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

**Date:** Tuesday, 21 March 2023  
**Time:** 6.00 p.m.  
**Location:** Council Chamber  
Civic Centre  
10 Watson Terrace  
Mount Gambier

# AGENDA

## Ordinary Council Meeting 21 March 2023

A handwritten signature in black ink, appearing to read 'Sarah Philpott', is written over a light blue circular watermark.

**Sarah Philpott**  
**Chief Executive Officer**  
**17 March 2023**



## Order Of Business

|           |   |           |
|-----------|---|-----------|
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|           | Nil   |           |
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|                       |  |           |
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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 Mark Lovett be received.

**3 LEAVE OF ABSENCE**

Nil

**4 CONFIRMATION OF COUNCIL MINUTES**

[Ordinary Council Meeting - 21 February 2023](#)

**RECOMMENDATION**

That the minutes of the Ordinary Council meeting held on 21 February 2023 be confirmed as an accurate record of the proceedings of the meeting.



## 5 MAYORAL REPORT

### 5.1 MAYORAL REPORT - MARCH 2023 – REPORT NO. AR23/11510

- Meeting with EO, LCLGA
- Limestone Coast Radiation Treatment Working Group Meeting
- Order of Australia Luncheon
- Opening of Legacy Bowls Day, RSL Bowls Club
- Elected Member Briefing with Member for Mount Gambier
- Elected Member Briefing – Crater Lakes Activation Plan
- SAROC Strategic Planning Workshop
- SAROC Committee Meeting
- LCLGA Strategic Planning Workshop Dinner
- LCLGA Strategic Planning Workshop
- Launch of Jane McCumstie’s Exhibition The Awe & Wonder of the Ordinary
- Limestone Coast Regional Plan Workshop
- Elected Member Briefing – Southern Winds Offshore Wind Project
- Elected Member Briefing – Hastings Cunningham / Housing SA
- Visit to Chamber – local Men’s Group
- Elected Member Briefing – Crater Lakes Activation Plan – 2
- WiBRD International Women’s Day Breakfast
- Elected Member Briefing with Member for Barker
- Elected Member Briefing – Beacon Art Project
- Dinner Meeting with Hon David Speirs and Mayor of District Council of Grant
- Official Opening of Wulanda Recreation and Convention Centre
- City Showcase – Wulanda Recreation and Convention Centre
- Anglican Church Interfaith Service
- 2023 SA PGA Seniors Championships



**6      REPORTS FROM COUNCILLORS**



## 7 QUESTIONS WITH NOTICE

### 7.1 YOUTH ADVISORY GROUP

**Meeting:** Council  
**CM9 Reference:** AF22/378  
**Member:** Josh Lynagh, Councillor

The following question on notice was received from Councillor Josh Lynagh.

#### Question

Can an update be provided regarding council's Youth Advisory Group since they ceased meeting three years ago and address whether there are plans for the group, which has proven to be a vital connection to youth in Mount Gambier, to continue into the future?

Also are there plans for those members who aged out of the group during the period of time when the group was not operating and therefore missed out on their final year with the group to receive some sort of acknowledgement for their work?

#### Response

*To be provided at the meeting.*

#### REPORT RECOMMENDATION

That the response to the question regarding Youth Advisory Group raised by Councillor Josh Lynagh be received and noted.

#### ATTACHMENTS

Nil



**7.2 VALLEY LAKES PRECINCT CLOSURE AND FIRE DANGER RATING CHANGES**

**Meeting:** Council  
**CM9 Reference:** AF22/378  
**Member:** Josh Lynagh, Councillor

The following question on notice was received from Councillor Josh Lynagh.

**Question**

In 2015 council made the decision to close the Valley Lakes precinct on Extreme and Catastrophic fire danger days. These were the two highest ratings of a six-rating system, and the top two of three ratings that would incur a fire ban, along with Severe.

Last year, the fire danger rating system changed to a four-rating system, with just two ratings incurring a fire ban, Extreme on the lower end and Catastrophic on the higher end, with the Severe rating no longer existing. With council previously keeping the Valley Lakes precinct open on the lower rating but closed on the higher rating, has council taken this into account and considered possibly updating procedures with the new levels of fire bans?

**Response**

*To be provided at the meeting.*

**REPORT RECOMMENDATION**

That the response to the question regarding Valley Lakes Precinct Closure and Fire Danger Rating Changes raised by Councillor Josh Lynagh be received and noted.

**ATTACHMENTS**

Nil





**8 QUESTIONS WITHOUT NOTICE**

Nil

**9 PETITIONS**

Nil

**10 DEPUTATIONS**

Nil

**11 NOTICE OF MOTION TO RESCIND OR AMEND**

Nil



## 12 ELECTED MEMBERS WORKSHOPS






### 12.1 ELECTED MEMBER INFORMATION/BRIEFING SESSIONS FROM 17/02/2023 TO 17/03/2023 – REPORT NO. AR23/13457

**Meeting:** Council  
**CM9 Reference:** AF22/378  
**Author:** Tahlee Chant, Executive Administrator City and Community Growth  
**Authoriser:**

#### REPORT RECOMMENDATION

1. That Council Report No. AR23/13457 titled 'Elected Member Information/Briefing Sessions from 17/02/2023 to 17/03/2023' as presented on 21 March 2023 be noted.

#### ATTACHMENTS

1. Information Briefing Session - Elected Member - Record of Proceedings - 28/02/2023 - Meeting with Member for Mount Gambier, Mr Troy Bell [↓](#) 
2. Information Briefing Session - Elected Member - Record of Proceedings - 28/02/2023 - Crater Lakes Activation Plan [↓](#) 
3. Information Briefing Session - Elected Members - Record of Proceedings - 07/03/2023 - Introduction to Southern Winds Offshore Wind Project [↓](#) 
4. Confidential Information Briefing Session - Elected Members - Record of Proceedings - 07/03/2023 - Update Hastings Cunningham Reserve Area and Public Housing [↓](#) 
5. Information Briefing Session - Elected Member - Record of Proceedings - 09/03/2023 - Crater Lakes Activation Plan [↓](#) 
6. Confidential Information Briefing Session - Elected Members - Record of Proceedings - 14/03/2023 - Briefing with Federal Member for Barker - Mr Tony Pasin MP [↓](#) 
7. Information Briefing Session - Elected Members - Record of Proceedings - 14/03/2023 - Beacon Art Project [↓](#) 



**INFORMATION / BRIEFING SESSION  
BRIEFING WITH MEMBER FOR MOUNT GAMBIER, MR TROY BELL  
5:35 PM TUESDAY 28 FEBRUARY 2023**

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RECORD OF PROCEEDINGS  
5:35 pm, Tuesday 28 February 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 FIRST NATIONS PEOPLES HAVE WITH THE LAND.**

The session described above will be held at a place open to the public

**MEMBERS PRESENT:-**

Mayor Lynette Martin  
Cr Max Bruins  
Cr Kate Amoroso  
Cr Sonya Mezinac  
Cr Frank Morello  
Cr Josh Lynagh  
Cr Paul Jenner (by phone)

**STAFF PRESENT:-**

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

**MEMBERS APOLOGY:-**

Nil

**LEAVE OF ABSENCE:-**

Nil

**DISCUSSION:**

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Priorities for next 12 months:

- Tourism
- Palliative Care
- Homelessness
- Medical Cannabis

Other topics:

- Education
- Housing
- Health
- Positive and responsive relationship with State Government
- Congratulations to former Councillor Ben Hood

Discussion closed at 6.15 p.m.



**INFORMATION / BRIEFING SESSION  
CRATER LAKES ACTIVATION PLAN  
6:20 PM TUESDAY 28 FEBRUARY 2023**

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RECORD OF PROCEEDINGS  
6:20 pm, Tuesday 28 February 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 FIRST NATIONS PEOPLES HAVE WITH THE LAND.**

The session described above will be held at a place open to the public

**MEMBERS PRESENT:-**

Mayor Lynette Martin  
Cr Max Bruins  
Cr Kate Amoroso  
Cr Sonya Meziniec  
Cr Frank Morello  
Cr Josh Lynagh  
Cr Paul Jenner (by phone)

**STAFF PRESENT:-**

Chief Executive Officer  
General Manager City and Community Growth  
General Manager City Infrastructure  
Acting General Manager Corporate and Regulatory Services  
Manager Economy Strategy and Engagement  
Strategic Development and Engagement Co-ordinator  
Strategic Development and Engagement Co-ordinator  
Executive Administrator City and Community Growth (left at 6.30 p.m.)

**MEMBERS APOLOGY:-**

Nil

**LEAVE OF ABSENCE:-**

Nil

**DISCUSSION:**

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Discussion on Crater Lakes Activation Plan. Further discussion to be held at the Elected Member Briefing - Crater Lakes Activation Plan on 9 March 2023.

Discussion closed at 7.50 p.m.



**INFORMATION / BRIEFING SESSION  
INTRODUCTION TO SOUTHERN WINDS OFFSHORE WIND PROJECT  
5:30 PM TUESDAY 7 MARCH 2023**

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RECORD OF PROCEEDINGS  
5:30 pm, Tuesday 7 March 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.**

**GUESTS:-**

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Deb Neumann - Director, Environment and Planning, Blue Float Energy  
Nick Sankey - Country Manager, Blue Float Energy

**MEMBERS PRESENT:-**

Mayor Lynette Martin  
Cr Sonya Mezinec  
Cr Max Bruins  
Cr Josh Lynagh  
Cr Paul Jenner (by phone)

**STAFF PRESENT:-**

Chief Executive Officer  
Acting General Manager Corporate and Regulatory Services  
General Manager City Infrastructure  
General Manager City and Community Growth  
Manager Economy, Strategy and Engagement

**MEMBERS APOLOGIES:-**

Cr Frank Morello  
Cr Kate Amoroso

**LEAVE OF ABSENCE:-**

Nil

**DISCUSSION:**

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Overview of the Southern Winds Offshore Wind Project

Discussion closed at 6.10 p.m.



**CONFIDENTIAL INFORMATION / BRIEFING SESSION  
UPDATE HASTINGS CUNNINGHAM RESERVE AREA AND PUBLIC HOUSING  
6:20 PM TUESDAY 7 MARCH 2023**

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RECORD OF PROCEEDINGS  
6:20 pm, Tuesday 7 March 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 FIRST NATIONS PEOPLES HAVE WITH THE LAND.**

The session described above will not be held at a place open to the public as the matter to be discussed is of a confidential nature within the ambit of section 90(3) of the Local Government Act 1999 being:

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

**GUEST:**

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Mr Tom Currie, Senior Manager Investment and Portfolio Planning, Housing SA (virtual)

**MEMBERS PRESENT:-**

Mayor Lynette Martin  
Cr Sonya Mezinac  
Cr Max Bruins  
Cr Josh Lynagh  
Cr Paul Jenner (by phone)

**STAFF PRESENT:-**

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

**MEMBERS APOLOGIES:-**

Cr Frank Morello  
Cr Kate Amoroso

**LEAVE OF ABSENCE:-**

Nil

**DISCUSSION:**

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Update Hastings Cunningham Reserve Area and Public Housing.

Discussion closed at 7.10 pm.



**INFORMATION / BRIEFING SESSION  
CRATER LAKES ACTIVATION PLAN  
5.30 PM TUESDAY 9 MARCH 2023**

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RECORD OF PROCEEDINGS  
5:30 pm, Tuesday 9 March 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 FIRST NATIONS PEOPLES HAVE WITH THE LAND.**

The session described above will be held at a place open to the public.

**MEMBERS PRESENT:-**

Mayor Lynette Martin  
Cr Max Bruins  
Cr Sonya Mezinac  
Cr Frank Morello  
Cr Josh Lynagh  
Cr Paul Jenner (virtual)  
Cr Kate Amoroso (virtual @6:30pm)

**STAFF PRESENT:-**

Chief Executive Officer  
General Manager City and Community Growth  
Acting General Manager Corporate and Regulatory Services  
Manager Economy, Strategy and Engagement  
Strategic Development and Engagement Co-ordinator  
Strategic Development and Engagement Co-ordinator (virtual)

**MEMBERS APOLOGY:-**

Nil

**LEAVE OF ABSENCE:-**

Nil

**DISCUSSION:**

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Discussed the proposed vision, guiding principles and actions of the Crater Lakes Activation Plan. Changes were made to the draft document in accordance with Elected Members feedback. Crater Lakes Activation Plan is to be taken back to Elected Members for endorsement.

