



City of
Mount Gambier

Civic Centre, 10 Watson Terrace
Mount Gambier SA 5290

PO Box 56
Mount Gambier SA 5290

Telephone 08 87212555
Facsimile 08 87249791
city@mountgambier.sa.gov.au

mountgambier.sa.gov.au

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

Date: Tuesday, 15 August 2023

Time: 6.00 p.m.

**Location: Council Chamber
Civic Centre
10 Watson Terrace
Mount Gambier**

AGENDA

Ordinary Council Meeting 15 August 2023

**Sarah Philpott
Chief Executive Officer
11 August 2023**

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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.

2 APOLOGIES

That the apology(ies) from Cr Kate Amoroso be received.

3 LEAVE OF ABSENCE

Nil

4 CONFIRMATION OF COUNCIL MINUTES

[Ordinary Council Meeting - 18 July 2023](#)

RECOMMENDATION

That the minutes of the Ordinary Council meeting held on 18 July 2023 be confirmed as an accurate record of the proceedings of the meeting.



5 MAYORAL REPORT

5.1 MAYORAL REPORT - AUGUST 2023 – REPORT NO. AR23/44839

- Attendance at SAROC Committee Meeting
- Audit and Risk Committee Meeting
- Recognition of World Scout Day
- Elected Member Briefing – Crater Lakes Activation Plan
- Elected Member Briefing – Crater Lakes Trails Draft Plan Update
- Elected Member Briefing – Valley Lakes Fishing Stock Proposal
- Confidential Elected Member Briefing – Unsolicited Proposal
- Limestone Coast Jobs and Skills Showcase
- Introductory Meeting – Founder and CEO WomenCanAustralia
- Vietnam Vets Vigil – Carinya Gardens
- Assistance at Blood Bank
- Meeting with representatives from Royal Australian College of GPs
- Preliminary Final – OneFortyOne Pioneers
- Radio Interview 5GTR-FM
- Meeting with Hon Ben Hood MLC
- Meeting with Erika Vickery OAM
- Meeting with Acting EO of LCLGA
- Attendance at Connecting Expo at Wulanda
- Mandatory Elected Member Training
- LCLGA Mayors Meeting – Virtual
- Meeting with Mayor of DC Grant
- LCLGA Board Meeting – Naracoorte Lucindale Council



6 REPORTS FROM COUNCILLORS

7 QUESTIONS WITH NOTICE

Nil

8 QUESTIONS WITHOUT NOTICE

Nil

9 PETITIONS

Nil

10 DEPUTATIONS

Nil

11 NOTICE OF MOTION TO RESCIND OR AMEND

Nil



12 ELECTED MEMBERS INFORMATION BRIEFING SESSIONS

12.1 ELECTED MEMBER INFORMATION/BRIEFING SESSIONS FROM 15/07/2023 TO 10/08/2023 – REPORT NO. AR23/50533

Meeting: Council
CM9 Reference: AF22/378
Author: Melissa Telford, Councillor Support Officer
Authoriser:

REPORT RECOMMENDATION

1. That Council Report No. AR23/50533 titled 'Elected Member Information/Briefing Sessions from 15/07/2023 to 10/08/2023' as presented on 15 August 2023 be noted.

ATTACHMENTS

1. Information Briefing Session - Elected Members - Record of Proceedings - 25/07/2023 - Mount Gambier Chamber of Commerce - Offshore Wind Zone in the Southern Ocean - Strategic Project Updates - Confidential Wulanda Contract [↓](#)
2. Information Briefing Sessions- Elected Members - Record of Proceedings - 01/08/2023 - Crater Lakes Activation Plan - Crater Lakes Trails Draft Plan Update - Valley Lakes Fishing Stock Proposal, RecRish SA - Unsolicited Proposal [↓](#)
3. Information Briefing Session - Elected Members - Record Proceedings - 08/08/2023 - Mandatory Elected Member Training [↓](#)



**INFORMATION / BRIEFING SESSION
TUESDAY, 25 JULY 2023 COMMENCING AT 5:00 PM**

Ref: AF22/549

RECORD OF PROCEEDINGS
5:00 PM, TUESDAY, 25 JULY 2023
Council Chamber, Civic Centre
10 Watson Terrace, Mount Gambier

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR INDIGENOUS PEOPLES HAVE WITH THIS LAND.

The sessions described at Items 1, 2 and 3 were open to the public.

1. MOUNT GAMBIER CHAMBER OF COMMERCE - UPDATE/GENERAL MATTERS

GUESTS:-

Matt Kain - Board Members - Mount Gambier Chamber of Commerce
Emma Lamb - Executive Support Officer - Mount Gambier Chamber of Commerce

MEMBERS PRESENT:-

Cr Max Bruins
Cr Frank Morello
Cr Sonya Mezinac
Cr Mark Lovett
Cr Paul Jenner
Cr Josh Lynagh
Cr Kate Amoroso (Phone)

STAFF PRESENT:-

Chief Executive Officer
General Manager City Infrastructure
General Manager Corporate and Regulatory Services

MEMBERS APOLOGIES:-

Mayor Lynette Martin
Cr Jason Virgo

LEAVE OF ABSENCE:-

Nil

DISCUSSION:

General update on Mount Gambier Chamber of Commerce matters.

2. OFFSHORE WIND ZONE IN THE SOUTHERN OCEAN - PRESENTATION BY NATHAN KIMBER OF SOUTH EASTERN PROFESSIONAL FISHERMEN'S ASSOCIATION AND CHRIS CARRISON OF SOUTHERN COAST CARE COMMITTEE

GUESTS:-

Nathan Kimber, Executive Officer, South Eastern Professional Fishermen's Association Inc.
Chris Carrison, Chair, Southern Coast Care Committee



MEMBERS PRESENT:-

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

STAFF PRESENT:-

Chief Executive Officer
General Manager City Infrastructure
General Manager Corporate and Regulatory Services

MEMBERS APOLOGIES:-

Mayor Lynette Martin
Cr Jason Virgo

LEAVE OF ABSENCE:-

Nil

DISCUSSION:

Update on Southern Ocean Offshore Wind Zone Consultation.

3. STRATEGIC PROJECT UPDATES

MEMBERS PRESENT:-

Cr Max Bruins
Cr Frank Morello
Cr Sonya Meziniec
Cr Paul Jenner
Cr Josh Lynagh
Mayor Lynette Martin (via Teams)

STAFF PRESENT:-

Chief Executive Officer
General Manager City Infrastructure
General Manager Corporate and Regulatory Services

MEMBERS APOLOGIES:-

Cr Jason Virgo
Cr Mark Lovett
Cr Kate Amoroso

LEAVE OF ABSENCE:-

Nil

DISCUSSION:

Update on status of strategic projects that have been identified as part of Council's Strategic Workplan 2023 - 2026.

The session described at Item 4 was not open to the public as the matter to be discussed is of a confidential nature within the ambit of Section 90(3) of the Local Government Act 1999 being:

(b) information the disclosure of which:

- (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the Council*



4. CONFIDENTIAL - WULANDA CONTRACTUAL MATTERS

MEMBERS PRESENT:-

Cr Max Bruins
Cr Sonya Mezinac
Cr Paul Jenner
Cr Josh Lynagh
Mayor Lynette Martin (via Teams)

STAFF PRESENT:-

Chief Executive Officer
General Manager Corporate and Regulatory Services
General Manager City Infrastructure

MEMBERS APOLOGIES:-

Cr Jason Virgo
Cr Mark Lovett
Cr Kate Amoroso
Cr Frank Morello

LEAVE OF ABSENCE:-

Nil

DISCUSSION:

Matters relating to contractual matters associated with Wulanda Recreation and Convention Centre.

Discussion closed at 7.48 p.m.



**INFORMATION / BRIEFING SESSIONS
TUESDAY, 1 AUGUST 2023, 5:00 PM**

Ref: AF22/549

**RECORD OF PROCEEDINGS
TUESDAY, 1 AUGUST 2023, 5:00 PM**
Council Chamber, Civic Centre
10 Watson Terrace, Mount Gambier

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR INDIGENOUS PEOPLES HAVE WITH THIS LAND.

The sessions described at Item 1, 2 and 3 were open to the public.

1. CRATER LAKES ACTIVATION PLAN

MEMBERS PRESENT:-

Mayor Lynette Martin
Cr Max Bruins
Cr Sonya Meziniec
Cr Josh Lynagh
Cr Paul Jenner
Cr Kate Amoroso (*via phone)
*(*left the meeting at 5:30 pm and did not return)*

STAFF PRESENT:-

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

MEMBERS APOLOGIES:-

Cr Frank Morello
Cr Jason Virgo
Cr Mark Lovett

LEAVE OF ABSENCE:-

Nil

DISCUSSION:

- Complexity of Site Management
- Targeted Engagement Strategy
- Concurrent Activities

2. CRATER LAKES TRAILS DRAFT PLAN UPDATE

MEMBERS PRESENT:-

Mayor Lynette Martin
Cr Max Bruins
Cr Sonya Meziniec
Cr Josh Lynagh
Cr Paul Jenner

STAFF PRESENT:-

Chief Executive Officer
General Manager City Infrastructure
General Manager Corporate and Regulatory Services
Manager Economy, Strategy and Engagement
Strategic Development and Engagement Co-ordinator
Manger Governance and Property

MEMBERS APOLOGIES:-

Cr Frank Morello
Cr Jason Virgo
Cr Mark Lovett

LEAVE OF ABSENCE:-

Nil

DISCUSSION:

- Preliminary Engagement Feedback



3. VALLEY LAKES FISHING STOCK PROPOSAL BY ASHER DEZSERY AT RECFISH SA

GUEST:-

Asher Dezsery, Executive Officer, RecFish SA

MEMBERS PRESENT:-

Mayor Lynette Martin
Cr Max Bruins
Cr Sonya Meziniec
Cr Josh Lynagh
Cr Paul Jenner

STAFF PRESENT:-

Chief Executive Officer
General Manager City Infrastructure
General Manager Corporate and Regulatory Services
Manager Governance and Property

MEMBERS APOLOGIES:-

Cr Frank Morello
Cr Jason Virgo
Cr Mark Lovett

LEAVE OF ABSENCE:-

Nil

DISCUSSION:

- City of Mount Gambier Water Quality Project Valley Lake/Ketla Malpi
- Outline RecFish SA interest in Valley lake

The session described at Item 4. was not be open to the public as the matter discussed is of a confidential nature within the ambit of Section 90(3) of the Local Government Act 1999 being:

(d) commercial information of a confidential nature (not being a trade secret) the disclosure of which:-

- (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
- (ii) would, on balance, be contrary to the public interest.

4. UNSOLICITED PROPOSAL

GUEST:-

Carmine Gallarello, iiNet
Kate Hill, Media and Creative

MEMBERS PRESENT:-

Mayor Lynette Martin
Cr Max Bruins
Cr Sonya Meziniec
Cr Josh Lynagh
Cr Paul Jenner

STAFF PRESENT:-

Chief Executive Officer
General Manager City Infrastructure
General Manager Corporate and Regulatory Services
Manager Governance and Property

MEMBERS APOLOGIES:-

Cr Frank Morello
Cr Jason Virgo
Cr Mark Lovett

LEAVE OF ABSENCE:-

Nil

Discussion closed at 6.55 p.m.



**INFORMATION / BRIEFING SESSION
MANDATORY ELECTED MEMBER TRAINING
5:00 PM, TUESDAY, 8 AUGUST 2023**

Ref. AF22/549

RECORD OF PROCEEDINGS
5:00 PM, TUESDAY, 8 AUGUST 2023
INSERT MEETING ROOM, Civic Centre
10 Watson Terrace, Mount Gambier

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR INDIGENOUS PEOPLES HAVE WITH THIS LAND.

The session described at Item 1 will not be open to the public as the matter to be discussed is not a matter to be on the formal agenda of a Council or Committee Meeting.

GUESTS:-

Felice D'Agostino, Principal, Norman Waterhouse (virtual)
Dale Mazzachi, Principal, Norman Waterhouse (virtual)

MEMBERS PRESENT:-

Mayor Lynette Martin
Cr Max Bruins
Cr Sonya Mezinac
Cr Frank Morello
Cr Mark Lovett
Cr Paul Jenner
Cr Josh Lynagh
Cr Jason Virgo

STAFF PRESENT:-

General Manager City Infrastructure
General Manager Corporate and Regulatory Services
Manager Governance and Property

MEMBERS APOLOGIES:-

Cr Kate Amoroso

LEAVE OF ABSENCE:-

DISCUSSION:

Elected Members were presented with training on integrity provisions under the Local Government Act 1999.

Discussion closed at 6.29 p.m.



13 ELECTED MEMBERS TRAINING AND DEVELOPMENT

Nil



14 COUNCIL ACTION ITEMS

14.1 COUNCIL ACTION ITEMS - 18/07/2023 – REPORT NO. AR23/44829

Meeting: Council
CM9 Reference: AF22/378
Author: Melissa Telford, Councillor Support Officer
Authoriser:

REPORT RECOMMENDATION

1. That Council Report No. AR23/44829 titled 'Council Action Items - 18/07/2023' as presented on 15 August 2023 be noted.

ATTACHMENTS

1. Council Action Items - 18 July 2023 [↓](#)



Action Sheets Report		Division: Meeting: Officer:	Date From: 18/07/2023 Date To: 15/08/2023 Printed: 7 August 2023 10:13 AM
Meeting	Officer/Authoriser	Section	Subject
Council 18/07/2023	Wilson, Sally Cernovskis, Barbara	Elected Members Information Briefing Sessions	Elected Member Information/Briefing Sessions from 16/06/2023 to 14/07/2023
RESOLUTION 2023/140 Moved: Cr Sonya Meziniec Seconded: Cr Max Bruins 1. That Council Report No. AR23/44816 titled 'Elected Member Information/Briefing Sessions from 16/06/2023 to 14/07/2023' as presented on 18 July 2023 be noted.			
			CARRIED
02 Aug 2023 10:51am Wilson, Sally - Completion Action completed by Wilson, Sally			
Meeting	Officer/Authoriser	Section	Subject
Council 18/07/2023	Wilson, Sally Cernovskis, Barbara	Council Action Items	Council Action Items - 20/06/2023
RESOLUTION 2023/141 Moved: Cr Sonya Meziniec Seconded: Cr Frank Morello 1. That Council Report No. AR23/44826 titled 'Council Action Items - 20/06/2023' as presented on 18 July 2023 be noted.			
			CARRIED
02 Aug 2023 10:52am Wilson, Sally - Completion Action completed by Wilson, Sally			



Action Sheets Report	<div>Division:</div> <div>Meeting:</div> <div>Officer:</div>	<div>Date From:</div> <div>Date To:</div>	<div>18/07/2023</div> <div>15/08/2023</div>	Printed: 7 August 2023 10:13 AM
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Meeting	Officer/Authoriser	Section	Subject
Council 18/07/2023	Telford, Melissa Philpott, Sarah	Junior Sports Assistance (Section 41) Committee Mt	Minutes of the Junior Sports Assistance Fund held on 21 June 2023
RESOLUTION 2023/142 Moved: Mayor Lynette Martin Seconded: Cr Max Bruins That the Minutes of the Junior Sports Assistance Fund meeting held on 21 June 2023 as attached be noted.			
CARRIED			
27 Jul 2023 12:33pm Telford, Melissa - Completion Action completed by Telford, Melissa			

Meeting	Officer/Authoriser	Section	Subject
Council 18/07/2023	Telford, Melissa Philpott, Sarah	Reports	Correspondence Received
RESOLUTION 2023/143 Moved: Mayor Lynette Martin Seconded: Cr Sonya Mezinac 1. That Junior Sports Assistance Fund Report No. AR23/33110 titled 'Correspondence Received ' as presented on 21 June 2023 be noted.			
CARRIED			
27 Jul 2023 12:34pm Telford, Melissa - Completion Action completed by Telford, Melissa			



Division:	18/07/2023
Meeting:	15/08/2023
Officer:	
Action Sheets Report	Printed: 7 August 2023 10:13 AM

Meeting	Officer/Authoriser	Section	Subject
Council 18/07/2023	Telford, Melissa Philpott, Sarah	Reports	Statement of Revenue and Expenses - as at 31 May 2023
RESOLUTION 2023/144			
Moved: Mayor Lynette Martin			
Seconded: Cr Paul Jenner			
1. That Junior Sports Assistance Fund Report No. AR23/35781 titled 'Statement of Revenue and Expenses - as at 31 May 2023' as presented on 21 June 2023 be noted.			
2. The financial statement of the Fund as at 31 May 2023 be received, noting a cash balance of \$137,593.90.			
CARRIED			
27 Jul 2023 12:34pm Telford, Melissa - Completion			
Action completed by Telford, Melissa			

Meeting	Officer/Authoriser	Section	Subject
Council 18/07/2023	Telford, Melissa Philpott, Sarah	Reports	Applications for Financial Assistance for Junior and Payments from the Fund - 01/02/2023 - 31/05/2023
RESOLUTION 2023/145			
Moved: Mayor Lynette Martin			
Seconded: Cr Max Bruins			
1. That Junior Sports Assistance Fund Report No. AR23/35782 titled 'Applications for Financial Assistance for Junior and Payments from the Fund - 01/02/2023 - 31/05/2023' as presented on 21 June 2023 be noted.			
CARRIED			
27 Jul 2023 12:34pm Telford, Melissa - Completion			
Action completed by Telford, Melissa			

Meeting	Officer/Authoriser	Section	Subject
Council 18/07/2023	Telford, Melissa Philpott, Sarah	Reports	Casual Vacancies and Replacement of Committee Representatives



Division:	Date From:	18/07/2023
Meeting:	Date To:	15/08/2023
Officer:		
Action Sheets Report	Printed:	7 August 2023 10:13 AM

RESOLUTION 2023/146

Moved: Mayor Lynette Martin

Seconded: Cr Frank Morello

1. That Junior Sports Assistance Fund Report No. AR23/35787 titled 'Casual Vacancies and Replacement of Committee Representatives' as presented on 21 June 2023 be noted.
2. The City of Mount Gambier Junior Sports Assistance Fund authorise Mrs Sue La Greca to action the replacement of Mrs Jeanette Elliott and Mrs Karen Cunningham to the Junior Sports Assistance Fund.
3. A report be prepared for the next meeting of the Junior Sports Assistance Fund to formally accept the resignation of Mrs Jeanette Elliott and Mrs Karen Cunningham and provide details of the replacement Committee Members for appointment.

CARRIED

27 Jul 2023 12:34pm Telford, Melissa - Completion

Action completed by Telford, Melissa

Meeting	Officer/Authoriser	Section	Subject
Council 18/07/2023	Telford, Melissa Philpott, Sarah	Reports	Coaching Clinic Applications - Annual Call
RESOLUTION 2023/147			
Moved: Mayor Lynette Martin			
Seconded: Cr Max Bruins			
1. That Junior Sports Assistance Fund Report No. AR23/37010 titled 'Coaching Clinic Applications - Annual Call ' as presented on 21 June 2023 be noted.			
2. The following funding be made available to the Member Organisation named below to assist in the conduct of specialised coaching clinics in accordance with the guidelines for such Clinics:			
(i) Blue Lake Y Swimming Club \$2500			
(ii) Basketball Mount Gambier \$2230			
(iii) Mount Gambier Swimming Club \$2500			
(iv) Mount Gambier Cycling Club \$1500			
3. A second call for Specialised Coaching Clinic Funding be advertised in October 2023 to give consideration to Member Organisations that are operational in the summer months.			
CARRIED			
27 Jul 2023 12:35pm Telford, Melissa - Completion			
Action completed by Telford, Melissa			



Division:	18/07/2023
Meeting:	15/08/2023
Officer:	
Action Sheets Report	
Printed: 7 August 2023 10:13 AM	

Meeting	Officer/Authoriser	Section	Subject
Council 18/07/2023	Telford, Melissa Philpott, Sarah	Reports	Rotary Club of Mount Gambier Lakes - Donation to Financially Disadvantaged Junior Sportspersons
RESOLUTION 2023/148			
Moved: Mayor Lynette Martin			
Seconded: Cr Paul Jenner			
1. That Junior Sports Assistance Fund Report No. AR23/37868 titled 'Rotary Club of Mount Gambier Lakes - Donation to Financially Disadvantaged Junior Sportspersons' as presented on 21 June 2023 be noted.			
2. The funding be made available to the Member Organisations named below to assist the identified juniors to achieve their fullest participation with the specific purpose donation from the Rotary Club of Mount Gambier Lakes - Donations to Financially Disadvantaged Junior Sportspersons initiative, to be used in accordance with their respective confidential application:			
(a) Mount Gambier Netball Association (2 applicants) \$600			
(b) Basketball Mount Gambier (2 applicants) \$600			
(c) South Gambier Football Club (2 applicants) \$600			
(c) A second round of funding be advertised in October to accommodate Member Organisations operating in the summer months and utilise the remainder of the funding provided by the Rotary Club of Mount Gambier Lakes.			
(d) A cheque handover presentation be held immediately following the meeting with representatives of the Rotary Club of Mount Gambier Lakes to show the Funds appreciation for their ingoing support to the Disadvantaged Junior Program.			
CARRIED			
27 Jul 2023 12:36pm Telford, Melissa - Completion			
Action completed by Telford, Melissa			

Meeting	Officer/Authoriser	Section	Subject
Council 18/07/2023	Dohnt, Sarah Fetherstonhaugh, Jane	Chief Executive Officer Performance Review Committ	Minutes of the Chief Executive Officer Performance Review Committee held on 28 June 2023
RESOLUTION 2023/149			
Moved: Cr Max Bruins			
Seconded: Cr Sonya Meziniec			
That the Minutes of the Chief Executive Officer Performance Review Committee meeting held on 28 June 2023 as attached be noted.			



Division:	18/07/2023
Meeting:	15/08/2023
Officer:	
Action Sheets Report	Printed: 7 August 2023 10:13 AM

CARRIED

26 Jul 2023 11:40am Dohnt, Sarah - Completion
Action completed by Dohnt, Sarah

Meeting	Officer/Authoriser	Section	Subject
Council 18/07/2023	Gajic, Heidi La Greca, Sue	Council Reports	Draft Blue Lake Sports Park Master Plan
RESOLUTION 2023/150			
Moved: Cr Paul Jenner			
Seconded: Cr Max Bruins			
1. That Council Report No. AR23/36662 titled 'Draft Blue Lake Sports Park Master Plan' as Community Consultation Summary as presented on 18 July 2023 be noted.			
2. That Council endorses Option 2 of the Blue Lake Sports Park Master Plan as attached to Report AR23/36662 to guide the future development of Blue Lake Sports Park noting detailed design and further development of the governance model is required for implementation.			
3. That Council notes that the Blue Lake Sports Park Master Plan is to be considered in the Long Term financial Plan and the Asset Management Plan.			
CARRIED			

Meeting	Officer/Authoriser	Section	Subject
Council 18/07/2023	McCarthy, Michael Fetherstonhaugh, Jane	Council Reports	Custodian Consent - Grants of Easement - SA Power Network - Olympic Park Precinct, Margaret Street
RESOLUTION 2023/151			
Moved: Cr Max Bruins			
Seconded: Cr Frank Morello			
1. That Council Report No. AR23/39986 titled 'Custodian Consent - Grants of Easement - SA Power Network - Olympic Park Precinct, Margaret Street' as presented on 18 July 2023 be noted.			
2. Consent is given under section 28(2) of the Crown Land Management Act 2009 as custodian to the grant of easement for electricity purposes to SA Power Networks over areas shown as 'D' and 'E' in attachment 1 to Report No. AR23/39986 over:			



Division:	18/07/2023
Meeting:	15/08/2023
Officer:	
Action Sheets Report	Printed: 7 August 2023 10:13 AM

- Section 251 Hundred of Blanche contained in Crown Record Volume 5637 Folio 191.
3. The Chief Executive Officer and Mayor be authorised to execute and affix the common seal of Council to any documentation necessary to give consent to the easements in resolution (2).

CARRIED

Meeting	Officer/Authoriser	Section	Subject
Council 18/07/2023	McCarthy, Michael Fetherstonhaugh, Jane	Council Reports	Proposed Items of Business 2023 LGA Annual General Meeting
RESOLUTION 2023/152			
Moved: Cr Max Bruins			
Seconded: Cr Sonya Meziniec			
1. That Council Report No. AR23/44245 titled 'Proposed Items of Business 2023 LGA Annual General Meeting' as presented on 18 July 2023 be noted.			
2. That Council prepares an item of business for the LGA/SAROC with regard to the parental income test for regional and remote students in relation to youth allowance qualification, as an item to present at the 2023 AGM.			
CARRIED			

Meeting	Officer/Authoriser	Section	Subject
Council 18/07/2023	Cernovskis, Barbara Philpott, Sarah	Council Reports	Update - 2 Pyne Close, Mount Gambier
RESOLUTION 2023/153			
Moved: Cr Max Bruins			
Seconded: Cr Frank Morello			
1. That Council Report No. AR23/36336 titled 'Update - 2 Pyne Close, Mount Gambier' as presented on 18 July 2023 be noted.			
CARRIED			
24 Jul 2023 4:24pm Cernovskis, Barbara - Completion			
Action completed by Wilson, Sally			



Division:	18/07/2023
Meeting:	15/08/2023
Officer:	
Action Sheets Report	Printed: 7 August 2023 10:13 AM

Meeting	Officer/Authoriser	Section	Subject
Council 18/07/2023	Scoggins, Julie Fetherstonhaugh, Jane	Council Reports	Carry Forward 2023/24 East Gambier Sportsmen's Club Council Contribution
RESOLUTION 2023/154			
Moved: Cr Paul Jenner			
Seconded: Cr Max Bruins			
1. That Council Report No. AR23/44650 titled 'Carry Forward 2023/24 East Gambier Sportsmen's Club Council Contribution' as presented on 18 July 2023 be noted.			
2. That Council approves the proposed total carry forward of \$75,000 for the grant provided to East Gambier Sportsmen's Club by Council to 2023/2024, and notes that the amount will be formally included in Council's approved budget as part of the Carry Forward 2023/2024 Capital Works and Grants/Sponsorships Budgets report to be brought to Council at the September 2023 meeting.			
CARRIED			

Meeting	Officer/Authoriser	Section	Subject
Council 18/07/2023	McCarthy, Michael Fetherstonhaugh, Jane	Council Reports	Holding of Open/Closed Information and Briefing Sessions
RESOLUTION 2023/155			
Moved: Cr Max Bruins			
Seconded: Cr Sonya Meziniec			
1. That Council Report No. AR23/44347 titled 'Holding of Open/Closed Information and Briefing Sessions' as presented on 18 July 2023 be noted.			
2. That the Chief Executive Officer's general intention to conduct information and briefing sessions attended by Parliamentarians in a place open to the public be noted.			
CARRIED			



Division:	18/07/2023
Meeting:	15/08/2023
Officer:	
Action Sheets Report	Printed: 7 August 2023 10:13 AM

Meeting	Officer/Authoriser	Section	Subject
Council 18/07/2023	Solly, Elisa La Greca, Sue	Council Reports	Freedom of Information - Update - 2022/2023
RESOLUTION 2023/156			
Moved: Cr Max Bruins			
Seconded: Cr Sonya Meziniec			
1. That Council Report No. AR23/44235 titled 'Freedom of Information - Update - 2022/2023' as presented on 18 July 2023 be noted.			
CARRIED			
24 Jul 2023 1:50pm Solly, Elisa - Completion			
Action completed by Solly, Elisa			

Meeting	Officer/Authoriser	Section	Subject
Council 18/07/2023	McCarthy, Michael Fetherstonhaugh, Jane	Council Reports	Internal Review of Council Actions 2022/2023
RESOLUTION 2023/157			
Moved: Cr Max Bruins			
Seconded: Cr Frank Morello			
1. That Council Report No. AR23/41647 titled 'Internal Review of Council Actions 2022/2023' as presented on 18 July 2023 be noted.			
2. That the background and proposal contained in Council Report No. AR23/41647 relating to Section 270 of the Local Government Act 1999 be included in Council's 2022/2023 Annual Report.			
CARRIED			
31 Jul 2023 3:03pm Pasquazzi, Ashlee - Reallocation			
Action reassigned to McCarthy, Michael by Pasquazzi, Ashlee - Secondment.			



Division: Meeting: Officer:	Date From: 18/07/2023 Date To: 15/08/2023
Action Sheets Report	Printed: 7 August 2023 10:13 AM

Meeting	Officer/Authoriser	Section	Subject
Council 18/07/2023	Philpott, Sarah Philpott, Sarah	Motions with Notice	Notice of Motion - MFS
RESOLUTION 2023/158			
Moved: Cr Paul Jenner			
Seconded: Cr Max Bruins			
<ol style="list-style-type: none"> 1. That Council Report No. AR23/45969 titled 'Notice of Motion - MFS' as presented on 18 July 2023 be noted. 2. That Mayor Lynette Martin, Cr Paul Jenner and Sarah Philpott, Chief Executive Officer, from the City of Mount Gambier urgently request another meeting with the Minister for Police, Emergency Services and Correctional Services - Joe Szakacs MP, Chief Executive Officer of MFS - Michael Morgan, Chief Executive Officer of SAFECOM, Member for Mount Gambier - Troy Bell MP and Minister for Primary Industries and Regional Development - Hon. Clare Scriven MLC, regarding the following: <ol style="list-style-type: none"> (a) The replacement appliance that came to Mount Gambier as the new second hand first response unit, that was sent back to Adelaide for 7 1/2 months to get repaired and only just come back. (b) To consider Mount Gambier becoming a 24/7 station, so that the response time to a house, business or industrial fire is immediate. (c) Courses and training access for the MFS staff in Mount Gambier equal to that provided to MFS teams in Adelaide. (d) the Mount Gambier MFS Station has aged and outdated gym equipment that is not fit for purpose. 3. That in requesting the meeting, the Minister for Police, Emergency Services and Correctional Services - Joe Szakacs MP be asked to consider the attendance of Maxine Adlam, Secretary for United Fire Fighters Union of South Australia Inc. at the meeting. 4. That a copy of the correspondence be provided to the Premier of South Australia - Peter Malinauskas MP, Member of the Legislative Council - Hon. Ben Hood MLC and Maxine Adlam, Secretary for United Fire Fighters Union of South Australia Inc. 			
CARRIED			
25 Jul 2023 8:29am Philpott, Sarah - Completion			
Action completed by Dowling, Lynne			



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 31 JULY 2023 - [Go to Attachment](#)

RECOMMENDATION

That the Minutes of the Audit and Risk Committee meeting held on 31 July 2023 as attached be noted.

16.2 [Work Health Safety and Wellbeing Management](#) – Report No. AR23/43765

RECOMMENDATION

1. That Audit and Risk Committee Report No. AR23/43765 titled 'Work Health Safety and Wellbeing Management' as presented on 31 July 2023 be noted.

16.3 [Risk Management Report June 2023](#) – Report No. AR23/43768

RECOMMENDATION

1. That Audit and Risk Committee Report No. AR23/43768 titled 'Risk Management Report June 2023' as presented on 31 July 2023 be noted.

16.4 [Review of Council Policies - Update](#) – Report No. AR23/44652

RECOMMENDATION

1. That Audit and Risk Committee Report No. AR23/44652 titled 'Review of Council Policies - Update' as presented on 31 July 2023 be noted.

16.5 Risk Management Report June 2023 - Risk Matrix

RECOMMENDATION

1. That the Audit and Risk Committee note the ongoing work underway and planned review of the risk matrix and ratings in conjunction with the LGRS and the development of a risk appetite statement in conjunction with Council.



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

Nil

18 BUILDING FIRE SAFETY COMMITTEE MINUTES

Nil



19 COUNCIL REPORTS

19.1 STRATEGIC PLAN ANNUAL UPDATE AND FOURTH QUARTER REPORT ON ANNUAL BUSINESS PLAN 2022/2023 – REPORT NO. AR23/51271

Committee:	Council
Meeting Date:	15 August 2023
Report No.:	AR23/51271
CM9 Reference:	AF22/378
Author:	Tegan McPherson, Project Manager
Authoriser:	Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services
Summary:	This report provides an update of Council’s progress against City of Mount Gambier’s Strategic Plan 2020 - 2024 and Annual objectives incorporated in the 2022-2023 Annual Business Plan.
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. AR23/51271 titled ‘Strategic Plan Annual Update and Fourth Quarter Report on Annual Business Plan 2022/2023’ as presented on 15 August 2023 be noted.

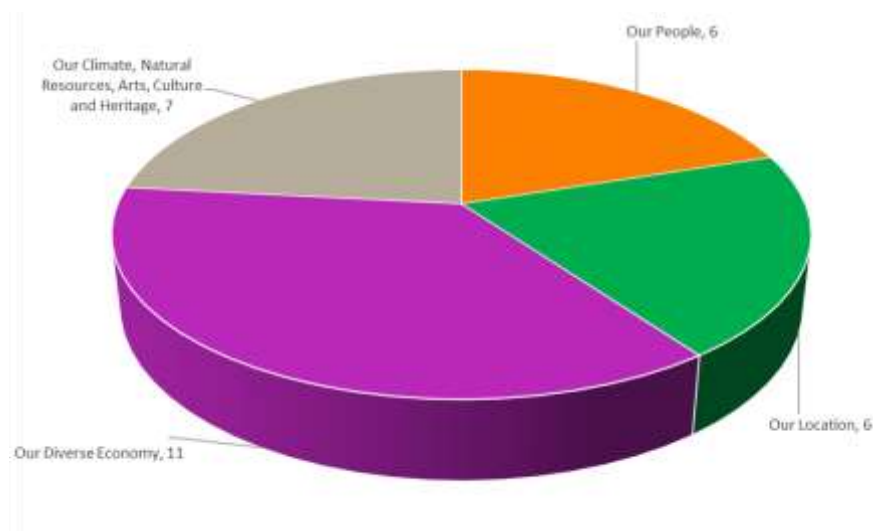


TYPE OF REPORT

Corporate

BACKGROUND

1. **Strategic Plan Background** - Council is three years through its four year strategic plan, which was endorsed in February 2020. Last financial year, a reporting framework was put in place to monitor performance against the City of Mount Gambier Strategic Plan 2020 – 2024 with a commitment to provide an update at the end of each year.
2. **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 final quarter (April-June 2023).
3. **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).
4. **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):









PROPOSAL

5. **Strategic Plan Update** - The full update is contained within the attached report. Reporting against each goal has been completed in two parts:



1. The first table under each goal, provides an update against the initiatives outlined under each theme of the goal and defined success.
 2. The second table under each goal is prefaced with a dashboard summary of progress against each of the strategic priorities listed in the plan. The following table then provides commentary and highlights against each priority.
6. **Status Definitions** - Each strategic priority/annual objective has been allocated a status in accordance with the following key:

	In Progress	Priority/ Initiative has work underway and is on track to be delivered in accordance with the strategic plan/Annual Business Plan.
	At Risk	Priority/ Initiative has work underway, but may not be delivered on time/ budget/ in accordance with strategic plan Annual Business Plan.
	Deferred	Commencement/delivery of activity deferred to following year.
	Completed	Priority/ Initiative / Annual Objective has been delivered/ completed
	Ongoing	Priority/ Initiative is part of Council's ongoing programs and services.
	Not Started	Priority/ Initiative has not commenced.

Please note, since the last report new statuses have been added for priorities/ initiatives that are ongoing or have been deferred.

7. **Annual Objectives Final Quarter Delivery** – Overall, the majority of annual objectives are in progress/completed/ongoing (90% - aligned with the Annual Business Plan and Budget summary distributed with the first rates notice for 2023/2024) as shown below:



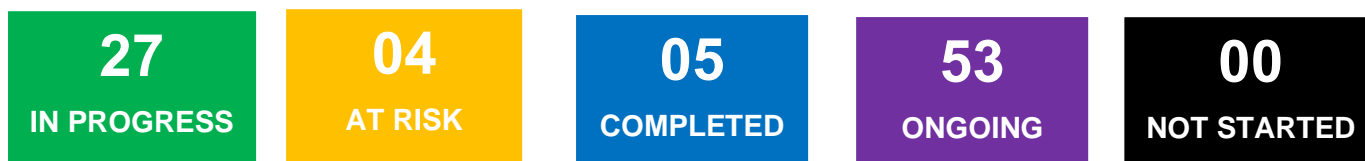
- **In Progress** - Fifteen annual objectives are in progress (with details included in Attachment 1).
- **Deferred** - Three objectives have been deferred to 2023/2024 including: the beacon art project development (further to the informal briefing held on 14 March), the review of the public art strategy (deferred following the strategic framework review), and development of the circular economy strategy deferred for incorporation in the Waste Management masterplan.
- **Completed** - Four annual objectives were completed 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** - Three Asset Management objectives, two planning and development annual objectives, one Regional Health Plan objective, implementation of Reconciliation Action Plan, and one objective for the reduction of carbon and other greenhouse gas emissions in capital projects and operational practices are ongoing.

8. **Strategic Priorities Progress** - Overall, the majority of strategic priorities contained within the plan are ongoing and in progress.



An update against each of the priorities and initiatives that is details in Attachment 2.

LEGAL IMPLICATIONS

As detailed in the background section.

STRATEGIC PLAN

This report is an update of the progress against each of Council's five strategic goals.

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.

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

Since the last report, a Strategic Planning and Reporting Framework has been developed which will inform the ongoing development, reporting and monitoring of the strategic documents of Council. This includes the development of our next Strategic Plan which is due by November 2024.

CONCLUSION AND RECOMMENDATION

That Council note the update as provided in the Strategic Plan Annual Update and the progress of the 2022/2023 Annual Business Plan annual objectives as at Quarter 4 as provided in this report and the attachments.

ATTACHMENTS

1. Q4 2022/2023 Annual Objectives Progress [↓](#)
2. City of Mount Gambier Strategic Plan - Annual Update - July 2023 [↓](#)



Annual Business Plan 2022-2023

Quarter 4 Progress Against Annual Objectives

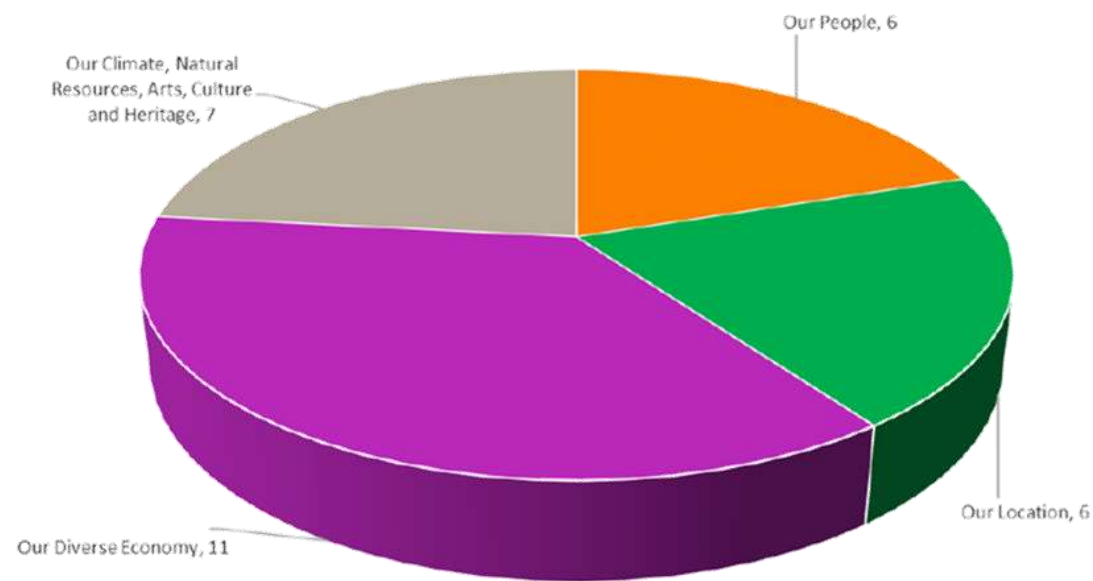
August 2023

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		Actions ongoing as per Strategic Plan.
1.2	Delivery of community programs.	City & Community Growth		A calendar 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		Implementation plan being developed through Council's Strategic Planning and Reporting Framework process.
1.4	Development of a Volunteer Management Plan.	Corporate & Regulatory Services		Final draft of the plan is nearly ready for final consultation with the volunteers. Once finalised, this will go through the Executive Leadership Team and Council for approval.
1.5	Development of a 3 to 5 year Library Plan.	City & Community Growth		Final draft ready to be distributed for feedback/community consultation.
1.6	Implement the Reconciliation Action Plan.	City & Community Growth		Well over 50% of RAP actions have been implemented. Delivery of key ongoing objectives within the RAP has continued, including meetings of the Yerkalalpa Community Reference Group, cultural immersion activity with Council and community and delivery of community programming such as Reconciliation Week and NAIDOC Week. Review of inaugural RAP is underway with reporting being prepared for Council and development of a new RAP expected within 2023/2024.







GOAL 2 – Our Location

Annual Objectives Dashboard




Annual Objectives		Responsibility	Status	Comments/ Highlights
2.1	Deliver the capital works program.	City Infrastructure		<p>Delivery Percentage to Adopted Capital Budget - 73%</p> <p>Capital Projects Cemeteries/crematoria Carparks Heritage Street trees and lighting Parks/gardens/reserves Works depot Stormwater/drainage Footpaths Roads sealed</p> <p>Plant Replacement Mayoral Vehicle - deferred Garbage Compactor – expected delivery August 2023 Garbage Compactor – expected delivery October 2023 Water truck – deferred Watering Truck – expected delivery August 2023 Tip Truck - cancelled 3 x Mowers – expected delivery December 2023</p>



Annual Objectives		Responsibility	Status	Comments/ Highlights
2.2	Develop the Crater Lakes Activation Plan.	City & Community Growth		Draft Crater Lakes Activation Plan Elected Member Briefing held on 1st August which included recommended prioritised actions. Additional targeted consultation to occur to inform draft actions. Trails Audit completed, currently consulting for the Trails Plan which will inform the management & implementation of trails.
2.3	Commence review of services provided by the City Infrastructure function.	City Infrastructure		Ongoing works, strategic priority project has been established with delivery timeframes.
2.4	Develop detailed maintenance plans for all asset categories.	City Infrastructure		Ongoing works, strategic priority project has been established with delivery timeframes.
2.5	Develop asset management plans for all asset categories.	City Infrastructure		Ongoing work. Identified as a strategic priority project. Project planning underway, delivery will be in the form of a cross functional team over 2-3 successive financial years.







