and comply with this policy.


9. REVIEW

This Policy will be reviewed annually; or

- The frequency dictated in legislation; or
- Earlier in the event of changes to legislation or related policies and procedures; or
- If deemed necessary by the Manager, Financial Services.

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10. ACCESS TO THE 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.

File Reference:	AF18/48
Applicable Legislation:	Local Government Act 1999 Local Government (Financial Management) Regulations 2011
Reference: Strategic Plan – Beyond 2015	Goal 3, Strategic Objective Our Diverse Economy
Related Policies:	A900 Asset Management Policy P420 Procurement and Disposal of Land and Assets Policy B300 Budget Framework Policy
Related Procedures:	

DOCUMENT DETAILS

Responsibility:	General Manager Corporate and Regulatory Services
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