Discussion closed at 8.00 pm.



**CONFIDENTIAL INFORMATION / BRIEFING SESSION  
BRIEFING WITH FEDERAL MEMBER FOR BARKER, MR TONY PASIN MP  
5:30 PM TUESDAY 14 MARCH 2023**

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RECORD OF PROCEEDINGS  
5:30 pm, Tuesday 14 March 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 FIRST NATIONS PEOPLES HAVE WITH THE LAND.**

The session described above will not be held at a place open to the public as the matter to be discussed is not, or intended to be, on an agenda of a meeting of Council or a Committee.

**GUESTS:**

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Mr Tony Pasin MP, Member for Barker

**MEMBERS PRESENT:-**

Mayor Lynette Martin  
Cr Sonya Mezinac  
Cr Max Bruins  
Cr Josh Lynagh  
Cr Frank Morello  
Cr Paul Jenner (virtual)  
Cr Kate Amoroso (via Phone)

**STAFF PRESENT:-**

Chief Executive Officer  
Acting General Manager Corporate and Regulatory Services  
General Manager City and Community Growth

**MEMBERS APOLOGY:-**

Nil

**LEAVE OF ABSENCE:-**

Nil

**DISCUSSION:**

---

Mr Pasin presented on the following topics:

- Wulanda Opening
- Radiation therapy for Mount Gambier
- LRCI program
- ALGA budget submission

Discussion closed at 6.51 pm.





**INFORMATION / BRIEFING SESSION  
BEACON ART PROJECT  
6:51 PM, TUESDAY, 14 MARCH 2023**

Ref. AF22/549

RECORD OF PROCEEDINGS  
6:51 PM, TUESDAY, 14 MARCH 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 session described at Item 1 will be open to the public.

**MEMBERS PRESENT:-**

Mayor Lynette Martin  
Cr Sonya Mezinac  
Cr Max Bruins  
Cr Josh Lynagh  
Cr Frank Morello  
Cr Paul Jenner (virtual)  
Cr Kate Amoroso (via Phone)

**STAFF PRESENT:-**

Chief Executive Officer  
Acting General Manager Corporate and Regulatory Services  
General Manager City and Community Growth  
Manager Riddoch Arts and Cultural Centre

**MEMBERS APOLOGIES:-**

Nil

**LEAVE OF ABSENCE:-**

Nil

**DISCUSSION:**

Presentation of the Beacon Art Project. Any further feedback to be provided by Elected Members.

Discussion closed at 7.30 p.m.



**13 ELECTED MEMBERS TRAINING AND DEVELOPMENT**

Nil



## 14 COUNCIL ACTION ITEMS

### 14.1 COUNCIL ACTION ITEMS - 24/01/2023 – REPORT NO. AR23/17017


**Meeting:** Council  
**CM9 Reference:** AF22/378  
**Author:** Tahlee Chant, Executive Administrator City and Community Growth  
**Authoriser:**

#### REPORT RECOMMENDATION

1. That Council Report No. AR23/17017 titled 'Council Action Items - 24/01/2023' as presented on 21 March 2023 be noted.



## ATTACHMENTS

1. Council Action Items - 21 February 2023 [↓](#) 



|  |                              |
|--|------------------------------|
| <b>Division:</b>                       | <b>Date From:</b> 21/02/2023 |
| <b>Meeting:</b>                        | <b>Date To:</b> 21/02/2023   |
| <b>Officer:</b>                        |                              |
| <b>Action Sheets Report</b>            |                              |
| <b>Printed: 16 March 2023 10:51 AM</b> |                              |

| Meeting   | Officer/Authoriser             | Section                   | Subject  |
|---|--------------------------------|---------------------------|--|
| Council 21/02/2023  | Chant, Tahlee<br>La Greca, Sue | Elected Members Workshops | Elected Member Information/Briefing Sessions from 20/01/2023 to 16/02/2023 |
| <b>RESOLUTION 2023/22</b>   |                                |                           |  |
| Moved: Cr Sonya Meziniec  |                                |                           |  |
| Seconded: Cr Max Bruins   |                                |                           |  |
| 1. That Council Report No. AR23/6834 titled 'Elected Member Information/Briefing Sessions from 20/01/2023 to 16/02/2023' as presented on 21 February 2023 be noted. |                                |                           |  |
| <b>CARRIED</b>  |                                |                           |  |
| <b>27 Feb 2023 2:37pm Chant, Tahlee - Completion</b>  |                                |                           |  |
| Action completed by Chant, Tahlee   |                                |                           |  |

| Meeting  | Officer/Authoriser             | Section              | Subject                           |
|--|--------------------------------|----------------------|-----------------------------------|
| Council 21/02/2023   | Chant, Tahlee<br>La Greca, Sue | Council Action Items | Council Action Items - 24/01/2023 |
| <b>RESOLUTION 2023/23</b>  |                                |                      |                                   |
| Moved: Cr Sonya Meziniec   |                                |                      |                                   |
| Seconded: Cr Ben Hood  |                                |                      |                                   |
| 1. That Council Report No. AR23/9332 titled 'Council Action Items - 24/01/2023' as presented on 21 February 2023 be noted. |                                |                      |                                   |
| <b>CARRIED</b>   |                                |                      |                                   |
| <b>27 Feb 2023 2:38pm Chant, Tahlee - Completion</b>   |                                |                      |                                   |
| Action completed by Chant, Tahlee  |                                |                      |                                   |

| Meeting                   | Officer/Authoriser          | Section   | Subject   |
|---------------------------|-----------------------------|---|---|
| Council 21/02/2023        | Dohnt, Sarah<br>Datta, Ritu | Audit and Risk Committee Minutes and Recommendation | Minutes of the Audit and Risk Committee held on 9 February 2023 |
| <b>RESOLUTION 2023/24</b> |                             |   |   |
| Moved: Cr Sonya Meziniec  |                             |   |   |
| Seconded: Cr Max Bruins   |                             |   |   |



|  |                              |
|--|------------------------------|
| <b>Division:</b>                       | <b>Date From:</b> 21/02/2023 |
| <b>Meeting:</b>                        | <b>Date To:</b> 21/02/2023   |
| <b>Officer:</b>                        |                              |
| <b>Action Sheets Report</b>            |                              |
| <b>Printed: 16 March 2023 10:51 AM</b> |                              |

That the Minutes of the Audit and Risk Committee meeting held on 9 February 2023 as attached be noted.

**CARRIED**

**01 Mar 2023 10:25am Dohnt, Sarah - Completion**  
 Action completed by Dohnt, Sarah

| Meeting   | Officer/Authoriser             | Section | Subject                            |
|---|--------------------------------|---------|------------------------------------|
| Council 21/02/2023  | Scoggins, Julie<br>Datta, Ritu | Reports | Council Investments and Borrowings |
| <b>RESOLUTION 2023/25</b>   |                                |         |                                    |
| Moved: Cr Sonya Meziniec  |                                |         |                                    |
| Seconded: Cr Kate Amoroso   |                                |         |                                    |
| 1. That Audit and Risk Committee Report No. AR22/60852 titled 'Council Investments and Borrowings' as presented on 09 February 2023 be noted. |                                |         |                                    |
| <b>CARRIED</b>  |                                |         |                                    |

| Meeting  | Officer/Authoriser             | Section | Subject                          |
|--|--------------------------------|---------|----------------------------------|
| Council 21/02/2023   | Scoggins, Julie<br>Datta, Ritu | Reports | External Audit Management Report |
| <b>RESOLUTION 2023/26</b>  |                                |         |                                  |
| Moved: Cr Sonya Meziniec   |                                |         |                                  |
| Seconded: Cr Josh Lynagh   |                                |         |                                  |
| 1. That Audit and Risk Committee Report No. AR23/5855 titled 'External Audit Management Report' as presented on 09 February 2023 be noted. |                                |         |                                  |
| <b>CARRIED</b>   |                                |         |                                  |

| Meeting                   | Officer/Authoriser               | Section         | Subject                                |
|---------------------------|----------------------------------|-----------------|--|
| Council 21/02/2023        | McCarthy, Michael<br>Datta, Ritu | Council Reports | Casual Vacancy in Office of Councillor |
| <b>RESOLUTION 2023/27</b> |                                  |                 |  |
| Moved: Cr Max Bruins      |                                  |                 |  |



|                  |  |
|------------------|--|
| <b>Division:</b> | <b>Date From:</b> 21/02/2023           |
| <b>Meeting:</b>  | <b>Date To:</b> 21/02/2023             |
| <b>Officer:</b>  | <b>Printed:</b> 16 March 2023 10:51 AM |

**Action Sheets Report**

Seconded: Cr Paul Jenner

- That Council Report No. AR23/9160 titled 'Casual Vacancy in Office of Councillor' as presented on 21 February 2023 be noted.
- That the casual vacancy arising from 24 January 2023 in the position of City of Mount Gambier area councillor formerly occupied by Mark Lovett, be noted.
- That the Member Allowance overpaid to Mark Lovett be pursued, as a debt owed to Council, with recovery action deferred until any appeal processes have been exhausted, with recovery if Mark Lovett is not returned to office on a pro-rata basis from 24 January 2023.

**CARRIED**

| Meeting            | Officer/Authoriser               | Section         | Subject  |
|--------------------|----------------------------------|-----------------|--|
| Council 21/02/2023 | McCarthy, Michael<br>Datta, Ritu | Council Reports | Junior Sports Assistance Fund - Presiding Member Vacancy |

**RESOLUTION 2023/29**

Moved: Cr Max Bruins  
 Seconded: Cr Ben Hood

- That Council Report No. AR23/10029 titled 'Junior Sports Assistance Fund - Presiding Member Vacancy' as presented on 21 February 2023 be noted.
- That Mayor Martin as Ex-Officio member of the committee assume the role as presiding member until such time as a determination is made around former Cr Mark Lovett.

**CARRIED**

| Meeting            | Officer/Authoriser          | Section         | Subject  |
|--------------------|-----------------------------|-----------------|--|
| Council 21/02/2023 | Solly, Elisa<br>Datta, Ritu | Council Reports | Review of Council Delegation Updates - February 2023 |

**RESOLUTION 2023/30**

Moved: Cr Paul Jenner  
 Seconded: Cr Max Bruins

- That Council Report No. AR22/62797 titled 'Review of Council Delegation Updates - February 2023' as presented on 21 February 2023 be noted.



|  |  |
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| <b>Division:</b><br><b>Meeting:</b><br><b>Officer:</b> | <b>Date From:</b> 21/02/2023<br><b>Date To:</b> 21/02/2023 |
| <b>Action Sheets Report</b>                            | <b>Printed: 16 March 2023 10:51 AM</b>                     |

2. That Council grants the delegation of powers and functions of the Council as provided for in the tables referenced in Council Report No. AR22/62797 (Attachment 1) to the person occupying or acting in the office of Chief Executive Officer of the Council pursuant to section 44 of the Local Government Act 1999
3. The delegations granted in resolution (2) above pursuant to:
  - (a) the Local Government Act to the Council's Chief Executive Officer, in accordance with sections 44(4)(b) and 101 of the Local Government Act, but subject to section 44(3a) of the Local Government Act, may be further sub-delegated by the Chief Executive Officer or delegate.
4. Planning, Development and Infrastructure Act Delegations
  - (a) In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the proposed Instrument of Delegation (Attachment 1 annexed to the Report No. AR22/62797 titled SA Instrument A) are hereby delegated to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
  - (b) Such powers and functions delegated in resolution 4 (a) may be further sub-delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the relevant Instrument of Delegation;
5. General

The delegations granted in resolutions (2) to (4) above are subject to the following conditions and limitations:

  - (a) If two or more delegates are nominated in respect of a power or function, then each nominated person or position is granted a delegation and may exercise the power or function independently of any other delegate.
  - (b) the delegate must exercise a delegated function or power in accordance with and due regard to:
    - (i) applicable legislative and other legal requirements; and
    - (ii) relevant policies and guidelines adopted by the Council.
  - (c) in regard to the following delegations under the Local Government Act:
    - (i) section 133: the power to obtain funds does not extend to imposing rates, borrowing money or obtaining other forms of financial accommodation or fixing or varying fees under sections 188(1)(d) to 188(1)(h) of the Local Government Act;
    - (ii) section 137: the power to expend funds in the performance or discharge of the council's powers, functions or duties in accordance is limited to funds allocated as part of a budget adopted by the council and the sub-delegation financial limitations set by the Chief Executive Officer;
    - (iii) section 143(1): the power to write off debts is limited to debts not exceeding \$5,000;