Annual Objectives		Responsibility	Status	Comments/ Highlights
2.6	Complete the construction of the Wulanda Recreation and Convention Centre.	City Infrastructure		Practical completion achieved 1 February 2023. Formal opening held 16 March 2023. Unfinished works on schedule for completion by end of September 2023. Retractable seating in Zone 2 has been installed.









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		2023/2024 Budget adopted. Brief being developed in conjunction with Tourism website to allow for efficiencies.
3.1 (b)	Implementation of Affordable Housing Strategy.	City & Community Growth		Strategic Priority Project Plan approved through Strategic Planning & Reporting Framework Committee. Elected Member briefing scheduled for 29th August.
3.1 (c)	Develop the Circular Economy Strategy.	City & Community Growth		To be included in the masterplan for Waste Management.
3.1 (d)	Implement Events/Tourism/Visitor Information Services Strategy.	City & Community Growth		Events Policy scheduled for August Council meeting for adoption.



Annual Objectives		Responsibility	Status	Comments/ Highlights
3.2	Activate and operate the Wulanda Recreation and Convention Centre.	City & Community Growth		Reporting and Monitoring processes refined, with focus on further activation and performance occurring.
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		Researched and received approval for a software solution to improve community experience when applying for sponsorship and support from Council.
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 continues to undertake the required inspections for residential buildings and inspects other classes of buildings when the required notifications have been received.
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 Development Applications are within the statutory time frames.
3.6	Provide community education, awareness and incentive programs to reduce waste.	City Infrastructure		Completed in Q1 with 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		Waste Management Master planning underway. Draft Waste Masterplan due December 2023.










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		LMS Gas extraction installed. Reporting commenced with preliminary findings that the project is successfully reducing methane gas emissions.



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		Remains under review 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		Project deferred to 2023/2024, final concept to be determined in consultation with Council and community. Grant funding currently under review.
4.3	Work with State Government to deliver Electric Vehicle charging stations in the city.	City Infrastructure		Work is underway. State selected contractors are investigating sites to commence installation.
4.4	Complete community consultation with key stakeholders based in the Crater Lakes Activation Plan.	City & Community Growth		Further targeted consultation will occur once the draft Crater Lakes Activation Plan is endorsed which will inform priorities of the actions outlined in the plan.
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		Stage 4 - Draft Plan document submitted for review by consultant. Next Stage is for a workshop with the Elected members (Planned in Late August, Early September)

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Strategic Plan 2020 - 2024

Annual Update
July 2023

City of
Mount Gambier



ACKNOWLEDGEMENT OF COUNTRY

We acknowledge the Boandik peoples as the traditional custodians of the land where we meet today. We respect their spiritual relationship with the land and recognise the deep feelings of attachment our indigenous peoples have with this land.



GOAL 1 - OUR PEOPLE

This goal brings together five key themes that affect our people – whether they live, work, study or visit the City of Mount Gambier. We are seeking to grow our City and the communities from which it is comprised.

Under each theme Council made a strategic commitment and defined success. The below outlines how we are tracking against these commitments.



What will we do?	What will success look like?	How are we tracking?
1.1. Community based organisations and networks		
We will deliver a Volunteer Management Plan within the first year of the Strategic Plan.	The prioritised implementation of the Volunteer Management Plan will deliver improvements for our Volunteers, which are celebrated at an event during Volunteers Week.	Draft Volunteer Management Plan and Volunteer Management Policy are in final draft form and ready for consultation with volunteers. This Plan will go to Council for approval by the end of the 2023 calendar year.
1.2. Community Growth		
We will implement our commitment outlined in the Small Business Friendly Council Charter.	The reporting requirements for the Small Business Friendly Council are met and an annual event to share information and celebrate success held.	Committed to the Small Business Friendly Council Initiative and has met its regular reporting requirements.

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What will we do?	What will success look like?	How are we tracking?
1.3. Sense of community		
We provide a Small Wins Fund that provides seed funding for community projects of up to \$2,000.	In the first year, the fund will be established and criteria set, with the first round of funding disbursed. Further disbursement will occur in years 2, 3 and 4. Each year, the Council will set an area of interest that it wants to target funding.	Council has an active Community Strengthening Grant Program to support a range of community organisations. In FY23, the program dispersed just over \$2,500 in support of community programs and projects.
1.4. Care for the community		
We will deliver the Community and Recreation Hub and will invest in ensuring that programs are accessible and available to all in our community.	From the day the Community and Recreation Hub opens, a range of sporting and community activities will be subsidised to enable participation across our community.	Wulanda Community and Recreation Hub was opened to the public in December 2022. Since opening, mechanisms have been put in place to monitor performance with a focus on further activation of the facility.
1.5. Becoming an 'earning and learning' community		
We will work with TAFE and our universities to create tertiary pathways that do not current exist.	By the end of the Strategic Plan period at least one new university degree course and two new pathways through TAFE and an university have been delivered.	Council continues to advocate to the State Government on the importance of tertiary pathways in the region. The City of Mount Gambier works proactively with the University of South Australia Mount Gambier campus to continue to cultivate accessibility, innovation and engagement within the community. There are 6 additional programs to be added at UniSA Mount Gambier campus in 2023 and 4 additional online study options for regional students.








GOAL 1 - Our People

Strategic Outcomes Dashboard






Strategic Priority		Responsibility	Status	Comments/ Highlights
1.1.	Community based organisations and networks <i>Our community groups and networks develop and grow to achieve their aspirations</i>			
1.1.1.	Fostering and supporting community-based organisations	City & Community Growth		Limestone Coast Community Services Round Table (LCCSRT). Host the Haven within the Library. Membership of local action groups and provide in-kind support including: Limestone Coast Family Violence Action Group, Drug Action Team, Children Services Network, Suicide Prevention Network, Postvention Network.
1.1.2.	Supporting programs that allow our community groups to be more effective in achieving their goals	City & Community Growth		Community Strengthening Grant Program Digital Literacy Training. Provide space for Community Groups to meet. Partnering with organisations to run programs and events.
1.1.3.	Developing a Volunteer Management Plan to maximise the benefit of volunteering to the community for those who choose to donate their time to the Council	Corporate & Regulatory Services		Draft Volunteer Management Plan and Volunteer Management Policy are in final draft form and ready for consultation with volunteers. This Plan will go to Council for approval by the end of the 2023 calendar year.
1.1.4	Improve our accommodation offering for community groups, whilst reducing total number of Council managed facilities, including investigations into a community group hub (complementary to the Community and Recreation Hub), the co-location of community groups and future sharing of facilities	Corporate & Regulatory Services		Through effective community engagement, consultation and guided by Council's Sport, Recreation and Open Space Strategy, master planning of community reserves is currently underway to design accessible and well considered public spaces and multi-use facilities across the city which enable co-location and sharing of resources amongst community groups and reduce the burden of ageing and inadequate community facilities.





Strategic Priority		Responsibility	Status	Comments/ Highlights
1.2.	Community growth <i>We foster a sense of community by encouraging and supporting participation in community life.</i>			
1.2.1.	Creating opportunities for existing and new businesses by being genuinely 'open for business' and ready for education, health and retirement opportunities	City & Community Growth		Online platform in development, in collaboration with key stakeholders, as a single information point for business and community.
1.2.2.	Helping community groups to help themselves by providing support for effective networks to develop and grow	City & Community Growth		Community Roundtable - Library, Community Space/Hub.
1.2.3.	Working in partnership with service providers get them to select Mount Gambier as their location of choice for services provided for the South East of South Australia and South West of Victoria.	City & Community Growth		Community Roundtable - Library, Community Space/Hub.
1.3.	Sense of Community <i>The community grows in real terms at a rate that helps sustain and grow the services available within the City and for the region.</i>			
1.3.1.	Supporting community events and programs that bring people together, encourage interaction and promote a sense of community	City & Community Growth		Strong program of existing events and work on new opportunities in progress. Community events sponsorship and community strengthening program in place. Provide in-kind support and spaces for community events to be held.
1.3.2.	Providing opportunities to enable our community to be supported and involved.	City & Community Growth		Community events sponsorship and community strengthening program in place. Strong volunteer program to support events. Community engagement and seeking feedback regularly for key council programs and initiatives.







Strategic Priority		Responsibility	Status	Comments/ Highlights
1.3.	Sense of Community <i>The community grows in real terms at a rate that helps sustain and grow the services available within the City and for the region.</i>			
1.3.3.	Raising awareness of community accomplishments	Corporate & Regulatory Services		Recognition of residents who have made an outstanding contribution to the community during the year or over a number of years and outstanding community event through Council's Australia Day Awards. Council volunteer awarded the Premier's Award during National Volunteer Week.
1.4.	Care for the Community <i>We will develop our service offering to the community to ensure all members have access to required levels of support.</i>			
1.4.1.	Developing and delivering community safety initiatives that respond to local issues and concerns	City & Community Growth		Cybersafety workshops and membership of local action groups and provide in-kind support including: Limestone Coast Family Violence Action Group, Drug Action Team, Children Services Network, Suicide Prevention Network, Postvention Network.
1.4.2.	Providing integrated services and facilities that encourage active living to improve health and wellbeing	City & Community Growth		Sport, Recreation and Open Space Strategy, Disability Access and Inclusion Plan 2020-2024 and Regional Public Health Plan 2022- 2026. Incorporation and current naming for the Sensory Pool at Wulanda to ensure its purpose is highlighted to the community as distinct from the existing hydrotherapy pool. Sensory programming out of the Library and Riddoch Arts and Cultural Centre. Wulanda Recreation and Convention Centre opened December 2022. Shared Path Masterplan in development to support more active transport options in Mount Gambier.



Strategic Priority		Responsibility	Status	Comments
1.4.	Care for the Community <i>We will develop our service offering to the community to ensure all members have access to required levels of support.</i>			
1.4.3.	Valuing and supporting our Boandik and multicultural communities	City & Community Growth		<p>Implementation of the Reconciliation Action Plan with a key highlight being Council's Dual Naming Policy which introduces dual naming to six key initial sites and creating the framework for the consideration of additional names in the future. Other key initiatives include ongoing engagement with cultural leaders through our Yerkalalpata Community Reference Group, celebration of significant days/weeks including, NAIDOC Week and Reconciliation Week, acknowledgement of National Sorry Day and the Anniversary of the National Apology, delivery of Welcome to Country ceremony at a range of key community events, partnership with Burrandies and Pangula to participate in and deliver programs and events and increased representation of Aboriginal artists within Riddoch collection and gift shop. Reconciliation Action Plan is now due for review. Engagement with the Migrant Resource Centre to participate in and deliver programs and events. Participate in the Connecting Settlement and Community Services Stakeholders Forum.</p>
1.4.4.	Planning, leading and facilitating high quality services to develop the potential of children and young people	City & Community Growth		<p>Representing Limestone Coast Community Services Round Table (LCCSRT) and Children Services Network. Delivery of targeted programs through the Library and Riddoch Arts & Cultural Centre. Youth Space/ Youth Programming Space incorporated in Wulanda. Collaborate with Schools and local organisations to support and run a variety of programs, activities and events throughout the year.</p>



Strategic Priority		Responsibility	Status	Comments
1.4.	Care for the Community <i>We will develop our service offering to the community to ensure all members have access to required levels of support.</i>			
1.4.5.	Ensuring support services and recreational activities are accessible	City & Community Growth		Contribution to the Regional Public Transport Review and active advocacy for equity of spending on bus services and implementation of new routes. Disability Access and Inclusion Plan 2020-2024 and Sport, Recreation and Open Space Strategy both endorsed with active implementation.
1.4.6.	Providing grant programs that assist the community in delivering services and projects that align with its aspirations	City & Community Growth		Active program of community strengthening grants. Disbursed over \$2,500 for FY23.
1.5.	Become an 'earning and learning' community <i>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.</i>			
1.5.1.	Developing and implementing programs that support small business entrepreneurship and incubation, including opportunities for young entrepreneurs	City & Community Growth		Host local GovHack event. Commitment as a Small Business Friendly Council. Active engagement with SA's Small Business Commissioner. Social media workshop for local business and Youth Market.
1.5.2.	Supporting initiatives that facilitate the expansion of regional tertiary education programs and e-learning support at our universities, TAFE and the New Venture Institute	City & Community Growth		In collaboration with a range of community stakeholders, Council has continued its support for the Tertiary Health Education Grants program through the administration of this program and the direct funding for 3 grants annually. This program assists those who are required to leave this region to continue in health-related study, through the provision of grants of \$2,000 per student.



Strategic Priority		Responsibility	Status	Comments
1.5.	Become an 'earning and learning' community <i>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.</i>			
1.5.3.	Facilitating the growth of high quality secondary and tertiary education courses and facilities to cater for our increasing population	City & Community Growth		Continued to contribute funding to UniSA - Lifelong Learning Uni SA Tertiary Grant in FY23.
1.5.4.	Support the Regional Development Australia (Limestone Coast), industry and relevant government agencies to develop and implement employment skills programs to provide a local labour market that supports industry growth	City & Community Growth		Continue to contribute annual funding and support to Regional Development Australia (Limestone Coast).



GOAL 2 - OUR LOCATION

This goal brings together five key themes to attract people, business and industry to our location – including our geography, our role as a regional centre for the region and our natural and manmade assets. We want to better tell our story to a wider audience – whether it is those who want to visit or relocate their business or family.

Under each theme Council made a strategic commitment and defined success. The below outlines how we are tracking against these commitments.



What will we do?	What will success look like?	How are we tracking?
2.1. Infrastructure development and managing our current assets		
We will finish the Rail Trail and work to create further linkages across the city for walking and cycling.	We will finish the Rail Trail within the first two years of the Strategic Plan and will invest in further cross links in the last two years.	Whole length of the Rail Trail Shared Pathway within the city boundary is now completed. Installation of solar lighting along the Rail Trail Shared Pathway has been completed. Draft Shared Pathways Master Plan is in development ahead of further consultation with Council and the community.
2.2. Regional Collaboration		
We will enter into a Joint Planning Board with council across the Limestone Coast Region and the Minister for Planning.	By the end of the Plan period we will have a Regional Plan outlining our integrated approach to land use, transport and infrastructure planning in the Limestone Coast.	Regional Assessment Panel has been established with partner Council's within the region. Process to develop a Regional Plan for the Limestone Coast has commenced in partnership with the State Government.

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What will we do?	What will success look like?	How are we tracking?
2.3. The Crater Lakes Precinct and other areas of tourism potential		
We will understand our role in tourism and have masterplans for our honeypot tourism sites.	Council will have endorsed its role in tourism and masterplans will have been adopted for all of our key natural and manmade tourist attractions, including reviews as to management.	Co-custodianship of Blue Lake/ Warwar is now in place and is being considered as part of the Crater Lakes Activation Plan. Advocacy with State Government and relevant potential partners about opportunities is ongoing.
2.4. Recognition of our indoor and outdoor sporting assets and our adventurous opportunities		
We will hold six regional standard community or sporting events in the new Community Recreation Hub annually.	Six annual events held and an assessment provided annually to council on the economic, social and cultural impact of events.	Key outdoor sporting events that have been held include Gravity Mountain Bikes, 100 Mile Classic, BMX State Titles, Inside Line Mountain Bikes, Blue Lake Fun Run, Legends of the Lake. Events schedule for the Agreement with Belgravia Leisure only provides for one event at Wualanda Recreation and Convention Centre which included SA Swim Championships.
2.5. Focusing on activation, revitalisation and placemaking in our CBD		
Develop a traffic model for the CBD.	The traffic model assists in development assessment and the provision of design briefs for potential redevelopment sites in the CBD.	CBD Guiding Principles 2022 completed and endorsed. The master plan will include prioritised pedestrian/shared path project delivery schedule.

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GOAL 2 – Our Location

Strategic Outcomes Dashboard








Strategic Priority		Responsibility	Status	Comments/ Highlights
2.1.	Infrastructure development and managing our current assets <i>We will commence work on meeting the community's aspirations for future infrastructure development, whilst managing our existing infrastructure and assets in a manner that demonstrates the pride we take in our environment.</i>			
2.1.1.	Working with the community to ensure our CBD, health and education precincts, our streets and our public spaces are safe, inviting and support a positive image of the City of Mount Gambier	City Infrastructure		First phases of CBD redevelopment completed. PLEC projects surrounding Olympic Park completed. Multiple playground and footpath upgrades based on community feedback completed. Shared paths extended / completed. Mountain bike track network maintained.
2.1.2.	Continuing to work on projects that improve residential amenity, including Power Line Environment Committee (PLEC) projects	City Infrastructure		All planned PLEC project have been completed. Consideration is being given to potential future PLEC projects.
2.1.3.	Consolidating, upgrading and seeking funding for a number of walking and cycling trails throughout the city, including the Rail Trail and the Crater Lakes precinct	City Infrastructure		Draft Shared Pathways Master Plan is in development ahead of further consultation with Council and the community. Whole length of the Rail Trail Shared Pathway within the city boundary is now completed. Installation of solar lighting along the Rail Trail Shared Pathway has been completed. All the existing walking and biking trails in the crater lakes area after the 2022 bushfire incident have opened excluding the fire effected pine area. Planning is underway to reopen this trail to the public. Crater Lakes Activation Plan progressing with continuing consultation with stakeholders.
2.1.4	Regularly reviewing and updating Council's Asset Management Plans for each asset category	City Infrastructure		Strategic review of Asset Management Plans are underway.








Strategic Priority		Responsibility	Status	Comments/ Highlights
2.1.	Infrastructure development and managing our current assets <i>We will commence work on meeting the community's aspirations for future infrastructure development, whilst managing our existing infrastructure and assets in a manner that demonstrates the pride we take in our environment.</i>			
2.1.5	Providing efficient visitor services by making tourism information access easier and more relevant	City & Community Growth		Development of new digital platform and associated assets has commenced. Traveller brand established, refreshed image library and updated printed collateral. Accreditation achieved for the Visitor Information Centre.
2.2.	Regional collaboration <i>Significant planning work has been done by the City of Mount Gambier, Limestone Coast Councils and Regional Development Australia (Limestone Coast). Councils within the region are keen to collaborate on a number of initiatives including land use planning, infrastructure, waste management, recycling and tourism.</i>			
2.2.1.	Collaborating with Regional Development Australia (Limestone Coast) to develop and maintain a Mount Gambier Investment Prospectus specific to our city	City & Community Growth		Development of new digital platform and associated assets has commenced.
2.2.2.	Taking an active role in regional working groups to realise major regional initiatives such as the delivery of a recycling facility, improved regional procurement and cohesive infrastructure planning including regional rail trails	City Infrastructure		Discussion regarding Regional Material Recovery Facility progressed and Limestone Coast Local Government Agency (LCLGA) and discussion expanded to regional waste strategy.
2.2.3.	Encouraging growth and diversity in the forestry, food, wine production and value adding industries, as well as our service sector	City & Community Growth		Partnership Priorities and Advocacy document adopted by Council November 2022 guiding our discussions with industry. Contributed to the Limestone Coast Agribusiness Strategic Plan.
2.2.4	Working with other local government areas to develop cross-regional plans and initiatives	City & Community Growth		Working collaboratively and provide funding to LCLGA to facilitate cross-region plans and initiatives. SA Libraries, Library Network (formerly Onecard)







Strategic Priority		Responsibility	Status	Comments/ Highlights
2.2.	Regional collaboration <i>Significant planning work has been done by the City of Mount Gambier, Limestone Coast Councils and Regional Development Australia (Limestone Coast). Councils within the region are keen to collaborate on a number of initiatives including land use planning, infrastructure, waste management, recycling and tourism.</i>			
2.2.5	Advocating for key initiatives with State and Commonwealth Governments	City & Community Growth		Partnership Priorities and Advocacy document adopted by Council November 2022 which has been used to inform communication with State and Federal Government. Became a financial member of the Regional Activators Alliance through Regional Australia Institute to support the Regionalisation Ambition 2032.
2.3.	The Crater Lakes Precinct and other areas of tourism potential <i>We will work with the community to investigate options that enable the Council to capitalise on the Crater Lakes Precinct and other areas of tourism potential.</i>			
2.3.1.	Understand our role in tourism and develop an aspirational masterplan for the Crater Lakes area enabling us to shared vision with the community and other key stakeholders	City & Community Growth		Crater Lakes Activation Plan progressing with continuing consultation with key stakeholders.
2.3.2.	Working with the Department of Environment and Water, Department of Planning, Transport and Infrastructure, SA Water and other stakeholders to unlock opportunities in our city, from a leasing, licencing and ownership perspective	City & Community Growth		Co-custodianship of Blue Lake/ Warwar is now in place and is being considered as part of the Crater Lakes Activation Plan. Advocacy with State Government and relevant potential partners about opportunities is ongoing. New Licence for 9 years with Department of Infrastructure and Transport for the Rail Trail.
2.3.3.	Better understanding the constraints and seeking innovative solutions to overcome long-standing challenges through effective partnerships	City & Community Growth		Partnership Priorities and Advocacy document adopted by Council November 2022.
2.3.4.	Seeking to understand and build upon our unique opportunities, including our little known, but world-class rock carvings	City & Community Growth		Development of new digital platform and associated assets has commenced. Traveller brand established, refreshed image library and updated printed collateral.



Strategic Priority		Responsibility	Status	Comments/ Highlights
2.4.	Recognition of our indoor and outdoor sporting assets and our adventurous opportunities <i>We will work on capitalising on the delivery of the Community and Recreation Hub to highlight the opportunities for sporting and other community events in Mount Gambier and we will seek to leverage the adventure sports market through support to potential providers to develop activities, effective marketing and working with our partners to raise the profile of our City and region.</i>			
2.4.1.	Seeking to hold at least six regional standard community or sporting events in the new Community and Recreation Hub annually	City & Community Growth		Agreement with Belgravia Leisure only provides for one event which included SA Swim Championships.
2.4.2.	Continuing to hold six regional standard sporting events (or higher) at our outdoor facilities	City & Community Growth		Highlights include: Gravity Mountain Bikes, 100 Mile Classic, BMX State Titles, Inside Line Mountain Bikes, Blue Lake Fun Run, Legends of the Lake.
2.4.3.	Seeking to market our region even better for year round adventurous activities	City & Community Growth		Development of new digital platform and associated assets has commenced. Traveller brand established, refreshed image library and updated printed collateral.
2.4.4.	Work in partnership with our sporting clubs to improve their sporting and clubhouse facilities and to help them take advantage of accommodation opportunities for groups	City & Community Growth		Sport, Recreation and Open Space Strategy has been completed and endorsed with a cross-functional project team to support delivery. Strategic Development & Recreation Coordinator has been appointed. Draft Blue Lake Sports Park Masterplan endorsed.
2.4.5.	Understand what a hero attraction in Mount Gambier would look like and how to create the opportunity to attract external investment and to value add existing attractions	City & Community Growth		Working with stakeholders to facilitate investment opportunities. Crater Lakes activation is currently out for consultation.



Strategic Priority		Responsibility	Status	Comments/ Highlights
2.5.	Focusing on activation, revitalisation and placemaking in our CBD <i>We will look to create opportunity in our CBD for all year-round activation through effective placemaking and place shaping, making it a vibrant, cohesive and safe place.</i>			
2.5.1.	Working with business owners and property owners to understand what mechanisms would assist them in raising the quality of buildings in the CBD	City & Community Growth		CBD Guiding Principles 2022 completed and adopted.
2.5.2.	Understanding the traffic impacts and the management of delivery needs within a more pedestrian friendly environment	City Infrastructure		Shared Path Master Plan is in development. The master plan will include prioritised pedestrian/shared path project delivery schedule.
2.5.3.	Working with the community and developers to capitalise on opportunities as the CBD evolves	City & Community Growth		Meeting with Developers requiring the establishment of a Developers Forums.
2.5.4.	Establish a collaborative activation strategy with CBD traders that delivers a mix of hospitality, cultural and boutique offerings	City & Community Growth		CBD Guiding Principles 2022 agreed and adopted, but no further progress for activation strategy.



GOAL 3 - OUR DIVERSE ECONOMY

This goal brings together five key themes that strengthen our economy – provide the right landscape for industry and business to thrive in our community. A diverse economy provides a greater range of opportunities and helps provide a degree of resilience during economic downturns.

Under each theme Council made a strategic commitment and defined success. The below outlines how we are tracking against these commitments.



What will we do?	What will success look like?	How are we tracking?
3.1. Identity, gateways and support for our businesses		
Deliver five consistent or themed entrance statements to the City of Mount Gambier in consultation with our community.	Five new entrance statements delivered in four years creating a sense of arrival in the City of Mount Gambier.	Traveller brand established and refreshed image library to assist with the Signage Strategy rollout which includes updated Dual Naming and Welcome to Berrin signage.
3.2. Land use planning settings		
We will work with public transport providers to deliver a more relevant service to the City of Mount Gambier, including access to the new Community and Recreation Hub.	More daily services are provided across the City and a route linking the new Community and Recreation Hub has been implemented.	Contribution to the Regional Public Transport Review and active advocacy for equity of spending on bus services and implementation of new routes. Key priorities captured in Council's Partnership Priorities & Advocacy Document.

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What will we do?	What will success look like?	How are we tracking?
3.3. Appealing and affordable housing for growth		
We will seek to develop a long-term boundary for the City that enables strong, planned growth and for other agencies to be able to plan for service provision supporting a growing city.	The boundary for the City of Mount Gambier will have been adjusted to enable current and long-term housing growth that is supported by City services, to be situated within the city, and through rates, to contribute to the provision of such services.	The State Government is responsible for the preparation of the Regional Plan with Council participating within the process at all opportunities.
3.4. Tourism is contributing to a diverse economy and creating opportunity		
We will review the policies in the Planning and Design code (when implemented), together with our own lease and license arrangements, to create new opportunities in tourism.	We will have one new hero tourist attraction in the City of Mount Gambier, for which the operator is able to charge for a special experience.	Development of new digital platform and associated assets has commenced. Traveller brand established, refreshed image library and updated printed collateral and contribution to the State Government's Regional Plan.
3.5. Focusing on activation, revitalisation and placemaking in our CBD		
We will reduce our per capita tonnage of waste from the City going into landfill.	We will be producing less waste and enabling greater tonnages of reuse, recycling and organic waste to be collected.	2022/2023 saw a significant increase in the diversion of waste from the City to landfill. During the year, we saw 55% of waste diverted from landfill through recycling and FOGO which is an increase of 6% from the last year, This can be attributed to continued improvement and uptake of FOGO by our residents.






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GOAL 3 – Our Diverse Economy Strategic Outcomes Dashboard








Strategic Priority		Responsibility	Status	Comments/ Highlights
3.1.	Identity, gateways and support for our businesses <i>Establish a strong, positive, aspirational identity that includes the message that the City of Mount Gambier is 'Open for Business'.</i>			
3.1.1.	Beautifying town entrances, gateways and public spaces to create a sense of arrival, together with enhanced digital gateway to access the City from anywhere	City & Community Growth		Traveller brand established and refreshed image library to assist with the signage project rollout which includes updated Dual Naming and Welcome to Berrin signage.
3.1.2.	Generating positive messages about Mount Gambier that are heard and recognised across our region and in Adelaide, together with wider domestic and international targeting	City & Community Growth		Partnership Priorities and Advocacy document adopted by Council November 2022. Representation across industry specific networks and promotion of activities. Development of new digital platform and associated assets has commenced.
3.1.3.	Engaging our community leaders in strategies to address current barriers and in shaping the future	City & Community Growth		Council has worked closely with community leaders through the collaborative development of a range of significant strategic plans, initiatives and projects including the CBD Guiding Principles, Sports Recreation and Open Spaces Strategy (SROSS), Blue Lake Sports Park Master Plan and the Public Transport Review. Council continues to work with partners such as the Chamber of Commerce, Women in Business and Regional Development and Regional Development Australia to provide nimble and well-considered local responses to the needs of our community.
3.1.4	Capitalising on and promoting the benefits of a multicultural community	City & Community Growth		Implementation of Culture & Heritage Plan and establishment of the Creative Arts Fund. Celebration of relevant significant days/weeks.
3.1.5	Encouraging the uptake and benefits of ultra high-speed broadband connectivity for small and growing businesses	City & Community Growth		NBN meetings ongoing with Business Connect NBN, etc. GigCity is available to businesses at key innovation precincts and co-working spaces located in Mount Gambier.









Strategic Priority		Responsibility	Status	Comments/ Highlights
3.1.	Identity, gateways and support for our businesses <i>Establish a strong, positive, aspirational identity that includes the message that the City of Mount Gambier is 'Open for Business'.</i>			
3.1.6	Delivering support for existing and new businesses and industries to locate into the City, underpinned by the establishment of an Economic Development Fund	City & Community Growth		Development of new digital platform and associated assets has commenced. In addition to this the CBD Guiding Principles 2022 and the Partnership, Advocacy and Priorities document completed and endorsed providing a focus for local industry to position and grow.
3.2.	Land use planning settings <i>Planning that provides for future economic and lifestyle changes and continued growth whilst protecting the natural environment.</i>			
3.2.1.	Preparing updates to the Planning and Design Code that prepare the city for growth and revitalisation over the next 15 years	Corporate & Regulatory Services		Transition to the new planning system and the Planning and Design Code has provided opportunities for the growth and revitalisation of the City of Mount Gambier and at this time no further action is required. Opportunities for amendments to the Planning and Design Code may be identified as part of the Regional Plan.
3.2.2.	Preparing a new Regional Plan for the Limestone Coast that enables us to plan for the region we want to see	Corporate & Regulatory Services		The State Government is responsible for the preparation of the Regional Plan with Council participating within the process at all opportunities.
3.2.3.	Advocating and planning for road, train, airport and communications infrastructure that better connects us with the world	City & Community Growth		In accordance with the Partnership Priorities & Advocacy document. We are also working alongside RDA and LCLGA in regional growth strategies, Freight Action Plan.
3.2.4	Working with operators to deliver a public transport network that connects people to essential services, leisure activities and employment	City & Community Growth		Contribution to the Regional Public Transport Review and active advocacy for equity of spending on bus services and implementation of new routes. Key priorities captured in Council's Partnership Priorities & Advocacy Document.







Strategic Priority		Responsibility	Status	Comments/ Highlights
3.3.	Appealing and affordable housing for growth <i>We have appealing and affordable housing appropriate to incomes, aspirations and cultures to attract and retain new residents.</i>			
3.3.1.	Planning for housing growth (including boundary adjustments) that retains the lifestyle charm of the regional city, whilst providing a range of housing options to suit students, workers and managers, along with people and cultures with special needs.	Corporate & Regulatory Services		The Planning and Design Code enables opportunities for a wide range of dwelling types to be developed. Council is currently investigating opportunities to facilitate affordable housing within the City.
3.3.2.	Reviewing and adapting our zoning and planning processes to allow for high-end housing to attract professionals and people with discretionary spending capacity.	Corporate & Regulatory Services		Planning Policies within the Planning and Design Code facilitates a wide range of opportunities regarding the development of housing.
3.3.3.	Working with the real estate sector, employers, educators, retailers and services to develop and implement a Relocation Package that assists skilled migrants to settle quickly and build a life for themselves and their families in Mount Gambier	City & Community Growth		Engagement with the Migrant Resource Centre to participate in and deliver programs and events. Otherwise there has been limited progress on this initiative.
3.3.4	Working with community housing providers (including Housing SA, Anglicare, etc.) to improve the quality and appearance of their stock through investment and joint development opportunities	City & Community Growth		Engaged with SA Housing through Housing Toolkit Project, Housing for All group convened by Local State Member and have advocated on housing issues at state and national level via LGASA and ALGA. Have established an internal project team to work on the affordable housing project.
3.3.5	Being prepared to use our powers under the Local Nuisance and Litter Control Act and the Development Act to deal with unsightly premises to maintain the standard of residential amenity	Corporate & Regulatory Services		Council has dealt with a number of unsightly properties through the application of the relevant Acts. Have also addressed hoarding and squalor issues with the Environmental Health team.



Strategic Priority		Responsibility	Status	Comments/ Highlights
3.4.	Tourism is contributing to a diverse economy and creating opportunity <i>Mount Gambier, its surrounding townships and the tourism region are positioned as an unique and desirable activity-based destination for travellers from Adelaide and Melbourne.</i>			
3.4.1.	Encouraging the development of interesting niche businesses in our shops and public places, particularly aimed at weekend place activation, day trip tourism and experiences that complement key tourism driver	City & Community Growth		Extension of Blue Lake/ Warwar Welcome Centre with permit arrangements in place for mobile vendors. Activation in the CBD eg in partnership with Illuminate.
3.4.2.	Working with neighbouring Councils to develop and promote an integrated schedule of events that increases residential amenity and attracts tourists	City & Community Growth		Participate and contribute through LCLGA.
3.4.3.	Zoning and planning processes, together with appropriate leases and licences that support tourism activity and the development of accommodation and eateries	City & Community Growth		Contribution to the State Government's Regional Plan.
3.4.4.	Facilitating the provision of quality Visitor Information Services that address face-to-face information needs as well as adapting to trends in online information, booking services and electronic marketing	City & Community Growth		Development of new digital platform and associated assets has commenced. Traveller brand established, refreshed image library and updated printed collateral. Printed collateral has been consolidated as digital assets are updated.
3.4.5.	Working with other tourism stakeholders to develop dispersal strategies that bring tourists into the region from across South Australia, Victoria and further afield	City & Community Growth		Participate and contribute through LCLGA.
3.5.	Reusing, recycling and waste management <i>We will work with the community to ensure there is better understanding of the impacts and responsible options available for reuse, recycling and waste management, including investigations as to how the city and region can be more self-sufficient.</i>			
3.5.1.	Seeking to procure or develop recycled or renewable materials for our services	City Infrastructure		Supported EcoPlas local plastic recycling plant. Investigating circular economy opportunities for local region. Transmutation in Robe procure our processed polystyrene.



Strategic Priority		Responsibility	Status	Comments/ Highlights
3.5.	Reusing, recycling and waste management <i>We will work with the community to ensure there is better understanding of the impacts and responsible options available for reuse, recycling and waste management, including investigations as to how the city and region can be more self-sufficient.</i>			
3.5.2.	Investing in sustainable waste management practices and progressive technology at the Council's Caroline Landfill facility, including methane collection and solar power options	City Infrastructure		Significant work has been undertaken towards EPA compliance including documentation of processes, licence conditions, etc. Landfill Environment Management Plan requires some updates before resubmitting to EPA. Lease for landfill gasses signed, infrastructure installed and operational. Scoping fit for purpose equipment. Service reviews underway to inform Asset Management Plan. Waste Masterplan/ Strategy is in development.
3.5.3.	Invest in education programs to reach everyone in our community to enhance understanding of options and actions	City Infrastructure		Sustainability initiatives progressed (e.g. commercial waste food diversion trial in progress). Education campaign commenced for FOGO (social media, radio, print and television advertising). Educational videos in development and educational site tours delivered regularly. Roll-out of My Local Services app to build community awareness.
3.5.4.	Continuing to invest in the Council's ReUse Market and the range of materials that the Council accepts for recycling at the Waste Transfer Station	City Infrastructure		Have grown material we are recovering and diversion from landfill with current focus on solar panels. Regular contact with contractors utilising the Waste Transfer Station/ Caroline Landfill facility to reduce waste.
3.5.5.	Working with partners across the Limestone Coast region to develop solutions to our collective waste management and recycling issues, including an independent materials recovery option	City Infrastructure		Report delivered in May 2020 to the LCLGA regarding the viability of establishing material recovery facilities in the Limestone Coast region. Participation in cross border workshop for bio-organics recycling facility in South West Victoria. Working with industry stakeholders on continuous improvement initiatives.



GOAL 4 - OUR CLIMATE, NATURAL RESOURCES, ARTS, CULTURE AND HERITAGE

This goal brings together five key themes that help tell the story of our community and help improve quality of life by giving us a sense of place and a clean, green, creative environment. Ensuring we look after our environment and celebrate the achievements of our community ensures our capacity to thrive.

Under each theme Council made a strategic commitment and defined success. The below outlines how we are tracking against these commitments.



What will we do?	What will success look like?	How are we tracking?
4.1. Natural assets		
We will continue to fund community projects in the Crater Lakes and to develop a partnership with Cleland Wildlife Park.	We will see a greater variety of native species, both flora and fauna, in the Crater Lakes precinct and better opportunities to engage our community in understanding our environment.	In partnership with Landscape SA the City of Mount Gambier has developed a number of initiatives to engage the community with our unique environment. A ClimateWatch Trail app in collaboration with EarthWatch Australia, Bureau of Meteorology and the University of Melbourne is in development and is looking to monitor at least 60 species of flora and fauna that occur in the Valley Lake Conservation Park.

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What will we do?	What will success look like?	How are we tracking?
4.2. Open Space		
We will deliver a Sport, Recreation and Open Space Strategy and Master plans within the first year.	Enhancements to three key reserves over the life of the plan.	Sport, Recreation and Open Space Strategy (SROSS) has been completed and endorsed. Draft Blue Lake Sports Park Masterplan has been endorsed.
4.3. Planned reduction of our carbon footprint		
The Council will enter into agreements to provide more renewable energy from its assets.	The community will see a reduction in our overall energy purchases and the implementation of improved sustainable energy supplies at the Caroline Landfill and the Community and Recreation Hub.	Water sensitive urban design is used in all Council developments and is encouraged in all developments within the City. Improved cell filling plan with improved daily cover (hydromulcher) extending the cell life. Leachate irrigation (vetiver grass) trial completed. Landfill Gas contract (including option for potential future solar farm) nearing execution. New cell has been constructed at Caroline Landfill. Solar lighting has been installed along the Rail Trail and there has been an upgrade of City-wide street lighting to LED.







What will we do?	What will success look like?	How are we tracking?
4.4. Recreational and cultural pursuits		
We will adopt our first Reconciliation Action Plan and move into implementation.	We will see more Boandik input in the arts, culture and heritage across our city including more public art and the use of Boandik art in more Council publications and exhibitions.	Yerkalalpata Reconciliation Action Plan 2020 – 2022 was adopted and a significant proportion implemented. It now requires review. A key highlight being Council's Dual Naming Policy which introduces dual naming to six key initial sites and creating the framework for the consideration of additional names in the future. Ongoing engagement with cultural leaders takes place through the Yerkalalpata Community Reference Group. Increased representation of Aboriginal artists within Riddoch collection and gift shop. Aboriginal art work reflected in Wulunda Recreation and Convention Centre logo.
4.5. A City brought to life with public art		
We will establish an annual public arts fund.	The installation of at least one new piece of public art every year.	Council has pursued civic activations through the Creative Art Fund.








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









Strategic Priority		Responsibility	Status	Comments/ Highlights
4.1.	Natural assets <i>We are effective at protecting and conserving the high-quality values of our natural environment.</i>			
4.1.1.	Working in partnership with relevant organisations to ensure a sustainable environment	City Infrastructure		Environmental Sustainability Programs. Valley Lakes Water Quality Improvement Project. Updated Tree Policy to reflect better management of the street and reserve. Working actively with Landscape SA in partnership to undertake the native landscaping design for the fire affected pines at the lakes area. Actively working with SAPN & LGA public lighting working group for a better public LED lighting changeover process and their future maintenance for optimum benefit. Actively working with LCLGA working groups to deliver a regional waste solution.
4.1.2.	Protecting biodiversity for future generations and the creation of wildlife corridors through the Council's own works or in new private development	City Infrastructure		Grassroot Grant for the Weed Management Program around Crater Lakes has been continued for a 4th year. Council land division policy (L130) is being reviewed to incorporating Water Sensitive Urban Design (WSUD) standard principles for better stormwater quality management.
4.1.3.	Providing opportunities and funding for community involvement in projects aimed at developing environmental sustainability	City & Community Growth		Landscape SA/Climatewatch. Grassroot Grant. Electric Vehicle Charging Stations.
4.2.	Open Space <i>We are effective at protecting and conserving the high-quality values of our natural environment.</i>			
4.2.1.	Prepare a Sport, Recreation and Open Space Strategy and masterplans for our key reserves enabling effective and efficient multiple uses and the improvement of facilities	City & Community Growth		Sport, Recreation and Open Space Strategy (SROSS) has been completed and endorsed.









Strategic Priority		Responsibility	Status	Comments/ Highlights
4.2.	Open Space <i>We are effective at protecting and conserving the high-quality values of our natural environment.</i>			
4.2.2.	Ensuring opportunities exist to access and experience natural areas	City & Community Growth		Audit on hiking and mountain bike trails with Open Trails Australia. Signage Strategy implementation.
4.2.3.	Enhancing and promoting environmental experiences to encourage the involvement of our residents and attract visitors	City & Community Growth		Worked in partnership to facilitate greater access to the Crater Lakes Precinct for mountain bikers and runners. Signage Strategy to incorporate promotion of natural areas. Draft Shared Pathways Master Plan is in development ahead of further consultation with Council and the community.
4.2.4	Seeking to improve connectivity between our reserves and the CBD by non-motorised forms of transport	City Infrastructure		Whole length of the Rail Trail Shared Pathway within the city boundary is now completed. Installation of solar lighting along the Rail Trail Shared Pathway has been completed. Draft Shared Pathways Master Plan is in development ahead of further consultation with Council and the community.
4.3.	Planned reduction of our carbon footprint <i>Council will lead by example in the fields of sustainable development and resource efficiency.</i>			
4.3.1.	Managing water through conservation, reuse and water quality	City Infrastructure		Water sensitive urban design is used in all Council developments and is encouraged in all developments within the City.
4.3.2.	Reducing the environmental impact of waste and maximising conservation of natural resource	City Infrastructure		Improved cell filling plan with improved daily cover (hydromulcher) extending the cell life. Continuing to work with expert consultants on how to keep improving in this area. Leachate irrigation (vetiver grass) trial completed. Landfill Gas contract (including option for potential future solar farm) nearing execution. New cell has been



Strategic Priority		Responsibility	Status	Comments/ Highlights
4.3.	Planned reduction of our carbon footprint <i>Council will lead by example in the fields of sustainable development and resource efficiency.</i>			
4.3.3.	Planning our response to climate change	City Infrastructure		Land Development Policy Review is underway to incorporate sustainable infrastructure development standards.
4.3.4.	Demonstrating Council's commitment to the environment by reducing our carbon emissions and increasing our use of renewable energy sources	City Infrastructure		Solar lighting installation completed along Rail Trail. Upgrade of City-wide street lighting to LED for extended lights are completed. Phase 2 for decorative lights business case developed for consideration.
4.4.	Recreational and cultural pursuits <i>We will ensure that community members are provided with opportunities for cultural growth and development through provision of innovative services and programs.</i>			
4.4.1.	Delivering a network of safe and convenient walking trails and cycle paths linking relevant land uses and recreation opportunities	City Infrastructure		Draft Shared Pathways Master Plan is in development ahead of further consultation with Council and the community.
4.4.2.	Providing library programs, resources and facilities that respond to the changing needs for knowledge, education and leisure	City & Community Growth		Regular and other programs, activities and events provide for the community according to community needs.
4.4.3.	Adopting a Reconciliation Action Plan and working to implement it sensitively	City & Community Growth		Reconciliation Action Plan (refer 1.4.3) now requires review.
4.4.4.	Providing services, programs and facilities for the community to participate in a broad range of arts and cultural activities	City & Community Growth		The RACC has continued to support regional artists through an active program of exhibitions and programs. Deliver programs through the Reconciliation Action Plan to demonstrate leadership in reconciliation within our community. Library programs, events and activities.



Strategic Priority		Responsibility	Status	Comments/ Highlights
4.4.	Recreational and cultural pursuits <i>We will ensure that community members are provided with opportunities for cultural growth and development through provision of innovative services and programs.</i>			
4.4.5.	Celebrating our cultural diversity	City & Community Growth		RACC, Events, NAIDOC, Reconciliation, Citizenship Ceremonies, Library programming. Support FRINGE festival.
4.5	A City brought to life with public art <i>We will ensure that opportunities for public art are created within our city, this means not just spaces for the artwork, but also spaces where creative industries can connect and flourish.</i>			
4.5.1.	Reviewing our current visitor information centre location and the use of its space and our other buildings for creative industries	City & Community Growth		Continue to work with a number of stakeholders in the exploration of community-led creative spaces.
4.5.2.	Work collaboratively with those engaged in the creative industries by bringing together opportunities in the Library, the Main Corner, the Riddoch Art Gallery, the Sir Robert Helpmann Theatre and spaces across the City and establishing and embedding the Riddoch Arts and Cultural Complex	City & Community Growth		School Holiday and other programs and activities provided throughout the year collaboratively. Partnership Priorities and Advocacy document outlines ambition of creative precinct. Supported the masterplan for the Sir Robert Helpman Theatre. Ongoing activation of Cave Garden/ Thugi as a vibrant cultural space.
4.5.3.	Create spaces in major developments, the Railway Lands and our reserves for public art and work with our community to fill these spaces and work with DPTI to include these along the Rail Trail	City & Community Growth		A brief and budget for a temporary public art event have been established. This has not progressed at this stage.
4.5.4.	Work with the owners of prominent buildings and structures across the City to increase the visibility of public art	City & Community Growth		Council has pursued civic activations through the Creative Art Fund.
4.5.5.	Establish an annual public arts fund and street art event	City & Community Growth		Council has pursued civic activations through the Creative Art Fund, resulting in a range of public murals and street related art in various locations throughout the city.



GOAL 5 - OUR COMMITMENT

The Council has determined the following principles to ensure delivery against the Strategic Plan 2020-2024. These principles underpin all decisions made by the Council. They guide our strategic planning, processes, service delivery and the management of assets.

Our commitment – the City of Mount Gambier will be:



Sustainable Transparent Responsive Involving Values-based Effective

Key deliverables to support Council in meeting its commitment include, but is not limited to:

- Ongoing review and continuous improvement of Council Policies, Principles and Procedures.
- Review of Asset Management Plans.
- Continued implementation of relevant changes in accordance with the Local Government Act reforms.
- Establishment and implementation of the Strategic Planning and Reporting Framework and appropriate governance.
- Negotiation and approval of two Enterprise Agreements with staff.
- Enhancing Safety Always Culture– Safety Award launched in July 2023 and will be ongoing.
- Continued focus and development of strategic risk register and broader risk management framework.
- Embedding of Organisational Values LEAD CONNECT DELIVER – Values Awards implemented and ongoing



19.2 OUTCOME OF EXPRESSION OF INTEREST PROCESS - ANIMAL POUND AND REHOMING SERVICES – REPORT NO. AR23/51490

Committee:	Council
Meeting Date:	15 August 2023
Report No.:	AR23/51490
CM9 Reference:	AF22/378
Author:	Tegan McPherson, Project Manager
Authoriser:	Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services
Summary:	The report presents an outcome from the Expression of Interest process for Animal Pound and Rehoming Services and seeks resolution from Council to move forward with a different approach.
Strategic Plan Reference:	Goal 1: Our People Goal 2: Our Location Goal 5: Our Commitment

REPORT RECOMMENDATION

1. That Council Report No. AR23/51490 titled 'Outcome of Expression of Interest Process - Animal Pound and Rehoming Services' as presented on 15 August 2023 be noted.
2. That Council resolves:
 - (a) Not to progress any further with the procurement process for Animal Pound and Rehoming services;
 - (b) That the Administration continue with current operating arrangements for the provision of Animal Pound and Rehoming Services in accordance with this report; and
 - (c) To endorse the proposed Council Policy - Animal Management - Unclaimed Dogs as attached to Report No. AR23/51490.



TYPE OF REPORT

Corporate

BACKGROUND

Expression of Interest Process

City of Mount Gambier (Council) had an Agreement with South East Animal Welfare League (SEAWL) that ended 30 June 2023. The Agreement was a tri-partied funding arrangement between Council, District Council of Grant (DC Grant) and SEAWL and had been in place since 1 July 2014. On 24 January 2023, Council resolved that, in accordance with its Procurement Policy, a tender, for a five-year contract term, for the provision of animal pound and rehoming services on behalf of Council, be issued.

On 21 March 2023, DC Grant received endorsement to proceed to partner with us on a procurement process for pound and homing services and also resolved that their Chief Executive Officer and/or the Director of Environmental Services be delegated the authority to extend the existing agreement with the South East Animal Welfare League with the current terms and conditions for a further 12 months, should it be deemed necessary.

On 28 March 2023, DC Grant and Council agreed to commence with an Expression of Interest (EOI) process in the first instance to get a better feel for the market and to help inform the subsequent procurement approach.

As it was unlikely we would have an outcome from the EOI process by the expiration of the existing agreement on 30 June 2023, on 18 April 2023 Council resolved to extend the existing agreement with the current terms and conditions up to a further 12 months, or as deemed necessary.

On 20 April 2023, Council officers met with SEAWL, offering them an extension until 28 February 2024. However, SEAWL declined the extension on 15 May 2023, and the agreement with them expired on 30 June 2023. During this meeting, SEAWL were also advised and invited to participate in the EOI process. SEAWL chose not to submit an EOI.

The EOI process opened on 1 June 2023 with an initial closing date of 7 July 2023. On 21 June 2023, a decision was made to extend the closure date by a week to 13 July 2023.

Interim Animal Pound and Rehoming Arrangements

After SEAWL declined to extend the previous funding Agreement, arrangements were made for Council to operate its own pound in accordance with obligations under the *Dog and Cat Management Act 1995* (the Act).

Council's existing pound facility was approved for the short-term impoundment of dogs (12 hours) until they were transferred to SEAWL, and therefore some minor modifications were required to make them suitable for impounding dogs for the legislated holding period of 72 hours and beyond. These modifications were made prior to transitioning the services from 1 July 2023, and on 11 July 2023, Council received approval by the Dog and Cat Management Board, in accordance with the Act, to hold up to four (4) dogs at any one time for 72 hours and beyond.

The City of Mount Gambier is currently finalising agreements for rehoming services post the 72-hour mandatory holding period. The current list of options includes volunteer-run animal rescue organisations that utilise foster carers to care for the animals until they are ready for adoption, as well as other local councils that have established rehoming programs. A confirmed agreement is already in place with Wet Noses Animal Rescue.

To effectively manage the capacity of these different organisations, Council is considering multiple agreements. Doing this will help address situations where these organisations reach their full capacity and are unable to accommodate any more animals. SEAWL has indicated that they will not



enter into an agreement to assist the Councils with rehoming dogs. Additionally, Council is exploring the possibility of rehoming some dogs internally.

Regrettably, there will be some situations where a dog may require euthanasia for health, behaviour or legislative reasons and, where applicable, Council will make this decision in consultation with a local veterinarian.

As at 31 July 2023, 32 dogs have been found wandering at large and of those, 31 were returned to their families without having to be impounded. 1 dog had to be impounded and was subsequently rehomed. No dogs have been euthanised.

Animal Pound and Rehoming activities across South Australia

Across the sector, many councils and the general community are facing similar issues regarding the management of unwanted, stray, lost and surrendered pets. Consequently, The Dog and Cat Management Board (the Board) is providing support to operational staff of councils to help them manage day to day arrangements for detained animals, as well as supporting the planning for longer term solutions.

The Board is working with key stakeholders, including the LGA SA, to develop solutions that enable councils to continue meeting community expectations about the way dogs and cats are managed.

Separately, Council Officers from a large proportion of South Australian councils, including City of Mount Gambier, met to discuss their current pound and rehoming arrangements and the different issues and challenges they are facing. This forum resulted in consensus that a collective advocacy effort was required to put this on the agenda for the LGA SA to investigate the pound and rehoming models, options, costings and risks, which may include state-wide approach to impounding and rehoming.

PROPOSAL

Outcome from Expression of Interest Process

At the close of the EOI, one submission was received. The submission was reviewed by a panel of representatives which included 3 Council Officers from DC Grant and 3 Council Officers from City of Mount Gambier. The Evaluation Team has undertaken this evaluation in accordance with the planned procurement strategy, and the details presented in this report are a true reflection of the evaluation undertaken.

The evaluation process was completed at an Evaluation Team meeting held 1 August 2023 and unfortunately the EOI was not sufficient to meet the requirements of the services requested. As a result, the panel proposed not to progress any further with this procurement process for these services.

Proposed Operating Model

When Council undertook a review of its pound and rehoming services, a summary of animal pound and rehoming models were explored. These included:

- a. Councils working in partnerships with animal welfare organisations.
- b. Councils working in partnerships with a private pet boarding operators.
- c. Councils providing their own short-stay holding facilities.
- d. A combination of the above.

Our previous model with SEAWL was more closely aligned to Option A, however our recent arrangements have highlighted the effectiveness of Option D for the City of Mount Gambier. As referenced in the background section of this report, SEAWL has indicated that it will no longer



accept animals from City of Mount Gambier and has confirmed this by not submitting an EOI or wishing to enter into a rehoming agreement.

City of Mount Gambier has a high reclaim rate for dogs, with 90% being reclaimed by their owners within 72 hours and of those, 85% are returned to their owner within 12 hours. This success can be attributed to the high rates of microchipping and registration of dogs in our community, as well as the work undertaken by our General Inspectors to reunite dogs with their owners.

The current approach, implemented as an interim arrangement, involves Council operating its own pound for the mandatory 72-hour holding period. If a dog is not reclaimed within this timeframe, the animals are then transferred to either a volunteer-run animal rescue organisation or a local council that has an established rehoming program. This approach has proven to be highly effective in facilitating the safe return of dogs to their owners and finding new loving homes for those not reunited.

With this in mind, we propose that Council continue to operate its own pound for the mandatory 72-hour hold period and partner with appropriate organisations for the purpose of assessment and rehoming.

Council already has a range of these provisions in place under our interim arrangements, but in an effort to embed this model we will:

- Formalise a panel of veterinary and animal behaviour providers to assist with the provision of veterinary services and the assessment of animals for rehoming;
- Formalise a panel of rehoming partners who will assist Council with rehoming those dogs deemed suitable for rehoming;
- Formalise a panel of boarding kennel suppliers who will assist Council with emergency boarding requests and scenarios that require longer-term holding periods;
- Investigate additional modifications to our holding kennel facility to allow for isolation or long-term holds where they are required;
- Formalise a Council Policy that addresses processes for managing Unclaimed Dogs and associated procedures; and
- Develop new Dog and Cat Management Plan that incorporates programs and initiatives that:
 - Encourage responsible dog and cat ownership.
 - Reduce public and environmental nuisance caused by dogs and cats.
 - Promote the effective management of dogs and cats.

Council can continue to operate in this manner while current legislation is in place, or until such time a state-wide solution is developed for the sector. However, when legislative changes occur (that may introduce cat management to Council's obligations) or a state-wide solution proposed, then Council will need to review its operations accordingly. Any legislative change is not expected to occur for at least another couple of years. In the interim, Council will engage in the sector-wide discussion and also continue to participate in conversations with our Limestone Coast counterparts on how we prepare our region for cat management.

LEGAL IMPLICATIONS

The key legislation that applies to the issues considered in this report is *the Dog and Cat Management Act 1995*.

As per this legislation, impounded dogs are required to be held at a facility for 72 hours. After that, animals are generally transferred to a shelter for rehoming. At this point, it is up to the shelter management to resell/rehome or euthanise the animals.



There are currently no set timeframes for impounded cats. However, it is foreseen that the Act may be amended in the future to include requirements for cats which would result in the impoundment of cats for at least 72 hours (longer if they appear to be owned).

When an animal is found, identification via registration disks and microchip numbers should be checked and owners should be contacted to arrange return to home as soon as possible. If the owner is unable to be identified or contacted, the animal is impounded by the council in an approved facility and the animal must be held for 72 hours while attempts are made to reunite the animal with its owner.

Councils are responsible for making satisfactory arrangements for the impoundment of dogs and if they choose to detain cats, satisfactory arrangements for a facility for their impoundment.

City of Mount Gambier does not currently actively manage cats and the proposed arrangements outlined in this report only relate to dogs.

The Dog and Cat Management Act 1995 is currently under review following a report to the Minister for Climate, Environment and Water in December 2022. The Minister accepted the recommendations of this report which will be captured in any proposed changes. It is anticipated that any change are at least a couple of years away.

STRATEGIC PLAN

Nil

COUNCIL POLICY

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

[A515 Animal Control Dogs](#)

Council Policy - Animal Management - Unclaimed Dogs (Attachment 1) has been developed to guide operations in the management of unclaimed dogs after the 72 hour mandatory holding period.

In seeking approval from Council to continue with our proposed operating model, we ask that Council also approve this Policy to provide transparency and clarity to the community on our proposed operating approach.

ECONOMIC IMPLICATIONS

Nil

ENVIRONMENTAL IMPLICATIONS

Nil

SOCIAL IMPLICATIONS

Nil

CULTURAL IMPLICATIONS

Nil

RESOURCE IMPLICATIONS

Council Officers are currently investigating additional modifications to our holding kennel facility to allow for isolation or long-term holds where they are required. Further scoping and planning is required, but these works are currently estimated at approximately \$25,000.

We are also reviewing resourcing for the General Inspectorate team to provide them with additional support with the husbandry and care of animals while they are impounded. It is anticipated that this resourcing will be able to be put in place within the scope of Council's existing budget. Under current arrangements, we have engaged a dog behaviour trainer to assist with enrichment and walking of dogs.



VALUE FOR MONEY

Council will establish panel arrangements with suppliers who assist with the provision of animal pound and rehoming services, including, but not limited to:

- Veterinarians
- Animal Behaviour Trainers
- Boarding Kennels
- Animal Rehoming Providers

In some instances, there are existing arrangements with these suppliers or there are limited suppliers within our community, and as such these panels will be appointed by invitation.

This approach presents value to money for Council, as these arrangements will be on a fee-for-service basis and therefore the expense incurred when the service is provided rather than providing an up-front lump sum payment.

Utilising the impound numbers from last financial year, we have attempted to estimate the cost to Council for the coming financial year. These estimates have highlighted that the money previously budgeted for payment to SEAWL, will more than cover the additional expenditure that will be incurred by Council to operate the pound.

Expenditure	SEAWL Agreement	Council Pound
Estimated rehoming /impounding costs	\$45,000	\$40,585
Impounding and hold fees charge to owners*	\$3,345	(\$3,345)
Total cost to Council	\$48,345	\$37,240

*SEAWL used to retain impound and daily hold fees charged to owner reclaiming their animals, these fees will now be retained by Council.

All Panel Contracts will be implemented in accordance with Council's Procurement & Disposal of Land and Assets Policy.

RISK IMPLICATIONS

There are a number of risks associated with Council operating its own pound facilities, these have been addressed in the table below:

Risk Type	Risk	Mitigation
Workplace Health and Safety	There are health, safety and wellbeing risks associated with the handling and management of animals.	Many of these risk assessments and mitigations strategies have been undertaken for our General Inspectors as part of their roles. Any additional roles that assist with the care and management of animals will need to be provided with adequate training and support to reduce this risk.
Insufficient suppliers	Suppliers have insufficient capacity to take on dogs for rehoming.	To effectively manage the capacity of these different organisations, Council is considering multiple agreements. Doing this will help address situations where



		<p>these organisations reach their full capacity and are unable to accommodate any more animals.</p> <p>Additionally, Council is exploring the possibility of rehoming some dogs internally.</p>
Council impoundment facility reaches capacity	Council's kennel facility runs out of space for any more incoming dogs.	<p>Council and DC Grant have an agreement to share kennel facilities as required.</p> <p>Therefore, if either council's facility becomes full, there is capacity to hold dogs in the other council's kennel facility.</p> <p>This agreement is also available where a dog may be required to be isolated from other dogs i.e. for health or behavioural reasons.</p> <p>Council will also explore options for utilising boarding kennel facilities if required.</p>
Council's impoundment facility security	Council's kennel facility is broken into, or an animal impounded by Council is stolen.	Council has CCTV cameras that provided coverage of the kennel facilities and there are locks on access gates, etc, to enter the facility.
Community expectations - euthanasia	Council comes under scrutiny for euthanasia rates of dogs.	<p>A policy has been developed that provides a clear expectation surrounding when a dog will be humanely euthanised.</p> <p>No dog will be humanely euthanised without prior consultation with a veterinarian.</p>
Community expectations – pet surrenders	Council is asked to accept abandoned or surrendered pets.	<p>Council's impoundment facility and animal management services will be managed within the scope of the <i>Dog and Cat Management Act 1995</i> which does not have provisions in place for abandoned pets, or owners seeking to surrender their pets.</p> <p>These services are offered by animal welfare organisations within our community, and</p>



		any such requests will be referred accordingly. Abandoned animals come under the jurisdiction of RSPCA SA, and these matters will be referred accordingly.
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EQUALITIES AND DIVERSITY IMPLICATIONS

Nil

ENGAGEMENT AND COMMUNICATION STRATEGY

In developing our Council Policy for Unclaimed Dogs, we consulted with the Dog and Cat Management Board however they advised that given the Policy addresses what Council does outside of the mandatory 72 hours hold period, it is outside of their jurisdiction to review and make comment. The Act does not talk to anything post the 72 hours and this is therefore at the discretion of Council. In saying this, they did advise that what we were proposing was not outside the scope of what other Council's in the State were doing.

Council will seek community input in the development of its Dog and Cat Management Plan.

IMPLEMENTATION STRATEGY

Upon resolution of Council, we will:

- Formalise a panel of veterinary and animal behaviour providers to assist with the provision of veterinary services and the assessment of animals for rehoming;
- Formalise a panel of rehoming partners who will assist Council with rehoming those dogs deemed suitable for rehoming;
- Formalise a panel of boarding kennel suppliers who will assist Council with emergency boarding requests and scenarios that require longer-term holding periods;
- Investigate additional modifications to our holding kennel facility to allow for isolation or long-term holds where they are required; and
- Implement Council Policy – Animal Management – Unclaimed Dogs and associated procedures.

Concurrently, we will consult with the community and develop a new Dog and Cat Management Plan that incorporates programs and initiatives that:

- Encourage responsible dog and cat ownership.
- Reduce public and environmental nuisance caused by dogs and cats.
- Promote the effective management of dogs and cats.

CONCLUSION AND RECOMMENDATION

In conclusion, the Expression of Interest (EOI) process for the requested services has been concluded, with only one submission received and subsequently evaluated by a panel of representatives from both DC Grant and City of Mount Gambier. Following the evaluation process, it has been determined that the submitted EOI did not meet the requirements for the services sought.

As a result, we recommend not progressing further with this specific procurement process for these services. Instead, we propose continuing the current approach, which involves Council operating its own pound for the mandatory 72-hour holding period. During this time, appropriate partnerships with organisations for assessment and rehoming will be established to ensure the safe return of dogs to their owners and the successful rehoming of those not reunited.



To facilitate this approach effectively, Council will implement a policy that addresses processes for managing Unclaimed Dogs and related procedures. We believe that this approach has proven to be highly effective and aligns well with current legislation. However, Council should remain adaptable to potential legislative changes or state-wide solutions in the future, particularly if cat management becomes part of Council's obligations.

By continuing this approach and fostering collaborative relationships, Council can ensure the well-being of animals and the effective delivery of animal pound and rehoming services for the community.

ATTACHMENTS

1. Council Policy - Animal Management - Unclaimed Dogs [↓](#)



 City of Mount Gambier	ANIMAL MANAGEMENT – UNCLAIMED DOG POLICY	Version No:	1
		Issued:	July 2023
		Next Review:	July 2027

1. INTRODUCTION

City of Mount Gambier (Council) is currently managing its own animal impoundment facility at the City of Mount Gambier depot. In accordance with the *Dog and Cat Management Act 1995*, Council is required to hold dogs for a mandatory period of 72 hours while attempts are made to reunite that dog with its owner. After this period, the animal becomes the responsibility of Council to rehome/sell/euthanise.

This Policy applies to dogs that have been impounded by Council and have not been reclaimed by their owner within the mandatory hold period.

2. UNCLAIMED DOGS

Where possible, Council does not impound a seized dog which is registered and that also complies with the requirements outlined in Part 4 of the *Dog and Cat Management Act 1995* if the owner can collect promptly within the field.

Seized unregistered dogs (including identifiable unregistered dogs) or unidentifiable animals, are taken to Council's Impoundment Facility where they are retained for the mandatory holding period while attempts are made to reunite them with their owner. Council makes every effort to identify the owner/responsible person of the impounded animal prior to the expiration of the mandatory holding period.

Council is committed to working with animal welfare groups/ organisations and other local councils to rehome suitable dogs after the mandatory holding period.

2.1. ANIMAL OWNERSHIP

Ownership of a dog remains to the owner until the mandatory holding period has lapsed in accordance with Section 62 of the *Dog and Cat Management Act 1995*. Ownership of unclaimed dogs is transferred to Council at this time. Council may return the dog to the owner after this mandatory holding period if the owner identifies themselves to Council.

Unclaimed dogs which have not been reclaimed within the mandatory holding period and had ownership transferred to Council, are either:

- (a) Transferred to animal welfare groups/organisations or other local councils for the purpose of rehoming;
- (b) Offered for adoption by Council; or
- (c) Humanely euthanised.

2.2. GENERAL REQUIREMENT FOR REHOMING

Council's preferred option is to transfer dogs to animal welfare groups/ organisations who have the appropriate expertise to rehabilitate and rehome animals.

Unclaimed dogs are checked to determine their suitability for transfer having regard to health, behavioural or legislative requirements.

Where a dog is deemed suitable for rehoming and a suitable organisation able to accept that dog into their rehoming program, Council will ensure the following prior to transfer:

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 City of Mount Gambier	ANIMAL MANAGEMENT – UNCLAIMED DOG POLICY	Version No:	1
		Issued:	July 2023
		Next Review:	July 2027

- (a) Microchipping (where applicable);
- (b) Initial veterinary health check and vaccination; and
- (c) Behavioural assessment (where applicable).

Where a dog is deemed suitable for rehoming and is rehomed directly by Council, Council will ensure the following as part of adoption:

- (a) Microchipping (where applicable);
- (b) Initial veterinary health check and vaccination;
- (c) Behavioural assessment (where applicable);
- (d) Free registration to the end of the current registration period, where the dog is rehomed to a resident of the City of Mount Gambier;
- (e) \$100 voucher towards desexing (if entire); and
- (f) provided a voucher for a consult with a dog trainer to assist with the transition and training of the dog (approx. \$50 value).

Council will undertake a screening process to determine suitability of the adopter.

New owners, of dogs rehomed directly by Council, will be required to sign an Adoption Agreement outlining the terms and conditions of this arrangement.

2.3. GENERAL CONDITIONS FOR THE TRANSFER OF ANIMALS TO ANIMAL WELFARE GROUPS/ ORGANISATIONS

Animal welfare groups/ organisations and local councils who have entered into a formal agreement with Council will be contacted to see if they have capacity to take an animal.

The agreement will detail the general conditions for the transfer including but not limited to:

The recipient will:

- (a) Treat all animals in accordance with animal welfare legislation;
- (b) Desex entire dogs before rehoming the animal;
- (c) Adhere to all relevant legislation including Local Laws and Planning Schemes.

Council:

- (a) Is the sole arbitrator in all matters relating to the transfer of animals (all decisions made by Council are final);
- (b) Accepts no liability concerning the health or behavioural status of animals transferred to an animal welfare group/ organisation.

2.4. EUTHANASIA

Circumstances where humane euthanasia may be applicable include, but are not limited to, the following:

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 City of Mount Gambier	ANIMAL MANAGEMENT – UNCLAIMED DOG POLICY	Version No:	1
		Issued:	July 2023
		Next Review:	July 2027

- (a) Where the dog is suffering from injury, disease or sickness to the extent that it is in the best welfare interests of that dog;
- (b) Where animals are vicious, dangerous, unmanageable, fearful or likely to cause harm due to their behaviour or temperament;
- (c) Where the dog is suffering from a serious contagious or infectious disease or sickness;
- (d) Where it is required under Court Order or Destruction Order in accordance with the *Dog and Cat Management Act 1995*; or
- (e) As otherwise determined by a registered veterinarian.

All humane euthanasia decisions are made in consultation with a registered veterinarian.

Humane euthanasia is undertaken by a registered veterinarian in line with the *Dog and Cat Management Act 1995*.

3. REVIEW & EVALUATION

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

4. 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.

 City of Mount Gambier	ANIMAL MANAGEMENT – UNCLAIMED DOG POLICY	Version No:	1
		Issued:	July 2023
		Next Review:	July 2027

File Reference:	
Applicable Legislation:	Dog & Cat Management Act 1995 Animal Welfare Act 1985
Reference: Community Plan	Goal 2: Our Location
Related Policies:	Animal Control - Dogs
Related Procedures:	
Related Documents:	Council By-Laws

DOCUMENT DETAILS

Responsibility:	General Manager Corporate and Regulatory Services
Version:	1.0
Last revised date:	
Effective date:	
Minute reference:	
Next review date:	
<u>Document History</u>	
First Adopted By Council:	
Reviewed/Amended:	



19.3 POLICY REVIEWS – REPORT NO. AR23/48656

Committee:	Council
Meeting Date:	15 August 2023
Report No.:	AR23/48656
CM9 Reference:	AF22/378
Author:	Melissa Telford, Councillor Support Officer
Authoriser:	Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services
Summary:	This report presents amended Council Policies following review 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. AR23/48656 titled 'Policy Reviews ' as presented on 15 August 2023 be noted.
2. The updated policies as attached to Council Report No. AR23/48656 be endorsed:
 - A515 Animal Control - Dogs
 - A520 Animal Control
 - C700 Corporate Branding and Identity
 - D150 Building and Swimming Pool Inspections
 - F125 City Burning
 - F135 Flammable Undergrowth
 - F500 Footways and Council Land - Removal of Objects
 - F505 Footways and Council Land - Sale of Commodities
 - F510 Inspectoral - Footways and Council Land - Fundraising and Promotion
 - Illumination of Assets
 - L230 Licensed Premises
 - P135 Entertainment Venues
 - P155 Privacy
 - W115 Waste Management - Receival of Waste - Caroline Landfill



TYPE OF REPORT

Legislative

BACKGROUND

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

Following the Interim Audit carried out in May 2023, it was identified that that Council still had 35 of a total 74 policies that were required to be reviewed and updated.

A process for the review of all policies has now commenced, with action plan developed and reporting on the progress being presented to the Executive Leadership Team (ELT) on a fortnightly basis.

A total of 14 policies have been reviewed to date and are presented for endorsement by Council.

PROPOSAL

The following Council policies have been reviewed with no changes to content:

- A520 Animal Control
- C700 Corporate Branding and Identity
- F135 Flammable Undergrowth
- F505 Footways and Council Land - Sale of Commodities
- P135 Entertainment Venues
- W115 Waste Management - Receival of Waste - Caroline Landfill

The following policies have been reviewed and require minor amendments in line with legislative changes and to ensure the Policy is applicable to Council's current practices:

- A515 Animal Control - Dogs
 - Inclusion of dogs must be microchipped under wandering at large
- D150 Building and Swimming Pool Inspections
 - Complete update of legislative references to align with change from Dev Act to PDI Act
- F125 City Burning
 - Minor changes
- F510 Inspectoral - Footways and Council Land - Fundraising and Promotion
 - Updated reference from Development Act to PDI Act
- F500 Footways and Council Land - Removal of Objects
 - Removal of 'for the purposes of the Local Government Act 1999, a vehicle will be deemed to be abandoned if it is unregistered.'
- Illumination of Assets



- Minor changes, replacing lighting with illumination and removal of limit of 12 times per year by third parties and proposals to be addressed to GM not EA
- L230 Licensed Premises
 - Removal of General Manager C&RS as approver, addition of where development approval is not required to a new establishment applying for a licence.
- P155 Privacy
 - Minor amendments including inclusion of Have Your Say Submissions under collection of information and Electoral Act information.

LEGAL IMPLICATIONS

Council and Council Officers have obligations to comply with the Act and Council Policies. This review will provide the foundations to support regulatory compliance.

STRATEGIC PLAN

N/A

COUNCIL POLICY

[A515 Animal Control Dogs](#)

[A520 Animal Control](#)

[C700 Corporate Branding and Identity](#)

[D150 Building and Swimming Pool Inspections](#)

[F125 City Burning](#)

[F135 Flammable Undergrowth](#)

[F500 Footways and Council Land Removal of Objects](#)

[F505 Footways and Council Land Sale of Commodities](#)

[F510 Footways and Council Land - Fundraising and Promotion](#)

[Illumination of Assets](#)

[L230 Licensed Premises](#)

[P135 Entertainment Venues](#)

[P155 Privacy](#)

[W115 Waste Management Reveal of Waste Caroline Landfill](#)

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

This report recommends the following Policies as attached be endorsed:

- A515 Animal Control - Dogs
- A520 Animal Control
- C700 Corporate Branding and Identity
- D150 Building and Swimming Pool Inspections
- F125 City Burning
- F135 Flammable Undergrowth
- F500 Footways and Council Land - Removal of Objects
- F505 Footways and Council Land - Sale of Commodities
- F510 Inspectoral - Footways and Council Land - Fundraising and Promotion
- Illumination of Assets
- L230 Licensed Premises
- P135 Entertainment Venues
- P155 Privacy
- W115 Waste Management - Receiving of Waste - Caroline Landfill

ATTACHMENTS

1. DRAFT - Council Policy A515 - Animal Control - Dogs [↓](#)
2. DRAFT - Council Policy A520 - Animal Control [↓](#)
3. DRAFT - Council Policy C700 - Corporate Branding and Identity [↓](#)
4. DRAFT - Council Policy D150 - Building and Swimming Pool Inspections [↓](#)
5. DRAFT - Council Policy F125 - City Burning [↓](#)
6. DRAFT - Council Policy F135 - Flammable Undergrowth [↓](#)
7. DRAFT - Council Policy F500 - Footways and Council Land - Removal of Objects [↓](#)
8. DRAFT - Council Policy F505 - Footways and Council Land - Sale of Commodities [↓](#)



9. DRAFT - Council Policy F510 - Inspectorial - Footways and Council Land - Fundraising and Promotion [↓](#)
10. DRAFT - Council Policy - Illumination of Assets [↓](#)
11. DRAFT - Council Policy L230 - Licensed Premises [↓](#)
12. DRAFT - Council Policy P135 - Entertainment Venues [↓](#)
13. DRAFT - Council Policy P155 - Privacy [↓](#)
14. DRAFT - Council Policy W115 - Waste Management - Receival of Waste - Caroline Landfill [↓](#)



 City of Mount Gambier	A515 - ANIMAL CONTROL - DOGS	Version No:	34
		Issued:	February, 2018 August 2023
		Next Review:	February, 2024 August 2027

1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier ("Council") regarding problem dogs, undertaking inspections for unregistered dogs, the seizure of dogs and dogs wandering at large.

2. PROBLEM DOGS

(a) It is the Policy of Council that:

1. The owners of problem dogs be encouraged to have them destroyed voluntarily;
2. Where a problem dog that is impounded, is not subsequently claimed by the owner and is then destroyed, all outstanding monies due to Council in respect of that dog will be written off.

3. HOUSE INSPECTIONS

House to house inspections for unregistered dogs will be undertaken when required.

4. SEIZURE OF DOGS

- (a) Where an Authorised Person, appointed pursuant to the provisions of the Dog and Cat Management Act, 1995 is unable to seize a dog by reason of the savagery of that dog, the Dog Management Officer may request the services of a Police Officer to assist with the destruction and/or apprehension of the dog (Refer Section 60 of the Dog and Cat Management Act 1995).

(Note: Police Officers are Authorised Persons pursuant to the Dog and Cat Management Act 1995).

- (b) Where an Authorised Person is unable to seize a dog by reason of repeated evasion of the attempts at seizure, the officer be empowered to use a tranquilliser blow gun to seize the dog (Refer Section 60 of the Dog and Cat Management Act 1995).
- (c) An Authorised Person may, pursuant to Section 61 of the Dog and Cat Management Act, 1995 seize and detain a dog and commence the required legal proceedings to have the dog destroyed/controlled (as appropriate) in the following circumstances:
1. The dog has attacked a person or animal and caused actual bodily harm and there is sufficient evidence to institute legal proceedings, or
 2. A dangerous dog is the subject of an existing control order issued pursuant to the provisions of Section 50 of the Dog and Cat Management Act 1995 and the dog is found wandering at large in breach of that order.
- (d) Where a dog has harassed a person or animal and no bodily harm has resulted, the officer should evaluate the circumstances as whether to seize and detain the dog pursuant to the provisions of Section 60 of the Act, with a view to obtaining a destruction order under Section 59 of the Act.

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 City of Mount Gambier	A515 - ANIMAL CONTROL - DOGS	Version No:	<u>34</u>
		Issued:	<u>February, 2018-August 2023</u>
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- (e) Prosecution may be commenced pursuant to the provisions of Sections 47 and 50 of the Dog and Cat Management Act 1995.
- (f) Authorisation of 4 (d) and (e) may be given by the Chief Executive Officer or the General Manager Corporate and Regulatory Services without reference to Council.

5. WANDERING AT LARGE

- (a) Where a dog is found wandering at large and is impounded, an expiation notice for wandering at large will be issued and where two (2) or more dogs belonging to the one owner are impounded at the same time, such notice be issued for each dog. Additional expiation fee notices will be issued for each of the following offences for each dog, if appropriate, provided that not more than three (3) expiation notices be issued in respect of each dog:
 - 1. Unregistered;
 - 2. Not wearing collar/registration disc/owners name and address as applicable; and
 - 3. a total of not more than three (3) expiation notices be issued for any one incident.
 - 4. Dogs must be microchipped.
- (b) Where a dog or dogs is/are found wandering at large but are not impounded, expiation fee notices be issued on the same basis as paragraph (a) if the owner is known or can be ascertained. Provided that a Dog Management Officer may issue a warning (except for being unregistered) at their discretion in the following circumstances:
 - 1. The dog was in the immediate vicinity of the owners premises;
 - 2. There are no known previous warnings issued, and
 - 3. The dog/s have not been the subject of complaints in respect of problems associated with them wandering at large.

6. ISSUING OF WARNINGS

The Authorised Person may issue warnings for offences under the Dog and Cat Management Act.

7. REVIEW & EVALUATION

This Policy is scheduled for review by Council in February-August 2024; however, will be reviewed as required by any legislative changes which may occur.

8. 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.

 City of Mount Gambier	A515 - ANIMAL CONTROL - DOGS	Version No:	<u>34</u>
		Issued:	<u>February, 2018 August 2023</u>
		Next Review:	<u>February, 2024 August 2027</u>

File Reference:	<u>AF11/1744AF18/48</u>
Applicable Legislation:	Dog & Cat Management Act 1995
Reference: Community Plan	Goal 2: Our Location
Related Policies:	
Related Procedures:	
Related Documents:	Council By-Laws

DOCUMENT DETAILS

Responsibility:	General Manager Corporate and Regulatory Services
Version:	<u>34.0</u>
Last revised date:	<u>20th February, 2018 15 August 2023</u>
Effective date:	<u>20th February, 2018 15 August 2023</u>
Minute reference:	<u>20th February, 2018 Council Meeting 15/08/2023 - Strategic Standing Committee Item No. 13.7## - Resolution ###</u>
Next review date:	<u>February, 2024 August 2027</u>
<u>Document History</u>	
First Adopted By Council:	17 th February, 2015
Reviewed/Amended:	16 th May, 2017; 20 th February, 2018, <u>15 August 2023</u>

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 City of Mount Gambier	A520 - ANIMAL CONTROL	Version No:	<u>23</u>
		Issued:	<u>February, 2018-August 2023</u>
		Next Review:	<u>February, 2024-August 2027</u>

1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier ("Council") for the keeping of animals, birds and livestock within the Council area.

2. PROPOSED KEEPING OF ANIMALS, BIRDS OR LIVESTOCK

- (a) Where the keeping of animals, birds or other livestock is not subject to consent pursuant to the provisions of the Development Act, 1993 the following policy applies, subject to policy statements for particular policy areas or zones:
 1. Consent is NOT to be granted to keep horses, pigs or poultry or to build stables, piggeries, feed lots, dairies, poultry batteries, stock yards, kennels or similar within the area of the City of Mount Gambier;
 2. Consent is NOT to be granted to keep cattle, donkeys or wild animals in Residential Zones or on parcels of land where there is less than 0.2 ha of fenced vacant land for the exclusive use of the animals and stocking rates are consistent with accepted free range agriculture practice;
 3. Consent is NOT to be granted to keep sheep or goats in Residential Zones or on parcels of land where there is less than 0.1ha of fenced vacant land for the exclusive use of the animals and stocking rates are consistent with accepted free range agriculture practice.
- (b) Where consent is granted for the keeping of animals, birds or other livestock, the conditions of approval must identify:
 1. The type of animal/s to be kept;
 2. The maximum number of animals to be kept;
 3. That the animals are to be free range animals, although some shelter may be provided;
 4. The type of shelter and/or enclosure in which the animal/s will be kept;
 5. That where applicable, the approval is subject to the provisions of Council By-Laws; and
 6. That where applicable the approval is subject to the provisions of the Local Government Act.
- (c) This policy does not prevent any person from submitting a formal Development Application in accordance with the provisions of the Development Act, 1993. This policy will be used as a guide in determining such application.


3. EXISTING KEEPING OF ANIMALS, BIRDS AND LIVESTOCK

- (a) Where an Authorised Officer becomes aware that the keeping of any animal, bird or other livestock is causing a public health risk the Authorised Officer may take appropriate action pursuant to the provisions of the South Australian Public Health Act 2011.
- (b) Where a complaint of nuisance (other than noise) arising from the keeping of animal/s, bird/s or livestock is received the Chief Executive Officer shall, (if the complainant makes a written complaint, and is prepared to give evidence in a Court of Law, should legal proceedings be necessary) inspect or cause to be inspected the property which is the subject of the complaint.

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 City of Mount Gambier	A520 - ANIMAL CONTROL	Version No:	23
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(c) Should the complaint be found to be justified, the following procedure shall be followed:

- In the first instance, Council will serve a notice requiring the animal/s, bird/s or livestock to be reduced (if appropriate) in number and/or moved to another position on the property in accordance with Part 3 of the Animal Control policy;
- Should the nuisance persist, a report be placed before Council for recommending that the animals, birds or livestock be removed from the property entirely;
- For the purposes of this procedure and the Animal Control policy, nuisance includes offence from odours, dust, noise, rats, mice or other vermin, flies, aggression and frequent straying;
- Where Council receives a complaint of noise nuisance as the result of keeping animal/s, bird/s or other livestock the owner/s of the animal/s, bird/s or other livestock are to be advised of the nature of the complaint and requested to take appropriate action to abate the nuisance. Such requests should initially be verbal, and then confirmed in writing. Any advice from Council should include any available information on how to abate the nuisance;
- The complainant is to be forwarded a copy of the letter and advised:

"Should the nuisance persist, you may wish to consider taking legal action by way of a Neighbourhood Dispute application, which may be obtained from the Registrar at the Mount Gambier Courthouse.

When making an application for a Neighbourhood Dispute, it is recommended that you provide the following information to the Registrar to enable him/her to make an accurate assessment of the problem and action required to resolve the situation.

- Keep a diary for at least two (2) weeks noting the dates, times and nature of the nuisance and be available as a witness in Court.*
- If you are not the only close neighbour of the offending premises, get at least one other close neighbour to keep a diary noting the dates, times and nature of the nuisance and be available as a witness in Court.*
- Detail how you (and likewise for any other witness) established which animal was the source of the complaint.*
- Forward the information collected as per paragraphs (a), (b) and (c) above to Council for its consideration.*
- Continue to maintain the diary until the matter is resolved.*


4. RECOMMENDATIONS FOR THE KEEPING OF ANIMALS, BIRDS OR LIVESTOCK TO MINIMISE NUISANCE

- Any housing or shelter or yard appurtenant to such housing or shelter should be sited:
 - At least 9 metres from any building (whether on the subject land or any adjoining land) used for human habitation, where people work or is used to store food;

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 City of Mount Gambier	A520 - ANIMAL CONTROL	Version No:	23
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2. At least 18 metres from any street or public place within the meaning of the Local Government Act (other than a laneway or service way), provided that in the case of a corner allotment such housing etc. shall be situated so that it is at least 9 metres from the side street;
3. At least 2 metres from the boundary of any adjoining premises, except for situations as stated in (1) above.