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| <b>Division:</b> | <b>Date From:</b> 21/02/2023           |
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- (iv) section 188(3): the powers in regard to fees and charges are limited to fees and charges imposed under sections 188(1)(a), 188(1)(b) and 188(1)(c).
  - (d) Each delegation of a power or function is granted independent of, and severable from, every other delegation granted under this or any other resolution or instrument.
  - (e) A delegation of a power or function determined to be invalid or unlawful will be deemed to be severed from the delegations granted under this or any other resolution or instrument and remaining delegations will continue to operate according to their terms.
  - (f) These delegations will come into operation on Wednesday 22 February 2023 and remain in force until varied or revoked by resolution of the Council.
  - (g) Previous delegations granted by the Council of the powers and functions delegated under these resolutions are revoked with effect from Wednesday 22 February 2023.
- CARRIED**

| Meeting  | Officer/Authoriser             | Section         | Subject   |
|--|--------------------------------|-----------------|---|
| Council 21/02/2023   | Scoggins, Julie<br>Datta, Ritu | Council Reports | Second Quarter Report on Annual Business Plan 2022/2023 Annual Objectives |
| <b>RESOLUTION 2023/31</b>  |                                |                 |   |
| Moved: Cr Sonya Meziniec   |                                |                 |   |
| Seconded: Cr Frank Morello   |                                |                 |   |
| 1. That Council Report No. AR23/9006 titled 'Second Quarter Report on Annual Business Plan 2022/2023 Annual Objectives' as presented on 21 February 2023 be noted. |                                |                 |   |
| <b>CARRIED</b>   |                                |                 |   |

| Meeting                   | Officer/Authoriser             | Section         | Subject                   |
|---------------------------|--------------------------------|-----------------|---------------------------|
| Council 21/02/2023        | Scoggins, Julie<br>Datta, Ritu | Council Reports | Budget Review 2 2022/2023 |
| <b>RESOLUTION 2023/32</b> |                                |                 |                           |
| Moved: Cr Sonya Meziniec  |                                |                 |                           |



|  |                              |
|--|------------------------------|
| <b>Division:</b>                       | <b>Date From:</b> 21/02/2023 |
| <b>Meeting:</b>                        | <b>Date To:</b> 21/02/2023   |
| <b>Officer:</b>                        |                              |
| <b>Action Sheets Report</b>            |                              |
| <b>Printed: 16 March 2023 10:51 AM</b> |                              |

Seconded: Cr Max Bruins

1. That Council Report No. AR23/7656 titled 'Budget Review 2 2022/2023' as presented on 21 February 2023 be noted.
2. That Council adopts the attached revised budget for the year ending 30 June 2023 as at 31 December 2022 (Budget Review 2).

**CARRIED**

| Meeting   | Officer/Authoriser               | Section         | Subject                                 |
|---|----------------------------------|-----------------|---|
| Council 21/02/2023  | McCarthy, Michael<br>Datta, Ritu | Council Reports | Queen Elizabeth Park Trust - Winding Up |
| <b>RESOLUTION 2023/33</b>   |                                  |                 |   |
| Moved: Cr Frank Morello   |                                  |                 |   |
| Seconded: Cr Paul Jenner  |                                  |                 |   |
| <ol style="list-style-type: none"> <li>1. That Council Report No. AR23/8917 titled 'Queen Elizabeth Park Trust - Winding Up' as presented on 21 February 2023 be noted.</li> <li>2. That the correspondence from the Queen Elizabeth Park Trust Board notifying Council of its winding up be noted.</li> <li>3. That the past and present Board Members/Trustees of the Queen Elizabeth Park Trust be thanked for their service in building and maintaining what have become valuable assets for Mount Gambier within the crater lakes precinct.</li> </ol> |                                  |                 |   |
| <b>CARRIED</b>  |                                  |                 |   |

| Meeting  | Officer/Authoriser               | Section         | Subject  |
|--|----------------------------------|-----------------|--|
| Council 21/02/2023   | McCarthy, Michael<br>Datta, Ritu | Council Reports | Riddoch Arts and Cultural Trust - 2022-2023 Plan |
| <b>RESOLUTION 2023/34</b>  |                                  |                 |  |
| Moved: Cr Frank Morello  |                                  |                 |  |
| Seconded: Cr Josh Lynagh   |                                  |                 |  |
| <ol style="list-style-type: none"> <li>1. That Council Report No. AR22/85966 titled 'Riddoch Arts and Cultural Trust - 2022-2023 Plan' as presented on 21 February 2023 be noted.</li> <li>2. That the Riddoch Arts and Cultural Trust 2022-2023 Plan as attached to Council Report No. AR22/85966 be endorsed.</li> </ol> |                                  |                 |  |



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| <b>Division:</b>                       | <b>Date From:</b> 21/02/2023 |
| <b>Meeting:</b>                        | <b>Date To:</b> 21/02/2023   |
| <b>Officer:</b>                        |                              |
| <b>Action Sheets Report</b>            |                              |
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3. That the requisite budget amount of \$46,500 (including \$20,000 in-kind support) to support the Riddoch Arts and Cultural Trust 2022-2023 Plan, and an allocation for external audit in the order of \$10k-\$15k, be included in Council's Draft 2023-2024 financial year operating budget, noting there are various nominal in kind contributions/expenditure necessary to support the work of the Riddoch Arts and Cultural Trust Board and Association in this establishment phase.

**CARRIED**

| Meeting   | Officer/Authoriser                     | Section         | Subject  |
|---|--|-----------------|--|
| Council 21/02/2023  | Cernovskis, Barbara<br>Philpott, Sarah | Council Reports | Wulanda Recreation and Convention Centre - Verbal Update |
| <b>RESOLUTION 2023/35</b>   |  |                 |  |
| Moved: Cr Paul Jenner   |  |                 |  |
| Seconded: Cr Max Bruins   |  |                 |  |
| 1. That Council Report No. AR23/3721 titled 'Wulanda Recreation and Convention Centre - Verbal Update' as presented on 21 February 2023 be noted. |  |                 |  |
| 2. That due to completion of the construction works at Wulanda Recreation and Convention Centre that March be the final verbal update report.     |  |                 |  |
| <b>CARRIED</b>  |  |                 |  |
| <b>06 Mar 2023 5:04pm Cernovskis, Barbara - Completion</b>  |  |                 |  |
| Action completed by Wilson, Sally   |  |                 |  |

| Meeting   | Officer/Authoriser               | Section         | Subject                            |
|---|----------------------------------|-----------------|------------------------------------|
| Council 21/02/2023  | McCarthy, Michael<br>Datta, Ritu | Council Reports | Mitchell Street Trees - ATS Report |
| <b>RESOLUTION 2023/36</b>   |                                  |                 |                                    |
| Moved: Cr Max Bruins  |                                  |                 |                                    |
| Seconded: Cr Frank Morello  |                                  |                 |                                    |
| 1. That Council Report No. AR23/8604 titled 'Mitchell Street Trees - ATS Report' as presented on 21 February 2023 be noted.   |                                  |                 |                                    |
| 2. That the arborists report obtained to give effect to the recommendation in the Section 270 Internal Review Report on the matter of the <i>Lagunaria patersonia</i> (Norfolk Island Hibiscus) planted along the western side of Mitchell Street, be received and noted. |                                  |                 |                                    |
| <b>CARRIED</b>  |                                  |                 |                                    |



|                                      |  |  |
|--------------------------------------|--|--|
| <a href="#">Action Sheets Report</a> | <b>Division:</b><br><b>Meeting:</b><br><b>Officer:</b> | <b>Date From:</b> 21/02/2023<br><b>Date To:</b> 21/02/2023<br><b>Printed:</b> 16 March 2023 10:51 AM |
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| Meeting            | Officer/Authoriser             | Section             | Subject  |
|--------------------|--------------------------------|---------------------|--|
| Council 21/02/2023 | La Greca, Sue<br>La Greca, Sue | Motions with Notice | Notice of Motion - Rail Trail Community Planting Project |

**RESOLUTION 2023/37**

Moved: Cr Sonya Meziniec  
Seconded: Cr Ben Hood

1. That Council Report No. AR23/9356 titled 'Notice of Motion - Rail Trail Community Planting Project' as presented on 21 February 2023 be noted.
2. That Council Administration scope out a draft plan for a community planting project to vegetate the Rail Trail beyond the Rail Lands Precinct.
3. That the draft plan include, but not be limited to the following considerations:
  - Collaboration with and drawing on the expertise of Glenelg Nature Trust and Burrendies
  - Preference be given to indigenous and hardy plants requiring minimal maintenance
  - Division of the Rail Trail into sections with a variety of plantings along the trail
  - Scheduling a series of community planting days inviting community groups, school groups, social clubs, business and groups of residents along the trail to participate.
4. That the draft plan be presented to a workshop for Councillors in May 2023.

**CARRIED**



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

**15.1 [MINUTES OF THE JUNIOR SPORTS ASSISTANCE FUND HELD ON 1 MARCH 2023 - Go to Attachment](#)**

**RECOMMENDATION**

That the Minutes of the Junior Sports Assistance Fund meeting held on 1 March 2023 as attached be noted.

**15.2 [Correspondence Received](#) – Report No. AR23/11963**

**RECOMMENDATION**

1. That Junior Sports Assistance Fund Report No. AR23/11963 titled 'Correspondence Received' as presented on 01 March 2023 be noted.

**15.3 [Statement of Revenue and Expenses - as at 21 February 2023](#) – Report No. AR23/12012**

**RECOMMENDATION**

1. That Junior Sports Assistance Fund Report No. AR23/12012 titled 'Statement of Revenue and Expenses - as at 21 February 2023' as presented on 01 March 2023 be noted.
2. The financial statement of the Fund as at 21 February 2023 be received, noting a cash balance of \$136,493.90

**15.4 [Applications for Financial Assistance for Junior and Payments from the Fund - 01/02/2022 - 31/01/2023](#) – Report No. AR23/12088**

**RECOMMENDATION**

1. That Junior Sports Assistance Fund Report No. AR23/12088 titled 'Applications for Financial Assistance for Junior and Payments from the Fund - 01/02/2022 - 31/01/2023' as presented on 01 March 2023 be noted.

**15.5 [Commercial Club Inc. - Annual Donations - Exceptional Junior Program 2022](#) – Report No. AR23/9809**



**RECOMMENDATION**

1. That Junior Sports Assistance Fund Report No. AR23/9809 titled 'Commercial Club Inc. - Annual Donations - Exceptional Junior Program 2022' as presented on 01 March 2023 be noted.
2. The following junior received the 2022 Commercial Club Inc. donation to assist that junior to advance in their chosen sport and to achieve their potential:  
Awardee: Vaughn Stratford - Mount Gambier Swimming Club Inc.
3. The presentation of the Commercial Club Inc. donation take place at a time convenient to the recipient, member organisation and a representative of the Commercial Club Inc.
4. The media be invited to attend the presentation.

**15.6 MOTION WITHOUT NOTICE - COACHING CLINIC FUNDING 2023**

**RECOMMENDATION**

1. That additional wording be added to the 2023 Coaching Clinic Application form to indicate that additional funding will be considered if the allocated \$5,000 is not adequate for the 2023 round of applications.