(b) The floor of any housing or shelter or yard must be paved with concrete, clay bricks bedded in cement mortar or other suitable impervious material. A suitable alternative in the case of poultry is a deep litter system. Refer to relevant fact sheets at www.pir.sa.gov.au/biosecuritysa/animalhealth

(c) The following be the maximum number of animals or birds to be kept at an average sized residential property:

1. Not more than twelve (12) head of poultry aged more than 6 months, including not more than one (1) rooster and not more than two (2) ducks or geese, or combinations thereof;
2. Not more than three (3) dogs aged more than three (3) months.

(d) Paragraphs (a) to (c) above are not legal requirements but will be used as a guide when action is taken pursuant to this policy.

5. KEEPING OF HORSES AND HORSE STABLES

(a) Council does not support the keeping of horses or the construction of stables in the City of Mount Gambier area.

(b) This policy does not apply to:

1. land that has been approved as Farm Land in terms of the Local Government Act; and
2. that has existing/continuing use rights (i.e. showgrounds area, etc) in accordance with the Development Act 1993.

(c) All existing horse stables are required to comply with all appropriate legislation.

6. REVIEW & EVALUATION

This Policy is scheduled for review by Council in February 2024⁷; however, will be reviewed as required by any legislative changes which may occur.


7. 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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		Issued:	<u>February, 2018 August 2023</u>
		Next Review:	<u>February, 2024 August 2027</u>

File Reference:	<u>AF11/1744AF18/48</u>
Applicable Legislation:	Local Government Act 1934; Local Government Act 1999, Development Act 1993, South Australian Public Health Act 2011
Reference: Community Plan	Goal 2: Our Location
Related Policies:	
Related Procedures:	
Related Documents:	Council By-Laws

DOCUMENT DETAILS

Responsibility:	General Manager Corporate and Regulatory Services
Version:	<u>23.0</u>
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Minute reference:	<u>20th February, 2018 – Strategic Standing Committee Council Meeting 15 August 2023, Item No. 13.8##, Resolution ####</u>
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	C700 CORPORATE BRANDING AND IDENTITY	Version No:	12
		Issued:	19-September 2017August 2023
		Next Review:	1-August-2025August 2025

1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier ("Council") for Corporate Branding and Identity.

Council has a number of means we identify ourselves to the community. Establishment and maintenance of our branding is important in promoting our image external to Council.

2. POLICY

Community Identity - Council and Community Identification

Council (as a means of providing a community identity for itself and the community of Mount Gambier) has developed and adopted a logo.

This community identity should assist the Council and the community of Mount Gambier in creating unity, presentation and a sense of purpose for Mount Gambier and any joint endeavours for the City's promotion.

Corporate Colours

The official colours of Mount Gambier logo be:

	<u>Coated</u>	<u>Uncoated</u>
• Grey	Cool Grey 9	9c
• Buff	7535u	c
• Green	348u	c
• Blue	Process Cyan u	299c

and wherever possible, these official colours be used (or a combination of the four (4) colours).

Community Logo

The Council logo for Mount Gambier generally and Council specifically, is as depicted and that business, community groups, sporting groups and others, be encouraged to use the Council logo.

In granting consent to use this community logo, any proposed use that has the potential to commercialise, profit from, down-grade, offend or compromise the true intent and meaning of the Council logo, must be referred to Council for consideration.

A Style Guide is available from Media and Communications to ensure accurate representation of all Council Branding e.g. style, version and colour.

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 City of Mount Gambier	C700 CORPORATE BRANDING AND IDENTITY	Version No:	42
		Issued:	19-September 2017August 2023
		Next Review:	1-August-2025August 2025

Version One



Version Two



Coat of Arms - Official

Council, (having applied for and been granted official status from the School of Heraldry, London) has had prepared and registered its official Coat of Arms, as depicted herein.

Given the significance and importance of an official Coat of Arms for Council and the citizens of Mount Gambier, Council will restrict the use of the Coat of Arms to official Council and other relevant civic and ceremonial matters and discourages indiscriminate use.



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Flag - Mount Gambier

Technical drawing of the City of Mount Gambier flag. The flag is rectangular with a total width of 1760mm and a total height of 972mm. It features four horizontal stripes: a top blue stripe (280mm high), a second tan stripe (280mm high), a third green stripe (280mm high), and a bottom white stripe (280mm high). A central circular emblem (180mm diameter) contains the City of Mount Gambier Coat of Arms. The text 'City of Mount Gambier' is printed in white on the green stripe. The drawing includes color specifications: Process Cyan for the blue, Buff PMS 7535 for the tan, and Green PMS 348 for the green. The font is specified as Benton Sans Book. The coat of arms is black with a white background.

Members - Use of Council Letterhead

3. REVIEW & EVALUATION

4. AVAILABILITY OF POLICY

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	C700 CORPORATE BRANDING AND IDENTITY	Version No:	42
		Issued:	19-September 2017August 2023
		Next Review:	1-August-2025August 2025

File Reference:	AF18/48
Applicable Legislation:	Local Government Act 1999 Section 63
Reference: Strategic Plan – Beyond 2015	Goal 1 Strategy 7
Related Policies:	C190 Community Identity Council and Community Identification (Superseded) C160 Coat of Arms - Official (Superseded) F130 Flag - Mount Gambier (Superseded) M260 Members - Use of Council Letterhead (Superseded)
Related Procedures:	N/A
Related Documents:	N/A

DOCUMENT DETAILS

Responsibility:	General Manager Corporate and Regulatory Services
Version:	4.02.0
Last revised date:	18-July, 2023-15 August 2023
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 <p>City of Mount Gambier</p>	<p>COUNCIL POLICY D150 - BUILDING & SWIMMING POOL INSPECTION POLICY</p>	Version No:	76
		Issued:	March, 2018 August 2023
		Next Review:	March, 2024 August 2027

1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier ("Council") for undertaking building inspections pursuant to Sections ~~144, 71A and 71AA~~ of the ~~Development Planning, Development and Infrastructure Act 1993~~ 2016, Practice Direction 8 – Inspection Policy for Swimming Pools 2019 and Practice Direction 9 – Council Inspections 2020.

Scope

- The policy applies to all Development Approvals issued for the Council area.
- The policy sets out inspection levels in accordance with mandated levels of inspection for particular Classes of building.

Purpose

Council is required under Section ~~71A and 71AA~~ 144 of the Planning, Development and Infrastructure Act 1993 2016 to carry out inspections of development undertaken with the Council area in accordance with Practice Directions 8 and 9 ~~prepare a policy with regards to audit levels and inspection criteria~~ for the inspection of building works including swimming pools.

2. OBJECTIVES

Council is committed to comply with mandated levels of inspections including buildings that have been Privately Certified for Building Consent.

Council aims to deter persons from undertaking Building Work except in accordance with a Development Approval (or exemption) under the Planning, Development and Infrastructure Act 2016.

The policy has taken into account:

- The financial and human resources of Council.
- The impact that failure to inspect a certain number of buildings over a period of time may have on the community.
- Whether particular parts of Council area are known to be subject to poor building conditions.
- The capacity of Council to inspect works finished to the receipt of notification under Section ~~59~~ 146 of the Planning, Development and Infrastructure Act 2016 from Developers, the capacity of Council to inspect works will be measured against the number of instances in which Council receives the required notifications in a compliant and timely manner.

3. CRITERIA FOR SELECTION OF BUILDINGS TO BE INSPECTED

Buildings will be selected for inspection in accordance with the requirements of Practice Direction 9 – Council Inspections 2020 following:

- Distribution between Owner/Builders and Registered Builders.
- Local environmental factors (e.g. wind speed, flood prone, poor soil conditions).

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 <p>City of Mount Gambier</p>	<p>COUNCIL POLICY D150 - BUILDING & SWIMMING POOL INSPECTION POLICY</p>	Version No:	76
		Issued:	March, 2018August 2023
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- Specific condition of approval.
- Any other reason as determined by the authorised officer.

Where a building is determined for inspection it may be inspected at any time and more than once.

Where a complaint is received about any new or existing building including any excavation, site works, retaining walls or the like, inspection may be undertaken taking into account the urgency of the situation and resources of Council.

Inspections will be undertaken evaluating the nature of works or complaint against:

- The approved documentation approved by Council or Private Certifier.
- The National Construction Code – Building Code of Australia where documentation is silent on the relevant matter.

4. AUDIT LEVELS OF INSPECTION

Council will endeavour to undertake inspections in accord with ~~Regulation 80AB~~Practice Direction 9 as follows:

- Dwellings (new and additions) & Dwelling Units ~~– Class 1~~
 - ~~10% of all approvals for Class 1 & Class 2 buildings (where notification received) Minimum 66% of building work commenced in the relevant reporting year with at least one inspection of each development~~
- Commercial ~~– Class 2-9 Buildings~~
 - ~~10% Minimum 90% of building work commenced in the relevant reporting year of all approvals for Class 3-9 buildings with at least one inspection of each development.~~
- Verandahs / carports / sheds / others
 - 10% of all approvals for Class 10A (verandahs etc.)
 - 10% of all approvals for Class 10B (retaining walls, fences etc.)
- Swimming Pools
 - 100% of pools and swimming pool safety features constructed over the course of the calendar year within ten business days of the council being notified
 - ~~80% of pools within two weeks of notification of completion of the pool and barrier~~
 - ~~Remaining 20% within two months of notification of completion~~
- ~~Roof Trusses~~
 - ~~For all classes of buildings including carports and verandahs where attached to a trussed roof frame~~
 - ~~Class 10 buildings (other than above), portal frame buildings, industrial sheds and transportable buildings are excluded from mandatory inspection~~
 - ~~66% of roofs to be inspected where works carried out by a licensed Builder~~
 - ~~90% of roofs to be inspected where works by an Owner/Builder~~
- Additional Inspections
 - ~~Further inspections may be carried out toward insuring:~~

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 City of Mount Gambier	COUNCIL POLICY D150 - BUILDING & SWIMMING POOL INSPECTION POLICY	Version No:	76
		Issued:	March, 2018August 2023
		Next Review:	March, 2021August 2027

- ~~— Essential Safety Provisions have been installed and operational prior to Certificate of Occupancy~~
- ~~— Dangerous structures are identified and rectified~~
- ~~— Non-compliant structures or those not formally approved are identified and rectified~~
- Council may carry out additional inspections if it has information to indicate that the circumstances warrant it, including building work in relation to, but not limited to:
 - ~~A building intended for use or occupation by large numbers of people, particularly simultaneously;~~
 - ~~A building intended for use or occupation by vulnerable persons or persons with a disability;~~
 - ~~A building in respect of which Council has been made aware of a complaint or regulatory issue, whether directly or indirectly, relating to the building or any person involved in the building work;~~
 - ~~A building with energy efficiency requirements;~~
 - ~~A building constructed by a person who is not a licensed building work contractor under the Building Work Contractors Act 1995;~~
 - ~~A building subject to local environmental conditions in respect of which additional measures are required to protect the environment, the building and its occupants or users; or~~
 - ~~A building incorporating construction properties or products, including but not limited to fire-rated construction, fire safety elements or designated building products.~~

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 <p>City of Mount Gambier</p>	<p>COUNCIL POLICY D150 - BUILDING & SWIMMING POOL INSPECTION POLICY</p>	Version No:	76
		Issued:	March, 2018August 2023
		Next Review:	March, 2021August 2027

5. MANDATORY NOTIFICATIONS

Pursuant to Section 59146 of the Planning, Development and Infrastructure Act 1993 2016 and Regulation 74(1)93(1) of the Planning, Development and Infrastructure Regulations, a person undertaking building work must give Council notification, as determined by Council for the type of Development and in accord with this Policy, as prescribed by the Act and in accordance with this policy for the following stages of work:

For Class 1 – 9 Buildings

- One business day notice of the intended commencement of building work on the site
- One business day notice of the intended commencement of the pouring of the footings and other reinforcing steel works
- One business day notice of the completion of wall and all roof framing forming part of the building work (including top and bottom chord restraints, bracing and tie-downs)
- One business day notice of wet areas prior to tiling
- One business day notice of the completion of building work

In Addition for Class 2-9 Buildings

At the completion of the installation of the Essential Safety Provisions

For Class 10 buildings

- One business day notice of the intended commencement of the pouring of the footings and other reinforcing steel works

For sites where the building work involves the construction of a swimming pool (including safety fences and barriers associated with such swimming pools):

- One business day notice of intended commencement of building work on the site
- One business day notice of the completion of the construction of the swimming pool (before the pool is filled with water)
- One business day notice of completion of construction of the swimming pool safety features a safety fence or barrier for a swimming pool

In relation to other forms of building work where swimming pool safety features are relevant:

- One business day notice of completion of that aspect or those aspects of the building work relating to the swimming pool safety features

All applicants will be advised of the relevant notifications required in writing at the time of issuing the Development Approval.

6. RECORD KEEPING

Council Officers will keep adequate records of inspections completed in accordance with the specified audit levels in the Act and the Practice Directions.

7. COUNCIL ENDORSEMENT

This Policy was first adopted by resolution of the Council on 18th February 1999.

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 City of Mount Gambier	COUNCIL POLICY D150 - BUILDING & SWIMMING POOL INSPECTION POLICY	Version No:	76
		Issued:	March, 2018August 2023
		Next Review:	March, 2021August 2027

8. REVIEW & EVALUATION

This Policy is scheduled for review by Council in ~~March-August 2027~~⁴; however, will be reviewed as required by any legislative changes which may occur.



 City of Mount Gambier	COUNCIL POLICY D150 - BUILDING & SWIMMING POOL INSPECTION POLICY	Version No:	<u>76</u>
		Issued:	<u>March, 2018August 2023</u>
		Next Review:	<u>March, 2021August 2027</u>

9. 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.

File Reference:	AF18/4 <u>89</u>
Applicable Legislation:	Development Act 1993 (S71A & 71AA) Development Regulations 2008 Development (Swimming Pool Safety) Variation Regulations 2013 Planning, Development and Infrastructure Act 2016 Planning, Development and Infrastructure Regulations 2017 Practice Direction 8 Practice Direction 9
Reference: Strategic Plan - Beyond 2015	Goal <u>4</u> , Strategic Objective <u>6</u> <u>3</u>
Related Policies:	N/A
Related Procedures:	N/A
Related Documents:	N/A

DOCUMENT DETAILS

Responsibility:	General Manager Corporate and Regulatory Services
Version:	<u>67</u>
Last revised date:	<u>20th March, 201815 August 2023</u>
Effective date:	<u>20th March, 201815 August 2023</u>
Minute reference:	<u>20th March, 2018 Council Meeting 15 August 2023 Strategic Standing Committee Services, Item 13.2#### Resolution ####</u>
Next review date:	<u>March, 2021August 2027</u>
<u>Document History</u>	
First Adopted By Council:	18 th February 1999
Reviewed/Amended:	

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 City of Mount Gambier	COUNCIL POLICY D150 - BUILDING & SWIMMING POOL INSPECTION POLICY	Version No:	<u>76</u>
		Issued:	March, 2018August 2023
		Next Review:	March, 2021August 2027
		15 th April 2003, 16 th September 2006, 17 th February 2009, 22 nd February 2018, <u>15 August 2023</u>	



 City of Mount Gambier	F125 CITY BURNING POLICY	Version No:	2
		Issued:	August 2023
		Next Review:	August 2027

1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier ("Council") for all burning activities within the City of Mount Gambier.

Scope

This policy applies to the burning of garden refuse, dry grass and materials for bushfire prevention in South Australia and is regulated by the Fire and Emergency Services Act 2005. In addition, the Environment Protection (Air Quality) Policy 2016 aims to protect and improve the environment and the health of South Australians by reducing the impact of smoke on human health.

Purpose

The City of Mount Gambier recognises the need for residents to utilise the method of burning to clear properties especially to minimise fire fuel loading and risk of bushfire outbreak. The purpose of this policy is to set out the requirements of the relevant legislation and instances when permits for burning are required.

2. BURNING IN RESIDENTIAL AREAS

No permits will be issued for burning in residential areas inside or outside the Fire Season.


3. BURNING - NO PERMIT REQUIRED

Pursuant to the Environment Protection (Air Quality) Policy 2016 introduced in July 2016 and subject to any ban, prohibition, restriction or other requirement under the Fire and Emergency Services Act 2005 residents may undertake the following burning activities:

- (1) **Except for Total Fire Ban Days**, light or maintain a fire in the open on and using charcoal, dry wood or other dry plant material such as paper, cardboard and garden pruning's:
 - (a) for the purpose of preparing food or beverages;
 - (b) for a campfire or barbecue in the course of camping, scouting or a similar outdoor recreational activity.
- (2) **Except for Total Fire Ban Days**, burn charcoal, dry wood or other plant material such as paper, cardboard or garden pruning's in a brazier, chimera or fire pit for domestic heating.

4. BURNING - PERMIT REQUIRED

Pursuant to the Environment Protection (Air Quality) Policy 2016 and the Fire and Emergency Services Act 2005, Council supports responsible burning of excess vegetation that may otherwise increase the risk of an uncontrolled fire. Council may issue a permit to larger properties outside residential areas for the purpose of bushfire prevention. Enquiries regarding applications to undertake controlled burning of stockpiled vegetation for bushfire prevention should be directed to the Councils Fire Prevention Officer.

 City of Mount Gambier	F125 CITY BURNING POLICY	Version No:	2
		Issued:	August 2023
		Next Review:	August 2027

5. TOTAL FIRE BAN RESTRICTIONS

BURNING MUST NOT OCCUR ON DAYS DECLARED A TOTAL FIRE BAN

If a permit has been issued it becomes invalid on such days that any activities (e.g. welding, grinding, friction tools, burning) on a day of a total Fire Ban Day is declared, and **MUST** obtain a Schedule 10 permit prior to any activities undertaken.

6. RELEVANT DELEGATED POWERS AND DUTIES

Any actions or decisions made regarding this policy, will be enacted in accordance with Council's current Delegations Register.


7. REVIEW AND EVALUATION

This Policy is scheduled for review by Council in February 2020; however, will be reviewed as required by any legislative changes which may occur.

8. 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.



 City of Mount Gambier	F125 CITY BURNING POLICY	Version No:	2
		Issued:	August 2023
		Next Review:	August 2027

File Reference:	AF18/48
Applicable Legislation:	Fire and Emergency Services Act 2005 EPA (Air Quality) Policy 2016
Reference: Strategic Plan – Beyond 2015	
Related Policies:	N/A
Related Procedures:	N/A
Related Documents:	Council By-Laws

DOCUMENT DETAILS

Responsibility:	General Manager Corporate and Regulatory Services
Version:	2.0
Last revised date:	15 August 2023
Effective date:	15 August 2023
Minute reference:	Council Meeting - 15 August 2023 - Item ## Resolution ####
Next review date:	August 2023
<u>Document History</u>	
First Adopted By Council:	19 June 2018
Reviewed/Amended:	15 August 2023

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 City of Mount Gambier	F135 - FLAMMABLE UNDERGROWTH	Version No:	67
		Issued:	February, 2018-August 2023
		Next Review:	February, 2024-August 2027

1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier ("Council") for instances when Flammable Undergrowth Notices are not complied.

For the purposes of this Policy, references to "the Act" refer to the Fire & Emergency Services Act 2005.

2. NON COMPLIANCE

- (a) Where a notice is served by Council, pursuant to the Act, requiring a land owner to clear land and the notice is not complied with, an Authorised Officer may engage a private contractor to slash/remove the flammable growth on the property and have the requirements of the notice carried out.
- (b) The cost of all works are payable by and are the responsibility of the land owner. An additional amount equal to 100% of the contractor's cost to cover administration and supervision of the contractor and are payable by and are the responsibility of the land owner.
- (c) An expiation notice may also be issued.
- (d) An invitation to show cause as to why the work should not be carried out, is not to be issued concurrently with the contractor being engaged by Council.
- (e) The owner is to be advised in writing of any action to engage a contractor to complete any outstanding works.

3. REVIEW & EVALUATION

This Policy is scheduled for review by Council in ~~February 2024~~ August 2027; however, will be reviewed as required by any legislative changes which may occur.

4. 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	F135 - FLAMMABLE UNDERGROWTH	Version No:	<u>67</u>
		Issued:	<u>February, 2018</u> <u>August 2023</u>
		Next Review:	<u>February, 2024</u> <u>August 2027</u>

File Reference:	<u>AF11/1744AF18/48</u>
Applicable Legislation:	Fire and Emergency Services Act 2005
Reference: Community Plan	Goal 2: Our Location
Related Policies:	
Related Procedures:	
Related Documents:	


DOCUMENT DETAILS

Responsibility:	General Manager Corporate and Regulatory Services
Version:	<u>67.0</u>
Last revised date:	20th February, 2018 <u>15 August 2023</u>
Effective date:	20th February, 2018 <u>15 August 2023</u>
Minute reference:	20th February, 2018 – Strategic Standing Committee Council Meeting 15 August 2023 Item No. 43.9 <u>### Resolution ###</u>
Next review date:	February, 2024 <u>August 2027</u>
<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; 17 th February, 2015; 20 th February, 2018; <u>15 August 2023</u>

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 <p>City of Mount Gambier</p>	<p>F500 - FOOTWAYS AND COUNCIL LAND</p> <p>REMOVAL OF OBJECTS</p>	Version No:	23
		Issued:	February, 2018-August 2023
		Next Review:	February, 2024-August 2027

1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier ("Council") regarding the removal of objects (including vehicles) from Council land.


2. SEIZURE OF OBJECTS (NOT VEHICLES)

- (a) Prior to seizing any object (goods, chattels, advertisements etc.) in accordance with Council By-Laws, an authorised officer may at their discretion give the owner of the object the opportunity to remove the same. Where this discretion is exercised, it should be confirmed in writing.
- (b) Objects are to be removed to and stored at the Council's Works Depot.
- (c) An inventory of objects seized is to be maintained.
- (d) The following objects are not to be seized:
 1. Any direction sign(s) of a genuinely temporary nature which refers to a legitimate 'open inspection', 'public auction', 'garage sale' or major sporting or community event and which are in respect of real estate, home inspections, garage sales, major sporting or community events:
 - are placed on the footway only;
 - the direction sign does not exceed 1000mm x 400mm;
 - the direction sign is free standing;
 - includes thereon the following wording (or similar)
 OPEN INSPECTION/NAME OF EVENT
 NAME OF AGENT/ORGANISATION
 An indicator arrow (may be double sided);
 - is not placed more than 500 metres from the actual location of the display, sale or event to which the sign refers;
 - there are no more than two such signs allowed for each separate location/event;
 - the sign(s) does not pose a potential hazard to the general public or which could adversely affect the free flow or safe flow of pedestrian or vehicular traffic;
 - shall not be allowed to remain on the footway for more than three consecutive days or more than ten hours per day in respect of the location the sign refers; and
 - shall not be allowed to be placed on the footway prior to sunrise and after sunset on any of the three (3) consecutive days.
 2. Any advertising sign not more than one (1) metre in height and not more than 600mm wide which is stood on a footpath adjacent to or leaning against a fence or wall of a premises, and which projects not more than 300mm onto the footpath, UNLESS in the opinion of an authorised person the advertising sign:
 - does not relate to the premises, or situation where the sign(s) are displayed.
 - could be a potential hazard to the general public or which could adversely affect the free or safe flow of pedestrian or vehicular traffic.
 - would aesthetically detract from the amenity of the locality.
 - would not be in the best interest of residents of the City of Mount Gambier
 - if in close proximity to traffic or pedestrian signals would conflict with any colour

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 City of Mount Gambier	F500 - FOOTWAYS AND COUNCIL LAND REMOVAL OF OBJECTS	Version No:	23
		Issued:	February, 2018-August 2023
		Next Review:	February, 2024-August 2027

of the signals.

- is contrary to any other policy, by-law or legislative provision that Council has the power to implement or responsibility to enforce.

- Any object placed on the footpath in accordance with a permit or licence issued by Council, or in accordance with the provisions of other Council policies.

3. SEIZURE OF VEHICLES

- Before removal of a vehicle pursuant to the provisions of:

- the Road Traffic Act 1961; or
- the Local Government Act 1999;

reasonable enquires are to be made as to the ownership of the vehicle, and if the owner can be ascertained they are to be given reasonable opportunity to remove the same.

- Ownership enquiries need not be made and notice given if the vehicle:

- is in a dangerous position; or
- is a pedal cycle obstructing a footpath in the City Centre or a local shopping area; or
- is a shopping trolley.

- Vehicles are to be removed and stored at the Council Works Depot.

- A register of vehicles seized is to be maintained.


~~For the purposes of the Local Government Act 1999, a vehicle will be deemed to be abandoned if it is unregistered.~~

4. REVIEW & EVALUATION

This Policy is scheduled for review by Council in ~~February 2024~~August 2027; however, will be reviewed as required by any legislative changes which may occur.

5. 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.

 City of Mount Gambier	F500 - FOOTWAYS AND COUNCIL LAND REMOVAL OF OBJECTS	Version No:	<u>23</u>
		Issued:	<u>February, 2018-August 2023</u>
		Next Review:	<u>February, 2021-August 2027</u>

File Reference:	<u>AF11/1744AF18/48</u>
Applicable Legislation:	Local Government Act 1999; Road Traffic Act 1961
Reference: Community Plan	Goal 2: Our Location
Related Policies:	
Related Procedures:	
Related Documents:	Council By-Laws


DOCUMENT DETAILS

Responsibility:	General Manager Corporate and Regulatory Services
Version:	<u>23.0</u>
Last revised date:	<u>20th February, 2018</u> <u>15 August 2023</u>
Effective date:	<u>20th February, 2018</u> <u>15 August 2023</u>
Minute reference:	<u>20th February, 2018 – Strategic Standing Committee Council Meeting 15 August 2023 Item No. 43.4## Resolution ##</u>
Next review date:	<u>February, 2021</u> <u>August 2027</u>
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First Adopted By Council:	17 th February, 2015
Reviewed/Amended:	17 th February, 2015; 20 th February, 2018, <u>15 August 2023</u>

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 City of Mount Gambier	F505 - FOOTWAYS AND COUNCIL LAND SALE OF COMMODITIES	Version No:	23
		Issued:	February, 2018-August 2023
		Next Review:	February, 2024-August 2027

1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier ("Council") for the issuing of Permits to allow the sale of commodities from footways and Council land. This Policy also applies to the regular display of goods on a footway by a retail premises.

For the purpose of this Policy 'footway' refers to the area of Council land located between a property boundary and the road kerb.

2. ISSUING OF PERMITS

- (a) Within the City Centre, where there is a street closure, as part of a special occasion, permits may allow sales to occur on the carriageway of the road.
- (b) Except for special occasions, permits should only be issued to shop holders to sell from the footpath in front of their own retail premises.
- (c) Conditions of permits are to include:
 1. permit holder to indemnify Council and provide evidence of a public liability insurance policy associated with the activity permitted by the permit;
 2. the activities permitted by the permit are not to hinder the public in the free and proper use of the footway;
 3. list of the particulars which may be sold pursuant to the permit.
- (d) The Permit Holder must be present at all times that the permit right is being exercised.
- (e) The Permit may not be transferred or assigned to any other party.

3. CONDITIONS FOR PERMITS

- (a) Permits pursuant to Council By-Laws to sell, offer, expose for sale, any commodity or article from a vehicle on Council land, are to be issued subject to the following conditions:
 1. The permit holder is to indemnify Council, to the value of \$20 million for any public liability associated with the activities permitted by the permit;
 2. The activities permitted by the permit are not to hinder the public in the free and proper use of the Council land;
 3. A list of commodities or articles to be sold pursuant to the permit is to be provided to Council;
 4. The minimum distance that the permit holder is to operate away from any shop, selling similar commodities or articles is to be included/identified in the permit;
 5. The length of time that a vehicle may operate from the same position on any one day is to be included/identified in the permit. Vehicles operating from fixed positions (other than short term) may require formal Development Approval pursuant to the *Development Act 1993*.

4. REVIEW & EVALUATION


This Policy is scheduled for review by Council in ~~February 2024~~August 2027; however, will be reviewed as required by any legislative changes which may occur.

5. AVAILABILITY OF POLICY

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 City of Mount Gambier	F505 - FOOTWAYS AND COUNCIL LAND SALE OF COMMODITIES	Version No:	23
		Issued:	February, 2018-August 2023
		Next Review:	February, 2024-August 2027

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:	AF11/1744AF18/48
Applicable Legislation:	Local Government Act 1999; Development Act 1993
Reference: Community Plan	Goal 2: Our Location
Related Policies:	
Related Procedures:	
Related Documents:	Council By-Laws


DOCUMENT DETAILS

Responsibility:	General Manager Corporate and Regulatory Services
Version:	23.0
Last revised date:	20th February, 2018 15 August 2023
Effective date:	20th February, 2018 15 August 2023
Minute reference:	20th February, 2018 – Strategic Standing Committee Council Meeting 15 August 2023 Item No. 13.5### Resolution ##
Next review date:	February, 2024 August 2027
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Reviewed/Amended:	17 th February, 2015; 20 th February, 2018, 15 August 2023

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 <p>City of Mount Gambier</p>	<p>F510 - FOOTWAYS AND COUNCIL LAND</p> <p>FUNDRAISING AND PROMOTION</p>		Version No:	34
			Issued:	February, 2018-August 2023
			Next Review:	February, 2024-August 2027

1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier ("Council") regarding the use of footways and Council land for fundraising and promotional purposes or the display of vehicles.


2. NON - COMMERCIAL VEHICLES

- (a) The following are considered to be non - commercial vehicles for the purposes of this policy:
1. Any vehicle marked with the graphic/logo (or similar) of any Commonwealth or State Government Department, Agencies or Statutory Authority that is being used for recruiting, promotional or educational displays;
 2. Local Government Authority vehicles used for promotional or educational displays;
 3. Tourism promotion vehicles;
 4. Incorporated community organisation vehicles used for promotional or educational displays;
 5. Vehicles with primarily a non-commercial promotional or educational display and which are owned or sponsored by a commercial organisation.
- (b) Non-commercial vehicles may, with the approval of the Chief Executive Officer or a General Manager, park for a period of not more than two (2) weeks on the portion of Watson Terrace which abuts the Cave Gardens. The Chief Executive Officer or a General Manager may also approve of the setting up of subsidiary displays on the lawns of the Cave Gardens, in the vicinity of the said vehicle, provided the Chief Executive Officer or a General Manager is satisfied such display will not unreasonably interfere, with public use of the Cave Gardens. When approval is given for this area, electricity will be made available from the Old Town Hall building at no cost;
- (c) The Chief Executive Officer or a General Manager may approve of an alternative site provided that, where the non-commercial vehicle is to be parked is in front of an occupied premises and the consent of the occupier is obtained. When considering requests for sites on Council owned properties, the Chief Executive Officer or a General Manager must take into account any lease on the property, and Council policies relevant to that property;
- (d) Any approval given pursuant to this Section, shall be subject to the conditions below:
1. Approvals given in accordance with this policy are subject to the following conditions fixed pursuant to the provisions of the Local Government Act:

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 <p>City of Mount Gambier</p>	<p>F510 - FOOTWAYS AND COUNCIL LAND</p> <p>FUNDRAISING AND PROMOTION</p>	Version No:	34
		Issued:	February, 2018-August 2023
		Next Review:	February, 2024-August 2027

2. No goods, materials, merchandise, displays or structures associated with the vehicle are to be placed on a footpath, or carriageway. Such items, however, may, with the approval of the Chief Executive Officer or a General Manager, be placed on other abutting Council property, provided that it will not unreasonably interfere with public use of the area. Provided that this condition does not prevent the use of a canopy or steps at the entrance/exit to the vehicle, if such canopy or steps are not creating a hazard or unreasonably interfering with public use of the area;
3. Advertising may be displayed on the vehicle, on a board/s leaning against the vehicle (but not on the carriageway side where a vehicle is parked on a road) and with any approved associated display. No other advertising shall be displayed, i.e. for tobacco products or alcohol and any advertising or sign which the Chief Executive Officer or a General Manager considers offensive or inappropriate, shall be removed. Direction signs, however, may be used in accordance with Council Policy C330;
4. The use of amplification for announcements, advertising, entertainment or music shall be subject to any direction given by the Chief Executive Officer or a General Manager;
5. The vehicle or other activity associated with it shall not create undue noise or other nuisance. Determination of such matters shall be at the discretion of the Chief Executive Officer or a General Manager;
6. Printed material and samples of goods may be handed out free to the public from in the vicinity of the vehicle, provided such activity does not cause a hindrance or hazard. Sale of such items requires specific approval of the Chief Executive Officer or a General Manager;
7. An admission charge or donation may be collected to defray expenses or for donation to charity;
8. The vehicle shall meet all requirements of the Parking Regulations, apart from time limits. All associated vehicles (such as towing vehicles, passenger/goods carrying vehicles, unless they are an integral part of the display) shall meet all requirements of the Australian Road Rules;
9. The applicant shall indemnify and keep indemnified the Council against all actions, proceedings, claims, demands and expenses whatsoever which may be brought against, made upon or incurred by Council, in respect of injury, loss or damage (whether bodily injury or loss of, or damage to property) suffered by any person as a consequence of Council granting approval for the parking on any street, road or Council property of vehicles for promotional, educational and commercial purposes.


3. COMMERCIAL VEHICLES

- (a) For the purpose of this policy, Commercial Vehicles are all vehicles used for promotional, educational and commercial purposes, other than non-commercial vehicles as defined in Section 2(a) of this Policy;
- (b) This policy does not apply to any street trader licensed by Council;

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 City of Mount Gambier	F510 - FOOTWAYS AND COUNCIL LAND FUNDRAISING AND PROMOTION		Version No:	<u>34</u>
			Issued:	<u>February, 2018-August 2023</u>
			Next Review:	<u>February, 2024-August 2027</u>

- (c) With the approval of the Chief Executive Officer, a commercial vehicle for promotional, educational or commercial purposes may be parked immediately outside a shop or hall from which a trader conducts business on a permanent or temporary basis. Approval may be given for one (1) period per calendar year and the period shall not exceed seven (7) consecutive days. Sales of goods may be effected from the vehicle, or from the immediate vicinity of the vehicle, provided it causes no hindrance or hazard;
- (d) The conditions set out in Section 2(d) of this policy shall apply;
- (e) In some circumstances the vehicle itself may require Development approval and any associated advertising may require Development approval, pursuant to the ~~Development Act 1993~~Planning, Development and Infrastructure Act 2016.

4. COMMUNITY ORGANISATIONS


- (a) No more than one organisation be granted permission on the same day;
- (b) The preferred day for such collections is a Friday;
- (c) Except in conjunction with special events, the conduct of street stalls, trading tables, raffles and similar fund raising activities by community organisations on streets and roads will not be permitted;
- (d) Community organisations wishing to conduct such activities must also obtain permission, to conduct such activities from the landowners whose property abuts a street or road;
- (e) Any applications for community organisation fundraising or awareness days are to be determined by the Chief Executive Officer;
- (f) Applications must be made at least thirty (30) days prior to the requested date for any community organisation fundraising or awareness days.

5. REVIEW & EVALUATION

This Policy is scheduled for review by Council in ~~February 2024~~August 2027; however, will be reviewed as required by any legislative changes which may occur.

6. 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.

 City of Mount Gambier	F510 - FOOTWAYS AND COUNCIL LAND FUNDRAISING AND PROMOTION	Version No:	<u>34</u>
		Issued:	<u>February, 2018</u> <u>August 2023</u>
		Next Review:	<u>February, 2021</u> <u>August 2027</u>

File Reference:	AF11/1744AF18/48
Applicable Legislation:	Local Government Act 1999; Road Traffic Act 1961; Development Act 1993; relevant Australian Standards
Reference: Community Plan	Goal 2: Our Location
Related Policies:	
Related Procedures:	
Related Documents:	Council Policy F505 - Footways and Council Land - Sale of Commodities

DOCUMENT DETAILS

Responsibility:	General Manager Corporate and Regulatory Services
Version:	<u>34.0</u>
Last revised date:	20th February, 2018 <u>15 August 2023</u>
Effective date:	20th February, 2018 <u>15 August 2023</u>
Minute reference:	20th February, 2018 — Strategic Standing Committee <u>Council Meeting 15 August 2023 Item No. 43.6## Resolution ####</u>
Next review date:	February, 2021 <u>August 2027</u>
<u>Document History</u>	
First Adopted By Council:	17 th February, 2015
Reviewed/Amended:	17 th February, 2015; 16 th May, 2017; 20 th February, 2018; <u>15 August 2023</u>

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 <p>City of Mount Gambier</p>	<p>COUNCIL POLICY ILLUMINATION OF ASSETS</p>	Version No:	<u>42</u>
		Issued:	18 April <u>August</u> 2023
		Next Review:	<u>April-August</u> 2027

1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier ("Council") for consideration of requests to illuminate City of Mount Gambier assets.

Scope

- 1.1 This policy applies to applications by third party organisations to light City of Mount Gambier assets.
- 1.2 The assets referred to include, but are not limited to, The Riddoch Arts & Cultural Centre and the Visitor Information Centre Lady Nelson Brig.
- 1.3 The delivery of any illumination is subject to the conditions of the relevant technology and may not be possible due to maintenance requirements at any given time.

Purpose

- 1.4 The purpose of this policy is to:
 - Determine the criteria by which the assets of the City of Mount Gambier may be illuminated; and
 - Ensure the preservation of the assets by protecting the assets from exploitation and managing illumination of the assets where it has been permitted.

2. PRINCIPLES

- 2.1 As iconic structures of architectural, heritage and cultural significance, the community expects City of Mount Gambier assets will take a high profile position in events of state, national and international significance.
- 2.2 City of Mount Gambier frequently receives requests from not-for-profit and commercial organisations to illuminate or project colours onto various assets for the purpose of promoting a community message, cause, product or service. City of Mount Gambier is committed to effectively managing these requests to meet community expectations while preserving the integrity of the assets and the City of Mount Gambier brand.
- ~~2.3 Lighting of the assets by third party organisations will be permitted no more than twelve times per year and is limited to static single colour illumination. This limit does not apply to lighting or projections onto the assets conducted in association with major City of Mount Gambier events or campaigns.~~
- 2.34 All requests to light the assets are subject to the approval of the General Manager City and Community Growth, acting on authority of the City of Mount Gambier, and in accordance with the criteria outlined in section 2 of this policy and the procedures outlined in section 3.
- 2.45 City of Mount Gambier reserves the right to consider, approve and/or refuse any proposal to illuminate the assets at its absolute discretion.

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 <p>City of Mount Gambier</p>	<p>COUNCIL POLICY ILLUMINATION OF ASSETS</p>	Version No:	42
		Issued:	18 April August 2023
		Next Review:	April-August 2027

Criteria and Conditions for ~~illumination~~Lighting of the assets

2.56 Approval for ~~Lighting illumination~~ of the assets is subject to the following criteria being met:

- (i) the ~~lighting illumination~~ of the assets is related to a major cultural event or community project; and
- (ii) is not detrimental to the heritage values of the building; and
- (iii) the execution does not adversely impact on other events taking place at or in the vicinity of the assets, or otherwise unduly interrupt normal operations; and
- (v) does not adversely intrude on the public environs of the site; and
- (vi) the result is consistent with the City of Mount Gambier brand, image and role in the community; and
- (vii) there is appropriate acknowledgement of City of Mount Gambier as part of the promotion of the event/campaign; and
- (viii) the visual impact of the event is assessed by City of Mount Gambier to have significant artistic/aesthetic merit; and
- (ix) costs if required are met by the requesting organisation; and
- (x) requests are to be apolitical in nature and this is determined at the discretion of City of Mount Gambier.

2.67 No logo or corporate identity shall be permitted to be projected onto the assets.

2.78 All designs and methods for illuminating the assets must be approved by the City of Mount Gambier through the proposal process outlined in section 3.

2.89 All colours and designs are subject to the colour available within each asset. If further gels etc are required this will be at the third party's cost for equipment and installation.

2.910 Requests for illumination of the assets may come ~~from time to time~~ from State Government to promote special events or encourage tourism. These requests will be responded to positively while maintaining the City of Mount Gambier's policy of non-exploitation of the assets.

3. PRACTICES AND PROCEDURES

3.1 Proposals from organisations to light the assets must be submitted to the City of Mount Gambier in writing at least two (2) months before a decision is required. All proposals should be addressed to the ~~Executive Administrator~~General Manager ~~City and Community & City Growth~~.

3.2 Proposals must:

- Address the criteria listed in section 2.56 above.

 City of Mount Gambier	COUNCIL POLICY ILLUMINATION OF ASSETS		Version No:	<u>42</u>
			Issued:	18 April <u>August</u> 2023
			Next Review:	<u>April-August</u> 2027

- Provide information and concepts for proposed colours washes and designs in accordance with this policy.
- Provide information on technical specifications and marketing or awareness campaigns.
- Include the acceptance of the cost if City of Mount Gambier is unable to provide the required colour for the event/campaign.

3.3 All proposals will be considered by City of Mount Gambier Management in accordance with this policy. Recommendations, noting relevant issues, will be sent to the General Manager City and Community Growth to be considered for approval.

5. REVIEW & EVALUATION

This Policy is scheduled for review by Council in April-August 2027, however, will be reviewed as required by any legislative changes which may occur.

8. 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.


	COUNCIL POLICY ILLUMINATION OF ASSETS	Version No:	<u>12</u>
		Issued:	18 April <u>August 2023</u>
		Next Review:	<u>April-August 2027</u>

File Reference:	AF18/49
Applicable Legislation:	
Reference: Strategic Plan – Beyond 2015	<u>Goal: Sense of community, Strategic Objective: 1</u>
Related Policies:	<u>N/A</u>
Related Procedures:	<u>N/A</u>
Related Documents:	<u>N/A</u>

DOCUMENT DETAILS

Responsibility:	General Manager City and Community Growth
Version:	<u>1.0-2.0</u>
Last revised date:	<u>N/A 15 August 2023</u>
Effective date:	<u>18 April 2023 15 August 2023</u>
Minute reference:	<u>18 April 2023 Council Meeting, Item 19.1 – Resolution 2023/5915 August 2023, Item No. ##, Resolution 2023/##</u>
Next review date:	<u>April-August 2027</u>
<u>Document History</u>	
First Adopted By Council:	18 April 2023
Reviewed/Amended:	<u>August 2023</u>



	L230 LICENSED PREMISES		Version No:	9-010.0
			Issued:	January 2019 August 2023
			Next Review:	January 2023 August 2027

1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier ("Council") for Licensed Premises within the Council area.

2. GRANTING OF PERMITS OR CONSENTS - LICENSED PREMISES

(a) The Chief Executive Officer ~~or the General Manager Corporate and Regulatory Services~~ or their delegate, may issue a letter of consent (or any relevant notice) to an application made for:

1. a variation to the trading hours of an existing licensed premises (either temporary or permanent);
2. an extension or redefinition of an area of an existing licence for an existing premises;
3. a variation to an existing licensed premises location;

where Development Approval is not required to be obtained providing that in the opinion of the Chief Executive Officer or ~~the General Manager Corporate and Regulatory Services~~ or their delegate, the variations and/or extension is not contentious.

(b) Any application or Notice received by Council for a new establishment that is proposed to be licensed for the first time (and has not previously been licensed) where Development Approval is not required must be considered and determined by Council where the new license is deemed as contentious as by the Chief Executive Officer or the General Manager Corporate and Regulatory Services or their delegate.

3. GRANTING OF PERMITS OR CONSENTS - LIMITED LICENSES

1. ~~(a) Where requested by the Liquor Licensing Commissioner the Chief Executive Officer or the General Manager Corporate and Regulatory Services~~ or their delegate, may issue a letter of consent (or any relevant notice) to an application made for a Limited License providing that in the opinion of the Chief Executive Officer ~~or the General Manager Corporate and Regulatory Services~~ or their delegate the Limited License is not contentious.

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2. ~~(b) Any application or Notice received by Council for a Limited License which has been~~ deemed as being contentious must be considered and determined by Council.

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4. REVIEW AND EVALUATION

This Policy is scheduled for review by Council in ~~January 2020~~ August 2027; however, will be reviewed as required by any legislative changes which may occur.


5. 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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	L230 LICENSED PREMISES	Version No:	9-010.0
		Issued:	January 2019 August 2023
		Next Review:	January 2023 August 2027


File Reference:	AF13/226AF18/48
Applicable Legislation:	Liquor Licensing Act 1997
Reference:	Goal 1, Goal 3 Community Plan The Futures Paper 2016-2020 Strategic Plan 2020-2024
Related Policies:	
Related Procedures:	
Related Documents:	

DOCUMENT DETAILS

Responsibility:	General Manager Corporate and Regulatory Services
Version:	9-010.0
Last revised date:	15 January, 2019 15 August 2023
Effective date:	15 January, 2019 15 August 2023
Minute reference:	Council Meeting 15 January, 2018 15 August 2023 , Item 14-19## Resolution ###
Next review date:	January 2023 August 2027
<u>Document History</u>	
First Adopted By Council:	18 th February 1999
Reviewed/Amended:	18 th November 1999; 15 th April 2003; 19 th September 2006; 17 th February 2009; 17 th February 2015; 16 th May 2017; 16 th January 2018; 19 th January 2019, 15 August 2023

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	COUNCIL POLICY P135 PLANNING - ENTERTAINMENT VENUES	Version No:	78
		Issued:	March; 2019August 2023
		Next Review:	March; 2020August 2027

1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier ("Council") for entertainment venues within the Council area, and is to be utilised alongside the Development Assessment process. The policy does not override the requirements under the Liquor Licensing Act 1997.

2. ACOUSTIC REPORTS

- a) Council require an Acoustic Consultant's Report to be provided with every development application (at the Applicant's expense) for any premises where entertainment is proposed.
- b) The internal noise limit for each premises be determined by the qualified Acoustic Consultant's Report so as to ensure that external noise levels are in compliance with the noise levels as specified by the Environment Protection Authority (EPA).
- c) Council shall require that all applications requiring an assessment of the potential noise impacts as contained within an Acoustic Consultants Report be informally referred to the Environment Protection Agency for advice and comments.


3. NOISE AND NOISE LIMITING DEVICES

- a) When assessing development applications for entertainment venues, Council shall generally consider and determine noise levels rather than the actual type of music (i.e. live or recorded music, different types of performers, etc.)
- b) Council may require that all music, whether recorded or live music, be played through an 'in house' system which can be connected to a fixed wired noise limiting device.
- c) Council shall require a fixed wired noise limiting device to be installed within the premises so as to ensure that any noise, whether recorded or live, does not exceed the maximum internal noise levels specified as acceptable by the Acoustic Consultant's Report, where considered appropriate.
- d) The fixed wired noise limiting device shall be accessible to Council, the Police and any other appropriate person at all times to ensure compliance with this requirement.
- e) The microphone associated with the fixed wired noise limiting device shall remain satisfactorily exposed at all times, and shall never be covered, or the like, so as to affect the proper monitoring of noise within the premises, to the reasonable satisfaction of Council.
- f) The licensee shall take all reasonable steps to ensure that the entertainment does not give offence to people who reside in the vicinity of the licensed premises, and will ensure that the noise levels do not exceed the 8dB above the ambient noise level when measured outside the premises. In order to do this the licensee will, if necessary:
 - (i) ensure that doors and windows remain closed during entertainment;
 - (ii) undertake sound monitoring tests prior to the entertainment commencing; and
 - (iii) ensure that amplification from persons providing entertainment is limited to an appropriate level.

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 City of Mount Gambier	COUNCIL POLICY P135 PLANNING - ENTERTAINMENT VENUES	Version No:	78
		Issued:	March; 2019August 2023
		Next Review:	March; 2020August 2027

4. SECURITY


- a) At all times when live entertainment is being provided on the premises, a licensed security person shall regularly patrol, by foot, in the vicinity of the premises, for that period from midnight until one hour after the closure of the premises to the public to ensure the quiet and orderly arrival and departure of patrons to and from the premises.

5. REVIEW & EVALUATION

This Policy is scheduled for review by Council in ~~March 2019~~August 2027; however, will be reviewed as required by any legislative changes which may occur.

6. 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.

 City of Mount Gambier	COUNCIL POLICY P135 PLANNING - ENTERTAINMENT VENUES	Version No:	78
		Issued:	March, 2019August 2023
		Next Review:	March, 2020August 2027

File Reference:	AF18/489
Applicable Legislation:	Environmental Protection Act 1993; Planning Development and Infrastructure Act 2016
Reference: Strategic Plan - Beyond 2015	Goal: Securing Economic Prosperity, Strategic Objective: 2 & 5
Related Policies:	L230 Licensed Premises
Related Procedures:	
Related Documents:	Environmental Protection (Noise) Policy 2007

DOCUMENT DETAILS

Responsibility:	General Manager Corporate and Regulatory Services
Version:	87.0
Last revised date:	19 th March, 201915 August 2023
Effective date:	19 th March, 201915 August 2023
Minute reference:	19 th March, 2019Council Meeting 15 August 2023 - Item 15.4 ### Resolution ###
Next review date:	March, 2020August 2027
Document History	
First Adopted By Council:	17 th July 2001
Reviewed/Amended:	15 th April 2003; 19 th September 2006; 17 th February 2009; 19 August 2014; 20 th March 2018; 19 th March 2019, 15 August 2023

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	P155 - PRIVACY POLICY	Version No:	23
		Issued:	December 2017 15 August 2023
		Next Review:	December 2019 August 2027

1. INTRODUCTION

The purpose of this policy is to formally state the City of Mount Gambier ("Council") position in regard to the protection of individuals' privacy.

2. SCOPE

This policy applies to all people with access to Council information systems (computer-based or otherwise):

- Council staff
- Elected Members
- Volunteers
- Work experience placements
- Trainees, and
- Independent contractors and consultants.

3. PURPOSE

The City of Mount Gambier ('Council') is committed to protecting the privacy of individuals. This policy outlines how the Council will approach the collection, storage, disclosure and use of personal and property related information.

4. POLICY STATEMENT

This Privacy Policy has adopted principles from the:

- Commonwealth Privacy Act 1988; and
- South Australian Department of Premier and Cabinet's Information Privacy Principles Cabinet Administrative Instruction.

Although this legislation and administrative instruction do not apply to councils within South Australia, Council acknowledges that the Australian Privacy Principles contained within the Privacy Act sets an appropriate standard for privacy protection and this policy is intended to achieve best practice consistent with those standards.

The following principles apply when personal information is being considered and handled within the City of Mount Gambier.

- Only information reasonably required for the operation and effective delivery of Council programs and services is collected and maintained.
- Where possible the full purpose for information collection is disclosed at the time of collection.
- Information is stored within Council's systems taking into account its need for security and confidentiality.
- Outside of standard council operations, Council will not, without prior consent, sell or provide personal information unless required to do so by law.

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 <p>City of Mount Gambier</p>	<p>P155 - PRIVACY POLICY</p>	Version No:	23
		Issued:	December 201715 August 2023
		Next Review:	December 2019August 2027

4.1 Privacy Rights

Privacy is acknowledged as a fundamental human right. In Australia, the Privacy Act 1988 (Cth) (Privacy Act) and the Australian Privacy Principles (APPs) set out requirements that must be followed by certain organisations, including Commonwealth Government agencies.

The Privacy Act does not bind Council except where the Council is a 'contracted service provider' for a Commonwealth or State Government contract (as defined in the Privacy Act).

It is the intention of the Council that its policies and practices in relation to privacy should be, so far as is reasonably practicable, consistent with the APPs.

The Privacy (Tax File Number) Rule 2015 sets out the requirements in relation to the security and handling of Tax File Numbers (TFNs) where Council need to notify the Australian Information Commissioner and affected individuals of an eligible data breach concerning TFN information.

4.2 Collection of Information

Personal information collected by the Council is used only for the purpose of conducting Council business and in the provision of Council services to its customers.

The type of personal information that may be collected and held by the Council includes, but is not limited to:

- Names and addresses (postal, residential and email addresses)
- Telephone numbers
- Age and/or date of birth
- Property ownership and/or occupier details
- Dog ownership
- Electoral roll details
- Payment history
- Financial, rental or income details
- Pensioner/concession information
- Payment history and financial information, including bank account and/or credit card details
- Library membership details
- Health and disability information
- Have Your Say submissions.

All information is collected in a fair and lawful manner and as required/permitted by law. The Council is committed to ensuring that residents and/or ratepayers are aware of the purpose of collection of the information.

In satisfying the collection and use of personal information obligations the Council has to its residents and/or ratepayers, the Council assumes that:

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- Any personal information provided by residents and/or ratepayers is free from errors and omissions, is not misleading or deceptive and complies with all relevant laws; and
- Residents and/or ratepayers have the necessary authority to provide any personal information submitted to the Council.

The Council may obtain information concerning ratepayers or residents from a number of sources including Centrelink, the State Electoral Office, Office of the Valuer General, SA Water and from ratepayers and residents. The Council may not necessarily check or verify the accuracy of any personal information it obtains from residents and/or ratepayers or other persons or sources.

Council encourages residents and/or ratepayers to provide the Council with details of any changes to their personal information as soon as reasonably practicable in order to maintain accurate information

4.3 Maintenance and Storage of Personal Information

The Council will take reasonable steps and use appropriate security to protect the personal information it holds from loss, unauthorised access, use, modification, disclosure and other misuse, and to maintain systems to ensure that all personal information collected is up to date, accurate and complete as is reasonably practical. Any person who, on behalf of the Council, uses or discloses personal information held by the Council must have appropriate authorisation to do so.

4.4 Use of Personal Information

Council will take all reasonable steps to:

- Use personal information only for a purpose for which it was collected and is relevant.
- Ensure that the information is accurate, up to date and complete prior to use.
- Council will not disclose personal information for a purpose that is not relevant or incidental to, or connected with that purpose, unless:
 - Council first takes reasonable steps to obtain the consent of the person concerned to use his or her personal information for that other purpose;
 - Council believes on reasonable grounds, that use of the personal information is necessary to prevent or lessen a serious and imminent threat to the life or health of the person or of some other person;
 - Use of the personal information is required and authorised by law; or
 - Use of the personal information for that other purpose is reasonably necessary for the enforcement of the criminal law or law imposing a pecuniary penalty.

4.5 Disclosure of Personal Information

The Council will not provide personal information it holds on residents and/or ratepayers to third parties, except:

- Where the resident and/or ratepayer has made a written request for personal information to be provided to a third party.
- Where the provision of personal information is for the purpose of distributing materials for the sole purpose of and on behalf of the Council (e.g. the provision of address data for use by a mailing service provider to post Rates Notices).

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- Where the third party has been contracted by the Council to provide advice or services for the sole purpose of assisting the Council to provide benefits to residents and/or ratepayers (e.g. State Electoral Office, Office of the Valuer General, insurers).
- Where the Council is required by legislation to provide personal information to a third party (e.g. provision of personal information to the State Electoral Office); or to the public at large in accordance with the Local Government Act; or to an applicant under the Freedom of Information Act where the information is not otherwise exempt.
- Where the resident and/or ratepayer has been advised of the Council's usual practice of disclosing personal information to that third party or a third party of that type for a particular purpose and the disclosure is consistent with that purpose.
- As part of the public notification required and related to lodgement of a development application.

Before the Council will provide personal information to a third party service provider that is subject to the provisions of the Privacy Act, that supplier will be required to provide a signed Privacy Undertaking to Council that it will comply with the Privacy Act and the National Privacy Principles in respect to the collection, use and handling of personal information supplied by the Council.

The Council may supply personal information about an individual to that individual as part of a standard communication or pursuant to a request made by the individual.

The Council does not accept any responsibility for any loss or damage suffered by residents and/or ratepayers because of their reliance on any personal information provided to them by the Council or because of the Council's inability to provide residents and/or ratepayers with any requested personal information.

Before relying on any personal information the Council provides to residents and/or ratepayers, the Council expects that residents and/or ratepayers will first seek confirmation from the Council about the accuracy and currency of such personal information.

4.6 Access to, and Amendment of, Personal Information

Residents and/or ratepayers who wish to access the personal information that the Council holds in relation to them can do so by contacting the Customer Service and Administration staff at the Civic Centre. These requests will be dealt with as soon as is reasonably practical, based on the nature of the information requested. The person making the request will need to satisfy the Customer Service and Reception staff of their identity.

For enquires not made in person (e.g. via phone, fax or email), information will only be sent to a currently held postal or residential address, not to return email account or provided over the phone or to fax. Information may also be collected from Civic Centre Customer Service and Administration staff with prior arrangement, provided that suitable identification is provided at time of collection.

If any resident and/or ratepayer can show that the personal information held by Council is not accurate or complete, it will be amended by Council's Customer Service and Administration staff or other delegated officer/s.

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Council acknowledges that it has certain personal information in its possession that it is legislatively required to make available for access by members of the public. There is also provision under the Freedom of Information Act for members of the public to apply for information from Council.

4.7 Suppression of Personal Information

The Electoral Act 1985 sets out in Part 4, Division 2 Section 21 (91) & (92) details of the electoral registrars' regulations regarding Suppression of elector's address, and;

The Local Government Act sets out in Chapter 10, Division 8 Section 172(3) (5) & (6) those provisions applicable to Council's responsibility regarding the keeping of the assessment record, as follows:

Should the electoral registrar be satisfied that the inclusion on a roll of the address of an elector's place of residence would place at risk the personal safety of the elector, a member of the elector's family or any other person, he or she may suppress the address from the roll.

If the Chief Executive Officer is satisfied that a person's address is suppressed under the Electoral Roll Act 1985, the CEO must –

- a) If the person's residential address is included in respect of rateable property that the person owns but does not occupy – suppress the person's residential address from the assessment record;*
- b) If the person's residential address is rateable land described in the assessment record – suppress the person's name from the assessment record in relation to the land.*

~~A person's name and/or address may be suppressed from Council's Assessment Record and Voters Roll where Council's Chief Executive Officer is satisfied that the inclusion of the name and/or address on the Assessment Record and/or Voters Roll would risk the personal safety of that person, a member of the person's family, or any other person.~~

Enquiries regarding the suppression of information are to be directed to Council's Chief Executive Officer **or their delegate**.

5. PROVISION OF PROPERTY RELATED INFORMATION

5.1 Council Owned Information

Council will supply, on receipt of a written application and the payment of the appropriate fee, from a person with an interest in the land, to the Chief Executive Officer, rating and property related information, such as:

- Rates for current financial year
- Rate balances outstanding
- Enquiries from the owner of the property
- Zoning information.

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		Issued:	December 2017 15 August 2023
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Note: Zoning information can be provided by Council's Planning staff upon receipt of enquiry(ies) from developers/business operators/residents etc or potential developers/business operators/residents etc, whether verbal or otherwise.

A person with an interest in the land, for the purpose of this provision of information is:

- An owner of a register estate or interest in the land
- An occupier of the land
- A person who has entered or proposes to enter into a contract to purchase the land
- Mortgagee of the land.

An owner may be supplied with any information, which is available on their rate notice on proof of identity.

An 'Application Form for Information' is attached to this policy as Appendix A and may be used for the purpose of provision of information. A letter providing the same information will be accepted.

Council will not supply property related information (third party supplied) such as:

- Land ownership details
- Property valuations
- Property dimensions, certificates of titles etc.

Persons applying for this information will be directed to:

www.landservices.sa.gov.au phone number 1800 648 176

Council's Chief Executive Officer, or his delegate, reserves the right to supply any property related information, if in their opinion the supply of that information is warranted.

5.2 Adjoining Property Owner Requests

Requests for Ownership Details from an adjoining property owner for the purpose of negotiation over fence issues will be referred to Council's Chief Executive Officer, or their delegate, for a decision.

5.3 State Government Department Requests

Information provided to Council by Land Brokers following the transfer of property ownership may be shared with relevant State Government departments for the purposes of carrying out the relevant department's business.

6. FURTHER ENQUIRIES

Residents and/or ratepayers who have any concerns regarding how Council handles personal information or property related information should contact the Customer Service and Administration staff of Council at the Civic Centre in the first instance

In the event that Customer Service and Administration staff are unable to satisfy the concerns raised, the matter will be referred to the relevant Council Manager for attention.

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Alternatively, residents and/or ratepayers can lodge a formal written requests to the Chief Executive Officer at:
city@mountgambier.sa.gov.au

7. DEFINITIONS

Key Term - Acronym	Definition
Access	The provision of personal information to a person in any manner the Council deems fit and in accordance with this policy. This may include allowing that individual to inspect personal information or to obtain a copy of the personal information.
Collection	Gathering, acquiring or obtaining personal information from any source and by any means, including information that Council has come across by accident or has not asked for.
Consent	Voluntary agreement to some act, practice or purpose.
Disclosure	The release of information to person(s) or organisation(s) outside the Council. It does not include giving individual(s) information about themselves.
Personal Information	Information or an opinion (including information or an opinion forming part of a database), whether true or not and whether recorded in a material form or not, about a natural living person whose identity is apparent, or can reasonably be ascertained, from the information or opinion, including a photograph or other pictorial representation of a person, but does not include information that is in: <ul style="list-style-type: none"> • Generally available publications • Material kept in public records and archives such as the Commonwealth or State archives, or • Anything kept in a library, art gallery or museum for the purpose of reference, study or exhibition.
Sensitive Information	Information or an opinion that may give rise to discriminatory practices based on an individual's: <ul style="list-style-type: none"> • Racial or ethnic origin • Political opinions • Membership of a political association, a professional or trade association or a trade union • Religious beliefs or affirmations • Philosophical beliefs • Sexual preferences or practices • Criminal record • Health • Employment, or • Financial status.
Use	The handling of personal information within Council including the inclusion of information in a publication.

8. APPENDIX A - APPLICATION FOR PROPERTY RELATED INFORMATION

Application attached.

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9. REVIEW AND EVALUATION

This Policy is scheduled for review by Council during the term of each Council, however, will be reviewed as required by any legislative changes which may occur.

10. 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.



	P155 - PRIVACY POLICY	Version No:	23
		Issued:	December 201715 August 2023
		Next Review:	December 2019August 2027

File Reference:	AF11/1948AF18/48
Applicable Legislation:	Commonwealth Privacy Act, 1988 Local Government Act, 1999
Reference: Strategic Plan 2020-2024	Goal 3: Our Diverse Economy
Related Policies:	P160 - Privacy (superseded) P185 - Property - Provision of Related Information (superseded) Records Management Policy Behavioural Management
Related Procedures:	Nil
Related Documents:	Department of Premier and Cabinet Information Privacy Principles Cabinet Administrative Instruction.

DOCUMENT DETAILS

Responsibility:	General Manager Corporate and Regulatory Services
Version:	2-03.0
Last revised date:	19-December-201715 August 2023
Effective date:	19-December-201715 August 2023
Minute reference:	Council Meeting 19-December-201715 August 2023 , Strategic Standing Committee Item 13.6Item No. ##, Resolution #####
Next review date:	December-2019August 2027
<u>Document History</u>	
First Adopted By Council:	15 th November, 2011 (Superseded Policies P160 and R240)
Reviewed/Amended:	19 December 2017, 15 August 2023

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APPENDIX A

APPLICATION FOR PROPERTY RELATED INFORMATION

I, of
make application to the Chief Executive Officer of the City of Mount Gambier for information:

- ☐ Regarding the amount of any liability for rates or charges on the land (including rates and charges under Part X of the Local Government Act that have not yet fallen due for payment, and outstanding interest or fines payable in respect of rates and charges under Part X) and;
- ☐ Any amount received on account of rates or charges on the land imposed under Part X that is held in credit against future liabilities for rates or charges in relation to the land.

The **land amount** which information is sought is
.....

Please indicate if you are aware of a recent Council Search in relation to this property.

Please state the nature of the applicant's interest in the land, by checking the appropriate box:

- ☐ The owner of a registered estate or interest in the land
- ☐ An occupier of the land
- ☐ A person who has entered or proposes to enter into a contract to purchase the land
- ☐ A mortgagee of the land.

Any further comment:
.....
.....

Signature

Date

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 City of Mount Gambier	COUNCIL POLICY W115 WASTE MANAGEMENT RECEIVAL OF WASTE - CAROLINELANDFILL		Version No:	4.0
			Issued:	15 August 2023
			Next Review:	August 2027

1. INTRODUCTION

This document sets out the policy of the City of Mount Gambier ("Council") for the receipt of waste at Caroline Landfill.

Scope

This policy applies to the receipt of waste at Caroline Landfill.

Purpose

To regulate and manage the receipt of waste at Caroline Landfill.

2. PROHIBITED GOODS

- (a) The following is prohibited from being received at the Caroline Landfill:
- (i) Any cardboard/recyclable plastic from commercial refuse operators from commercial/retail clients.
 - (ii) Domestic waste collected from a property that generates in excess of 140 litres of refuse per household per week, unless approved by the Chief Executive Officer or General Manager City Infrastructure.
 - (iii) Any domestic waste collected from a household collection service containing more than 30% organic material by volume.
 - (iv) Any inert, solid waste or organic material from any Waste Transfer Station or any other source including roll on/roll off bins, skip bins etc.
 - (v) Any waste prescribed by regulation or legislation as being prohibited at the Caroline Landfill (including liquid and hazardous waste, farm animal carcasses, etc.).
 - (vi) E-waste (broadly defined as an item with a power chord or battery).
 - (vii) Fluorescent lighting.
 - (viii) Council staff reserve the right to refuse to receive any load of waste that contains any of the above materials.

3. REVIEW & EVALUATION

This Policy is scheduled for review by Council in ~~August 2027~~[November 2017](#); however, will be reviewed as required by any legislative changes which may occur.

4. 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	COUNCIL POLICY W115 WASTE MANAGEMENT RECEIVAL OF WASTE - CAROLINELANDFILL	Version No:	4.0
		Issued:	15 August 2023
		Next Review:	August 2027

File Reference:	AF11/1743AF18/47
Applicable Legislation:	Environment Protection (Waste to Resources) Policy 2010 http://www.epa.sa.gov.au/environmental_info/waste/legislation/waste_to_resources_policy/landfill_bans
Reference: Community Plan	Goal 2: Our Location
Related Policies:	W125 - Waste Management - Refuse Collection
Related Procedures:	
Related Documents:	

DOCUMENT DETAILS

Responsibility:	General Manager City Infrastructure
Version:	3.04.0
Last revised date:	November, 2017 15 August 2023
Effective date:	21st November, 2017 15 August 2023
Minute reference:	Council Meeting 21st November, 2017 15 August 2023 - Strategic Standing Committee, Item 13.14## Resolution #####
Next review date:	November, 2020 August 2027
<u>Document History</u> First Adopted By Council: 16 th December 2003 Reviewed/Amended: 16 th August 2005; 19 th September 2006; 17 th February 2009; 21 st November 2017, 15 August 2023	

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19.4 POLICY REVIEW - S92 CODE OF PRACTICE FOR ACCESS TO MEETINGS & DOCUMENTS – REPORT NO. AR23/48679

Committee:	Council
Meeting Date:	15 August 2023
Report No.:	AR23/48679
CM9 Reference:	AF22/378
Author:	Michael McCarthy, Manager Governance and Property
Authoriser:	Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services
Summary:	This report presents a substitute Code of Practice under section 92 of the Local Government Act 1999 for Access to Meetings and Documents (i.e. use of confidentiality provisions under s90/90A), and a proposal to develop other discretionary meeting procedural matters into a separate standalone policy(s).
Strategic Plan Reference:	Goal 5: Our Commitment

REPORT RECOMMENDATION

1. That Council Report No. AR23/48679 titled 'Policy Review - s92 Code of Practice for Access to Meetings & Documents' as presented on 15 August 2023 be noted.
2. That Council adopt the Draft substitute '*Conduct of Meetings (s92 Code of Practice) Policy*' attached to Council Report No. AR23/48679 (Attachment 2) for public consultation purposes.
3. That public consultation be conducted on the draft substitute '*Conduct of Meetings (s92 Code of Practice) Policy*' as attached to Council Report No. AR23/48679 (Attachment 2).
4. That Council supports the development of a Council Determined Meeting Procedures Policy.
5. That Council supports the development of a Reg 6 Code of Practice (Varied Procedures).*
6. That a Member information/briefing session be convened to discuss the potential Council Determined Procedures / Varied Procedures to be developed in policy under resolution 4.
7. That, following public consultation on the proposed draft substitute '*Conduct of Meetings (s92 Code of Practice) Policy*', a further report (or reports) be brought back to Council to:
 - consider any submissions to the public consultation on the s92 Code of Practice
 - consider whether to adopt the substitute s92 Code of Practice in place of the current Council Policy C410, and the relevant effective date.
 - consider a draft '*Conduct of Meetings Council Determined Procedures*' policy
 - consider a draft '*Conduct of Meetings (r6 Code of Practice – Varied Procedures)*' policy.

**Resolution 5 will be of no effect unless supported by two-thirds of the Members entitled to vote.*



TYPE OF REPORT

Legislative

BACKGROUND

This report presents the Code of Practice (Policy) required under section 92 of the *Local Government Act 1999* ('Act') for public access to Council and Committee meetings and documents, the operation of which is required to be reviewed within 12 months after the conclusion of a periodic election.

Council's current Code of Practice contained in [Council Policy C410](#) includes other Council determined procedures to be observed at meetings in accordance with ss 86(8) and 89(1) of the Act.

The code of practice provisions in [Council Policy C410](#) have remained substantially unchanged over the course of the 2014-2018 and 2018-2022 Council terms, with the exception of temporary changes to accommodate the COVID19 health emergency in accordance with legislation enacted and Ministers Notices operational between April 2020 until mid-2022.

Other changes during this period related to the Council determined procedures.

Despite Local Government reform enacted and commenced since 2021 minimal changes have occurred to the ss 90 and 91 (Confidentiality) provisions, whereas wholesale changes have been made to information and briefing session provisions in 2015 (informal gatherings and designated informal gatherings) and again in 2021. Whilst a new s 90A contains 'technical' differences that mostly relate to the publication of information about information and briefing sessions, the City of Mount Gambier has voluntarily published a the requisite notices and a 'Record of Proceedings', the latter since 2013 before any statutory requirements were enacted.

The Local Government Association Model s92 Code of Practice was updated in May 2022. This report proposes Council's current s92 Code of Practice (Policy) be substituted with the LGA Model.

Further, this report proposes that other Council determined meeting procedural matters currently contained in clause 12 of [Council Policy C410](#) be incorporated into a separate standalone policy.

Additionally, noting Council's discretion to vary certain specified (but not all) prescribed meeting procedures in accordance with regulation 6 of the Local Government (Procedures at Meetings) Regulations 2013, this report also proposes that Council give consideration to whether it wishes to pursue establishing its own varied procedures and the preparation of a draft Reg 6 Code of Practice.

A comparison of the differing statutory provisions relating to meeting procedures discussed in this report is provided in the attached comparison table (**Attachment 1**).

PROPOSAL

Section 92 Code of Practice – Access to Meetings and Documents

Council is required to adopt a Code of Practice under s92 of the Act, for the purposes of ss 90, 90A and 91 of the Act relating to access to meetings and documents.

Public access to Council and Committee meetings and documents is a primary means by which the community can gain access to information about the business of Council and Council committees.

Currently contained within [Council Policy C410](#) the operation of the s92 Code of Practice is required to be reviewed within 12 months of a periodic election.

It is proposed that Council substitute its current s92 Code of Practice provisions contained in [Council Policy C410](#) (and based on an earlier Local Government Association Model Code) with the current Local Government Association Model Code of Practice.

The Model s92 Code of Practice includes information relating to:

- access to the agenda for meetings;
- public access to meetings;



- the process to exclude the public from meetings;
- matters for which the Council, or a Council committee, can order that the public be excluded;
- how the Council will approach the use of the confidentiality provisions in the Local Government Act;
- public access to documents, including minutes;
- review of confidentiality orders;
- accountability and reporting to the community, and the availability of the Code of Practice; and
- grievances about the use of the Code of Practice by Council.

A draft s92 Code of Practice based on the LGA Model Code of Practice is provided as an attachment to this report for Members review (**Attachment 2**).

It should be noted that the provisions of the Model s92 Code of Practice are generally based on the statutory provisions in the Act and relevant Regulations, and are therefore not recommended to be altered without first obtaining legal opinion on the implications of any proposed changes.

Section 92(5) of the Act requires Council to first conduct public consultation on a proposed alteration or substitution of a s92 Code of Practice before adopting, altering or substituting a code of practice.

Accordingly, this report proposes that Council adopt the draft substitute s92 Code of Practice as attached (**Attachment 2**) for public consultation purposes, and that a report be brought back to Council for the consideration of any submissions received and to consider adoption of the Code.

In the meantime, it is not proposed to rescind the current [Council Policy C410](#) until the s92 and other Council determined meeting procedures have been validly adopted (or abandoned) in substitute or replacement Codes/Policies, to ensure that Council continues to have the requisite Code and meeting procedures in place until replaced.

It is proposed that public consultation on the Draft Substitute s92 Code of Practice would be conducted for a period of no less than 21 days in accordance with the Act and policy requirements, with a further report to be presented later this calendar year.

This current report section and the subsequent review of submissions and determination by Council to adopt the substitute Code are proposed to fulfill the review requirements in section 92.

Council Determined Meeting Procedures – s86 / s89

Sections 86 and 89 of the Act provide that the procedures to be observed at Council and Committee meeting will be:

- a) as prescribed by regulation;
- b) insofar as the procedure is not prescribed by regulation – as determined by the Council;
- c) insofar as the procedure is not prescribed by regulation or determined by the Council – as determined by the Council Committee itself (s89 – only applicable to Committees)

The Local Government (Procedures at Meetings) Regulations 2013 prescribe various meeting procedures that are not able to be determined by Council (or a Committee) under ss 86 or 89.

Council determines some Committee procedural matters by adopting Committee Terms of Reference, published under 'Governing Documents' for each committee on the Council website.

Several other Council determined procedures and matters with broader application are currently contained in clause 12 of [Council Policy C410](#), as follows:

- Filming and Recording Devices
- Voting en-Bloc



- Appointment of Deputy Mayor
- Appointment to Committees & Other Bodies/Organisations
- Attendance by Phone/Other means (committees & info/briefing sessions only)

As envisaged in the Background, this report proposes that these Council determined provisions be incorporated and adopted in a separate standalone policy.

Council may wish to give further consideration to the (current) proposed policy provisions as contained in clause 12 of [Council Policy C410](#), and may also wish to consider other potential inclusions such as:

- Agenda Structure
- Variation of Order of Items at a meeting
- Emergency during meetings

Should Council wish to do so, proposed procedural inclusions may be further discussed at an information/briefing session at which options may be presented as sourced from other Councils.

Such discussion would enable the administration to assist Members on the purpose, reasons and implications of any proposed procedures, which may also necessarily require further subsequent research and advice in preparation and presentation of draft 'Council Determined Meeting Procedures Policy' to Council for consideration.

Noting the public consultation requirement for the substitution of a s92 Code of Practice prior to adoption, it is proposed that a draft 'Council Determined Meeting Procedures Policy' be a separate document, and not be adopted until after the current [Council Policy C410](#) has been substituted (or its substitution or amendment completed or abandoned). This will avoid the scenario of having two Council endorsed policies operating concurrently with the same or similar, or differing, provisions.

Varied Meeting Procedures – r6 Procedures at Meetings Regulations

Regulation 6 of the *Local Government (Procedures at Meetings) Regulations 2013* ('Regs') provides that provisions in Part 2 of the Regs that are expressed as being capable of being varied at the discretion of the Council, may be varied in accordance with r6.

The procedures in Part 2 that are capable of being varied are:

- Petitions:- Regulation 10(2) - that a petition be placed on the agenda for the next ordinary meeting of Council. or if so provided by a policy of the Council, a committee of the Council.
- Motions:- Reg 12(9) – a member moving or seconding a motion will speak to the motion at the time of moving or seconding the motion.
- Motions:- Reg 12(10) – A member may only speak once to a motion except:
 - To provide an explanation in regard to a material part of his or her speech, but not so as to introduce any new matter
 - With leave of the meeting
 - As the mover in reply
- Motion:- Reg 12(11) - a member who has spoken to a motion may not at a later stage of the debate move or second an amendment to the motion.
- Amendments to Motions:- Reg 13(1) – A member who has not spoken to a motion at an earlier stage of the debate may move or second an amendment to the motion.



- Amendments to Motions:- Reg 13(3) – A person who moves or seconds an amendment (and, if he or she chooses to do so, speaks to the amendment) will, in doing so, be taken to have spoken to the motion to which the amendment relates.
- Amendments to Motions:- Reg 13(4) – If an amendment is lost, only 1 further amendment may be moved to the original motion.
- Amendments to Motions:- Reg 13(5) – if an amendment is carried, only 1 further amendment may be moved to the original motion.
- Addresses by Members:- Reg 15(1) – A member must not speak for longer than 5 minutes at any one time without leave of the meeting.
- Addresses by Members:- Reg 15(2) – A member may, with leave of the meeting, raise a matter of urgency.
- Voting:- Reg 16(3) – A person who is not in their seat is not permitted to vote.
- Divisions:- Reg 17(3) – A division will be taken as follows:
 - The members voting in the affirmative will, until the vote is recorded, stand in their places.
 - The members voting in the negative will, until the vote is recorded, sit in their places
 - The presiding member will count the number of votes and then declare the outcome
- Adjourned Business:- Reg 19 – If a formal motion for a substantive motion to be adjourned is carried—
 - the adjournment may either be to a later hour of the same day, to another day, or to another place; and
 - the debate will, on resumption, continue from the point at which it was adjourned.

If debate is interrupted for want of a quorum and the meeting is then adjourned, the debate will, on resumption, continue from the point at which it was interrupted. Business adjourned from a previous meeting must be dealt with before any new business at a subsequent meeting.
- CEO Report:- Reg 21 - The chief executive officer may submit a report to the council recommending the revocation or amendment of a resolution passed since the last general election of the council and must ensure that the report is placed on the agenda for the meeting at which the report is to be considered.

The City of Mount Gambier does not appear to have determined to enact the formalities of r6 to vary any of the abovementioned meeting procedures, at least not at any time in the past decade.

The mechanism to vary such regulations is for the Council, by resolution supported by at least two-thirds of the Members entitled to vote, to determine that a Reg 6 Code of Practice be prepared or adopted that establishes Council's own procedures to substitute one or more of the (sub)regulations that are expressed as being capable of being varied.

The development of a Reg 6 Code of Practice for Council Varied Procedures is recommended to be a full replication of the *Local Government (Procedures at Meetings) Regulations 2013*, as varied, to be used in substitution for the prescribed regulations at Council and Committee meetings.

If Council prepares and subsequently adopts such varied procedures in a Code of Practice, then:

- The effect is that such procedures will have effect according to their terms, in substitution for the relevant provision in the regulations
- The Council should, at least once in every financial year, review the operation of the Code of Practice.



Should Council determine that it wishes to further pursue the varying of any regulations as allowed under r6, the first formal step will be to pass a resolution supported by two-thirds of the Members of Council entitled to vote that a Code of Practice be prepared.

A recommended intermediate step would be discuss potential procedures proposed to be varied at an information/briefing session, to assist the administration in the form/terms to be included in the preparation of a Code, and to inform Council prior to any subsequent consideration to adopt a resulting Code.

This preliminary step would also assist the administration in further researching, seeking any necessary advice, and bringing forward for consideration a draft Code of Practice for consideration that addresses the varied procedures sought by Council.

LEGAL IMPLICATIONS

Council has an obligation to comply with, the provisions of the *Local Government Act 1999* and relevant Regulations, including prescribed and Council determined meeting procedures.

In relation to the three interrelated meeting matters contained in this report, that includes the conduct of public consultation on any alteration or substitution of a s92 Code of Practice, and the valid adoption of a r6 Code of Practice for the variation of prescribed procedures.

A Code/Policy that not adopted in accordance with the requirements of the Act might be invalidated.

STRATEGIC PLAN

N/A

COUNCIL POLICY

This report relates to the proposed amendment of [Council Policy C410](#).

ECONOMIC IMPLICATIONS

N/A

ENVIRONMENTAL IMPLICATIONS

N/A

SOCIAL IMPLICATIONS

N/A

CULTURAL IMPLICATIONS

N/A

RESOURCE IMPLICATIONS

Resource implications are limited to those necessary to conduct public consultation on Council's s92 Code of Practice, if substitution of the policy is proposed, and to research and obtain any necessary advices on meeting procedure options, including for discussion at an information/briefing session.

VALUE FOR MONEY

N/A

RISK IMPLICATIONS

There is a risk that Council determined or varied meeting procedures could be inconsistent or non-compliant with legislative/regulatory provisions and other determined procedures unless close attention is given to the implications of any alternate proposed procedures.

This risk can be mitigated through careful review, including legal review if/as necessary, prior to adoption.



EQUALITIES AND DIVERSITY IMPLICATIONS

N/A

ENGAGEMENT AND COMMUNICATION STRATEGY

Public Consultation will be conducted in accordance with the Act and Council Policy should Council propose to substitute the s92 Code of Practice ([Council Policy C410](#)).

IMPLEMENTATION STRATEGY

Any policy or procedural amendments that arise from any policy adoption subsequent to the report would be implemented as resolved, and are recommended to take effect from the same date, or if from different dates, after the effective adoption date of a substituted Code of Practice as required under section 92 in relation to access to meetings and documents, to ensure continuity of such required policy provisions and to avoid having any concurrent policies being operable with inconsistent provisions.

CONCLUSION AND RECOMMENDATION

Having considered this matter this report recommends that:

- Council adopt the Draft substitute '*Conduct of Meetings (s92 Code of Practice) Policy*' as attached (Attachment 2) for public consultation purposes.
- Council resolve it's in-principle support to develop one or both of the following standalone policies:
 - Council Determined Procedures
 - Reg 6 Code of Practice – Varied Procedures *
- That a Member information/briefing session be convened to discuss the potential inclusions in the Council Determined Procedures / Varied Procedures policies.
- That, following public consultation on the proposed draft substitute '*Conduct of Meetings (s92 Code of Practice) Policy*', a further report (or reports) be brought back to Council to:
 - consider any submissions to the public consultation on the s92 Code of Practice
 - consider whether to adopt the substitute s92 Code of Practice in place of the current Council Policy C410, and the relevant effective date.
 - consider a draft '*Conduct of Meetings Council Determined Procedures*' policy
 - consider a draft '*Conduct of Meetings (r6 Code of Practice – Varied Procedures)*' policy.

**A resolution to prepare a Reg 6 Code of Practice will be of no effect unless supported by two-thirds of the Members entitled to vote.*

ATTACHMENTS

1. Comparison of Meeting Procedure Provisions / Codes [↓](#)
2. Draft Substitute '*Conduct of Meetings (s92 Code of Practice) Policy*' - for consultation purposes. [↓](#)



Comparison of Local Government Act / Procedures at Meetings Provisions

Legislative provisions related to Meeting Procedures and Codes of Practice are contained in s86, s89, ss90-92 of the Local Government Act 1999 and (Reg 6) Local Government (Procedures at Meetings) Regulations 2013.