**16      AUDIT AND RISK COMMITTEE MINUTES AND RECOMMENDATIONS**

Nil

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

Nil

**18      BUILDING FIRE SAFETY COMMITTEE MINUTES**

Nil



## 19 COUNCIL REPORTS

### 19.1 RE-INSTATEMENT OF MARK LOVETT AS AREA COUNCILLOR – REPORT NO. AR23/15598

|                                  |  |
|----------------------------------|--|
| <b>Committee:</b>                | <b>Council</b>   |
| <b>Meeting Date:</b>             | <b>21 March 2023</b>   |
| <b>Report No.:</b>               | <b>AR23/15598</b>  |
| <b>CM9 Reference:</b>            | <b>AF22/378</b>  |
| <b>Author:</b>                   | <b>Michael McCarthy, Manager Governance and Property</b>   |
| <b>Authoriser:</b>               | <b>Sarah Philpott, Chief Executive Officer</b>   |
| <b>Summary:</b>                  | <b>This report notifies Council of the re-instatement of Cr Mark Lovett as an Area Councillor for the City of Mount Gambier.</b> |
| <b>Strategic Plan Reference:</b> | <b>Goal 1: Our People</b>  |
|                                  | <b>Goal 2: Our Location</b>  |
|                                  | <b>Goal 3: Our Diverse Economy</b>   |
|                                  | <b>Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage</b>  |
|                                  | <b>Goal 5: Our Commitment</b>  |

#### REPORT RECOMMENDATION

1. That Council Report No. AR23/15598 titled 'Re-Instatement of Mark Lovett as Area Councillor' as presented on 21 March 2023 be noted.
2. That the re-instatement of Mark Lovett in the office of Area Councillor for the City of Mount Gambier, be noted.
3. That, in accordance with the recommendation of the Chief Executive Officer under Regulation 21 of the *Local Government (Procedures at Meetings) Regulations 2013*, Part 3 of Resolution 2023/27 dated 21 February 2023:  

*That the Member Allowance overpaid to Mark Lovett be pursued, as a debt owed to Council, with recovery action deferred until any appeal processes have been exhausted, with recovery if Mark Lovett is not returned to office on a pro-rata basis from 24 January 2023.*

be revoked.
4. That Council note:
  - (a) the backpayment of Member Allowance to Cr Mark Lovett as if a casual vacancy had not arisen; and
  - (b) Cr Mark Lovett's resumption of his committee position of Presiding Member of the Junior Sports Assistance Fund.





## TYPE OF REPORT

Legislative

## BACKGROUND

At its meeting held on 21 February 2023 Council received Report No. AR23/9160 that a casual vacancy arising in the office of Area Councillor held by Cr Mark Lovett, effective 24 January 2023.

Immediate actions were implemented by the Administration to give effect to the removal from office.

On 9 March 2023 the *Local Government (Casual Vacancies) Amendment Act 2023* was passed and assented to, commencing operation immediately.

The effect of this Act is to provide that the office occupied by Cr Mark Lovett is not to be, and to never have been, vacant as a result of the ordinary operation of Section 54(1)(h) of the *Local Government Act 1999*.

The Administration took immediate action to give effect to the re-instatement, including access arrangements to Councillor email and Member Extranet, and inclusion in Member communications and notifications of meetings and Elected Member briefings.

This report notes other effects of the re-instatement legislation.

## PROPOSAL

Advice received from the Local Government Association is that all casual vacancy actions taken as a result of the previous automatic operation of Section 54(1)(h) should be reversed/re-instated, and in particular:

- payment of allowances and other entitlements may resume, noting any payments applicable during the defaulting period are not to be recovered or withheld and so 'backpay' of allowances may be required.
- defaulting Members automatically resume all other officers held in their capacity as a Member of the Council, unless the Council has passed a subsequent resolution that is inconsistent with resumption.
- that minutes of Council or Committee meetings or information and briefing sessions should not be retrospectively amended to list defaulting members as absent or an apology.

Members will note that in relation to the payment of Member (Councillor) Allowance, it resolved:

*3. That the Member Allowance overpaid to Mark Lovett be pursued, as a debt owed to Council, with recovery action deferred until any appeal processes have been exhausted, with recovery if Mark Lovett is not returned to office on a pro-rata basis from 24 January 2023.*

Whilst there is no further action associated with this resolution as a result of the application of the *Local Government (Casual Vacancies) Amendment Act 2023*, Council may feel inclined to rescind that resolution to avoid any doubt or confusion that may arise from its inclusion on the enduring public record.

Accordingly, in presenting this report the Chief Executive Officer is recommending under Regulation 21 of the *Local Government (Procedures at Meetings) Regulations 2013* that Part 3 of Resolution 2023/27 dated 21 February 2023 be revoked.

Such revocation does not have the effect of retrospectively amending the February Council minutes, but rather, reflects that Council has reconsidered and rescinded that part of the resolution. A notation would be made in the February minutes to reflect this.

Further, in relation to Cr Lovett's committee position of Presiding Member of the Junior Sports Assistance Fund Council resolved:

*2. That Mayor Martin as Ex-Officio member of the committee assume the role as presiding member until such time as a determination is made around former Cr Mark Lovett.*



Accordingly, Council has not passed a resolution inconsistent with Cr Lovett resuming this committee position. No further action is required by Council in this regard.

#### **LEGAL IMPLICATIONS**

The effect of section 54(1)(h), and the subsequent effect of the *Local Government (Casual Vacancies) Amendment Act 2023* are applications of law on matters of fact with immediate implications.

Accordingly, these are not matters for determination by the Chief Executive Office or Council, but for administrative implementation in accordance with the law.

#### **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**

The immediate resource implications, whilst involving several Council staff to give effect to the removal and subsequent re-instatement to office, is relatively nominal.

A 'count back' or supplementary election to fill the resulting vacancy is no longer required, provided Cr Mark Lovett has ensured that his submission of the requisite return to the Electoral Commissioner was already received, or received within 10 days of the commencement of the Amendment Act.

#### **VALUE FOR MONEY**

n/a

#### **RISK IMPLICATIONS**

n/a

#### **EQUALITIES AND DIVERSITY IMPLICATIONS**

n/a

#### **ENGAGEMENT AND COMMUNICATION STRATEGY**

The arising of a casual vacancy and subsequent reinstatement is a matter of the application of law and there is no further legislative requirement to communicate or conduct engagement.

It is not proposed that that Council engage in any active communication on this matter, other than to publicly record the re-instatement of Cr Mark Lovett to the office of Area Councillor.

#### **IMPLEMENTATION STRATEGY**

The administration have taken actions to give effect to the removal and subsequent reinstatement of Cr Mark Lovett to the office of Area Councillor of the City of Mount Gambier.



## **CONCLUSION AND RECOMMENDATION**

Having received and actioned the notice of the arising of a casual vacancy and the subsequent re-instatement of Cr Mark Lovett to the position of Area Councillor, this report recommends that the re-instatement and immediate effects of the re-instatement be noted.

## **ATTACHMENTS**

Nil



**19.2 CASUAL VACANCY IN OFFICE OF COUNCILLOR – REPORT NO. AR23/13173**

|                                  |   |
|----------------------------------|---|
| <b>Committee:</b>                | <b>Council</b>  |
| <b>Meeting Date:</b>             | <b>21 March 2023</b>  |
| <b>Report No.:</b>               | <b>AR23/13173</b>   |
| <b>CM9 Reference:</b>            | <b>AF22/378</b>   |
| <b>Author:</b>                   | <b>Michael McCarthy, Manager Governance and Property</b>  |
| <b>Authoriser:</b>               | <b>Sarah Philpott, Chief Executive Officer</b>  |
| <b>Summary:</b>                  | <b>This report notifies Council of a casual vacancy arising in the office of area councillor formerly occupied by Ben Hood.</b> |
| <b>Strategic Plan Reference:</b> | <b>Goal 1: Our People</b>   |
|                                  | <b>Goal 2: Our Location</b>   |
|                                  | <b>Goal 3: Our Diverse Economy</b>  |
|                                  | <b>Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage</b>   |
|                                  | <b>Goal 5: Our Commitment</b>   |

**REPORT RECOMMENDATION**

1. That Council Report No. AR23/13173 titled 'Casual Vacancy in Office of Councillor' as presented on 21 March 2023 be noted.
2. That the casual vacancy arising from 24 February 2023 in the position of City of Mount Gambier area councillor formerly occupied by Ben Hood, be noted.
3. That requisite actions be progressed with the Electoral Commissioner to fill the casual vacancy in the office of area councillor.



## TYPE OF REPORT

Legislative

## BACKGROUND

The Chief Executive Officer (CEO) has two separate obligations which must be complied with under Section 54(6) of the *Local Government Act 1999* (the Act) in relation to the office of a member becoming vacant ('a casual vacancy'). In these circumstances:

- (1) to notify the members of the council at the next meeting of the vacancy; and
- (2) to give notice of the occurrence of the vacancy in the *Gazette*.

Requirement (2) is discharged through the publication of a notice in the *Gazette*.

## PROPOSAL

By his selection on 24<sup>th</sup> February 2023 to fill a casual vacancy in the Legislative Council of the South Australian Parliament Ben Hood is no longer a member of the Council in accordance with the 'casual vacancy' provisions set out in section 54 of the *Local Government Act 1999*.

Accordingly, Council Members are hereby notified in accordance with section 54(6) of the *Local Government Act 1999* that the office of area councillor for the City of Mount Gambier, formerly occupied by Ben Hood, became vacant by operation of section 54(1)(e) of the *Local Government Act 1999* on 24 February 2023.

The administration has taken immediate necessary action to address Ben Hood ceasing to be an Elected Member, including the withdrawal of access to Council resources such as Councillor email, Member Extranet, removal of details from the Council website, and other relevant administrative matters.

A separate report is being presented to address the resulting vacancy in the position of Deputy Mayor previously filled by Ben Hood.

Due to the timing of monthly payments of Council Member Allowances (half in arrears/half in advance at the beginning of each month) Ben Hood was paid a pro-rata amount of arrears only for the period up to 24<sup>th</sup> February 2023, with no requirement to recover any overpayment.

## LEGAL IMPLICATIONS

The effect of section 54(1)(e) is an application of law on a matter of fact with immediate implications. Accordingly, whilst formally tendering a resignation as a Councillor on Monday 27<sup>th</sup> February, the effective date of Ben Hood becoming a member of an Australian Parliament, and the occurrence of the resulting casual vacancy, was Friday 24<sup>th</sup> February 2023.

This effective date is not a matter for determination, but an application of the law.

It is incumbent on the Chief Executive Officer to give effect to the application of the *Local Government Act 1999*, including the giving of notice to Council at the next meeting of the occurrence of the casual vacancy.

The resulting casual vacancy may require a 'count back' process or alternatively a supplementary election, depending upon the application of the relevant legislative provisions and Council's [Supplementary Elections Policy](#) which facilitates the carrying of a single vacancy in the office of area councillor. The Electoral Commissioner will determine the appropriate process for filling the vacancy.

## STRATEGIC PLAN

n/a



## **COUNCIL POLICY**

Council's [Supplementary Elections Policy](#) applies to the non-filling of a single casual vacancy in the office of an Area Councillor that arises in the period more than 12 months before (or after) the next (or last) periodic election.

## **ECONOMIC IMPLICATIONS**

n/a

## **ENVIRONMENTAL IMPLICATIONS**

n/a

## **SOCIAL IMPLICATIONS**

n/a

## **CULTURAL IMPLICATIONS**

n/a

## **RESOURCE IMPLICATIONS**

The immediate resource implications, whilst involving several senior Council staff to give effect to the removal from office, is relatively nominal.

However, the resource implications from the Electoral Commissions administration of a 'count back' or supplementary election (if/as required) to fill the resulting vacancy may be considerable, and not quantified at this stage, but could range from several thousand to tens of thousands of dollars.

The determination of process and cost will be a matter for the Electoral Commissioner and Council will be notified in due course as any information becomes available.

## **VALUE FOR MONEY**

n/a

## **RISK IMPLICATIONS**

Meetings of Council may still be convened with a casual vacancy. In fact, under Council's [Supplementary Elections Policy](#) the Council would carry a single vacancy in the office of Area Councillor that arose more than 12 months after the election, until the next election, or until a further vacancy in the office of Area Councillor arose.

Quorum for a Council meeting whilst a casual vacancy exists is calculated in the same manner as without a casual vacancy (i.e. the number of prescribed members in office for the time being, divided by two, ignoring any fraction, and adding 1). Accordingly, the number of prescribed members upon which the calculation is based is reduced by the number of vacancies, leave of absences, or suspension from office at the relevant time.

## **EQUALITIES AND DIVERSITY IMPLICATIONS**

n/a

## **ENGAGEMENT AND COMMUNICATION STRATEGY**

At this stage the arising of a casual vacancy is a matter of the application of law.

This report and the requisite gazette notice meet the legislative requirements for communicating the arising of a casual vacancy.

## **IMPLEMENTATION STRATEGY**

The administration have taken actions to give effect to the removal from office, and will follow the Electoral Commissions lead on any actions to fill the resulting casual vacancy.



### **CONCLUSION AND RECOMMENDATION**

Having received the notice of the arising of a casual vacancy in the position of area councillor formerly occupied by Ben Hood, this report recommends that the notice be noted and necessary actions be taken toward filling the vacancy.