The differences between the provisions and respective Codes of Practice can be categorised as follows:

Provisions pre-existing in Council Policy C410		Proposed new Reg 6 Code of Practice
S92 Code of Practice for Access to Meetings and Documents (i.e. use of confidentiality provisions for meetings and information/briefing sessions and release of information/documents)	(Other) Meeting Procedures to be observed at Council and Committee Meetings (capable of being determined by Council under s86 / s89 of the Act)	(Discretionary) Meeting Procedure Regulations capable of being varied (under Reg 6 of Procedures at Meetings Regs)
<p>Mandatory Code of Practice under s92</p> <p>Current provisions in Council Policy C410 clauses 1 - 11</p> <p>Code must be reviewed within 12 months of election</p> <p>Council must undertake public consultation before adopting, altering or substituting a s92 Code of Practice.</p> <p>Draft Substitute s92 Code of Practice (Policy) for consultation purposes based on LGA Model Code</p>	<p>Discretionary Procedures for matters not prescribed</p> <p>Current provisions in Council Policy C410 clause 12 include:</p> <ul style="list-style-type: none"> - Filming and Recording Devices - Voting En-Bloc - Appt of Deputy Mayor (supplements Act) - Appt to Committees & other Bodies/Org - Attendance by phone/Other means (committees & info/briefing sessions only) <p>Other potential inclusions contained in Council Report</p> <p>Does not require:</p> <ul style="list-style-type: none"> • public consultation as per s92 Code req't • 2/3 vote of Chamber as per r6 Code req't <p>Accordingly, recommended to separate, s92 Code, r6 Code, and other determined procedures</p>	<p>Proposed new Reg 7 Code of Practice (Policy)</p> <p>Discretionary Code records Council varied procedures in Regs that are capable of being varied.</p> <p>Can only vary specified procedures (refer Regs/Report)</p> <p>Requires a 2/3 vote of Chamber to determine that a Code of Practice under Reg 6 be adopted.</p> <p>Does not require public consultation for adoption</p> <p>Code should be reviewed annually.</p> <p>Intended format being a FULL replication of the Local Government (Procedures at Meetings Regulations 2013, as varied by Council, to substitute the Regulations in practice.</p>



 City of Mount Gambier	COUNCIL POLICY C410 S92 CODE OF PRACTICE FOR ACCESS TO MEETINGS & DOCUMENTS	Version No:	13
		Issued:	August 2023
		Next Review:	August 2027

1. Introduction

- 1.1 Section 92 of the *Local Government Act 1999* (the Local Government Act) requires Council to prepare and adopt a Code of Practice for Access to Meetings and Documents (the Code of Practice).
- 1.2 Public access to Council and Committee meetings and documents is one of the primary means by which the community can gain access to information about the business of Council and Council committees. This Code of Practice includes information relating to:
- o access to the agenda for meetings;
 - o public access to meetings;
 - o the process to exclude the public from meetings;
 - o matters for which the Council, or a Council committee, can order that the public be excluded;
 - o how the Council will approach the use of the confidentiality provisions in the Local Government Act;
 - o public access to documents, including minutes;
 - o review of confidentiality orders;
 - o accountability and reporting to the community, and the availability of the Code of Practice; and
 - o grievances about the use of the Code of Practice by Council.

2. Adoption

- 2.1 This Code of Practice was adopted by the Council on [INSERT DATE ADOPTED]

3. Statement of principle

- 3.1 In fulfilling the role of an effective Council that is responsive to the needs of the community and which operates within the legal framework prescribed by the Local Government Act, the [insert name of Council] is fully committed to the principle of open and accountable government. Council also recognises that on a limited number of occasions it may be necessary, in the broader community interest, to restrict public access to discussion/decisions and/or documents.

 <p>City of Mount Gambier</p>	<p>COUNCIL POLICY C410</p> <p>S92 CODE OF PRACTICE FOR ACCESS TO MEETINGS & DOCUMENTS</p>		Version No:	13
			Issued:	August 2023
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4. Public access to the agenda for meetings

- 4.1 At least three clear days¹ before the Council or Council Committee meeting (unless it is a special meeting) the Chief Executive Officer (CEO) must give written notice of the meeting to all Council/Committee members setting out the date, time, and place of the meeting. The notice must contain or be accompanied by the agenda for the meeting. Items listed on the agenda will be described accurately and in reasonable detail.
- 4.2 The notice of meeting will be placed on public display at the principal office of the Council and the notice and agenda will be published on the Council's website www.mountgambier.sa.gov.au
- 4.3 The notice will be kept on public display and continue to be published on the website until the completion of the relevant Council or Council committee meeting. The agenda will be published on the Council's website.
- 4.4 Non-confidential agenda documents and reports that are to be considered at the meeting must be made available:
- In the case of a document or report supplied to members before the meeting:
 - on a website determined by the CEO, as soon as practicable after being supplied to members of the Council.
 - In the case of a document or report supplied to members of the Council at the meeting:
 - at the meeting, as soon as practicable after they are supplied to the members of Council. These documents will also be subsequently uploaded onto the Council's website.
- 4.5 Members of the public may obtain a copy of the agenda and any particular reports on payment of a fee (if any) fixed by the Council.
- 4.6 Agenda papers provided to members of Council, or members of a Committee, may include an indication from the CEO that the Council or Committee may determine to consider an item in confidence, with the public to be excluded from the meeting during discussion of that item. Where such an indication is made, the CEO must specify the basis under which the confidentiality order could be made in accordance with section 90(3) of the Local Government Act².

¹ In the calculation of 'clear days' in relation to the giving of notice before a meeting, the day on which the notice is given and the day of the meeting are not taken into account. Saturdays, Sundays and public holidays are taken into account. In addition, if notice is given after 5:00pm on a day, the notice will be taken to have been given on the next day. For example, for notice given on a Thursday at 2:00pm for a following Monday meeting, the clear days are Friday, Saturday and Sunday.

² See sections 83(5) (Council) and 87(10) (Committee) of the *Local Government Act 1999*.

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5. Public access to meetings

- 5.1 The principle of open and accountable government is strongly supported. Council facilitates public attendance at meetings of the Council and Committees through public notification of meetings.
- 5.2 Council and Council Committee meetings are open to the public and attendance is encouraged, noting there may be circumstances where the Council (or the Council committee) believes it is necessary in the broader community interest to exclude the public from the discussion (and, if necessary, decision) of a particular matter.
- 5.3 The public will only be excluded when considered proper and necessary i.e. the need for confidentiality outweighs the principle of open decision-making.

6. Information and briefing sessions

- 6.1 Information and briefing sessions provide a valuable opportunity to enhance council decision-making processes by providing opportunities for council members to become better informed on issues and seek further clarification prior to making decisions at formally constituted council meetings
- 6.2 Councils or the CEO are permitted to facilitate an 'information or briefing session' where more than one member of the Council or Council Committee is invited.
- 6.3 A matter must not be dealt with at an information or briefing session in such a way so as to obtain, or effectively obtain, a decision outside of a formally constituted meeting of Council or Committee.
- 6.4 An information or briefing session on a matter that will be included on a council agenda must be open to the public. However, the Council or the CEO may order that the information or briefing session be closed to the public if the matter listed for discussion falls within the confidentiality provisions listed in section 90(3) of the Local Government Act.
- 6.5 Section 90A(5) provides that when an order is made to close an information or briefing session to the public, as soon as reasonably practicable after the making of the order a record should be made of:
 - o The grounds on which the order was made; and
 - o The basis on which the information falls within the ambit of each ground of section 90(3) on which the order was made; and
 - o If relevant, the reasons that receipt, consideration or discussion of the information publicly would be contrary to the public interest
- 6.6 Where an order is made to close an information or briefing session, a person who enters or remains in a room knowing that the order is in place will be guilty of an offence and liable to a penalty not exceeding \$500. This provision does not apply to a member of the council or a person

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permitted to be in the room by the council or CEO in accordance with the order made to close the information or briefing session.

- 6.7 Section 90(7a) of the Local Government Act applies to information or briefing sessions as if they were a meeting of a council committee. Accordingly, a council may adopt a procedure* for the holding of information or briefing sessions by telephone or other electronic means, provided that members of the public can hear the discussion between all participants at the information or briefing session. Information or briefing sessions will be taken to be conducted in a place open to the public even if one or more council members participate in the session by telephone or other electronic means in accordance with any procedures prescribed by the regulations or determined by the council.

**refer procedure adopted at clause 14.9 of this Code of Practice.*

- 6.8 Whether or not an information or briefing session has been open to the public, the following information must be published as soon as practicable after the holding of the session³:
- the place, date and time of the session;
 - the matter discussed at the session; and
 - whether or not the session was open to the public.
- 6.9 There are currently no regulations requiring the publication of information before the holding of an information or briefing session. However, the City of Mount Gambier, at its discretion, publish information before the information or briefing session (in addition to publishing the required information after the information or briefing session is held) as a means of facilitating greater transparency and attendance at information and briefing sessions by members of the public.
- 6.10 There is no obligation for councils to make documents provided to council members at information or briefing sessions available to the public. In addition, documents presented to information or briefing sessions that are closed to the public because they comprise information or a matter listed in section 90(3) are confidential at law.
- 6.11 Absent a specific decision of the Council or Chief Executive Officer to the contrary, documents presented to information or briefing sessions are not publicly available and documents presented to information or briefing sessions that are closed to the public are confidential.

³ Regulation 8AB—Information or briefing sessions, *Local Government (General) Regulations 2013*

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7. Process to exclude the public from a meeting

- 7.1 The usual practice of the City of Mount Gambier is to list all items indicated for consideration in confidence within the last section of the Council or Council Committee agenda, to allow all other items of business to be transacted with members of the public present at the meeting and not required to leave the room until the 'Confidential' section of the agenda is reached.
- 7.2 Despite the above, there may be circumstances where, during the course of a meeting, it becomes apparent that a matter should be considered in confidence. In those cases, members of the public will be asked to leave the meeting whilst the matter is discussed (subject to an appropriate resolution of the council being carried to close the meeting).
- 7.3 Before a meeting orders that the public be excluded to enable consideration of a particular matter in confidence, the Council or Council Committee must, in public, formally determine if this is necessary and appropriate, and then pass a resolution to exclude the public while dealing with that particular matter. If this occurs, then the public must leave the room. This means that all members of the public (including staff, but not including a member of the Council or Council Committee), unless exempted by being named in the resolution as entitled to remain, are required to leave the room.
- 7.4 Once Council, or a Council Committee has made the order, it is an offence for a person, who knowing that an order is in force, to enter or remain in the meeting room. It is lawful for an employee of the council or a member of the police to use reasonable force to remove the person from the room if he or she fails to leave on request.
- 7.5 Once discussion on that particular matter is concluded, the public are then permitted to re-enter the meeting. If there is a further matter that needs to be considered in confidence it is necessary to repeat the formal determination process and to resolve to exclude the public as above.
- 7.6 Please note that the Council, or the Council Committee, can permit a particular person or persons to remain in the meeting by including reference to them within the resolution. An example would be allowing a ratepayer who is suffering personal hardship to remain in the meeting when their circumstances concerning the payment of rates is being discussed.

8. Use of the confidentiality provisions

- 8.1 In accordance with the requirements of section 90(3) of the Local Government Act, the Council, or a Council Committee, may order that the public be excluded in order to receive, discuss or consider any of the following information or matters in confidence:
- (a) *information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);*
 - (b) *information the disclosure of which—*

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- (i) *could reasonably be expected to confer a commercial advantage on a person with whom the Council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the Council; and*
- (ii) *would, on balance, be contrary to the public interest;*
- (c) *information the disclosure of which would reveal a trade secret;*
- (d) *commercial information of a confidential nature (not being a trade secret) the disclosure of which—*
 - (i) *could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and*
 - (ii) *would, on balance, be contrary to the public interest;*
- (e) *matters affecting the security of the Council, members or employees of the Council, or Council property, or the safety of any person;*
- (f) *information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial;*
- (g) *matters that must be considered in confidence in order to ensure that the Council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;*
- (h) *legal advice;*
- (i) *information relating to actual litigation, or litigation that the Council or Council Committee believes on reasonable grounds will take place, involving the Council or an employee of the Council;*
- (j) *information the disclosure of which—*
 - (i) *would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the Council, or a person engaged by the Council); and*
 - (ii) *would, on balance, be contrary to the public interest;*
- (k) *tenders for the supply of goods, the provision of services or the carrying out of works;*
- (m) *information relating to a proposed amendment to a proposal to prepare or amend a designated instrument under Part 5 Division 2 of the Planning, Development and Infrastructure Act 2016 before the draft instrument or amendment is released for public consultation under that Act;*
- (n) *information relevant to the review of a determination of a Council under the Freedom of Information Act 1991;*
- (o) *information relating to a proposed award recipient before the presentation of the award.*

8.2 The Local Government Act provides a definition of "personal affairs" which includes a person's:

- o financial affairs

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- criminal records
- marital or other personal relationships
- personal qualities, attributes or health status
- employment records, employment performance or suitability for a particular position, or other personnel matters relating to the person,

but it does not include the personal affairs of a body corporate.

NOTE: This is an inclusive (not exhaustive) list of personal affairs matters and other matters may also constitute a person's personal affairs.

- 8.3 With respect to matters on a council agenda, where a person provides information to the Council and requests that it be kept confidential, Council is not able to even consider this request unless the matter is one that falls within section 90(3). If this is the case, Council will then be in a position to consider the request on its merits.
- 8.4 In considering whether an order should be made under section 90(2), it is irrelevant that discussion of a matter in public may⁴:
- cause embarrassment to the Council or Committee concerned, or to members or employees of the Council;
 - cause a loss of confidence in the Council or Committee;
 - involve discussion of a matter that is controversial within the council area; or
 - make the council susceptible to adverse criticism.
- 8.5 If a decision to exclude the public is taken, the Council or the Council Committee is required to make a note in the minutes of the making of the order and specify:
- the grounds on which it was made;
 - The basis on which the information or matter falls within the ambit of each confidentiality ground; and
 - (if relevant,) why receipt, consideration or discussion of the information or matter in public would be contrary to the public interest.
- 8.6 Once discussion of the matter is concluded, the meeting must then consider if it is necessary to make an order identifying the document(s) (or parts of the document(s)) associated with that item (including minutes) that are to remain confidential.
- 8.7 If the meeting determines that it is necessary to keep a document(s) (or parts of document(s)) confidential, then a resolution for an order to this effect is required in accordance with section 91(7) of the Local Government Act.
- 8.8 The Council or the Council committee can only resolve to keep minutes and/or documents confidential under section 91(7) if they were considered in confidence at a Council or Committee Meeting pursuant to sections 90(2) and 90(3).

⁴ Section 90(4), *Local Government Act 1999*

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- 8.9 The Council will not consider a number of agenda items "in confidence" together i.e. en bloc. It will determine each item separately and consider the exemptions relevant to each item.
- 8.10 Once discussion of the matter is concluded and the public have returned, the decision in relation to the matter will be communicated unless the Council has resolved to order that the resolution remain confidential. Details relating to any order to keep information or a document confidential in accordance with section 91(7) will also be made known.
- 8.11 In accordance with section 91(8) the Council or the Council committee must **not** make an order to prevent:
- the disclosure of the remuneration or conditions of service of an employee of the Council after the remuneration or conditions have been set or determined; or
 - the disclosure of the identity of a successful tenderer for the supply of goods or the provision of services (including the carrying out of works), or of any reasons adopted by the Council as to why a successful tenderer has been selected; or
 - the disclosure of the amount or amounts payable by the Council under a contract for the supply of goods or the provision of services (including the carrying out of works) to, or for the benefit of, the Council after the contract has been entered into by all parties to the contract; or
 - the disclosure of the identity of land that has been acquired or disposed of by the Council, or of any reasons adopted by the Council as to why land has been acquired or disposed of by the Council.
- 8.12 Where keeping a document confidential is considered necessary, a resolution to this effect is required which shall include:
- the grounds for confidentiality; and
 - the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed – if the order has a duration of more than 12 months, the order must be reviewed at least once in every year; and
 - (if applicable) whether the power to revoke the order will be delegated to an employee of the Council.⁵
- 8.13 In all cases the objective is that the information be made publicly available at the earliest possible opportunity and that the community is informed of any Council order and the associated implications.
- NOTE:** There is no legal requirement to resolve to "come out of confidence" or to go back into "public session". The public may and should be invited to re-enter the meeting when consideration of the relevant Agenda Item has concluded. The public are also entitled to be present for the debate and decision on whether any subsequent item should be considered in confidence.

⁵ Section 91(9) of the *Local Government Act 1999*.

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9. Review of confidentiality orders

- 9.1 A confidentiality order made under section 91(7) of the Local Government Act must specify the duration of the order or the circumstances in which the order will cease to apply, or a period after which the order must be reviewed. In any event, any order that operates for a period exceeding 12 months must be reviewed at least once in every year.
- 9.2 An order will lapse if the time or event specified has been reached or carried out. There is no need for the Council to resolve for the confidentiality order to be lifted. Once the order expires or ceases to apply, the minutes and/or documents automatically become public. At this point in time, the Council will make this information publicly available by publishing it on the Council's website.
- 9.3 Orders that exceed 12 months must be reviewed annually and the Council must assess whether the grounds for non-disclosure are still relevant and, if so, provide the relevant grounds and reasons for the minutes and/or documents remaining confidential. The conduct of the annual review can be delegated to the CEO and sub-delegated to an employee of the Council if appropriate. If there are any items that require a fresh confidentiality order because the original order is about to expire, then the reviewer will prepare a report to Council making recommendations with respect to each item to be retained in confidence. While a Council may delegate the power to undertake an annual review, the Council cannot delegate the power to apply sections 90(3) and 91(7) of the Local Government Act.
- 9.4 A Council may resolve to exclude the public from a meeting to discuss and undertake consideration of the recommendations arising from the annual review in confidence, subject to the application of the relevant ground under section 90(3) of the Local Government Act. Section 90(3) of the Local Government Act must be applied separately to each item within the scope of the review and not en bloc.
- 9.5 The Council or Council Committee may delegate to an employee of the Council the power to revoke an order made in accordance with section 91(7) of the Act. Such delegation may be subject to conditions.

10. Accountability and reporting to the community

- 10.1 Consistent with the principle of accountability to the community, a report on the use of sections 90(2) and 91(7) by the Council and Council committees must be included in the annual report of a Council as required by Schedule 4 of the Local Government Act. The report should include the following information, separately identified for both Council and Council committees:
- o Total number of orders made under sections 90(2) and 90(3) and 91(7) in the relevant financial year;
 - o The date and subject of each order made under sections 90(2) and 90(3) and 91(7) in the relevant financial year;

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- In relation to each ground specified in section 90(3), the number of times in the relevant financial year that an order was made under section 90(2) and 90(3) for each ground;
- The number of orders made under section 91(7) that expired, ceased to apply or were revoked during the relevant financial year and the date and subject of each such order; and
- The number of orders made under section 91(7) since 15 November 2010 that remained operative at the end of the relevant financial year.

11. Public access to documents

- 11.1 The Local Government Act requires Councils to make available a large number of documents. Many of these are set out in Schedule 5, with other requirements contained in other sections of the Local Government Act.
- 11.2 Schedule 5 documents must be published on a website determined by the CEO. Councils must also, upon request, provide a person with a printed copy of any document referred to in Schedule 5. Provision of printed copies of a document may require payment of a fee (if any) set by Council (see Council's fees and charges register for any relevant fee).
- 11.3 Requests to access Council and Council Committee documents that are not otherwise publicly available, can be made under the *Freedom of Information Act 1991*. Inquiries in relation to the process for seeking access to documents held by Council should be directed to Council's accredited Freedom of Information Officer.

12. Public access to minutes

- 12.1 Minutes of a meeting of Council or a Council Committee must be made available, on the Council's website www.mountgambier.sa.gov.au.
- 12.2 Printed copies of minutes can be provided to a person on request on payment of a fee (if any) set by Council (see Council's fees and charges register for any relevant fee).

13. Availability of the Code of Practice

- 13.1 A copy of this Code of Practice will be made available on the Internet at www.mountgambier.sa.gov.au. City of Mount Gambier will also, on request, provide a person with a printed copy of the Code of Practice on payment of a fee (if any) fixed by the council⁶ (see Council's fees and charges register for any relevant fee).

⁶ Section 132(1) and Schedule 5.

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14. Review of the Code of Practice

- 14.1 The Council is required to review this code within 12 months after the conclusion of each periodic election.
- 14.2 The next scheduled review is due to occur in 2027.

15. Grievance

- 15.1 Council has established procedures for the review of decisions under section 270 of the Local Government Act for:
- o Council, and its Committees;
 - o employees of the Council; and
 - o other persons acting on behalf of the Council.
- 15.2 Should a person be aggrieved about public access to either a meeting or a document they can lodge an application for review of that decision under the procedures established by Council. The Procedures are available in Council's Internal Review of Council Decisions Policy.

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File Reference:	AF18/51
Applicable Legislation:	Local Government Act 1999 Local Government (Procedures at Meetings) Regulations 2013 Local Government (General) Regulations 2013
Strategic Reference:	
Related Policies:	P195 Community Consultation and Engagement Policy R180 Records Management Policy C290 Internal Review of Council's Decisions
Related Procedures:	
Related Documents:	Confidentiality Guidelines: How to Apply Section 90 (2022) Council Meeting Procedures Handbook (2019) Minute Takers Handbook for Local Government (2014) Confidential Items Register

DOCUMENT DETAILS

Responsibility:	General Manager Corporate and Regulatory Services
Version:	13.0
Last revised date:	15 August 2023
Effective date:	15 August 2023
Minute reference:	Council Meeting 15 August 2023 - Item ##.# - Resolution 2023/##
Next review date:	July 2027
<u>Document History</u> First Adopted By Council: Reviewed/Amended:	November 2014 Superseded Policies - C300, C310, C275, C315, S110, S130, M190, C280 & C285, 17 th March, 2015 15 th December, 2015, 15 th March 2016, 21 st November 2016, 22 nd November 2018, 15 th October 2019, 19 July 2022, 15 August 2023. (31 st March 2020, 16 th June 2020, 17 th November 2021, 14 December 2021, 21 June 2022 - COVID 19)

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19.5 PARKLETS - 40 COMMERCIAL STREET EAST, MOUNT GAMBIER – REPORT NO. AR23/52714

Committee:	Council
Meeting Date:	15 August 2023
Report No.:	AR23/52714
CM9 Reference:	AF22/378
Author:	Tracy Tzioutziouklaris, Manager Development Services
Authoriser:	Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services
Summary:	The purpose of this report is consider the rejuvenation and revitalisation of the Urban Activity Centre through the implementation of a parklet adjacent to 40 Commercial Street East, Mount Gambier
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. AR23/52714 titled 'Parklets - 40 Commercial Street East, Mount Gambier' as presented on 15 August 2023 be noted.
2. Council rescind parking resolution 3.3.198 in respect to the four (4) carparking spaces on Commercial Street East, Mount Gambier directly adjacent to Jen's Hotel at 30 Commercial Street East, Mount Gambier
3. Council Officer's investigate and develop design options to create a pedestrian friendly space directly adjacent to Jen's Hotel at 30 Commercial Street East, Mount Gambier.
4. A public consultation and community engagement plan be developed.



TYPE OF REPORT

Other

BACKGROUND

Almost ten years ago the City of Mount Gambier investigated and trialed a 'parklet' as one way to add vibrancy to the City Centre. Whilst there was community and business support for the trial, there were issues identified by Safe Work SA that needed to be addressed to provide a safe working place for the employees as the parklet was identified as part of their workplace.

This initial trial involved the placement of a temporary structure in a parking bay in front of a business premises to be used for outdoor activities (e.g. dining) either on a permanent or infrequent basis at 82 Commercial Street West, Mount Gambier. This premises is located on the north western corner of Commercial Street West and Elizabeth Street, Mount Gambier. The parklet itself was placed on the Elizabeth Street frontage and had no protection from vehicle movements nor adequate site lines for vehicles turning onto Elizabeth Street from Commercial Street West.

Council has received a request from Jen's Hotel seeking the removal of the four (4) carparking spaces along Commercial Street East, Mount Gambier immediately adjacent to the hotel. The posts associated with the balcony of Jen's Hotel have been recently significantly damaged through being repeatedly hit by vehicles using the carparking spaces. This report recommends the removal of the four car parking spaces adjacent to Jen's Hotel as Stage 1, with the potential to remove the remaining carparks along this section of Commercial Street as a second stage. Council has previously received contact from other business owners along this portion of Commercial Street East, requesting the removal of carparking spaces and the installation of 'parklets' or the widening of the footpaths to create a pedestrian focused precinct.

PROPOSAL

This specific proposal involves the permanent removal of the four (4) carparking spaces on Commercial Street East, Mount Gambier located directly adjacent to the Jen's Hotel to facilitate the use of this space for customer/pedestrian activity.

Jen's Hotel is a State Heritage Place, with a prominent presence within this section of Commercial Street East. As illustrated on the attached photographs, the balcony posts are located directly adjacent to the kerb. This spacing makes the verandah posts vulnerable to being hit/damaged by vehicles trying to enter and exit the carparking spaces. The Manager of the Hotel has advised the verandah posts get hit regularly with vibrations often felt throughout the building. The owner of the hotel is reluctant to fix the posts until such a time there is an increased buffer distance between the verandah posts and the carparking spaces. It has been identified the only way to achieve a suitable buffer distance for the verandah posts is to permanently remove the four (4) adjacent carparking spaces.

At this time, a number of verandah posts have been damaged, others have structural damage, with the verandah currently being assessed in context of it's structural integrity. At the time of writing, Council has not yet received confirmation regarding the structural integrity of the verandah.

As identified within the CBD (Central Business District) Guiding Principles 2022 as adopted by Council, this project meets the following objectives:

- To utilise the width of streets and parking options for more layered functions – to slow and dissipate traffic and promote interactivity and social connectedness leading to a sense of an activated heart of the city.
- Highlight and complement the aesthetics of heritage buildings by promoting the maintenance of heritage features and the promotion of as a key feature in the identity of the CBD.
- Ensure the success of CBD tenancies by catalysing growth around a defined city heart, with quality streetscape and public realm environments.



- Create a healthy balance between vehicles, pedestrians and cyclists – prioritising streetscape improvements for people, and amplifying the economic potential of social interaction.
- Give people and social interaction more priority by slowing speeds.
- To enhance pedestrian use and connectivity increasing economic spend.
- Encourage people to move around – generating street life between activators e.g. indoor/outdoor dining, entertainment, lively civic space.
- Pilot and analyse shifts in road area, social interaction spaces (parklets et al) and parking reallocation.

A second stage of this project could be to remove all of the carparking spaces along this section of Commercial Street East, Mount Gambier. This will help to build on creating a better space between Penola Road/Bay Road and Ferrers Street/Mitchell Street to be used by the local traders to improve vibrancy, pedestrian movement and economic activity within the City Centre. This section of Commercial Street East has been selected for this project as:

- Council has received interest from local business owners and/or operators in identifying opportunities for a trial parklet
- The existing streetscape provides opportunities to enhance the environment with minimal input
- The existing protuberances provide protection from vehicles and direct vehicle movements away from the 'parklets'
- This portion of the street has strong pedestrian and visual links to the Cave Gardens
- There is an abundance of carparking available within the subject locality

It is well researched and documented the vibrancy of City Centres is created by providing areas for street activity and allowing businesses to integrate the street or footpath area as part of their business, i.e. outdoor dining can provide an attractive appeal and an impression of activity within a subject locality which in itself is a natural attractor.

There is also documented research which identifies walking environments provide good economic benefits as well. Good walking environments create vibrancy on the street, help to address obesity and health issues by giving streets back to people.

As seen from the attached photographs the areas within the subject locality where Council has already undertaken work to widen the footpath and provided streetscape furniture and sculptures have a more aesthetically pleasing amenity to look at in comparison to the areas of the street where this work has not been undertaken. In particular the locality in front of Presto is more vibrant and appealing than other areas of the streetscape.

There are fifteen on street carparking spaces within this area which could be removed, including:

- 7 car parking spaces in front of 7-21 Commercial Street East
- 4 Carparking spaces in front of 43-51 Commercial Street East; and
- 4 carparking spaces in front of 40 Commercial Street East.

Commercial Street East and West is a main road thoroughfare through the east to west of the City, which passes through the main shopping 'heart' of the City of Mount Gambier. Whilst there is on street carparking available along the street, this carparking is time limited and experiences high demand and vehicle turnover.



It is acknowledged the proposed removal of all of the on street carparking spaces within the subject locality is a bold decision may be subject to objection from business owners and the community, as illustrated within the attachment there is significant off street public carparking within close proximity of the subject area. The off street public carparking available within the subject locality is anticipated to be able to accommodate for the eventual removal of 15 on street carparking spaces.

The immediate removal of four car parking spaces adjacent to Jen's Hotel is anticipated to be easily accommodated for within the subject locality.

LEGAL IMPLICATIONS

Council will need to undertake the correct process to facilitate the removal of the carparking spaces and to create a safe pedestrian environment.

STRATEGIC PLAN

This proposal seeks to create a more vibrant and better connected community promoting alternative forms of transport to using vehicles.

COUNCIL POLICY

Is supported by the CBD Guiding Principles.

ECONOMIC IMPLICATIONS

Promotes improved economic outcomes.

ENVIRONMENTAL IMPLICATIONS

Reduces reliance on vehicles.

SOCIAL IMPLICATIONS

Promotes opportunities for better community connections and health outcomes through reduced reliance on motor vehicles and promotes vibrant active community spaces.

CULTURAL IMPLICATIONS

Promotes opportunities for better community connections and health outcomes through reduced reliance on motor vehicles and promotes vibrant active community spaces.

RESOURCE IMPLICATIONS

Additional work required to transform the space into a safe pedestrian friendly space. Could be accommodated within existing budgets through opportunities to undertake a development in collaboration with the adjacent business.

VALUE FOR MONEY

Creates opportunities for Council to work in partnership with local businesses.

RISK IMPLICATIONS

Risks will need to be identified as the project progresses.

EQUALITIES AND DIVERSITY IMPLICATIONS

N/A

ENGAGEMENT AND COMMUNICATION STRATEGY

To be developed

IMPLEMENTATION STRATEGY

To be developed



CONCLUSION AND RECOMMENDATION

As outlined in this report, the removal of the four carparking spaces on Commercial Street East, Mount Gambier creates opportunities and benefits for the adjoining business, Council and the community.

It is recommended Council support the removal of the four carparking spaces as proposed as part of the wider vision to revitalise and rejuvenate the Commercial heart of the City of Mount Gambier and Council Officer's proceed to develop a project design, scope and costings.

ATTACHMENTS

1. Verandah Posts - Jen s Hotel [↓](#)
2. Existing streetscape [↓](#)
3. Example parklet designs [↓](#)
4. Carparking available within the locality [↓](#)



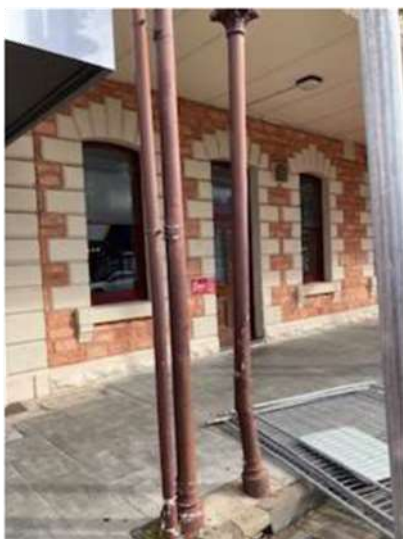
Jen's Town Hall Hotel

40 Commercial Street East, Mount Gambier

Balcony and associated infrastructure

25th July, 2023

Balcony post damaged – 25th July, 2023





Location of Acro Props – Previously damaged balcony posts





Additional Balcony post with fracture







Proximity of posts to kerb/vehicles



The existing streetscape of the parklet trial area is illustrated on the following photographs. As can be seen, there is already infrastructure located on the footpaths which will contribute substantially towards the introduction of a trial parklet within the urban environment.



Carparking spaces to be removed for the establishment of the trial parklet



Carparking spaces already removed in front of the Old Town Hall, footpath widened and public seats installed



Table and chairs located on the footpath associated with Metro Bakery and Cafe





Carparking spaces removed, footpath widened and street furniture including bins, seats and bicycle parking racks installed



Footpath dining in front of Presto Eatery



Footpath Dining in front of Presto Eatery





Footpath Dining in front of Presto Eatery



Presto Eatery



Streetscape view from corner of Watson Terrace and Commercial Street East





Streetscape view towards Metro



Streetscape view of Jen's Town Hall Hotel



Footpath dining in front of Jens Town Hall Hotel





Street scape In front of UFS Chemist



Footpath Dining – Jens Town Hall Hotel



As seen from the above photographs the areas within the subject locality where Council has already undertaken work to widen the footpath and provided streetscape furniture and sculptures have a more aesthetically pleasing amenity to look at in comparison to the areas



of the street where this work has not been undertaken. In particular the locality in front of Presto is more vibrant and appealing than other areas of the streetscape.



Examples of simple parklet designs



Example of a parklet used in San Francisco, USA.



Example of a parklet used in San Francisco, USA.



Public off street carparking available within the subject locality



Key



Public car parks



19.6 OFFSHORE WIND ZONES - SOUTHERN OCEAN REGION – REPORT NO. AR23/53250

Committee:	Council
Meeting Date:	15 August 2023
Report No.:	AR23/53250
CM9 Reference:	AF22/378
Author:	Barbara Cernovskis, General Manager City Infrastructure
Authoriser:	Sarah Philpott, Chief Executive Officer
Summary:	This report is to consider a request from the South Eastern Professional Fisherman's Association Inc. (SEPFA) that Council make a formal submission to the Federal Government's current consultation opposing the proposed Southern Ocean Region offshore renewable energy zone.
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. AR23/53250 titled 'Offshore Wind Zones - Southern Ocean Region' as presented on 15 August 2023 be noted.
2. That Council writes to Nathan Kimber of the South Eastern Professional Fishermen's Association Inc. advising of Council's intent to support his request that Council make a submission to the Commonwealth's current consultation on the area proposed for future offshore renewable energy projects, in the Southern Ocean Region, that the Southern Ocean offshore wind zone, concludes at the Victorian and South Australian border.
3. That Council confirms in-principle it is not averse to renewable energy projects where appropriate locality, value proposition and whole of life impact to the environment and communities mitigated can be sufficiently demonstrated.
4. Approves the CEO, or delegate, to make a submission to the current consultation on the area proposed for future offshore renewable energy projects in the Southern Ocean Region, highlighting the relevant concerns in support of the SEPFA's intent that the Southern Ocean offshore renewable energy region, concludes at the Victorian and South Australian border.
5. That Council authorises Mayor Lynette Martin and/or the Chief Executive Officer to advocate on this issue, consistent with Council's resolution, with relevant government authorities.



TYPE OF REPORT

Corporate

BACKGROUND

On 28 June 2023, Minister Chris Bowen announced the commencement of community consultation on the proposed zoning for future offshore renewable energy projects in the Southern Ocean region, which stretches between Warrnambool/Portland/Port MacDonnell.

The consultation period opened on 28 June and close on 31 August 2023 and is seeking public feedback to help inform their decision as to whether the proposed area is suitable for offshore renewable energy developments.

The consultation information advises that *“The Australian Government has set a target of net zero emissions by 2050 and is looking to reduce emissions by 43%, and by 2030 with 82% of Australia’s electricity generated from renewable sources. Offshore renewable energy projects within the Southern Ocean Region can help the Australian Government meet these targets.”*

PROPOSAL

Since the announcement of the consultation, the Mayor has received correspondence (*Attachment 1*) from the South Eastern Professional Fisherman’s Association Inc (SEPFA) seeking for Council to endorse their position, which is that the Southern Ocean offshore wind zone conclude at the Victorian/SA border and does not come across to Port MacDonnell.

In response to this request, SEPFA representative Nathan Kimber, Executive Officer and Chris Carrison, Chair, Southern Coast Care Committee were invited to provide a briefing to Council on Tuesday, 25 July 2023 (*Attachment 2*) that outlined the environmental and economic risk that the proposed Southern Ocean offshore wind zone presents to our region. As a Commonwealth initiative, the perceived disregard to the impact on the South Australian Government and immediate Local Government areas did not go unnoticed.

Community ‘drop-in’ sessions have been held within the relevant areas and included two sessions in the Mount Gambier region on 3 August 2023 of which both Council Members and officers attended. In addition, due to a large amount of interest an online information session was held on 10 August 2023.

The feedback on the consensus of the forums was of heightened and genuine concern regarding the potential for irreversible impacts on fishing (commercial and recreational) and the environment.

LEGAL IMPLICATIONS

Nil

STRATEGIC PLAN

Goal 1 – Our People

Goal 2 – Our Location

Goal 3 – Our Diverse Economy

Goal 4 – Our Climate, Natural Resources, Art, Culture and Heritage

COUNCIL POLICY

N/A



ECONOMIC IMPLICATIONS

Any impact on the Rock Lobster, commercial fishing industry and recreational fishing around Port MacDonnell would significantly affect the local community and have a detrimental multiplier impact on plans for tourism and economic development in a broader regional context.

ENVIRONMENTAL IMPLICATIONS

Proposed activities potentially impact on numerous threatened and endangered species that are known to inhabit the area, particularly due to the local regular natural event of the Bonney Upwelling – these include activities of Blue Whales, Southern Right Whale and White Sharks which are deemed Matters of National Environmental Significance.

Included in the presentation to Council of Tuesday, 25 July 2023 it was explained that to determine suitability of site, seismic testing will be required to be undertaken. Seismic testing is the blasting of the seafloor with high powered airguns to establish the constitution of the seabed and bedrock. Seismic testing disturbs, injures, and kills marine life. Studies specific to seismic testing and Southern Rock Lobster show that the sound blasting damages the lobster's sensory system, and their ability to 'right' themselves.

SOCIAL IMPLICATIONS

N/A

CULTURAL IMPLICATIONS

N/A

RESOURCE IMPLICATIONS

N/A

VALUE FOR MONEY

Nil

RISK IMPLICATIONS

Department staff at the 'drop-in' sessions were directly approached with enquiry regarding the environmental approvals process associated with the proposed Southern Ocean offshore wind zone. Advice received confirmed that such a process would occur after the area has been declared, and when an actual proposal from a company is being considered. The company would then pay for the assessment.

Declaration of an area to become open to any economic activity without any consideration to the environmental impacts is a significant risk to our region.

Failure to clearly articulate an end-of-life risk assessment and remediation plan for any approved economic activity within the proposed zone also presents a significant future risk to our region.

EQUALITIES AND DIVERSITY IMPLICATIONS

Nil

ENGAGEMENT AND COMMUNICATION STRATEGY

Nil

IMPLEMENTATION STRATEGY

Nil

CONCLUSION AND RECOMMENDATION

This report recommends that Council make a submission to the Commonwealth's current consultation on the area proposed for future offshore renewable energy projects, in the Southern



Ocean Region, that the Southern Ocean offshore wind zone, concludes at the Victorian and South Australian border.

ATTACHMENTS

1. Letter - South Eastern Professional Fishermen's Association Inc. - Offshore Wind Zones [↓](#)
2. Presentation - Southern Ocean Offshore Wind Zone Consultation [↓](#)





South Eastern Professional Fishermen's Association Inc.

PO Box 395
GLENELG SA 5045

Phone: 0417 838 459
Email: nathan@kimberconsulting.com.au

3 July 2023

Hon Lynette Martin OAM
Mayor
City of Mount Gambier

Via Email: mayormartin@mountgambier.sa.gov.au
Cc: Sarah.Philpott@mountgambier.sa.gov.au

Dear Mayor,

On Wednesday the 27th of June 2023, whilst in Portland, Victoria, the Hon Chris Bowen MP, Minister for Climate Change and Energy, announced consultation for a new offshore wind zone in the Southern Ocean. The 5,100 square kilometre area stretches from Warrnambool in Victoria to northwest of Port MacDonnell in South Australia.

The Southern Ocean area of interest is one of six key regions around Australia identified for offshore wind potential. The area was originally announced by Minister Bowen in August 2022, with the support of the Andrews' government in Victoria and was labelled *The Southern Ocean Region off Portland Victoria*.

Wednesday's consultation announcement by Minister Bowen was the first time that South Australia, and specifically the township of Port MacDonnell, had been formally included in the scope of the Southern Ocean area. We understand this to be the case because of a project proposal by BlueFloat Energy, which has laid claim to 290 square kilometres of ocean, largely off the coast of South Australia.

When asked why BlueFloat had come so far northwest of the originally intended area of interest, we were provided with a response, *'because we were late to the party, and the area off the coast of Portland, within Victoria, had been claimed by other proponents.'*

Interestingly, this project proposal and others within the yet to be zoned Southern Ocean area, have already completed renewals processes under the Commonwealth EPBC Act. Not the focus of this correspondence, but another example of the dismal process being run by DCCEEW.

As I am sure you are aware all projects proposed under the Southern Ocean area, including that by BlueFloat, will fall under Commonwealth and Victorian jurisdiction and thus generate no net energy benefit to South Australia. Further, the scale of works and size of machinery, required to initiate projects can only be conducted out of the port of Portland, Victoria, meaning very few, if any jobs, for South Australia and your council area.

Almost arrogantly, those involved in the zoning processes for the Southern Ocean area, from other government jurisdictions, and the proponent, BlueFloat, have simply dismissed the view of the South Australian government, local government, and affected South Australian industries and residents in this process.

South Eastern Professional Fishermen's Association Inc.

PO Box 395 GLENELG SA 5045

Ph: 0417 838 459 Email: nathan@kimberconsulting.com.au

SEPFA will be making a submission to the consultation process such that the Southern Ocean offshore wind zone, concludes at the Victorian and South Australian border.

We ask that the City of Mount Gambier make a submission to the zoning consultation process, consistent with SEPFA's submission.

Why would the City of Mount Gambier support wind turbines off the surrounding coastline that will decimate the state's most important and sustainable seafood resource (Southern Rock Lobster), destroy habitat critical to recreational and tourism opportunities, jeopardise a range of migrating mammals and seabirds, all the while providing no benefits to your council area.

If we are going to initiate an offshore wind industry off the coast of South Australia, lets do it in our own time, on our own terms, with thorough local government consultation, and most importantly so that South Australians benefit.

SEPFA represents the interests of the of the licence holders (180), vessel owners and crew, and the families that make up the Southern Zone Rock Lobster Fishery of South Australia. The Fishery is South Australia's most important, both in terms of value of production and employment, generating around \$200m in economic activity annually and supporting 1,200 jobs. The industry has an asset value well over a billion dollars.

SEPFA's Executive Officer, Nathan Kimber can be contacted at nathan@kimberconsulting.com.au or on 0417 838 459 for further information on impacts related to the proposed offshore wind zone or to meet with your council.