### **ATTACHMENTS**

Nil



**19.3 SELECTION OF DEPUTY MAYOR – REPORT NO. AR23/13485**

|                                  |  |
|----------------------------------|--|
| <b>Committee:</b>                | <b>Council</b>   |
| <b>Meeting Date:</b>             | <b>21 March 2023</b>   |
| <b>Report No.:</b>               | <b>AR23/13485</b>  |
| <b>CM9 Reference:</b>            | <b>AF22/378</b>  |
| <b>Author:</b>                   | <b>Michael McCarthy, Manager Governance and Property</b>   |
| <b>Authoriser:</b>               | <b>Sarah Philpott, Chief Executive Officer</b>   |
| <b>Summary:</b>                  | <b>This report presents a vacancy, and a nomination and selection process to appoint a replacement to the position of Deputy Mayor.</b>  |
| <b>Strategic Plan Reference:</b> | <b>Goal 1: Our People</b><br><b>Goal 2: Our Location</b><br><b>Goal 3: Our Diverse Economy</b><br><b>Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage</b><br><b>Goal 5: Our Commitment</b> |

**REPORT RECOMMENDATION**

1. That Council Report No. AR23/13485 titled 'Selection of Deputy Mayor' as presented on 21 March 2023 be noted.
2. That Council accepts the nominations for the position of Deputy Mayor from Crs Max Bruins and Josh Lynagh.
3. That a secret ballot process be held forthwith for the vacant position of Deputy Mayor for a term of \_\_\_\_\_ months/years, to be conducted in the following manner in accordance with the provisions of clause 12.5 of Council's Conduct of Meetings Policy and :
  - a) The Chief Executive Officer be appointed Returning Officer for the election process.
  - b) The Mayor may vote, however a Member not in their seat at the meeting does not vote.
  - c) The successful candidate will be the candidate with the highest number of votes.
  - d) Where two or more candidates have an equal number of votes, candidates will be selected by a drawing of lots by the Returning Officer to determine which candidate will be excluded.
  - e) Upon the completion of the election, the Returning Officer be authorised to declare the successful candidate elected to the vacant positions.
  - f) Upon the declaration of the Returning Officer the declared candidate is appointed to the vacant position for the term of office specified in this resolution.
  - g) A division cannot be called on the declared result for filling a vacant position.





- h) The Mayor may (but is not required to) accept a motion endorsing the filling of the vacant position however any failure or motion specifying a different result shall be of no effect on the declared result of the secret ballot.

Notes:

Point (d) reflects the application of section 51(8) of the *Local Government Act 1999*.

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



## TYPE OF REPORT

Legislative

## BACKGROUND

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

2. *That pursuant to the powers contained in Section 51 (3) and (4) of the Local Government Act 1999 Council hereby resolves to have a Deputy Mayor.*
3. *That an appointment for the position of Deputy Mayor be for a term of 2 year/s.*

At the meeting held on 13 December 2022 Council appointed Ben Hood to the position of Deputy Mayor for 2 years.

With a casual vacancy arising on the office of area councillor as a result of Ben Hood being selected to fill a vacancy in the South Australian Legislative Council, the position of Deputy Mayor has also become vacant.

By a memo in the Friday Edition on 10 March 2023 the Chief Executive Officer sought nominations from Councillors for the vacant position of Deputy Mayor to be submitted by close of business on Tuesday 14 March 2023.

This report presents the nominations received, and a selection/appointment process.

## PROPOSAL

At close of business on Tuesday 14 March 2023 nominations for the vacant position of Deputy Mayor had been received from:

- Cr Max Bruins
- Cr Josh Lynagh

Council's Policy C410 Conduct of Meetings and section 51 of the *Local Government Act 1999* guide the selection process for a Deputy Mayor, as follows:

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

The final point reflects the application of sub-regulation 12(3) of the *Local Government (Procedures at Meetings) Regulations 2013* that a motion the effect of which, if carried, would be to revoke or



amend a resolution passed since the last general election of the council, must be brought by written notice of motion.

#### **LEGAL IMPLICATIONS**

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

#### **STRATEGIC PLAN**

N/A

#### **COUNCIL POLICY**

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

#### **ECONOMIC IMPLICATIONS**

N/A

#### **ENVIRONMENTAL IMPLICATIONS**

N/A

#### **SOCIAL IMPLICATIONS**

N/A

#### **CULTURAL IMPLICATIONS**

N/A

#### **RESOURCE IMPLICATIONS**

N/A

#### **VALUE FOR MONEY**

N/A

#### **RISK IMPLICATIONS**

N/A

#### **EQUALITIES AND DIVERSITY IMPLICATIONS**

N/A

#### **ENGAGEMENT AND COMMUNICATION STRATEGY**

N/A

#### **IMPLEMENTATION STRATEGY**

N/A

#### **CONCLUSION AND RECOMMENDATION**

Draft recommendations are presented for Council to endorse a voting and selection/appointment process to fill the vacant position of Deputy Mayor.

#### **ATTACHMENTS**

Nil



**19.4 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE - TERMS OF REFERENCE – REPORT NO. AR23/15758**

|                                  |  |
|----------------------------------|--|
| <b>Committee:</b>                | <b>Council</b>   |
| <b>Meeting Date:</b>             | <b>21 March 2023</b>   |
| <b>Report No.:</b>               | <b>AR23/15758</b>  |
| <b>CM9 Reference:</b>            | <b>AF22/378</b>  |
| <b>Author:</b>                   | <b>Michael McCarthy, Manager Governance and Property</b>   |
| <b>Authoriser:</b>               | <b>Ritu Datta, Acting General Manager Corporate and Regulatory Services</b>  |
| <b>Summary:</b>                  | <b>This report presents the Terms of Reference for the Chief Executive Officer Performance Review Committee for review and confirmation of committee membership.</b>   |
| <b>Strategic Plan Reference:</b> | <b>Goal 1: Our People</b><br><b>Goal 2: Our Location</b><br><b>Goal 3: Our Diverse Economy</b><br><b>Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage</b><br><b>Goal 5: Our Commitment</b> |

**REPORT RECOMMENDATION**

1. That Council Report No. AR23/15758 titled 'Chief Executive Officer Performance Review Committee - Terms of Reference' as presented on 21 March 2023 be noted.
2. That the updated Terms of Reference for the Chief Executive Officer Performance Review Committee be adopted as attached to Report No. AR23/15758.
3. That the membership of the Chief Executive Officer Performance Review Committee, in addition to the Mayor and Deputy Mayor, comprise:
  - (i) Insert Cr Name
  - (ii) Insert Cr Name
  - (iii) Insert Cr Name

for a term ending at the commencement of the caretaker period for the November 2026 local government elections, the earlier cessation of the members office as a Councillor, or as otherwise replaced by resolution of Council, whichever is the earlier.

**OR**

That a secret ballot process be held forthwith for the three (3) vacant positions on the Chief Executive Officer Performance Review Committee for a term of \_\_\_\_\_ months/years, to be conducted in the following manner in accordance with the provisions of clause 12.5 of Council's Conduct of Meetings Policy:

- a) The Chief Executive Officer be appointed Returning Officer for the election process.
- b) That nominations for the three (3) vacant positions be sought forthwith from Members present at the meeting.
- c) Nominations only be accepted where the candidate has accepted the nomination.

- d) In the event that no more than three (3) nominations are received, that the Returning Officer proceed to declare the three (3) candidates appointed under sub-resolution (i).
- e) If more than three (3) nominations are made, that a secret ballot process be conducted.
- f) The Mayor may vote, however a Member not in their seat at the meeting does not vote.
- g) The successful candidate will be the candidate with the highest number of votes.
- h) Where two or more candidates have an equal number of votes, candidates will be selected by a drawing of lots by the Returning Officer to determine which candidate(s) will be appointed.
- i) Upon the completion of the election, the Returning Officer be authorised to declare the successful candidate elected to the vacant positions.
- j) Upon the declaration of the Returning Officer the declared candidate is appointed to the vacant position for the term of office specified in this resolution.
- k) A division cannot be called on the declared result for filling a vacant position.
- l) The Mayor may (but is not required to) accept a motion endorsing the filling of the vacant position however any failure or motion specifying a different result shall be of no effect on the declared result of the secret ballot.

Notes:

Point (h) reflects the ordinary application of a drawing of lots, contrary to the Deputy Mayor provisions in s51(8) of the *Local Government Act 1999*.

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



## TYPE OF REPORT

Legislative

## BACKGROUND

It is a requirement of section 102A of the *Local Government Act 1999* ('Act') that Council review the performance of the Chief Executive Officer on an annual basis, and that in doing so Council must obtain and consider the advice of a *qualified independent person*.

A *qualified independent person* is defined to mean a person who is—

- (a) not a member or employee of the council; and
- (b) determined by the council to have appropriate qualifications or experience in human resource management.

Council has established the Chief Executive Officer Performance Review Committee to assist it in conducting the necessary reviews under section 102A of the Act.

With the Chief Executive Officer Performance Review Committee to reconvene shortly to conduct the 2023 Chief Executive Officer review, it is timely to review the committee terms of reference, and more particularly the provisions relating to membership of the committee.

## PROPOSAL

The current membership provisions in the Chief Executive Officer Performance Review Committee terms of reference provide for the Mayor, Deputy Mayor, Presiding Members of Council's (former) standing committees, and one further Elected Member as resolved by Council.

The terms of reference also include provisions for the change or demise of Council's standing committee structure, such that the membership remain unchanged until resolved by Council.

At the statutory Council meeting on 29 November 2022 Council endorsed a decision making (committee) structure, including the Chief Executive Officer Performance Review Committee, and resolved that Crs Sonya Meziniec and Paul Jenner retain their previous membership of the Chief Executive Officer Performance Review Committee (in addition to the Mayor and Deputy Mayor by virtue of the committee terms of reference) until Council had reviewed and resolved otherwise.

At the time of convening the Chief Executive Officer Performance Review Committee in early 2022, the terms of reference provisions included Cr Frank Morello as a member in a continuing capacity as a former presiding member of a standing committee. Similarly, former Cr Christian Greco was a member of the committee by virtue of two positions, as former presiding member of a standing committee, but primarily as Deputy Mayor. The terms of reference provided for additional Elected Members to be appointed up to the maximum committee membership of five to account for any duplicity of membership eligibility.

With the November 2022 local government elections, demise of the standing committee structure, and finally the Council resolution dated 29 November 2022, the standing committee eligibility for membership of the Chief Executive Officer Performance Review Committee is no longer considered applicable.

Accordingly, the terms of reference for the Chief Executive Officer Performance Review Committee have been reviewed, with a draft provided for consideration by Council (Attachment 1).

Amendments comprise a change and simplification of the membership provisions (5 committee members comprising the Mayor, Deputy Mayor, and three Elected Members as resolved by Council). Other changes reflect updated defined terms and their use throughout the document to be consistent with the recent local government reform changes. Namely references to obtaining and considering the advice of an *Independent Qualified Person* and the newly established Member Behavioral Framework.

A marked-up copy of the updated Chief Executive Officer Performance Review Committee terms of reference are attached for Members information (**Attachment 2**).



This report recommends the adoption of the updated Chief Executive Officer Performance Review Committee terms of reference, and a nomination and selection process for Council to endorse the further three (3) positions on the committee in addition to the Mayor and Deputy Mayor.

#### **LEGAL IMPLICATIONS**

n/a

#### **STRATEGIC PLAN**

n/a

#### **COUNCIL POLICY**

Council Policy C410 Conduct of meetings includes provisions for nomination and appointment to vacant committee positions.

#### **ECONOMIC IMPLICATIONS**

n/a

#### **ENVIRONMENTAL IMPLICATIONS**

n/a

#### **SOCIAL IMPLICATIONS**

n/a

#### **CULTURAL IMPLICATIONS**

n/a

#### **RESOURCE IMPLICATIONS**

n/a

#### **VALUE FOR MONEY**

n/a

#### **RISK IMPLICATIONS**

n/a

#### **EQUALITIES AND DIVERSITY IMPLICATIONS**

n/a

#### **ENGAGEMENT AND COMMUNICATION STRATEGY**

n/a



#### **IMPLEMENTATION STRATEGY**

n/a

#### **CONCLUSION AND RECOMMENDATION**

This report recommends the adoption of the updated Chief Executive Officer Performance Review Committee terms of reference as attached to the report (**Attachment 1**), and that a nomination and selection process for Council to endorse the further three (3) positions on the committee in addition to the Mayor and Deputy Mayor.

#### **ATTACHMENTS**

1. DRAFT Terms of Reference - CEO Performance Review Committee - March 2023 [↓](#) 
2. Marked-Up Terms of Reference - CEO Performance Review Committee - March 2023 [↓](#) 





## **Chief Executive Officer Performance Review Committee**

### **TERMS OF REFERENCE**

A Committee of Council  
established pursuant to the provisions of  
Section 41  
of the Local Government Act 1999

The Chief Executive Officer Performance Review Committee was re-established by Council resolution dated 17 August 2021.

Terms of Reference for the conduct of the business of the Chief Executive Officer Performance Review Committee were approved and adopted by the City of Mount Gambier at its meeting held on **21 March 2023**.





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**Chief Executive Officer Performance Review Committee**

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### 1. NAME

- 1.1 The name of the Committee shall be the Chief Executive Officer (CEO) Performance Review Committee (in these Terms of Reference referred to as "the Committee").

### 2. INTERPRETATION

- 2.1 For the purpose of these Terms of Reference, unless inconsistent with the subject matter or context:
- 2.1.1 "**Act**" means the *Local Government Act 1999* and includes all Regulations and Schedules and successor legislation.
  - 2.1.2 "**Committee**" means the Committee of Council established pursuant to clause 3.
  - 2.1.3 "**Committee Member**" means the persons appointed by the Council to the Committee pursuant to clause 7.
  - 2.1.4 "**Council**" means the City of Mount Gambier that established the Committee and to which the Committee reports.
  - 2.1.5 "**Employment Agreement**" means the employment agreement between the City of Mount Gambier and the Chief Executive Officer, which came into effect on 15<sup>th</sup> June 2021 or any successor agreement.
  - 2.1.6 "**Member Behavioural Standards**": means the standard published in the Gazette by the Minister in accordance with Section 75E of the Act.
  - 2.1.7 "**Presiding Member of the Committee**" means the person appointed to that position pursuant to clause 8.
  - 2.1.8 "**Observers**" means those persons attending any meeting of the Committee of Council, but not having a vote on any matter to be determined by the Committee and not having been appointed as Committee Members.
  - 2.1.9 "**Qualified Independent Person**" has the same meaning as in s102A(3) of the Act.
  - 2.1.10 "**Regulations**" means the *Local Government (Procedures at Meetings) Regulations 2013*.
- 2.2 Any words, phrases or terms used in these Terms of Reference that are defined in the Act shall have the same meaning as are given in the Act.
- 2.3 A reference in these Terms of Reference to a "singular" includes a reference to the "plural" and a reference to a "plural" includes a reference to the "singular".
- 2.4 These Terms of Reference shall be interpreted in line with the provisions of the Act.

### 3. ESTABLISHMENT

- 3.1 The Chief Executive Officer Performance Review Committee is established under Section 41 of the Local Government Act 1999.
- 3.2 The Committee was re-established on from 20 July 2021.

### 4. PURPOSE

- 4.1 The Committee's primary purpose, in conjunction with the CEO, is to establish relevant performance objectives for the CEO and for the Committee to undertake the annual formal review of the performance of the CEO against those performance criteria, including as specified within the Employment Agreement.
- 4.2 The Committee's secondary purpose is, upon the completion of the performance review process, to undertake an annual review of the CEO's remuneration in accordance with the Employment Agreement.
- 4.3 To obtain and consider the advice of a Qualified Independent Person in accordance with s102A of the Act and independent human resource management specialist support as determined appropriate by the Presiding Member of the Committee to support the effective conduct of the reviews in 4.1 and 4.2.



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## **5. ROLE AND RESPONSIBILITIES**

- 5.1 To provide advice to Council on the CEO's performance and development, including the following matters:
  - 5.1.1 Reviewing the CEO's performance over the preceding 12 month performance period, in particular the performance against the agreed performance targets, Employment Agreement and position description requirements.
  - 5.1.2 Monitoring the progress on the CEO's agreed performance targets for the current 12 month performance period.
  - 5.1.3 Determining performance targets for the forthcoming 12 month performance period.
  - 5.1.4 Identifying development opportunities for the CEO.
  - 5.1.5 Reviewing the remuneration and conditions of employment of the CEO.
  - 5.1.6 Making recommendations to Council on any review of the Employment Agreement.
- 5.2 In support of the Committee's role, the Council will appoint independent human resource management specialist support (including a Qualified Independent Person) to assist with undertaking performance reviews and to provide advice as required by s102A of the Act.

## **6. DELEGATED POWERS**

- 6.1 The Committee is an advisory committee and, with the exception of procurement for the purposes of 4.3 and 5.2 in accordance with 6.2, has no power or authority to make delegated decisions on Council's behalf.
- 6.2 The engagement of independent person(s) and/or specialist consultancy services under 4.3 and 5.2 shall be under administrative (sub)delegation in conjunction with the Presiding Member of the Committee and in accordance with Council's Procurement & Disposal of Land and Assets Policy P420.

## **7. MEMBERSHIP OF COMMITTEE**

- 7.1 Membership of the Committee will be comprised of up to five Elected Members comprising the Mayor (Presiding Member of the Committee), Deputy Mayor, and up to three other elected members of Council appointed by Council resolution.

## **8. PRESIDING MEMBER OF THE COMMITTEE**

- 8.1 The Mayor will be the Presiding Member of the Committee.
- 8.2 If the Presiding Member of the Committee is absent from a meeting, then a member of the Committee chosen from those present will preside at the meeting until the Presiding Member is present.
- 8.3 The role of the Presiding Member of the Committee includes:
  - 8.3.1 overseeing and facilitating the conduct of meetings in accordance with the Act; and the Regulations.
  - 8.3.2 ensuring all Committee members have an opportunity to participate in discussions in an open and encouraging manner.
  - 8.3.3 in conjunction with an administrative delegate with appropriate sub-delegation to determine and procure the services of a Qualified Independent Person and (if determined appropriate by the Presiding Member of the Committee) specialist consulting services to support the Committee in fulfilling its purpose, role and responsibilities.

## **9. COMMITTEE RECOMMENDATIONS**

- 9.1 The minutes and recommendations of Committee meetings will be included in the agenda papers of the next ordinary (or special – as appropriate) meeting of the Council.
- 9.2 The Committee shall make whatever recommendations to the Council it deems appropriate on any area within its terms of reference where in its view action or improvement is needed.



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#### **10. MEETING PROCEDURES**

- 10.1 Meeting procedure for the Committee are as set out in the Act and Regulations.
- 10.2 A quorum shall be half the membership of the Committee, ignoring any fraction, plus one.
- 10.3 All decisions shall be made on the basis of a majority of the Committee Members present.

#### **11. FREQUENCY OF MEETINGS**

- 11.1 The Committee shall meet at appropriate times and places as determined by the Presiding Member of the Committee and, at least, annually. A special meeting of the Committee may be called in accordance with the Act.
- 11.2 Actions undertaken in calling meetings and their frequency will be consistent with the Act, Regulations and Employment Agreement.

#### **12. NOTICE OF MEETINGS**

- 12.1 Notice of the meetings of the Committee will be given in accordance with the Act, Regulations and Employment Agreement.

#### **13. PUBLIC ACCESS TO MEETINGS & DOCUMENTS**

- 13.1 Members of the public are able to attend all meetings of the Committee, unless excluded by order of the Committee, made under the confidentiality provisions of the Act.
- 13.2 Members of the public have access to all documents relating to the Committee unless withheld by order of the Committee or Council under the confidentiality provisions of the Act.

#### **14. MINUTES OF MEETINGS**

- 14.1 Minutes shall be kept of all meetings of the Committee in accordance with the Act.

#### **15. CONDUCT AND DISCLOSURE OF INTERESTS**

- 15.1 Members of the Committee must comply with the conflict of interest provisions of the Act.
- 15.2 Members of the Committee must comply with the Member Behavioural Standards and Chapter 5 Part 4 of the Act relating to member integrity and behaviour.

#### **16. LIABILITY OF THE COMMITTEE**

- 16.1 A liability incurred by the Committee rests against Council.
- 16.2 No liability attaches to a Committee Member for an honest act or omission by that Committee Member in the performance or discharge, or purported performance or discharge, of the Committee Member's or the Committee's functions or duties.
- 16.3 All Committee Members are bound by the Member Behavioural Standards.

#### **17 AMENDMENTS TO TERMS OF REFERENCE**

- 17.1 It will be lawful for the Council by resolution to revoke, vary or add to any of the provisions of these terms of reference for the Committee at its own discretion within the parameters of the Act, the Employment Agreement and any other relevant statutory provisions.
- 17.2 Notwithstanding 17.1 hereof before the Council resolves to revoke, vary or add to any of the provisions of these terms of reference for the Committee it may, but will be under no obligation, to obtain the opinion of the Committee and the CEO.

#### **18. INTERPRETATION OF TERMS OF REFERENCE**

- 18.1 Should there be any dispute as to the definition and/or interpretation in these terms of reference, or any part thereof or any irregularities whatsoever that are unable to be resolved by the Presiding Member of the Committee then the Council shall determine the dispute and the decision of the Council shall be final and binding.



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#### **19. OTHER MATTERS**

- 19.1 The Committee shall:
- 19.1.1 have access to reasonable resources in order to carry out its duties, recognising the constraints within the Council's Budget.
  - 19.1.2 give due consideration to laws and regulations, including the Act and relevant employment law.
  - 19.1.3 seek independent human resource support and advice to enable it to comply with its responsibilities set out in the Employment Agreement.
  - 19.1.4 where the Committee is required to act jointly with or to obtain the concurrence of the CEO in the performance of its functions, the Council expects that both parties will negotiate and consult in good faith to achieve the necessary objectives.
- 19.2 The CEO will provide administrative support for the purposes of co-ordination and preparation of agendas and reports for and minutes of Committee meetings and as a point of contact for all Committee members.
- 19.3 Subject to the provisions of the Act the Council may cease the operation of the Committee and the Committee may, in conjunction with the CEO, make such recommendation to the Council on the completion of its function.

#### **20. NOTICES**

- 20.1 All communication to be given to the Committee shall be addressed to:
- City of Mount Gambier Chief Executive Officer Performance Review Committee  
PO Box 56  
MOUNT GAMBIER SA 5290  
Email: [city@mountgambier.sa.gov.au](mailto:city@mountgambier.sa.gov.au)

21 March 2023





## **Chief Executive Officer Performance Review Committee**

### **TERMS OF REFERENCE**

A Committee of Council  
established pursuant to the provisions of  
Section 41  
of the Local Government Act 1999

The Chief Executive Officer Performance Review Committee was re-established by Council resolution dated 17 August 2021.



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Terms of Reference for the conduct of the business of the Chief Executive Officer Performance Review Committee were approved and adopted by the City of Mount Gambier at its meeting held on ~~17 August 2021~~ 21 March 2023.



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**Chief Executive Officer Performance Review Committee**

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## 1. NAME

- 1.1 The name of the ~~Council~~ Committee shall be the Chief Executive Officer (CEO) Performance Review Committee (in these Terms of Reference referred to as "the Committee").

## 2. INTERPRETATION

- 2.1 For the purpose of these Terms of Reference, unless inconsistent with the subject matter or context:
- 2.1.1 "**Act**" means the *Local Government Act 1999* and includes all Regulations and Schedules and successor legislation.
- 2.1.2 "**Committee**" means the Committee of Council established pursuant to clause 3.
- 2.1.3 "**Committee Member**" means the persons appointed by the Council to the Committee pursuant to clause 7.
- 2.1.4 "**Council**" means the City of Mount Gambier that established the Committee and to which the Committee reports.
- 2.1.5 "**Employment Agreement**" means the employment agreement between the City of Mount Gambier and the Chief Executive Officer, which came into effect on 15<sup>th</sup> June 2021 or any successor agreement.
- 2.1.6 "**Member Behavioural Standards**"; means the standard published in the Gazette by the Minister in accordance with Section 75E of the Act.
- 2.1.7 "**Presiding Member of the Committee of Council**" means the person appointed to that position pursuant to clause 8.
- 2.1.78 "**Observers**" means those persons attending any meeting of the Committee of Council, but not having a vote on any matter to be determined by the Committee and not having been appointed as Committee Members.
- 2.1.8-9 "**Qualified Independent Person**" has the same meaning as in s102A(3) of the Act.
- 2.1.10 "**Regulations**" means the *Local Government (Procedures at Meetings) Regulations 2013*.
- 2.2 Any words, phrases or terms used in these Terms of Reference that are defined in the Act shall have the same meaning as are given in the Act.
- 2.3 A reference in these Terms of Reference to a "singular" includes a reference to the "plural" and a reference to a "plural" includes a reference to the "singular".
- 2.4 These Terms of Reference shall be interpreted in line with the provisions of the Act.