We look forward to your response.

Yours sincerely



Nathan Kimber
Executive Officer
South Eastern Professional Fishermen's Association Inc.

South Eastern Professional Fishermen's Association Inc.

PO Box 395 GLENELG SA 5045

Ph: 0417 838 459 Email: nathan@kimberconsulting.com.au



SOUTHERN OCEAN OFFSHORE WIND ZONE CONSULTATION

Presentation to City of Mount Gambier
25 July 2023





What are we asking of the City of Mount Gambier

That you make a submission to the consultation process for zoning the Southern Ocean Offshore Wind Region such that the zone concludes at the Victorian and South Australian border.



The Proposed Southern Ocean Area (Source DCCEEW)





The announcement by Minster Bowen

- On the 27th June 2023, Minister Bowen, whilst in Portland Victoria, announced consultation for a new wind zone in the Southern Ocean
- The proposed zone is 5,100 square kilometres in area and extends from Warrnambool to Port MacDonnell
- The area was originally identified as one of six areas of interest for offshore wind and was supported by the Andrews' government in Victoria. It was originally labelled *The Southern Ocean Region off Portland Victoria*
- The inclusion of the area off the coast off Port MacDonnell was undoubtedly an after thought and has come about because BlueFloat Energy were late to the party in laying claim to a project site within the originally intended region.
- The included area off the coast of Port MacDonnell was nothing more than the next closest unclaimed site.





Why is the area so critical to our fishery

- The area supports the Bonny Upwelling – its classified under the Commonwealth EPBC Act as a 'key ecological feature' which supports high productivity and aggregations of marine life.
- Couple this with an abundant system of limestone reefs and kelp beds and you get an environment perfect for settlement, recruitment, and growth of Southern Rock Lobster.
- Approximately 40 vessels work out of the port of Port MacDonnell and the area sustains a catch of around 400 tonnes, annually.
- The SZRLF contributes around \$200m to the State's economy, supports 1,100 plus FTEs, and has a capital asset value well over \$1 Billion.
- Most of the economic activity occurs in the Limestone Coast region and in towns and cities like Mount Gambier.





Why is it critical we intervene at the zoning stage?

- We are of the opinion that once the proponent starts looking at the proposed project area off Port MacDonnell, they will realise its unsuitable for their bottom-fixed technology.
- Problem being that to determine suitability of site, seismic testing will be required and undertaken.
- Seismic testing is the blasting of the seafloor with high powered air-guns to establish the constitution of the seabed and bedrock.
- Seismic testing disturbs, injures, and kills marine life.
- Studies specific to seismic testing and Southern Rock Lobster show that the sound blasting damages the lobster's sensory system, and their ability to 'right' themselves.





Why as a South Australian resident should you support this recommendation?

- All projects within the proposed Southern Ocean offshore wind zone will fall under Commonwealth and Victorian jurisdiction and legislation.
- All energy produced will be cabled through the ocean floor to Portland and transmitted through the interconnector at Heywood and distributed into the Victorian energy grid.
- There will be no net energy benefit to South Australia from the Southern Ocean offshore wind zone.
- Jobs?? – the scale of the infrastructure and machinery will mean that almost all works will be undertaken out of the port of Portland.
- There will be very few if any jobs for Port MacDonnell and Mount Gambier residents.





THANK YOU



20 MOTIONS WITH NOTICE

20.1 NOTICE OF MOTION - CBD ACTIVATION (WATSON TERRACE)

Meeting: Council
CM9 Reference: AF22/378
Member: Max Bruins, Councillor

I, Councillor Max Bruins, give notice that at the next Ordinary Meeting of Council to be held on 15 August 2023, I intend to move the following motion:

MOTION

1. That Council Report No. AR23/50504 titled 'Notice of Motion - CBD Activation (Watson Terrace)' as presented on 15 August 2023 be noted.
2. That investigations be undertaken as to the viability of a trial closure of Watson Terrace on Friday evenings between 4:00pm and 10:00pm for the purposes of CBD activation (i.e. food trucks, live entertainment etc) in the months of November & December 2023.
3. That a report be brought back to council in September 2023 outlining any issues or concerns identified in (2) above.

RATIONALE

Watson Terrace and the adjoining lawns of the Cave Gardens come alive with community use for festivals such as Fringe Festival and is a unique space that is underutilised for broader CBD activation purposes. During the pleasant sunny afternoons we experience in the lead up to Christmas, it would be fantastic to see the CBD come alive on Friday evenings and have the community come together after work to share food, drinks and some live local entertainment. The purpose of this motion is to set the wheels in motion and identify any key issues that may need to be addressed and the potential costs involved in running a temporary closure of Watson Terrace on Friday evenings over the summer months.

I commend this Notice of Motion to Council.

ADMINISTRATIVE COMMENT

A report as requested can be prepared and aligned with the CBD Activation principles.

ATTACHMENTS

Nil



20.2 NOTICE OF MOTION - REPRESENTATIVE ON PUBLIC LIGHTING WORKING GROUP

Meeting: Council
CM9 Reference: AF22/378
Member: Paul Jenner, Councillor

I, Councillor Paul Jenner, give notice that at the next Ordinary Meeting of Council to be held on 15 August 2023, I intend to move the following motion:

MOTION

1. That Council Report No. AR23/52339 titled 'Notice of Motion - Representative on Public Lighting Working Group' as presented on 15 August 2023 be noted.
2. That Cr Paul Jenner continue as Councils representative on the SAPN/LGA Public Lighting Working Group.

RATIONALE

By remaining on the SAPN/LGA Public Lighting Working Group Council is able to maintain a strategic presence in a forum designed to identify and implement future public lighting initiatives. This information is then able to be directly reported back to Council.

I commend this Notice of Motion to Council.

ADMINISTRATIVE COMMENT

Cr Jenner has been Councils formally endorsed representative on the SAPN/LGA Public Lighting Working Group since February 2019. His ongoing representation in this forum benefits the strategic and operational collaboration required to ensure Council is appropriately informed of the budget, resourcing and strategic implications of any proposed initiatives.

ATTACHMENTS

Nil



21 URGENT MOTIONS WITHOUT NOTICE



22 CONFIDENTIAL ITEMS OF COMMITTEES

22.1 CONFIDENTIAL ITEMS OF THE AUDIT AND RISK COMMITTEE HELD ON 31 JULY 2023

22.2 Phriendly Phishing Report

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 22.2 AR23/36674 Phriendly Phishing Report.

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

- matters affecting the security of
 - the Council, or
 - Council Members, or
 - employees of the Council, or
 - Council property, or
 - the safety of any person

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information to be considered relates to the security of Council information systems.

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 6.1 AR23/36674 Phriendly Phishing Report and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (e) be kept confidential and not available for public inspection until further order of Council.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.



23 NEW CONFIDENTIAL ITEMS

23.1 EVENT SPONSORSHIP REQUEST – REPORT NO. AR23/54583

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 AR23/54583 Event Sponsorship Request.

The Council is satisfied that, pursuant to section 90(3) (g) and (j) 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
- information the disclosure of which would divulge information provided on a confidential basis by or to:
 - a Minister of the Crown, or
 - another Public Authority or official (not being an employee or a person engaged by the Council) that would on balance be contrary to the public interest

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because Pending State Government announcement of financial support.

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 AR23/54583 Event Sponsorship Request 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 (j) be kept confidential and not available for public inspection until a public announcement on the proposal has been made by the proponent.
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, 18 JULY 2023 AT 6.00 P.M.**

PRESENT: Mayor Lynette Martin (OAM), Cr Frank Morello, Cr Max Bruins, Cr Paul Jenner, Cr Sonya Meziniec

OFFICERS IN ATTENDANCE:	Chief Executive Officer	- Mrs S Philpott
	General Manager City Infrastructure	- Ms B Cernovskis
	General Manager Corporate and Regulatory Services	- Mrs J Fetherstonhaugh
	Manager Governance and Property	- Mr M McCarthy
	Project Manager	- Ms T McPherson
	Media and Communications Coordinator	- Ms S McLean
	Communications Officer	- Ms M Brookes
	Executive Administrator	- Ms S Wilson

1 ACKNOWLEDGEMENT OF COUNTRY

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR FIRST NATIONS PEOPLES HAVE WITH THE LAND.

2 APOLOGIES

RESOLUTION 2023/135

Moved: Cr Paul Jenner

Seconded: Cr Sonya Meziniec

That the apologies from Cr Jason Virgo, Cr Josh Lynagh, Cr Mark Lovett and Cr Kate Amoroso be received.

CARRIED

3 LEAVE OF ABSENCE

Nil

4 CONFIRMATION OF COUNCIL MINUTES

RESOLUTION 2023/136

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

That the minutes of the Ordinary Council meeting held on 20 June 2023, the Special Council meeting held on 20 June 2023 and the Special Council meeting held on 27 June 2023 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

5 MAYORAL REPORT

5.1 MAYORAL REPORT - JULY 2023

- LCLGA Board/CEO Review of Strategic Priorities – Virtual
- Junior Sports Assistance Fund Meeting
- Budj Bim Cultural Landscape Bus Tour
- MJ Dance Debutante Ball
- Radio Interview with 5GTR-FM
- Luncheon Meeting with RDALC, Member for Barker and Hon Angus Taylor MP, Shadow Treasurer
- Special Council Meeting – Adopt Annual Business Plan and Budget
- CEO Performance Review Committee Meeting
- Dinner Meeting with PIRSA CE, Professor Mehdi Doroudi PSM
- Fortnightly LCLGA Mayor's Virtual Meeting
- NAIDOC Week – Mayoral Reception, Smoking Ceremony, March to Pangula Mannamurna and Family Fun Day event
- EM Briefing – Stand Like Stone
- EM Briefing - Draft Blue Lake Sports Park Master Plan
- Volunteer Shift at Mount Gambier Toy Library
- Introductory Meeting with National Leasing Manager, Eureka Group Holdings
- Fortnightly LCLGA Mayor's Virtual Meeting
- Meeting with Hon Ben Hood MLC and Mr Adrian Pederick MP
- Closing Speech at Mount Gambier Eisteddfod
- Citizenship Ceremony
- UniSA Mount Gambier Scholarship Awards and Grants Dinner

RESOLUTION 2023/137

Moved: Mayor Lynette Martin

Seconded: Cr Sonya Meziniec

That the Mayoral report made on 18 July 2023 be received.

CARRIED

6 REPORTS FROM COUNCILLORS

Cr Frank Morello

Budj Bim Cultural Landscape Tour, NAIDOC Week Flag Raising Ceremony

Cr Paul Jenner	Budj Bim Cultural Landscape Tour (into Victoria), NAIDOC Week Smoking Ceremony, Snapshot Pro for SA Councils (via Zoom) - Ironbark, Riddoch Arts and Cultural Centre 'Winter Wonder Room', NAIDOC Week - Elders, GTE Board Meeting, Road Safety Forum for Seniors - Wulanda, District Council of Grant meeting, Regional Assessment Panel meeting.
Cr Max Bruins	SEAS Exhibition Opening, Lifeline 40 th Anniversary Luncheon.
Cr Sonya Mezinac	Meeting with National Accreditation Surveyors conducting accreditation audit of Mount Gambier Health Service, Day Field Trip to Budj Bim Cultural Lands on Gunditjmara Country, participated in judging panel for LCLHA Health Awards, NAIDOC Week Celebrations - Mayoral Reception, Smoking Ceremony, march to Pangula Mannamurna and NAIDOC Awards Ceremony, Theatrical Adaptation of Craitbul story presented by Auntie Michelle and Year 3/4 students from Reidy Park, Mount Gambier Health Advisory Council meeting, Limestone Coast Symphony Orchestra concert, SE Art Society Open Art Awards.

RESOLUTION 2023/138

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

That the reports made by Councillors on 18 July 2023 be received.

CARRIED**7 QUESTIONS WITH NOTICE****7.1 QUESTION WITH NOTICE - BUDGET - RECRUITMENT****7.2 QUESTION WITH NOTICE - ELECTED MEMBERS CATERING EXPENSES****7.3 QUESTION WITH NOTICE - COUNCIL BUSINESS****Question:**

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

Does the City of Mount Gambier or the Limestone Coast LGA have any current dealings or association with international company Price Waterhouse and Cooper (PwC Australia)?

Response:

The City of Mount Gambier does not have current dealings or association with PwC. The Limestone Coast LGA have also confirmed that they have no dealings with PwC either.

7.4 QUESTION WITH NOTICE - ANIMAL POUND AND SHELTER SERVICES**Question:**

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

Can Council please be advised of the process that has been undertaken over the past 12 months with regards to the Expression of Interest for Animal Pound and Shelter Services and any clarifications in regards to the requirements listed in the Expression of Interest.

Response:

Key Points and Events Regarding the Expression of Interest (EOI) Process for Animal Pound and Shelter Services:

Council had a tripartite agreement with DC Grant and SEAWL from July 2014, which expired on June 30, 2022, and was renewed for 12 months.

During the second half of 2022, Council conducted a review to explore models and opportunities for animal pound and shelter services.

SEAWL was engaged during the review process, and their President was briefed that we were going to Council for guidance on next steps so they would have sufficient time to prepare in the event for changes to the terms of the original agreement and Council's process of following correct procurement principles.

On 24 January 2023, Council resolved that, in accordance with its Procurement Policy, a tender, for a five-year contract term, for the provision of animal pound and shelter services on behalf of Council, be issued, in conjunction with DC Grant.

It was agreed that we would proceed with an EOI process in the first instance to get a better feel for the market.

As it was unlikely we would have an outcome from the EOI process by the expiration of the existing agreement on 30 June 2023, on 18 April 2023 Council resolved to extend the existing agreement with the current terms and conditions up to a further 12 months, or as deemed necessary.

On 20 April 2023, Council officers met with SEAWL, offering them an extension until 28 February 2024. However, SEAWL declined the extension on 15 May 2023, and the agreement with them expired on 30 June 2023. During this meeting, SEAWL were also advised and invited to participate in the EOI process but have stated publicly that they have chosen not to.

Given SEAWL's decision not to extend the agreement, Council initiated interim arrangements for impounded dogs using our 72-hour impounding kennels approved by the Dog and Cat Management Board. In addition, arrangements have been put in place to support subsequent rehoming/fostering after the mandatory 72-hour hold period.

On 5 June 2023, SEAWL staff submitted an informal proposal for surrendering impounded dogs for rehoming post the 72-hour holding period. However, after consultation with their President and board, on 27 June 2023 SEAWL declined to enter into a surrender arrangement with Council or accept any impounded dogs.

In the meantime, the interim arrangements in place will continue. Since the 1 July 2023, 17 dogs have been found wandering at large, and 16 of those were returned to their families without having been impounded. One puppy, Hector, has been fostered until he can be rehomed.

Clarification of Expressions of Interest Service Specifications:

The EOI process included a comprehensive list of services in the Service Specifications. These specifications were designed to meet the expectations and requirements of the community and also address the legislative obligations of Council under the Dog and Cat Management Act.

During the EOI process, SEAWL has made various public statements regarding these requirements, and in particular they have interpreted "effective management of the length of stay

of animals in care to ensure there is adequate capacity for incoming Council impounds all year round” as a requirement to euthanise animals in order to create space for incoming Council animals.

Council has a legislative obligation to seize and detain dogs under the Dog and Cat Management Act, and this obligation may extend to cats in the future. Therefore, the service specification included the need for adequate holding capacity to meet this obligation. However, it does not require animals to be euthanised or forcibly removed to make space for incoming Council animals.

The service provider, as the incumbent, has discretion in determining their euthanasia policy. As long as the policy complies with the requirements of the Dog and Cat Management Act and is under the advice of a registered veterinarian, the specific approach to euthanasia is at their discretion. In most cases, dogs are either reunited with their owners within the 72-hour period or subsequently rehomed. This is not dissimilar to the arrangements that were previously in place with SEAWL.

The EOI specified that the incumbent should accept deceased dogs or cats delivered by Authorised Persons. This requirement was misinterpreted to mean accepting roadkill. However, the intent behind this provision is to enable scanning of the deceased animal's microchip to determine if there is an owner. The owner can then be notified and given the option to collect the body for cremation or burial.

As part of each submission, interested parties have been asked to respond to each of the Service Specifications to outline their capacity to deliver each item (i.e. whether they can deliver the whole or part of the specification) and their proposed method of delivery for consideration.

The EOI process has closed, and evaluation of the submissions is currently underway.

Council is not considering that evaluation tonight. Council may choose to enter directly into an arrangement with a proponent from the EOI process or may undertake a further procurement process if required.

7.5 QUESTION WITH NOTICE - UMPHERSTON SINKHOLE / BALUMBUL

Question:

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

Can Council please be provided with an update on the activities being undertaken at Umpherston Sinkhole / Balumbul?

Response:

Work undertaken:

LRCI Ph 2 – Landscaping and lighting project included landscaping improvements, pathway lighting from carpark to sinkhole, clearing of overgrown vegetation (including the hanging ivy) to regenerate the grass and garden beds within the sinkhole.

Accessibility: undertaken for the stairs, a daily risk inspection is undertaken that determines access (or otherwise), additional safety signage has been installed.

Fence: undertaken on the perimeter fencing of the sinkhole, the ivy (a feature of the heritage area) is heavily integrated within the fence. Safety has not been identified as an issue however, there will be some challenges with heritage to renew the fencing due to the volume of ivy.

Future work:

SROSS identifies the strategic context of the site and will guide the masterplan scope.

Masterplan for Umpherston Sinkhole will include a new toilet block, carpark extension, landscaping, fence renewal and compliant access solutions.

Masterplan will be included in our Asset Management plans and LTFP to support resourcing, budgeting and implementation.

7.6 QUESTION WITH NOTICE - OUTDOOR PLAY AREA - WULANDA RECREATION AND CONVENTION CENTRE

Question:

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

Can Council please be updated on any installations that have been planned or budgeted for the outdoor play area at Wulanda Recreation and Convention Centre?

Response:

During the design process the outdoor play area at Wulanda Recreation and Convention Centre was raised with Elected Members. Installation of outdoor play equipment, artwork or an interactive art piece were discussed but not resolved and further discussion deferred. In the interim the water overflow issues in the said area have been fixed and turf has been laid. At this stage nothing further has been planned or budgeted for this area.

8 QUESTIONS WITHOUT NOTICE

8.1 DEVELOPMENT AT 11 WEHL STREET SOUTH, MOUNT GAMBIER

Question:

The following question was received from Councillor Paul Jenner.

Can an update be provided regarding the Development at 11 Wehl Street South, Mount Gambier.

Response:

This is the subject of a Development Application and being considered by the Regional Assessment Panel tonight.

The following information was extracted from the agenda which is publicly available on councils website.

- *This application is for a change of use of the site from an office to short term supported accommodation.*
- *This therapeutic service will focus on those recovering from alcohol and other drug dependency.*
- *It is a drug-free, voluntary program to help promote behaviour change*
- *It is a highly structured program*
- *It is not a dry-out centre or boarding house*
- *There is no medical detoxing*
- *Participants are pre-screened before joining the program.*
- *Uniting Communities believe that the service will add no additional risk for neighbours or community with the facility being staffed 24 hours a day*
- *Strict no visitor policy*
- *Previous use of site was deemed higher risk due to people access the site who were still actively using for services such as clean needle exchange with no incident or impact to the local community.*
- *Uniting Communities are registered under the National Principles for Child Safe Organisations and are required to adhere to and provide rigorous auditing and internal*

policies and procedures to ensure the organisation is compliant with this including the training of staff in Child Safe Environments

- *All participants in the program will sign a residential agreement*

Question:

Should the funding expire in the future what does that mean for the change of zoning as there is a whole lot of pain for the residents at the moment appealing at the Regional Assessment Panel meeting in the City Hall.

Response:

This question was taken on notice by General Manager Corporate and Regulatory Services.

RESOLUTION 2023/139

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

That the response to the questions regarding Development at 11 Wehl Street South, Mount Gambier raised by Councillor Paul Jenner be received and noted.

CARRIED**9 PETITIONS**

Nil

10 DEPUTATIONS

Nil

11 NOTICE OF MOTION TO RESCIND OR AMEND

Nil

12 ELECTED MEMBERS INFORMATION BRIEFING SESSIONS**12.1 ELECTED MEMBER INFORMATION/BRIEFING SESSIONS FROM 16/06/2023 TO 14/07/2023****RESOLUTION 2023/140**

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

1. That Council Report No. AR23/44816 titled 'Elected Member Information/Briefing Sessions from 16/06/2023 to 14/07/2023' as presented on 18 July 2023 be noted.

CARRIED**13 ELECTED MEMBERS TRAINING AND DEVELOPMENT**

Nil

14 COUNCIL ACTION ITEMS**14.1 COUNCIL ACTION ITEMS - 20/06/2023****RESOLUTION 2023/141**

Moved: Cr Sonya Meziniec

Seconded: Cr Frank Morello

1. That Council Report No. AR23/44826 titled 'Council Action Items - 20/06/2023' as presented on 18 July 2023 be noted.

CARRIED

15 JUNIOR SPORTS ASSISTANCE (SECTION 41) COMMITTEE MINUTES AND RECOMMENDATIONS**15.1 MINUTES OF THE JUNIOR SPORTS ASSISTANCE FUND HELD ON 21 JUNE 2023****RESOLUTION 2023/142**

Moved: Mayor Lynette Martin

Seconded: Cr Max Bruins

That the Minutes of the Junior Sports Assistance Fund meeting held on 21 June 2023 as attached be noted.

CARRIED

15.2 CORRESPONDENCE RECEIVED – REPORT NO. AR23/33110**RESOLUTION 2023/143**

Moved: Mayor Lynette Martin

Seconded: Cr Sonya Meziniec

1. That Junior Sports Assistance Fund Report No. AR23/33110 titled 'Correspondence Received' as presented on 21 June 2023 be noted.

CARRIED

15.3 STATEMENT OF REVENUE AND EXPENSES - AS AT 31 MAY 2023 – REPORT NO. AR23/35781

RESOLUTION 2023/144

Moved: Mayor Lynette Martin

Seconded: Cr Paul Jenner

1. That Junior Sports Assistance Fund Report No. AR23/35781 titled 'Statement of Revenue and Expenses - as at 31 May 2023' as presented on 21 June 2023 be noted.
2. The financial statement of the Fund as at 31 May 2023 be received, noting a cash balance of \$137,593.90.

CARRIED**15.4 APPLICATIONS FOR FINANCIAL ASSISTANCE FOR JUNIOR AND PAYMENTS FROM THE FUND - 01/02/2023 - 31/05/2023 – REPORT NO. AR23/35782****RESOLUTION 2023/145**

Moved: Mayor Lynette Martin

Seconded: Cr Max Bruins

1. That Junior Sports Assistance Fund Report No. AR23/35782 titled 'Applications for Financial Assistance for Junior and Payments from the Fund - 01/02/2023 - 31/05/2023' as presented on 21 June 2023 be noted.

CARRIED**15.5 CASUAL VACANCIES AND REPLACEMENT OF COMMITTEE REPRESENTATIVES – REPORT NO. AR23/35787****RESOLUTION 2023/146**

Moved: Mayor Lynette Martin

Seconded: Cr Frank Morello

1. That Junior Sports Assistance Fund Report No. AR23/35787 titled 'Casual Vacancies and Replacement of Committee Representatives' as presented on 21 June 2023 be noted.
2. The City of Mount Gambier Junior Sports Assistance Fund authorise Mrs Sue La Greca to action the replacement of Mrs Jeanette Elliott and Mrs Karen Cunningham to the Junior Sports Assistance Fund.
3. A report be prepared for the next meeting of the Junior Sports Assistance Fund to formally accept the resignation of Mrs Jeanette Elliott and Mrs Karen Cunningham and provide details of the replacement Committee Members for appointment.

CARRIED

15.6 COACHING CLINIC APPLICATIONS - ANNUAL CALL – REPORT NO. AR23/37010**RESOLUTION 2023/147**

Moved: Mayor Lynette Martin

Seconded: Cr Max Bruins

1. That Junior Sports Assistance Fund Report No. AR23/37010 titled 'Coaching Clinic Applications - Annual Call' as presented on 21 June 2023 be noted.
2. The following funding be made available to the Member Organisation named below to assist in the conduct of specialised coaching clinics in accordance with the guidelines for such Clinics:

(i) Blue Lake Y Swimming Club	\$2500
(ii) Basketball Mount Gambier	\$2230
(iii) Mount Gambier Swimming Club	\$2500
(iv) Mount Gambier Cycling Club	\$1500
3. A second call for Specialised Coaching Clinic Funding be advertised in October 2023 to give consideration to Member Organisations that are operational in the summer months.

CARRIED

15.7 ROTARY CLUB OF MOUNT GAMBIER LAKES - DONATION TO FINANCIALLY DISADVANTAGED JUNIOR SPORTSPERSONS – REPORT NO. AR23/37868

RESOLUTION 2023/148

Moved: Mayor Lynette Martin

Seconded: Cr Paul Jenner

1. That Junior Sports Assistance Fund Report No. AR23/37868 titled 'Rotary Club of Mount Gambier Lakes - Donation to Financially Disadvantaged Junior Sportspersons' as presented on 21 June 2023 be noted.
2. The funding be made available to the Member Organisations named below to assist the identified juniors to achieve their fullest participation with the specific purpose donation from the Rotary Club of Mount Gambier Lakes - Donations to Financially Disadvantaged Junior Sportspersons initiative, to be used in accordance with their respective confidential application:

(a) Mount Gambier Netball Association (2 applicants)	\$600
(b) Basketball Mount Gambier (2 applicants)	\$600
(c) South Gambier Football Club (2 applicants)	\$600
- (c) A second round of funding be advertised in October to accommodate Member Organisations operating in the summer months and utilise the remainder of the funding provided by the Rotary Club of Mount Gambier Lakes.
- (d) A cheque handover presentation be held immediately following the meeting with representatives of the Rotary Club of Mount Gambier Lakes to show the Funds appreciation for their ongoing support to the Disadvantaged Junior Program.

CARRIED**16 AUDIT AND RISK COMMITTEE MINUTES AND RECOMMENDATIONS**

Nil

17 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE MINUTES AND RECOMMENDATIONS**17.1 MINUTES OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE HELD ON 28 JUNE 2023****RESOLUTION 2023/149**

Moved: Cr Max Bruins

Seconded: Cr Sonya Mezinac

That the Minutes of the Chief Executive Officer Performance Review Committee meeting held on 28 June 2023 as attached be noted.

CARRIED**18 BUILDING FIRE SAFETY COMMITTEE MINUTES**

Nil

19 COUNCIL REPORTS

19.1 DRAFT BLUE LAKE SPORTS PARK MASTER PLAN

RESOLUTION 2023/150

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

1. That Council Report No. AR23/36662 titled 'Draft Blue Lake Sports Park Master Plan' as Community Consultation Summary as presented on 18 July 2023 be noted.
2. That Council endorses Option 2 of the Blue Lake Sports Park Master Plan as attached to Report AR23/36662 to guide the future development of Blue Lake Sports Park noting detailed design and further development of the governance model is required for implementation.
3. That Council notes that the Blue Lake Sports Park Master Plan is to be considered in the Long Term financial Plan and the Asset Management Plan.

CARRIED

19.2 CUSTODIAN CONSENT - GRANTS OF EASEMENT - SA POWER NETWORK - OLYMPIC PARK PRECINCT, MARGARET STREET

RESOLUTION 2023/151

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

1. That Council Report No. AR23/39986 titled 'Custodian Consent - Grants of Easement - SA Power Network - Olympic Park Precinct, Margaret Street' as presented on 18 July 2023 be noted.
2. Consent is given under section 28(2) of the Crown Land Management Act 2009 as custodian to the grant of easement for electricity purposes to SA Power Networks over areas shown as 'D' and 'E' in attachment 1 to Report No. AR23/39986 over:
 - Section 251 Hundred of Blanche contained in Crown Record Volume 5637 Folio 191.
3. The Chief Executive Officer and Mayor be authorised to execute and affix the common seal of Council to any documentation necessary to give consent to the easements in resolution (2).

CARRIED

19.3 PROPOSED ITEMS OF BUSINESS 2023 LGA ANNUAL GENERAL MEETING

RESOLUTION 2023/152

Moved: Cr Max Bruins

Seconded: Cr Sonya Meziniec

1. That Council Report No. AR23/44245 titled 'Proposed Items of Business 2023 LGA Annual General Meeting' as presented on 18 July 2023 be noted.

2. That Council prepares an item of business for the LGA/SAROC with regard to the parental income test for regional and remote students in relation to youth allowance qualification, as an item to present at the 2023 AGM.

CARRIED

19.4 UPDATE - 2 PYNE CLOSE, MOUNT GAMBIER

RESOLUTION 2023/153

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

1. That Council Report No. AR23/36336 titled 'Update - 2 Pyne Close, Mount Gambier' as presented on 18 July 2023 be noted.

CARRIED

19.5 CARRY FORWARD 2023/24 EAST GAMBIER SPORTSMEN'S CLUB COUNCIL CONTRIBUTION

RESOLUTION 2023/154

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

1. That Council Report No. AR23/44650 titled 'Carry Forward 2023/24 East Gambier Sportsmen's Club Council Contribution' as presented on 18 July 2023 be noted.
2. That Council approves the proposed total carry forward of \$75,000 for the grant provided to East Gambier Sportsmen's Club by Council to 2023/2024, and notes that the amount will be formally included in Council's approved budget as part of the Carry Forward 2023/2024 Capital Works and Grants/Sponsorships Budgets report to be brought to Council at the September 2023 meeting.

CARRIED

19.6 HOLDING OF OPEN/CLOSED INFORMATION AND BRIEFING SESSIONS

RESOLUTION 2023/155

Moved: Cr Max Bruins

Seconded: Cr Sonya Mezinac

1. That Council Report No. AR23/44347 titled 'Holding of Open/Closed Information and Briefing Sessions' as presented on 18 July 2023 be noted.
2. That the Chief Executive Officer's general intention to conduct information and briefing sessions attended by Parliamentarians in a place open to the public be noted.

CARRIED

19.7 FREEDOM OF INFORMATION - UPDATE - 2022/2023**RESOLUTION 2023/156**

Moved: Cr Max Bruins

Seconded: Cr Sonya Meziniec

1. That Council Report No. AR23/44235 titled 'Freedom of Information - Update - 2022/2023' as presented on 18 July 2023 be noted.

CARRIED**19.8 INTERNAL REVIEW OF COUNCIL ACTIONS 2022/2023****RESOLUTION 2023/157**

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

1. That Council Report No. AR23/41647 titled 'Internal Review of Council Actions 2022/2023' as presented on 18 July 2023 be noted.
2. That the background and proposal contained in Council Report No. AR23/41647 relating to Section 270 of the Local Government Act 1999 be included in Council's 2022/2023 Annual Report.

CARRIED**20 MOTIONS WITH NOTICE****20.1 NOTICE OF MOTION - OPERATING COSTS OF WULANDA****20.2 NOTICE OF MOTION - MFS****RESOLUTION 2023/158**

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

1. That Council Report No. AR23/45969 titled 'Notice of Motion - MFS' as presented on 18 July 2023 be noted.
2. That Mayor Lynette Martin, Cr Paul Jenner and Sarah Philpott, Chief Executive Officer, from the City of Mount Gambier urgently request another meeting with the Minister for Police, Emergency Services and Correctional Services - Joe Szakacs MP, Chief Executive Officer of MFS - Michael Morgan, Chief Executive Officer of SAFECOM, Member for Mount Gambier - Troy Bell MP and Minister for Primary Industries and Regional Development - Hon. Clare Scriven MLC, regarding the following:
 - (a) The replacement appliance that came to Mount Gambier as the new second hand first response unit, that was sent back to Adelaide for 7 1/2 months to get repaired and only just come back.
 - (b) To consider Mount Gambier becoming a 24/7 station, so that the response time to a house, business or industrial fire is immediate.

(c)	Courses and training access for the MFS staff in Mount Gambier equal to that provided to MFS teams in Adelaide.
(d)	the Mount Gambier MFS Station has aged and outdated gym equipment that is not fit for purpose.
3.	That in requesting the meeting, the Minister for Police, Emergency Services and Correctional Services - Joe Szakacs MP be asked to consider the attendance of Maxine Adlam, Secretary for United Fire Fighters Union of South Australia Inc. at the meeting.
4.	That a copy of the correspondence be provided to the Premier of South Australia - Peter Malinauskas MP, Member of the Legislative Council - Hon. Ben Hood MLC and Maxine Adlam, Secretary for United Fire Fighters Union of South Australia Inc.

CARRIED**21 MOTIONS WITHOUT NOTICE**

Nil

22 CONFIDENTIAL ITEMS OF COMMITTEES**22.1 CONFIDENTIAL ITEMS OF THE CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE HELD ON 28 JUNE 2023****22.2 INDEPENDENT REVIEW OF CHIEF EXECUTIVE OFFICER AND REMUNERATION REVIEW – REPORT NO. AR23/34047****RESOLUTION 2023/159**

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except the Mayor, Councillors and S Philpott, B Cernovskis, J Fetherstonhaugh, M McCarthy, T McPherson, S McLean, M Brookes and S Wilson be excluded from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 22.2 AR23/34047 Independent Review of Chief Executive Officer and Remuneration Review.

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

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)
- information concerning matters that must be considered in confidence in order to ensure that the Council does not:
 - breach any law, order or direction of a court or tribunal constituted by law,
 - breach any duty of confidence, or
 - breach any other legal obligation or duty

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the subject matter includes information

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

CARRIED

Sarah Philpott, Chief Executive Officer, declared a conflict of interest and left the meeting at 6:55pm.

RESOLUTION 2023/160

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 5.1 AR23/34047 Independent Review of Chief Executive Officer and Remuneration 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) (a) and (g) be kept confidential and not available for public inspection until 2 years after the initial appointment term and any renewal term of the Chief Executive Officer, Sarah Philpott has lapsed, to be reviewed at least once in every 12 month period, with the exception of the relevant salary register details which are to be updated within 28 days of any change in remuneration.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CARRIED

23 NEW CONFIDENTIAL ITEMS

23.1 CHIEF EXECUTIVE OFFICER KPI'S 2023 – REPORT NO. AR23/42206

RESOLUTION 2023/161

Moved: Cr Max Bruins

Seconded: Cr Sonya Meziniec

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except the Mayor, Councillors and S Philpott, B Cernovskis, J Fetherstonhaugh, M McCarthy, T McPherson, S McLean, M Brookes and S Wilson be excluded from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 23.1 AR23/42206 Chief Executive Officer KPI's 2023.

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

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the subject matter includes information concerning the personal employment affairs of the Chief Executive Officer, Sarah Philpott for which a duty of confidence has been established.

CARRIED

Sarah Philpott, Chief Executive Officer, returned to the meeting at 6:59pm.

RESOLUTION 2023/162

Moved: Cr Max Bruins

Seconded: Cr Paul Jenner

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 23.1 AR23/42206 Chief Executive Officer KPI's 2023 and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (a) be kept confidential and not available for public inspection until the KPI's have been adopted by Council.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CARRIED

24 MEETING CLOSE

The Meeting closed at 7:06pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 15 August 2023.

.....
PRESIDING MEMBER

**MINUTES OF CITY OF MOUNT GAMBIER
AUDIT AND RISK COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON MONDAY, 31 JULY 2023 AT 5.30 P.M.**

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

OFFICERS IN ATTENDANCE:	Acting Chief Executive Officer General Manager Corporate and Regulatory Services Manager Organisational Development Human Resource and Risk Coordinator Team Leader iServices Executive Administrator	- Ms B Cernovskis - Mrs J Fetherstonhaugh - Ms R Datta (virtual) - Ms L Little - Ms J Fowler - Ms S Wilson
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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.

2 APOLOGY(IES)

Nil

3 CONFIRMATION OF MINUTES

COMMITTEE RESOLUTION

Moved: Belinda Johnson
Seconded: Alexander Brown

That the minutes of the Audit and Risk Committee meeting held on 5 June 2023 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 QUESTIONS WITHOUT NOTICE

Nil resolved

5 REPORTS

5.1 WORK HEALTH SAFETY AND WELLBEING MANAGEMENT

COMMITTEE RESOLUTION

Moved: Paul Duka
Seconded: Alexander Brown

1. That Audit and Risk Committee Report No. AR23/43765 titled 'Work Health Safety and Wellbeing Management' as presented on 31 July 2023 be noted.

CARRIED

5.2 RISK MANAGEMENT REPORT JUNE 2023

COMMITTEE RESOLUTION

Moved: Paul Duka
Seconded: Alexander Brown

2. That Audit and Risk Committee Report No. AR23/43768 titled 'Risk Management Report June 2023' as presented on 31 July 2023 be noted.

CARRIED

RISK MANAGEMENT REPORT JUNE 2023 – RISK MATRIX

COMMITTEE RESOLUTION

Moved: Alexander Brown
Seconded: Belinda Johnson

2. That the Audit and Risk Committee note the ongoing work underway and planned review of the risk matrix and ratings in conjunction with the LGRS and the development of a risk appetite statement in conjunction with Council.

CARRIED

5.3 REVIEW OF COUNCIL POLICIES - UPDATE

COMMITTEE RESOLUTION

Moved: Mayor Lynette Martin
Seconded: Belinda Johnson

1. That Audit and Risk Committee Report No. AR23/44652 titled 'Review of Council Policies - Update' as presented on 31 July 2023 be noted.

CARRIED

6 CONFIDENTIAL ITEMS

6.1 PHRIENDLY PHISHING REPORT – REPORT NO. AR23/36674

COMMITTEE RESOLUTION

Moved: Alexander Brown
Seconded: Belinda Johnson

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Audit and Risk Committee orders that all members of the public, except the Mayor, Councillors and (Community Members) be excluded from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 6.1 AR23/36674 Phriendly Phishing Report.

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

- matters affecting the security of
 - the Council, or
 - Council Members, or
 - employees of the Council, or
 - Council property, or
 - the safety of any person

The Audit and Risk Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information to be considered relates to the security of Council information systems.

CARRIED**COMMITTEE RESOLUTION**

Moved: Mayor Lynette Martin

Seconded: Belinda Johnson

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 6.1 AR23/36674 Phriendly Phishing Report and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (e) be kept confidential and not available for public inspection until further order of Council.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

CARRIED**7 MEETING CLOSE**

The Meeting closed at 6:37 pm.

The minutes of this meeting were confirmed at the Audit and Risk Committee held on 30 October 2023.

.....
PRESIDING MEMBER

16.2 WORK HEALTH SAFETY AND WELLBEING MANAGEMENT – REPORT NO. AR23/43765

Committee:	Audit and Risk Committee
Meeting Date:	31 July 2023
Report No.:	AR23/43765
CM9 Reference:	AF11/863
Author:	Leanne Little, Human Resources & Risk Coordinator
Authoriser:	Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services
Summary:	This report is a summary of Councils 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. AR23/43765 titled 'Work Health Safety and Wellbeing Management' as presented on 31 July 2023 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 which will continue to 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 April 2023-May 2023






WORK, HEALTH, SAFETY AND WELLBEING MANAGEMENT REPORT

Bi-Monthly Report | April 2023 – May 2023

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 demonstrated a consistent increase in hazard and incident reporting over the recent months. The Organisational focus will now shift towards the training of People Leaders in the hazard and incident investigation phases which will ultimately reduce the outstanding actions and investigations.

The training with hazard and incident investigation will be completed by the HR & WHS Team combined with The People Leader Teams.

There was no notifiable incident reported to Safework SA for the period of April 2023 and May 2023.

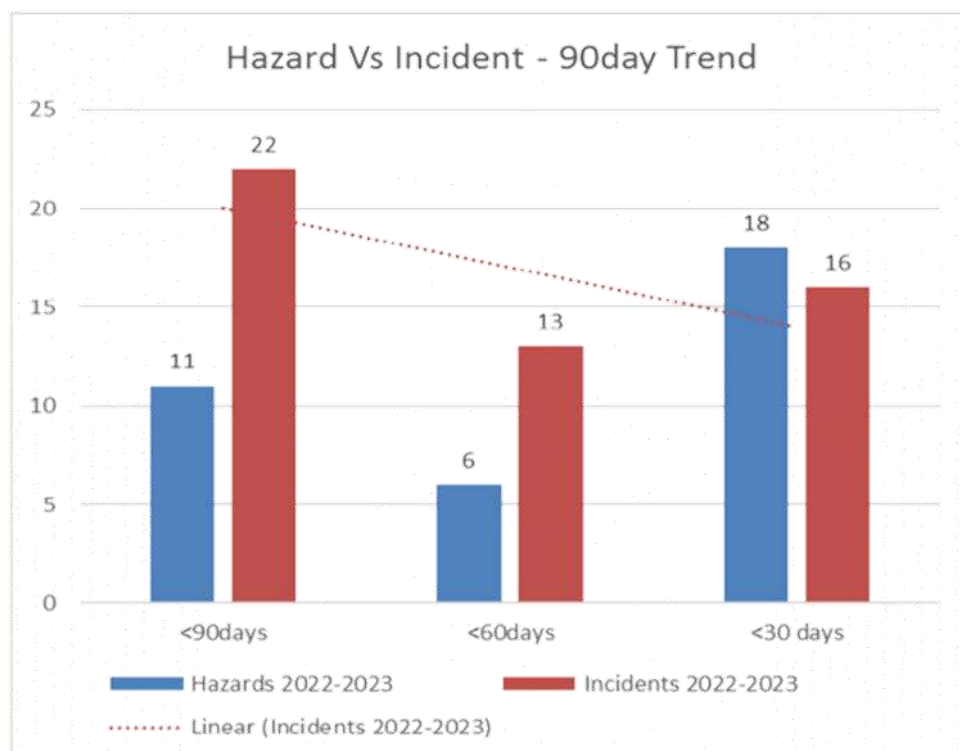
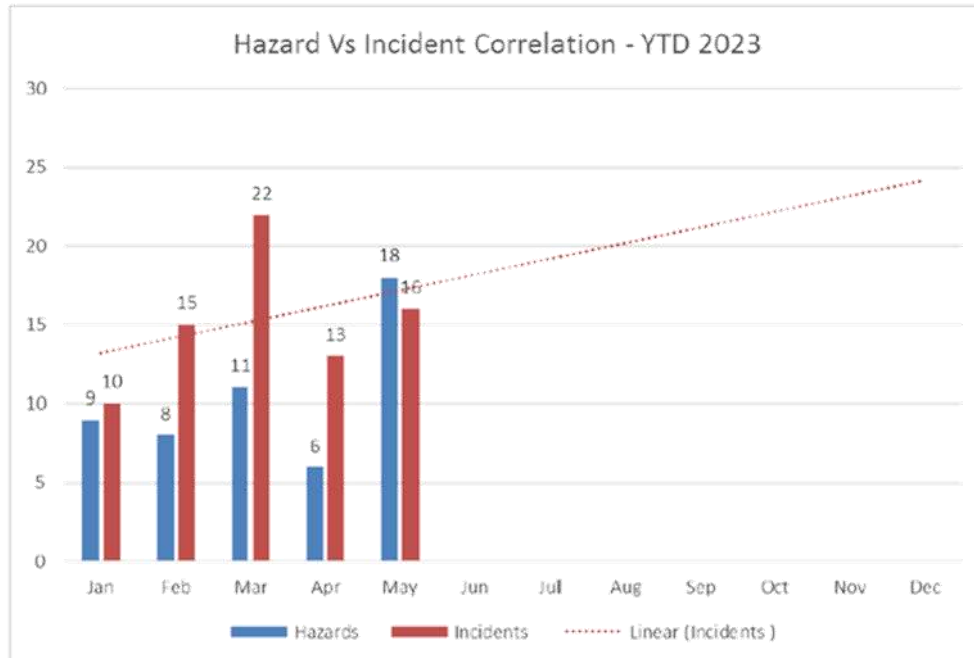
Current focus areas for the COMG:

- WHS IM Action Plan Monitoring tool for 2023, continue working through committed actions for completion by September 2023.
- Ongoing management of injury management claims for work related matters with LGWCS and management of non-work-related matters by the HR team and direct people leaders.
- Partnering with People Leaders to develop targeted investigation, incident, and corrective action training, using real organisation scenarios for maximum effectiveness (Expected to be delivered on a regular basis during 2023).
Partnering with people leaders to improve the timely review of hazard review and investigation.
Partnering with People Leaders to ensure employees NON work-related illness and injury is supported through a structured return to work process.