## 3. ESTABLISHMENT

- 3.1 The Chief Executive Officer Performance Review Committee is established under Section 41 of the Local Government Act 1999.
- 3.2 The Committee was re-established on from 20 July 2021.

## 4. PURPOSE

- 4.1 The Committee's primary purpose, in conjunction with the CEO, is to establish relevant performance objectives for the CEO and for the Committee to undertake the annual formal review of the performance of the CEO against those performance criteria, including as specified within the Employment Agreement.
- 4.2 The Committee's secondary purpose is, upon the completion of the performance review process, to undertake an annual review of the CEO's remuneration in accordance with the Employment Agreement.
- 4.3 To obtain and consider the advice of a ~~qualified independent person(s)~~ Qualified Independent Person in accordance with s102A of the ~~Local Government Act 1999~~ and independent human



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resource management specialist support as determined appropriate by the Presiding Member of the Committee to support the effective conduct of the reviews in 4.1 and 4.2.

## 5. ROLE AND RESPONSIBILITIES

- 5.1 To provide advice to Council on the CEO's performance and development, including the following matters:
- 5.1.1 Reviewing the CEO's performance over the preceding 12 month performance period, in particular the performance against the agreed performance targets, Employment Agreement and position description requirements.
  - 5.1.2 Monitoring the progress on the CEO's agreed performance targets for the current 12 month performance period.
  - 5.1.3 Determining performance targets for the forthcoming 12 month performance period.
  - 5.1.4 Identifying development opportunities for the CEO.
  - 5.1.5 Reviewing the remuneration and conditions of employment of the CEO.
  - 5.1.6 Making ~~any~~ recommendations to Council on any review of the ~~CEO~~-Employment Agreement.
- 5.2 In support of the Committee's role, the Council will appoint ~~an~~ independent human resource management specialist support (including a Qualified Independent Person) to assist with the undertaking ~~of~~ performance reviews and to provide advice as required by s102A of the Act.

## 6. DELEGATED POWERS

- 6.1 The Committee is an advisory committee and, with the exception of procurement for the purposes of 4.3 and 5.2 in accordance with 6.2, has no power or authority to make delegated decisions on Council's behalf.
- 6.2 The engagement of independent person(s) and/or specialist consultancy services under 4.3 and 5.2 shall be ~~administered by the administration~~ under administrative (sub)delegation in conjunction with the Presiding Member of the Committee and in accordance with Council's Procurement & Disposal of Land and Assets Policy P420.

## 7. MEMBERSHIP OF COMMITTEE

- 7.1 Membership of the Committee will be comprised of up to five Elected Members being comprising the Mayor (Presiding Member of the Committee), Deputy Mayor, ~~the Presiding Members of the Economic & Environment and the People & Place Committees, and otherwise as resolved~~ up to three other elected members of Council appointed by Council.
- ~~7.2 — Should any one or more of the positions specified in 7.1 be filled by the same Elected Member Council may appoint other Elected Members to fill up to the full membership of five resolution.~~
- ~~7.3 — Should Council's committee structure change from that specified in 7.1 then the Elected Members membership of the Committee shall remain as in place prior to the change until these Terms of Reference are amended by Council.~~

## 8. PRESIDING MEMBER OF THE COMMITTEE

- 8.1 The Mayor will be the Presiding Member of the Committee.
- 8.2 If the Presiding Member of the Committee is absent from a meeting, then a member of the Committee chosen from those present will preside at the meeting until the Presiding Member is present.
- 8.3 The role of the Presiding Member of the Committee includes:
- 8.3.1 overseeing and facilitating the conduct of meetings in accordance with the Act; and the Regulations.



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8.3.2 ~~Ensuring~~ensuring all Committee members have an opportunity to participate in discussions in an open and encouraging manner.

8.3.3 ~~In~~in conjunction with an ~~Administration Officer~~administrative delegate with appropriate sub-delegation to determine and procure the services of ~~an independent person~~Qualified Independent Person and/or ~~(if determined appropriate by the Presiding Member of the Committee)~~(if determined appropriate by the Presiding Member of the Committee) specialist consulting services to support the Committee in fulfilling its purpose, role and responsibilities.

#### **9. REPORTING RESPONSIBILITIES**COMMITTEE RECOMMENDATIONS

9.1 The minutes ~~and recommendations~~and recommendations of ~~each~~each Committee ~~meeting~~meetings will be included in the agenda papers of the next ordinary ~~(or special – as appropriate)~~(or special – as appropriate) meeting of the Council.

9.2 The Committee shall make whatever recommendations to the Council it deems appropriate on any area within its terms of reference where in its view action or improvement is needed.

#### **10. MEETING PROCEDURES**

10.1 Meeting procedure for the Committee ~~is~~are as set out in the Act and Regulations.

10.2 A quorum ~~for the Committee~~for the Committee shall ~~constitute~~be half the membership ~~of the Committee~~of the Committee, ignoring any fraction ~~from the division~~from the division, plus one.

10.3 All decisions ~~of the Committee~~of the Committee shall be made on the basis of a majority ~~decision~~decision of the ~~members~~Committee Members present.

#### **11. FREQUENCY OF MEETINGS**

11.1 The Committee shall meet at appropriate times and places as determined by the ~~Presiding Member of the~~Presiding Member of the Committee and, at least, annually. A special meeting of the Committee may be called in accordance with the Act.

11.2 Actions undertaken in calling meetings and their frequency will be consistent with the Act, ~~Regulations~~Regulations and ~~the~~the Employment Agreement.

#### **12. NOTICE OF MEETINGS**

12.1 Notice of the meetings of the Committee will be given in accordance with the Act, ~~Regulations~~Regulations and ~~with the~~with the Employment Agreement.

#### **13. PUBLIC ACCESS TO MEETINGS & DOCUMENTS**

13.1 Members of the public are able to attend all meetings of the Committee, unless excluded by order of the Committee, ~~made~~made under the confidentiality provisions of the Act.

13.2 Members of the public have access to all documents relating to the Committee unless withheld by order of the Committee or Council under the confidentiality provisions of the Act.

#### **14. MINUTES OF MEETINGS**

14.1 Minutes shall be kept of all meetings of the Committee in accordance with the Act.

#### **15. CONDUCT AND DISCLOSURE OF INTERESTS**

15.1 Members of the Committee must comply with the conflict of interest provisions of the Act.

15.2 Members of the Committee must comply with the ~~Code of Conduct for Council Members~~Member Behavioural Standards and Chapter 5 Part 4 of the Act relating to ~~Conduct~~member integrity and ~~Disclosure of Interests~~behaviour.

#### **16. LIABILITY OF THE COMMITTEE**

16.1 A liability incurred by the Committee rests against Council.



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- 16.2 No liability attaches to a ~~Committee Member of the Committee~~ for an honest act or omission by that ~~Member of the Committee~~ Member in the performance or discharge, or purported performance or discharge, of the ~~Committee~~ Member's or the Committee's functions or duties.
- 16.3 All ~~members of the committee~~ Committee Members are bound by the ~~Council Member Code of Conduct as published in accordance with Section 63 of the Act~~ Behavioural Standards.

#### 17 AMENDMENTS TO TERMS OF REFERENCE

- 17.1 It will be lawful for the Council by resolution to revoke, vary or add to any of the provisions of these ~~Terms of Reference~~ terms of reference for the Committee at its own discretion within the parameters of the Act, the Employment Agreement and any other relevant ~~legislation~~ statutory provisions.
- 17.2 Notwithstanding 17.1 hereof before the Council resolves to revoke, vary or add to any of the provisions of these ~~Terms of Reference~~ terms of reference for the Committee it may, but will be under no obligation, to obtain the opinion of the Committee and the CEO.

#### 18. INTERPRETATION OF TERMS OF REFERENCE

- 18.1 Should there be any dispute as to the definition and/or interpretation ~~of~~ in these ~~Term~~ terms of ~~Reference~~ reference, or any part thereof or any irregularities whatsoever that are unable to be resolved by the Presiding Member ~~of the Committee~~ then the Council shall determine the dispute and the decision of the Council shall be final and binding.

#### 19. OTHER MATTERS

- 19.1 The Committee shall:
- 19.1.1 ~~Have~~ have access to reasonable resources in order to carry out its duties, recognising the constraints within the Council's Budget.
- 19.1.2 ~~Give~~ give due consideration to laws and regulations, including the Act and relevant employment law.
- 19.1.3 ~~Seek~~ seek independent human resource support and advice to enable it to comply with its responsibilities set out in the Employment Agreement.
- 19.1.4 ~~Where~~ where the Committee is required to act jointly with or to obtain the concurrence of the CEO in the performance of its functions, the Council expects that both parties will negotiate and consult in good faith to achieve the necessary objectives.
- 19.2 The CEO will provide administrative support for the purposes of co-ordination and preparation of agendas and reports for and minutes of Committee meetings and as a point of contact for all Committee members.
- 19.3 ~~The~~ Subject to the provisions of the Act the Council may cease the operation of the Committee and the Committee may, in conjunction with the CEO, make such recommendation to the Council on the completion of its function.

#### 20. NOTICES

- 20.1 All communication to be given to the Committee shall be addressed to:

City of Mount Gambier Chief Executive Officer Performance Review Committee  
PO Box 56  
MOUNT GAMBIER SA 5290  
Email: [city@mountgambier.sa.gov.au](mailto:city@mountgambier.sa.gov.au)

~~30 September 2021-21 March 2023~~



**19.5 NOMINATION FOR THE DOG AND CAT MANAGEMENT BOARD – REPORT NO. AR23/9443**

|                                  |  |
|----------------------------------|--|
| <b>Committee:</b>                | <b>Council</b>   |
| <b>Meeting Date:</b>             | <b>21 March 2023</b>   |
| <b>Report No.:</b>               | <b>AR23/9443</b>   |
| <b>CM9 Reference:</b>            | <b>AF22/378</b>  |
| <b>Author:</b>                   | <b>Tegan McPherson, Project Manager</b>  |
| <b>Authoriser:</b>               | <b>Sarah Philpott, Chief Executive Officer</b>   |
| <b>Summary:</b>                  | The LGA is seeking nominations to fill 2 of the LGA-nominated positions on the Dog and Cat Management Board. City of Mount Gambier employee, Tegan McPherson, is seeking support for nomination to one of these positions. |
| <b>Strategic Plan Reference:</b> | <b>Goal 5: Our Commitment</b>  |

**REPORT RECOMMENDATION**

1. That Council Report No. AR23/9443 titled 'Nomination for the Dog and Cat Management Board' as presented on 21 March 2023 be noted.
2. That City of Mount Gambier employee, Tegan McPherson, Project Manager, be nominated for the LGA-nominated positions on the Dog and Cat Management Board.



## TYPE OF REPORT

Other

## BACKGROUND

The Dog and Cat Management Board is established under the [Dog and Cat Management Act 1995](#).

The Dog and Cat Management Board is the public face for the management of companion dogs and cats in South Australia. Additionally, it also:

- provides policy leadership to councils
- acts as an advocate and intermediary, working with vets, breeders and pedigree organisations, animal rescue and shelter organisations and assistance dog organisation to ensure that South Australia's dog and cat laws meet the objects of the Dog and Cat Management Act 1995 (the DCM Act).

The LGA is seeking nominations to fill 2 of the LGA-nominated positions on the Dog and Cat Management Board. The previous 2 members nominated by the LGA are not eligible for reappointment.

Under section 12 of the DCM Act, the Dog and Cat Management Board comprises 9 members, of whom:

- 4 are nominated by the LGA
- 4 are nominated by the Minister
- and one, to chair the Board, is jointly nominated by the LGA and the Minister.

Appointments to the Dog and Cat Management Board are for a period of up to 3 years. Meetings are held 11 times a year. Sitting fees of \$206 per meeting apply.

In accordance with section 42 of the [Legislation Interpretation Act 2021](#) the LGA must submit a panel of 5 nominees to the Minister. The [LGA Appointments and Nominations to Outside Bodies Policy](#) sets out the process to examine nominees with respect to the responsibilities and strategic importance of the outside body.