2. Correlation between Hazards vs. Incidents

2.1



3. Hazard Management

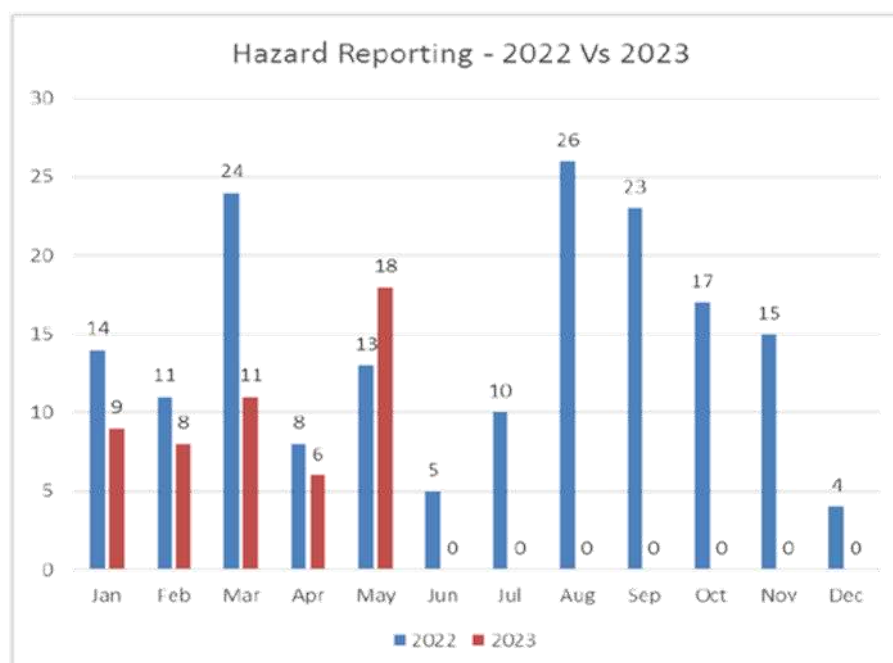
3.1 Total Hazard Reports - Yearly Comparison

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

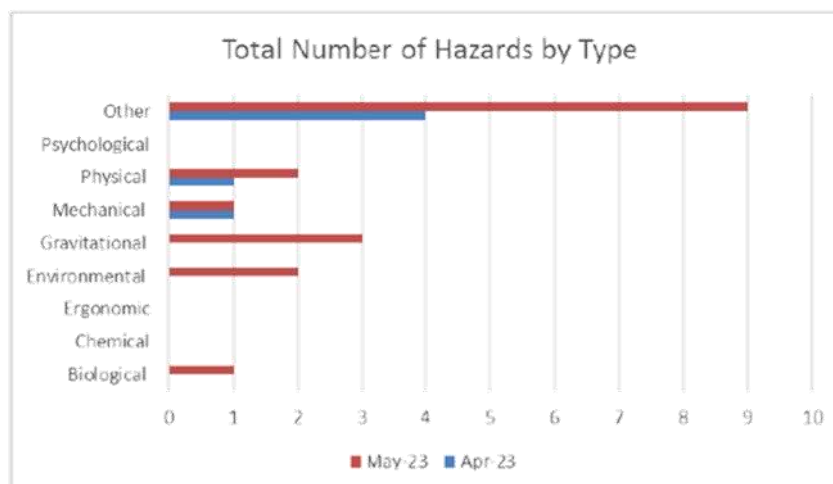
This assists with providing management an analysis of seasonal hazard trends which may occur across the organisation.

There was a total of six (6) hazards reported for April 2023 and eighteen (18) for May 2023 compared to eight (8) for April 2022 and thirteen (13) in May 2022.

This data indicates a similar reporting trend for the months of April and May 2023 compared to April and May 2022. The organisations need to continue to promote and focus on increasing hazard reporting. The large peaks are indicating these are the months where there has been a strong emphasis on hazard reporting.



3.2 Hazards by Type



3.3 Effective Hazard Management for the month of April 2023 and May 2023

The total amount of hazards outstanding as at the 31st May 2023 is one hundred and twenty-seven (127).

The total percentage of hazards closed for the period of April 2023 to May 2023 is 37.5%. This represents an increase in closure rate of previous period being 31.58%.

The average days taken to assess and close a hazard in the months of April 2023 to May 2023 period is 6.22 days. This is slight increase from the February 2023 – March 2023 reporting period which was 4.17 days

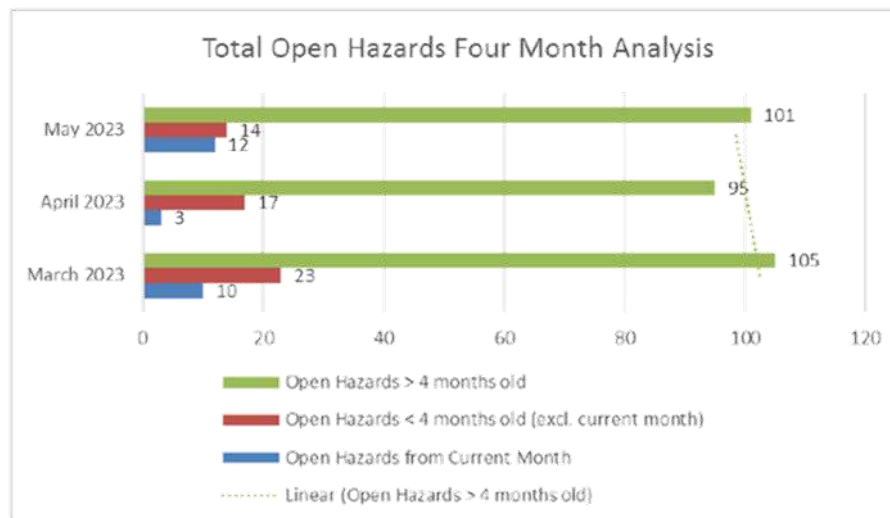


3.6 Hazard Management Closure Rate by Four-month Analysis

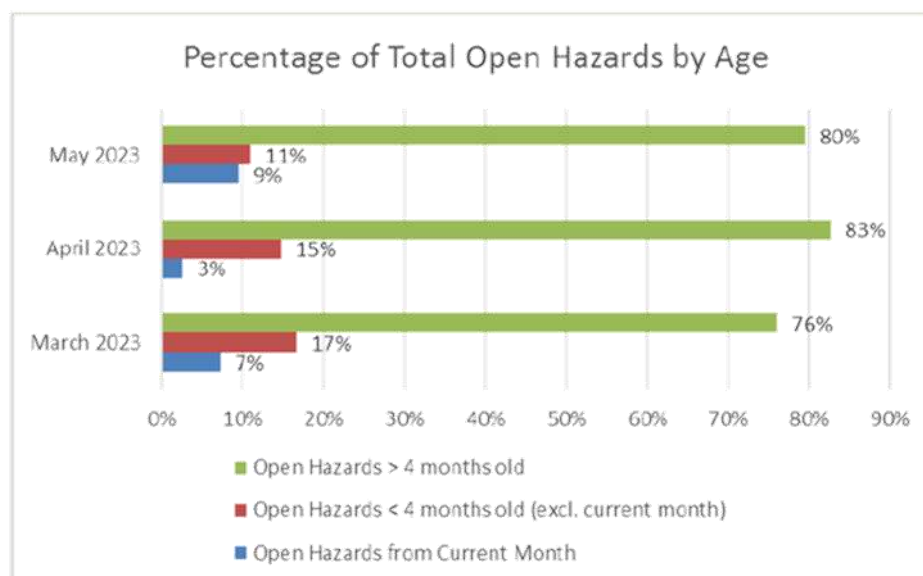
The total amount of open hazards within four months has decreased from 25% in February 2023 to 11% in May 2023 and the overall total of outstanding hazards has stayed around the same with 128 in February 2023 to 127 in May 2023.

The linear trend on the four-month analysis indicates the total number of hazards open greater than four (4) months has remained consistent with one hundred and one (101) hazards greater than 4 months old being open as at 31st May 2023.

This represents a slight downward trend compared to one hundred and five (105) as at 31st March 2023.



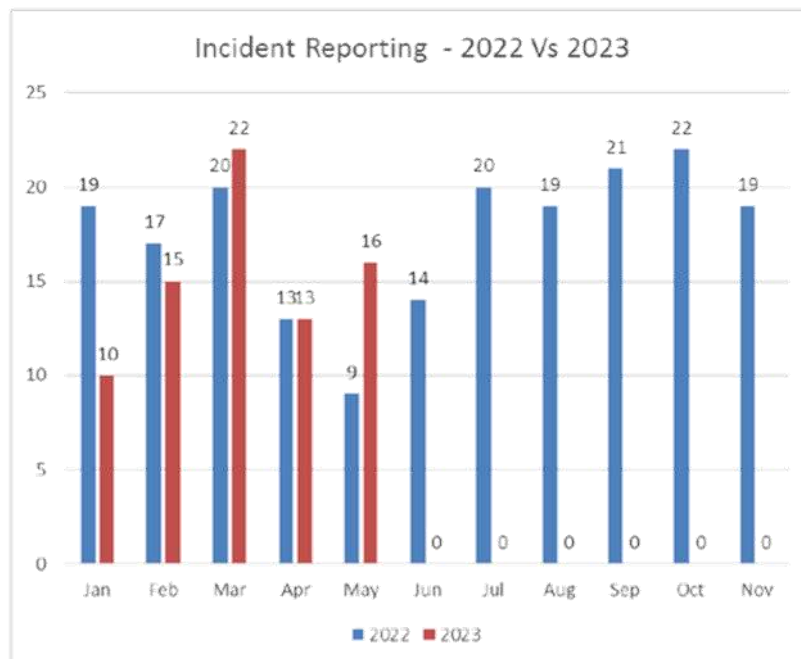
The total amount of open hazards that are outstanding greater than four months is steadily increasing from 76% in March 2023 to 80% in May 2023 although we expect to see a decrease in this percentage due to the training being undertaken within the organisation.



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 April 2023 was thirteen (13) and May 2023 was sixteen (16) this indicates there is a slight decrease in reporting from the February 2023 and March 2023 reporting period, however reporting for April and May 2023 is a similar comparison to the year 2022.

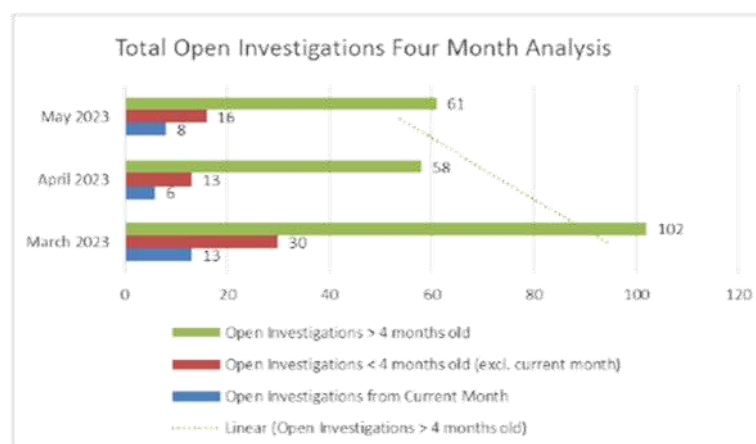


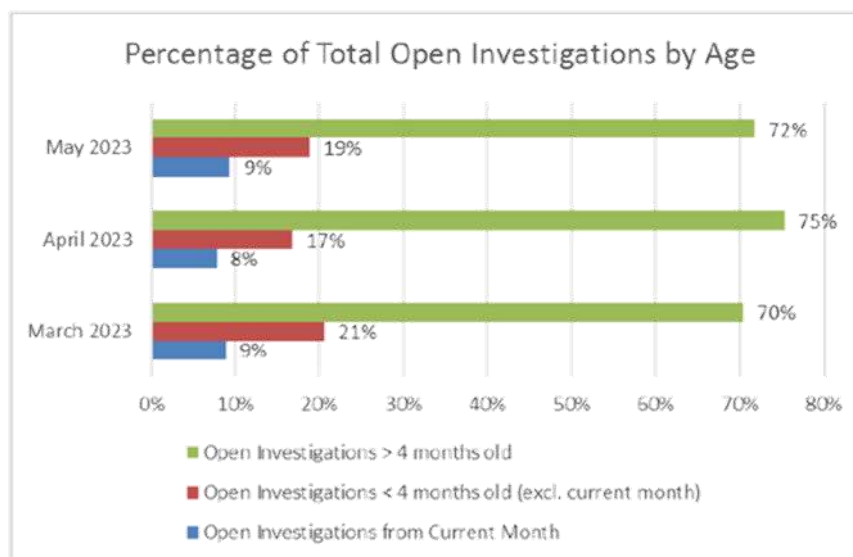
4.2 Effective Investigation Management

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 decreased from 21% at the end of March 2023 to 19% at the end of May 2023. This is a direct result of the training being undertaken within the organisation.

The total amount of open investigations that are outstanding greater than four months has slightly increased from 70% at the end of March 2023 to 72% at the end of May 2023. This slight increase is likely to be rectified during the next reporting period.





4.4 Open and Overdue Investigations by Department

There is a total of eighty-five (85) open investigations for the organisation at the end of May 2023. This is significant decrease from one hundred and forty-five (145) at the end of March 2023.

5. Inspections and Audits

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

Current overdue inspections:

There are currently zero (0) overdue site inspections.

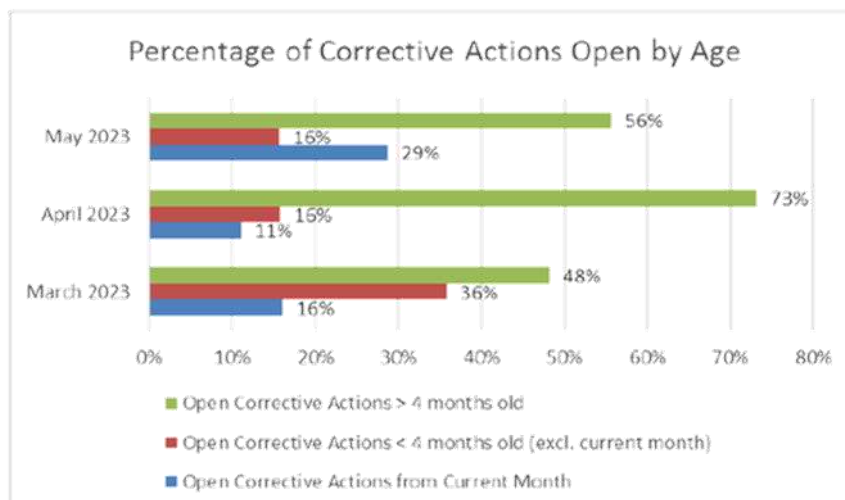
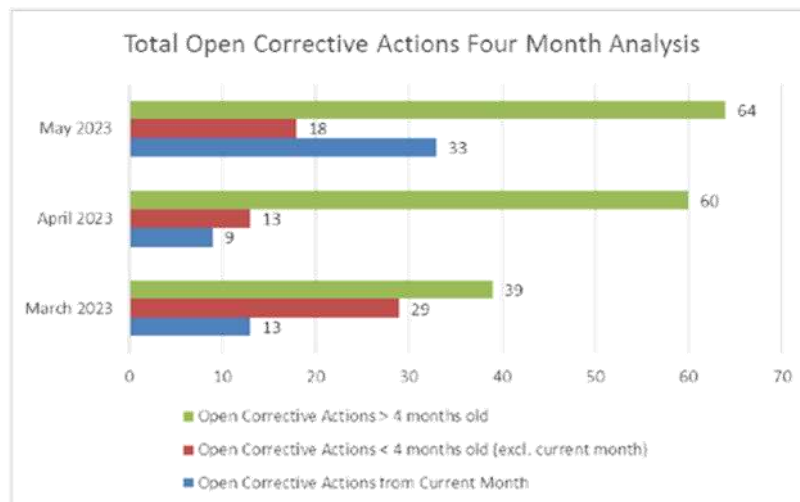
6. Corrective Actions Register

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 nine (9) corrective actions issued in April 2023 and a total of thirty-three (33) as at the end of May 2023 an overall total of one-hundred and fifteen (115) outstanding actions.

The total amount of open corrective actions that are closed within four months has decreased from 36% in March 2023 to 16% in May 2023. This decrease is likely attributed to open corrective actions rolling over to the greater than four months period.

The total amount of open corrective actions that are outstanding greater than four months has increased from 48% in March 2023 to 56% in May 2023.



7. Injury Management

7.1 Lost Time Injury Frequency Rate (LTIFR) –

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.

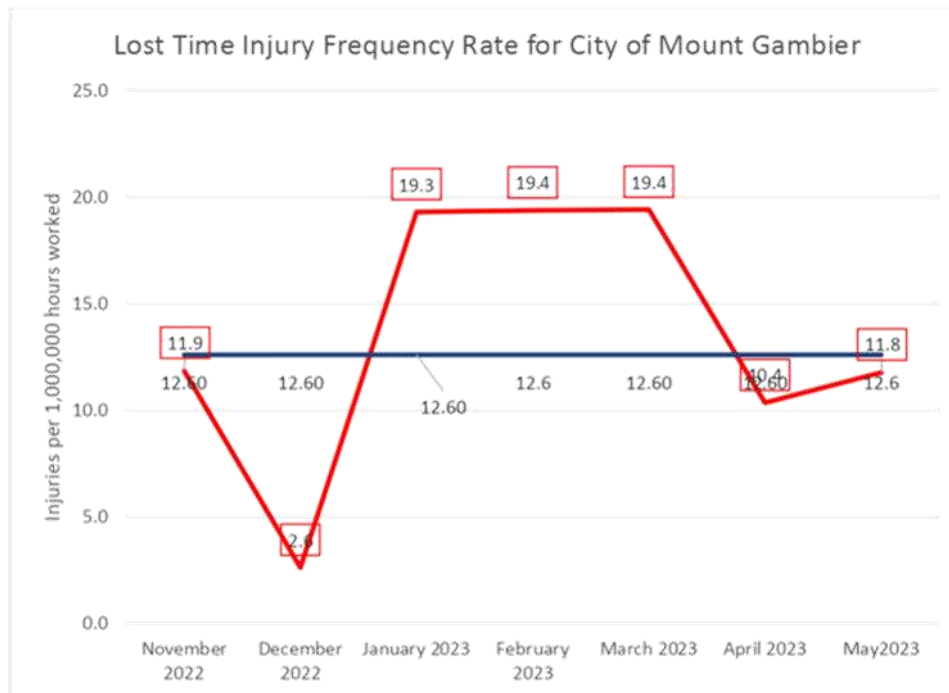
- LTIFR refer to the number of lost-time injuries within a given accounting period, relative to the total number of hours worked in that period.
- LTIFR is a proxy measurement for safety performance.

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.

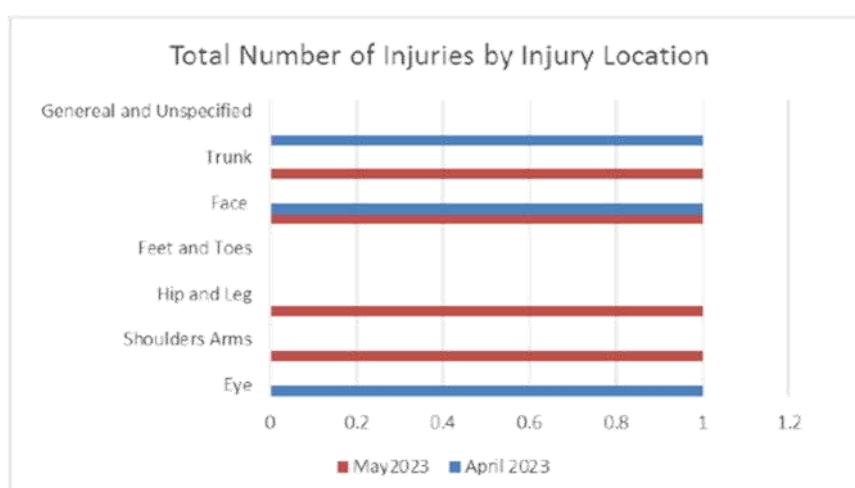
The Lost Time Injury Frequency Rate (LTIFR) industry benchmark determined by Safework SA for Local Government Administration is 12.0 and for Local Government Field Staff is 12.6.

The below graph provides a comparison for the City of Mount Gambier against the industry benchmark for the last four months using the Field Staff benchmark.

For the months of April 2023 and May 2023 the City of Mount Gambier significantly reduced its lost time injury rates, which put us below the industry standard. This is directly attributed to employees returning from injury to full time duties or increased capacity.



7.2 Injuries by body location details – April 2023 to May 2023



8. IM WHS Action Plan

8.1 WHS IM Action Plan Progress Report– (Yearly action plan – AR22/75636

The human resources team have commenced coordinating the required actions within the plan and will continue to engage with people leaders, HSR's and the WHS Committee to provide the necessary support to assist in achieving the identified actions.

April 2023 update -

- As at end of April 2023 **62%** (April) of planned actions have been closed out with 7 actions outstanding (October to April)
- A total of 30 actions were identified to be closed out by end of September 2023
- Achievement for the **year** (to date) is 13 actions closed with 17 actions programmed to be completed by 30th September 2023

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.

This guidance tool has been developed to assist the organisation to effectively manage the recruitment, retention and health and wellbeing of the workforce.

The guidance tool addresses the following

- Employment of employees outside the organisation
- Retaining the services of older employees; and
- Council and employees working together to maintain the health, safety, wellbeing and sustainability of all employees, with a particular focus on older employees.

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	AR17/33128	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	Review completed and endorsed by ELT and WHS Committee. Further review is required for this procedure, which was identified in the Contractor Management Training that as conducted the week of the 6 February 2023. Training identified that some minor review variations are required to the procedure, HR will work with the committee to update the procedure. Currently out for consultation.
Hot work Procedure	AR17/33079	WHSC	Jan 2022	WHS committee required to provide feedback by 14/10/2022. Further review required by keys stakeholders and subject matter experts.
Prevention of falls procedure	AR15/28158	WHSC	Jan 2022	Currently under review by the WHS Committee.

16.3 RISK MANAGEMENT REPORT JUNE 2023 – REPORT NO. AR23/43768

Committee:	Audit and Risk Committee
Meeting Date:	31 July 2023
Report No.:	AR23/43768
CM9 Reference:	AF11/863
Author:	Leanne Little, Human Resources & Risk Coordinator
Authoriser:	Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services
Summary:	This report provides a summary of work undertake towards strategic risk management within the City of Mount Gambier.
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. AR23/43768 titled 'Risk Management Report June 2023' as presented on 31 July 2023 be noted.



TYPE OF REPORT

Other

BACKGROUND

The purpose of this report is to provide a detailed summary of Risk Management Practices across the City of Mount Gambier that provide control measures to manage risk and assist in raising the profile of risk awareness within the organisation.

This report will highlight the work being undertaken to manage the Strategic Risks identified by the Executive Leadership Team exposure.

1. Top Strategic Risks identified for City of Mount Gambier

The below table represents the current Strategic Risks identified and current risk rating assessed by the City of Mount Gambier Executive Leadership Team in October 2022. Whilst the organisation recognises that Cyber Security is the highest risk the Strategic risk identified as a 'high' risk rating are in no order of importance, except for Financial Sustainability.

	Strategic Risk Description	Inherent Risk Rating (without controls)	Current Risk Rating
1	Cyber Security	Extreme	High
2	Financial Stability	Extreme	High
3	People Workforce and Compliance	Extreme	High
4	Climate and Future Vulnerability	High	High
5	People Culture and Workforce Planning	Extreme	High
6	Safety Compliance and WHS Management	Extreme	High
7	Environment Compliance	High	High
8	Major Infrastructure	Extreme	High
9	Governance, Compliance and Legislative Obligations - Council operate in accordance with relevant legislation, policies, governance, and business practice and ensure professional and ethical standards.	Extreme	High
10	Political Risk and Stability	Medium	Medium
11	Economic Development	Medium	Medium
12	Contract Management, Procurement and Project Management	Medium	Medium
13	Relationship, Connection and Engagement with Community	High	Low

1.1 Cyber Security



A Cyber Security risk report has been provided as a separate confidential item to this committee.

1.2 Financial Sustainability

- **Inherent Risk Rating** - Is extreme, considering the current economic conditions of increasing interest rates and actual CPI (7.9%-8.6% over the last three quarters for actual Adelaide CPI). These factors would not only have an impact on Council's ability to fund its operations and capital works including servicing current debt levels.
- **Current Risk Rating** - The current risk rating is high with the controls as currently in place. This considers the debt structuring undertaken to minimise exposure to interest rate increases whilst maintaining required flexibility and the upcoming asset valuations that are expected to have an impact on depreciation and the forward capital works program and Asset Management Plans/LTFP. Close regular monitoring of financial performance and quarterly budget reviews are in place to mitigate financial risks.

Treatment Actions

- **LTFP** - Long Term Financial Plan and supporting Asset Management Plans reviewed and adopted annually aligned with the Annual Business Plan.
- **Quarterly Budget Review Process** - Quarterly forecast process aligned with legislation.
- **Financial Performance Reporting** - Monthly reporting prepared with a focus on hindsight, insight and foresight for the Executive, General Managers and Managers. Supported by a comprehensive budgeting and financial reporting tool.

Actions Planned or Undertaken:

- **Grants** - Development of performance reporting on external grants for the Executive and Council. To be supported by a Council policy and administrative principles/procedures **UNDERWAY**
- **LTFP** - An interim LTFP with supporting IAMPs will be developed for draft delivery. Expected completion January 2024.
- **Budget Development Process** - Comprehensive process that builds the budget with the budget holders, reviews with the Executive and Elected Members and meets legislative requirements. Complete June 2023 (current review of this process is underway).
- **Better Practice Model** - Adopted with a review of key internal financial controls undertaken at least bi-annually with half yearly reporting to the Audit and Risk Committee. Complete June 2023.
- **Treasury Management** - Regular reporting to Executive members on borrowings/cash flow. Debt structuring approach developed and implemented during 2021/22 and 2022/2023. Further reporting to be developed. Annual report to the Audit and Risk Committee. Expected completion January 2024.
- **Legislated Policies** - Draft Prudential Management Policy developed. Audit and Risk Committee Meeting July 2023.
- **Budget Reviews** - Internal review of Budget Review in the context of the LTFP to be undertaken. Expected completion February 2024.
- **Business Process Improvement** - Further to a post implementation review to be undertaken in July 2023, the Annual Business Plan, Budget and LTFP process will be developed. Expected completion September 2023.



1.3 People Workforce and Compliance

The organisation achieved Child Safe Accreditation in December 2022 through the Department of Human Services. The Human resource Team continues to monitor compliance with policy by maintaining a compliance file, regular reporting and implementation of mandatory checks prior to recruitment.

Recruitment processes and Induction & Onboarding processes have been identified as key strategic projects for 2023/2024 and will commence shortly. These projects will improve and enhance the organisations overall workforce, recruitment, onboarding and compliance requirements.

Treatment Actions

- Policy is currently endorsed, standards and competencies have been identified. Compliance reporting requires improvement, recruitment process require improvement, meeting obligation and maintaining relationship with DHS
- Commitment at Executive Leadership Team level to Recruitment and Induction and Onboarding strategic project within 2023/2024.

Actions Planned or Undertaken:

- Ongoing monitoring of screening compliance at prescribed sites **ONGOING**
- Increasing compliance and screening across the entire organisation to allow staff to work freely across sites and locations without compromising compliance requirements. **ONGOING**
- Development of monthly compliance reporting for Management Team Level and quarterly compliance reporting to be submitted to Executive Leadership Team. **PLANNED**

1.4 Climate and Future Vulnerability

The organisation continues to work towards an increased capacity of resources trained within Local Government approved support being iResponda. This training will ensure the organisation is adequately equipped to manage emergencies and support neighbouring Councils.

Treatment Actions

- Partnership with Local Government Vulnerability project.

Actions Planned or Undertaken:

- Follow up on participation and scheduled start dates for the LGRS Vulnerability Project
- Completion of Insurance Renewal Process

1.5 People Culture and Workforce Planning

The organisation is committed to commencing strategic workforce planning project as a phased multi financial year key strategic project in 2024/2025.



A pulse check on employee satisfaction was completed in December 2022. The Executive Leadership Team in conjunction with the Management Team are working through a number of actions to assist with addressing opportunities for improvement. The actions will be designed in a collaborative manner that are meaningful and give responsibility and accountability to all staff employed by the organisation.

Treatment Actions:

- Development of HR Framework **UNDERWAY**
- Employee Satisfaction and Culture surveys **UNDERWAY**
- Development of strategic workforce planning **to commence in 2024/2025**

Actions Undertaken or Planned:

- Development of Strategic initiatives for ALL people leaders across the organisation that provide solutions for concerns raised within pulse survey.
- Enterprise Bargaining Agreements negotiated and in place.
- Introduction of a Leadership Capabilities Framework had been commenced.

1.6 Safety Compliance and WHS Management

The organisation continues to mitigate risk by deploying resources to training and development of WHS management Systems within the Infrastructure Team, focusing on incident investigation training and development of appropriate monitoring tools.

Treatment Actions:

- Increased compliance reporting is required to accurately identify trends, education, engagement and effective implementation.
- Monitor of statistical and actual data which identifies improvements and areas of opportunity for increased Safety awareness.

Actions Planned or Undertaken:

- Successful recruitment of a Work Health safety Field Partner on a fixed term basis to boost the Safety Always Culture and build internal capabilities.
- Identification of key training requirements and subsequent training plan for all employees with a focus on infrastructure workforce as the priority.
- Continue participation within LG Safe project which is one system approach to WHS document management for all Councils.

1.7 Environmental Compliance

The organisation continues to make Environmental Compliance a priority and part of usual business. Partnerships with external stakeholders are being managed carefully including commitments to Corrective Actions at the Landfill site. The development of the Waste, Reuse and Environmental Strategy schedule for completion at the end of December will outline the organisations requirements moving forward.

Treatment Actions:



- Review all sites for compliance and licence requirements, development of compliance register, adequate monitoring systems, maintaining relationships with external stakeholders and regulatory authorities. EPA, CASA, SA Water, DENR
- Current vacancy for Manger Waste and Reuse, continue with recruitment.

Actions Planned or Undertaken:

- Development of Waste, Reuse and Environmental Master plan (Internal) **Due 31 Oct 2023**
- Development of Waste, Reuse and Environmental Strategy (State Government) **Due 31st December 2023**
- Completed Caroline Landfill Environmental Management Plan Submitted to EPA feedback receive corrections underway
- Service reviews (**Currently Underway completion June 2024**)
- Development Waste Asset Management plan
- Engagement of Eternal Engineering Consultants (Contracted to Waste Management) **Start July 3 2023 Set KPIs for contract period**

1.8 Major Infrastructure

A service review of City Infrastructure has identified gaps with the current systems, process and corporate knowledge as well as capability and capacity within the existing structure that presents a risk to Council as an organisation.

Treatment Actions:

- **Asset Valuations** - To be undertaken for Infrastructure, Land and Artwork assets as agreed with the external auditors to be incorporated in the year-end financial statements and revised IAMPs and Asset Management Plans.
- **Strategic Work Plan** - Strategic Review of Asset Management (Planning Approach) project has commenced as part of a three-year project in support of Council's Strategic Work Plan
- Re-structure to focus on Engineering Design and Assets and operational delivery

Actions Undertaken or Planned:

- **Asset Management Summary** - Draft developed, presented to Council, and incorporated in the LTFP and Annual Business Plan and Budget. **Complete June 2023.**
- **Wulanda Insurance Valuation/Useful Lives Review** - An external valuer undertook an insurance valuation at the request of LGRS in March 2023. The asset register and useful lives for Wulanda were provided by the project team and reviewed by an external consultant and internal Financial Services staff. A further report was produced by the external valuer that provided recommendations that were incorporated in the depreciation forecasts incorporated in the Annual Business Plan and Budget and LTFP. **Complete June 2023.**
- **Infrastructure Condition Audits** - Work completed by an external contractor for incorporation in the valuation, and next version of the IAMPs and LTFP. **Complete March 2023.**
- **Infrastructure Valuation** - External consultants appointed to undertake valuation to be incorporated in the 2022/2023 financial statements and next version of the LTFP. **Expected completion August 2023.**



- **Buildings Valuation** - External consultants previously appointed to undertake valuation to be incorporated in the 2023/2024 financial statements and next version of the LTFFP. **Expected completion October 2023.**
- **Future Works Delivery program** – Development of Future Works Delivery program to incorporate asset renewal projections based on current conditions and future values. **Ongoing**
- **Asset Class** – registration and review of all current Asset Class and development of comprehensive asset management plan per class. **Ongoing**
- **Asset Category** – Development of plan to identify services and future demands of asset category. **Planned**

1.9 Governance Compliance and Legislation

Full Review of Council Delegations conducted, presented to Council June 2023.
Administrative involvement with LG sector legislative compliance working group.
Statutory Registers periodically reviewed, updated and published.
Policy Register maintained, overdue policies reported to relevant Managers, ELT.

Treatment Actions:

- Implementation of a Legislative Compliance Register for Organisational and departments, Internal Auditing Function, Training and Competency Plan.

Actions Planned or Undertaken:

- Initial Legislative Compliance tables anticipated early in 2023-24 financial year together with procurement of software module.
- Further information to be obtained from General Manager Corporate and Regulatory, Manager Finance and Manager Organisational Development.

1.10 Political Risk and Stability

Initial Member Policies reviewed and presented to Council post-election.
Initial post-election Member Induction and Mandatory training commenced in November 2022-January 2023.
Strategic Planning Day for Members held with Executive in March 2023.

Treatment Actions:

- Review policies, procedures and prior to new election period. Induction to Political Environment, including intro to Local Government, attendance at Council meetings, review currency and detail of partnerships advocacy and priorities document.

Actions Planned or Undertaken:

- Mandatory Member training sessions scheduled in Aug, Sept, October 2023.
- Further Member / Council Policies scheduled for review in 2nd half 2023.
- Ongoing monitoring of the Elected Body Relationship with the organisation.

1.11 Economic Development



The future of Mount Gambier's economy is not influenced entirely by Council, rather by many factors locally, nationally & globally. It is therefore imperative that council maintains strong partnerships and relationships with all levels of government and private enterprise. Critical controls in place are not limited to maintaining effective relationships with our neighbouring and regional councils (including cross-border) to forge stronger future outcomes for our region.

Treatment Actions:

- Review Limestone Coast economic growth strategy, develop Investment and Attraction platform, contribute to the development of the Regional Plan and commit to its local implementation.
- Supporting the community events and business with funding and guidance and advocacy to attract investment.
- Evolving the opportunity to meet the expectation of the traveller experience.

Action Planned or Undertaken:

- Commitment to continue funding and support through councils' various programs and monitoring impact of this investment – social and economic.
- Leveraging the opportunity through the opening of Wulanda Recreation & Convention Centre to attract large scale events that has broad economic benefit for our community

1.12 Contractor Management, Procurement and Project Management

- **Current Risk Rating** - Has been rated as medium based on the Procurement policy, supporting framework and reporting currently in place. The interim external audit made recommendations re. the process for the award of open tenders and link to the exemption from competitive process. Improvements have been identified and are planned for implementation in the first half of the 2023/2024 financial year.

Treatment Actions:

- **Recruitment of Procurement Business Partner** - This role has been successfully recruited with a suitably qualified candidate.

Actions Planned or Undertaken:

- **Regular Procurement Reporting** - Monthly Executive reporting designed and implemented in this financial year. Further development of cumulative spend and other reporting to be developed further to the internal financial controls self-assessment undertaken in this financial year. **Estimated completion December 2023.**
- **Procurement Training** - Now a part of the combined induction training. Further refresher training to be rolled out across the organisation **December 2023.**
- **Procure To Pay** - A project is being developed that will review the procurement policy, framework, and reporting, taking on board feedback and recommendations from the 2022/23 interim audit, internal financial controls self-assessment and across the organisation. **Estimated completion December 2023.**

1.13 Relationship Connection and Engagement with Community



The risk is reputational and lack of connection and relevance of strategic priorities if a continuous and open conversation is not maintained and supported with all stakeholders within the community providing opportunities to regular feedback when required. Ensuring our community has access to the required information to partake in decision making activities

Treatment Actions

- Prioritise and quantify expectations for effective stakeholder engagement, community relations management and client experience, Quantify expectations and effectiveness of engagement, Training in Community Engagement, Community Customer Satisfaction Survey

Actions Planned or Undertaken :

- Participation in the LGASA Community Engagement Policy Charter as per the upcoming local government Act reform.
- Improving councils' touchpoints for community to access information and provide feedback or participate in consultation and services.
- Commitment to regular reviewing of processes and procedures with a focus on positive customer experience and increased community outcomes.

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.

The utilisation key industry data through partners such as Local Government Risk Services and JLT Public Sector will assist with a targeted approach to the review and assessment of the organisational framework in identified areas and minimise the potential risk exposure.

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 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

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 REVIEW OF COUNCIL POLICIES - UPDATE – REPORT NO. AR23/44652

Committee:	Audit and Risk Committee
Meeting Date:	31 July 2023
Report No.:	AR23/44652
CM9 Reference:	AF11/863
Author:	Ashlee Pasquazzi, Executive Administrator Corporate and Regulatory Services
Authoriser:	Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services
Summary:	This report provides a status update for review of Council Policies since January 2022.
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. AR23/44652 titled 'Review of Council Policies - Update' as presented on 31 July 2023 be noted.



TYPE OF REPORT

Other

BACKGROUND

At the June 2023 Audit and Risk Committee Meeting, the Committee requested that a progress report regarding leases/licences and mandatory policies be brought back every 6 months.

A process for the review of all policies has commenced, additionally, the following policies were reviewed and updated prior to the June Committee Meeting:

- C305 - Council and Committee - Caretaker Policy
- Asset Accounting Policy
- A900 - Asset Management
- P420 - Procurement & Disposal of Land and Assets Policy
- W125 - Waste Management - Kerbside Refuse Collection Policy
- T120 - Tree Policy
- C410 - Code of Practice for Access to Meeting and Documents / Meeting Procedures Policy
- S140 - Street Numbering Policy

Council has also reviewed and endorsed revoking the following policies:

- C375 - Council Vehicles - Provision and Replacement
- S175 - Safe Environment Policy
- E240 - Expiration Notices - Cancellation or Waiver

PROPOSAL

An action plan has been developed and reporting on the progress is being presented to the Executive Leadership Team (ELT) on a fortnightly basis. To date, a total of 16 policies have been reviewed and endorsed by the ELT and are ready for endorsement by the Audit and Risk Committee and Council.

The following policies will be presented to the next Audit and Risk Committee for consideration prior to being endorsed by Council:

- P415 - Prudential Management Policy
- Asset Accounting
- External Grant Funding (new)
- Art Curatorial and Preservation Policy (new)

A report will be prepared for consideration at the August 2023 Council meeting to endorse the review of the following policies:

- A515 Animal Control - Dogs
- A520 Animal Control
- D150 Building and Swimming Pool Inspections
- F125 City Burning
- F135 Flammable Undergrowth
- F500 Footways and Council Land - Removal of Objects
- F505 Footways and Council Land - Sale of Commodities
- F510 Inspectoral - Footways and Council Land - Fundraising and Promotion
- L230 Licensed Premises
- P135 Entertainment Venues
- P155 Privacy
- W115 Waste Management - Receiving of Waste - Caroline Landfill



The review of outstanding Leases and Licenses will be addressed as part of Councils Strategic Property Management Plan. The plan is still under review, however some actions have been commenced, including a desktop review of all Council landholdings.

A further update will be provided on the progress of the Leases and License review, including a summary of outstanding issues and proposed actions at the October Committee Meeting.

LEGAL IMPLICATIONS

N/A

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

This report provides a status update for policies due for review following the external audit report received in June 2023.

ATTACHMENTS

Nil