To be a nominee, the individual must be a currently serving council member or employee of a council or other local government entity (unless otherwise determined by the LGA Board of Directors) and the following skills and experience:

- practical knowledge of and experience in local government, including local government processes, community consultation and the law as it applies to local government
- experience in the administration of legislation
- experience in financial management
- experience in education and training.

Only nominations submitted by a council, following a resolution of council, will be considered.



## **PROPOSAL**

City of Mount Gambier employee, Tegan McPherson is seeking support from Council for nomination to fill one of the two LGA-nominated positions on the Dog and Cat Management Board.

Ms McPherson commenced at Council in November 2020 as Manager Organisational Development, and after a period of maternity leave, has been performing a Project Management role in support of a range of strategic projects. Prior to working at Council, Tegan worked in an executive management role at RSPCA Victoria where she was actively involved in leading work with local government in Victoria on the implementation of animal management legislation and animal welfare initiatives.

In combining this previous experience with her more recent local government experience at City of Mount Gambier, Ms McPherson is keen to pursue the opportunity on the Dog and Cat Management Board as part of her ongoing professional development.

This request is supported by her line manager and the CEO.

## **LEGAL IMPLICATIONS**

[\*Dog and Cat Management Act 1995\*](#)

[\*Local Government Act 1999\*](#)

[\*Legislation Interpretation Act 2021\*](#)

Appointees to external bodies should be aware that they are bound by the terms of appointment to that entity, with any other insurance or liability matters not being under Local Government Risk Services as independent arrangements separate from Council.

Similarly, appointees should note any potential conflict of interest and declaration of interest (including ordinary returns required by Elected Members and specified officers) in a Council capacity.

## **STRATEGIC PLAN**

N/A

## **COUNCIL POLICY**

The Code of Conduct – Behavioural Standards for City of Mount Gambier Employees outlines requirements as it relates to the management of conflicts of interest and engagement in paid work outside of Council.

The Dog and Cat Management Board will also have policies and requirements as they relate to conflicts of interest.

Ms McPherson understands these requirements and will use her professional judgement to ensure these are complied with.

## **ECONOMIC IMPLICATIONS**

N/A

## **ENVIRONMENTAL IMPLICATIONS**

N/A

## **SOCIAL IMPLICATIONS**

N/A

## **CULTURAL IMPLICATIONS**

N/A

## **RESOURCE IMPLICATIONS**

If successful in her appointment, Ms McPherson will be responsible for any travel, accommodation or other expenditure associated with attendance at Dog and Cat Management Board meetings and



functions. With this in mind, any applicable sitting fees payable by the Dog and Cat Management Board will go directly to Ms McPherson in order to contribute to these costs.

As this will be a recognised professional development opportunity, Ms McPherson, will be released from her duties during work hours in order to participate in Dog and Cat Management Board meetings and functions.

**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**

Nominations for the Dog and Cat Management Board must be submitted by a council, following a resolution of council.

In order to support Ms McPherson in her nomination, it is recommended that Council resolve to nominate Ms McPherson for one of the LGA-nominated positions on the Dog and Cat Management Board.

**ATTACHMENTS**

Nil





**19.6 NOMINATIONS FOR LIMESTONE COAST LOCAL GOVERNMENT ASSOCIATION COMMITTEE APPOINTMENTS – REPORT NO. AR23/15868**

|                                  |  |
|----------------------------------|--|
| <b>Committee:</b>                | <b>Council</b>   |
| <b>Meeting Date:</b>             | <b>21 March 2023</b>   |
| <b>Report No.:</b>               | <b>AR23/15868</b>  |
| <b>CM9 Reference:</b>            | <b>AF22/378</b>  |
| <b>Author:</b>                   | <b>Michael McCarthy, Manager Governance and Property</b>   |
| <b>Authoriser:</b>               | <b>Ritu Datta, Acting General Manager Corporate and Regulatory Services</b>  |
| <b>Summary:</b>                  | <b>This report provides an update on Limestone Coast Local Government Association Committee appointments and an opportunity for Council to make nominations to relevant positions.</b>                       |
| <b>Strategic Plan Reference:</b> | <b>Goal 1: Our People</b><br><b>Goal 2: Our Location</b><br><b>Goal 3: Our Diverse Economy</b><br><b>Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage</b><br><b>Goal 5: Our Commitment</b> |

**REPORT RECOMMENDATION**

1. That Council Report No. AR23/15868 titled 'Nominations for Limestone Coast Local Government Association Committee Appointments' as presented on 21 March 2023 be noted.
2. Council notes that the Chief Executive Officer will make appropriate officer appointments to LCLGA advisory/operational committees.
3. That the Chief Executive Officer, Sarah Philpott be nominated for both the LCLGA Audit and Risk Committee and the Executive Officer Remuneration Committee.
4. That Council nominates Cr Paul Jenner for the Group Training Employment Board position, and no other nominations to external LCLGA committees, noting that in the absence of a political nomination the Chief Executive Officer may determine to make a technical nomination to the Green Triangle Freight Action Plan Committee.



## TYPE OF REPORT

Other

## BACKGROUND

The Limestone Coast Local Government Association ('LCLGA') has several internal (including /advisory/operational) and external committees to which it nominates or appoints members.

The LCLGA periodically (formerly annually) seeks nominations from its constituent councils for these positions.

The LCLGA has reviewed its committee nomination/appointment practices and this report presents the current round of nominations sought for LCLGA committee position vacancies.

## PROPOSAL

This report presents the various LCLGA committee positions for which they are seeking nominations under the following three categories:

### Advisory/Operational Committees

- Roads and Transport Management Group
- Regional Waste Management Steering Committee
- Tourism Management Group

The LCLGA seeks one officer or executive representative from each Council with responsibility in the relevant professional areas for each of these committees.

As officer related matters the Chief Executive Officer (or delegate) will deal with the appointment of a relevant executive, senior manager, or technical officer in a relevant field as appropriate for each of these committees. In the first instance these are likely to be Barbara Cernovskis or relevant Manager for the road and waste committees, and Biddie Shearing for the tourism group.

No action is required by Council for the appointments to these internal LCLGA committees.

### Internal LCLGA Committees

- Audit and Risk Committee
- Executive Officer Remuneration Committee

The LCLGA seeks two CEO's or officers from amongst the constituent councils for the Audit and Risk Committee, and a CEO from amongst the constituent councils for the Executive Officer Remuneration Committee. Accordingly, Council may consider whether it wishes to support a nomination by the Chief Executive Officer, Sarah Philpott for either of these two committees.

If no nomination is made by Council for the Audit and Risk Committee, then the Chief Executive Officer will give consideration to making an officer nomination.

The Board Member appointments to these committees are made by the LCLGA Board from amongst their membership. Accordingly, nominations are not required, but Council may consider whether it wishes to confirm its support for particular Board nominee(s) on either of these Committees.

### External LCLGA Committees

- Green Triangle Freight Action Plan

The LCLGA seeks two nominees from amongst the constituent councils for the Green Triangle Freight Action Plan Committee. Nominees may be political or technical. Council may consider whether it wishes to make a political nomination to this committee from amongst



Elected Members. If no nomination is made by Council then the Chief Executive Officer will give consideration to making an appropriate officer nomination.

- Southern Border Fire Coordination Association (only for Council's sharing a Vic/SA Border)

The Southern Border Fire Coordination Association is open to a CEO or executive from a Council sharing a SA/Vic Border. Accordingly, the City of Mount Gambier is not eligible to nominate.

- Group Training Employment

Each Council may choose to nominate one or no candidate for consideration.

Cr Paul Jenner is the current LCLGA appointee. However it remains for Council to confirm this nomination, and in turn for the LCLGA to also confirm from amongst any other nominees.

It is noted that the LCLGA has advised Group Training Employment that this is the last time it will make a nomination to their committee. The term of appointment is not specified.

- ac.care

Tony Wright is the current appointee to ac care. Council may consider making a nomination for consideration by the LCLGA.

It is noted that the LCLGA has advised ac.care that this is the last time it will make a nomination to their committee. The term of appointment is not specified.

## **LEGAL IMPLICATIONS**

Appointees to external bodies should be aware that they are bound by the terms of appointment to that entity, with any other insurance or liability matters not being under Local Government Risk Services as independent arrangements separate from Council.

Similarly, appointees should note any potential conflict of interest and declaration of interest (including ordinary returns required by Elected Members and specified officers) in a Council capacity.

## **STRATEGIC PLAN**

N/A

## **COUNCIL POLICY**

Council Policy C410 Conduct of Meetings includes provisions for nomination and selection of nominees/appointees to vacant positions.

## **ECONOMIC IMPLICATIONS**

N/A

## **ENVIRONMENTAL IMPLICATIONS**

N/A

## **SOCIAL IMPLICATIONS**

N/A

## **CULTURAL IMPLICATIONS**

N/A

## **RESOURCE IMPLICATIONS**

N/A

## **VALUE FOR MONEY**

N/A



**RISK IMPLICATIONS**

N/A

**EQUALITIES AND DIVERSITY IMPLICATIONS**

N/A

**ENGAGEMENT AND COMMUNICATION STRATEGY**

N/A

**IMPLEMENTATION STRATEGY**

N/A

**CONCLUSION AND RECOMMENDATION**

This report is presented for Council to note the Chief Executive Officers proposed actions in making appropriate officer appointments to LCLGA advisory/operational committees, and for Council to consider making nominations to the LCLGA internal and external committees.

**ATTACHMENTS**

Nil



**19.7 ALGA JUNE 2023 NATIONAL GENERAL ASSEMBLY - CALL FOR MOTIONS –  
REPORT NO. AR23/14819**

|                                  |  |
|----------------------------------|--|
| <b>Committee:</b>                | <b>Council</b>   |
| <b>Meeting Date:</b>             | <b>21 March 2023</b>   |
| <b>Report No.:</b>               | <b>AR23/14819</b>  |
| <b>CM9 Reference:</b>            | <b>AF22/378</b>  |
| <b>Author:</b>                   | <b>Barbara Cernovskis, General Manager City Infrastructure</b>   |
| <b>Authoriser:</b>               | <b>Sarah Philpott, Chief Executive Officer</b>   |
| <b>Summary:</b>                  | <b>This report presents a motion for the ALGA National General Assembly in June 2023, requesting a bipartisan agreement to commit to the ongoing provision of Roads to Recovery and Local Roads and Community Infrastructure funding programs to Local Government.</b> |
| <b>Strategic Plan Reference:</b> | <b>Goal 2: Our Location</b><br><b>Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage</b>   |

**REPORT RECOMMENDATION**

1. That Council Report No. AR23/14819 titled 'ALGA June 2023 National General Assembly - Call for Motions' as presented on 21 March 2023 be noted.
2. That the following motion (as attached to this report) be endorsed for submission as an agenda item to the ALGA National General Assembly in June 2023:
  - (a) Bipartisan agreement to commit to sustain the current provision of Roads to Recovery (R2R) and retain the Local Roads and Community Infrastructure (LRCI) funding programs to Local Government.



## TYPE OF REPORT

Corporate

## BACKGROUND

Each year the Australian Local Government Association (ALGA) hold a National General Assembly (NGA) in Canberra where councils from around our nation discuss current and emerging challenges and opportunities and advocate to the Federal Government on critical issues facing the sector.

This year's NGA will be held in Canberra in mid-June 2023 and the theme for the event is Our Communities, Our Future, conveying the critical importance of our communities, how they are the focus of our attentions, and how they are at the centre of all our work.

Council, at its meeting held on 24 January 2023, resolved:

1. *That Council Report No. AR23/2652 titled 'ALGA June 2023 National General Assembly - Call for Motions' as presented on 24 January 2023 be noted.*
2. *That draft motions for the June 2023 ALGA NGA be prepared and presented to Council on the following issues relevant to the work of local government nationally:*
  - (i) *Given the increasing, devastating impact that natural disasters are having on Local Government infrastructure and public amenity a formal request that there be bipartisan agreement to commit to the ongoing provision of SLRP and LRCI funding."*

## PROPOSAL

In response to the above resolution, research indicates that the \$2.6 billion Roads to Recovery (R2R) program funded by the Australian Government for the period 2019-20 to 2023-24, averaging \$520M p.a. will be reduced to \$500M p.a. from 2024-25. This is an annual reduction to Local Government roads infrastructure of \$20M.

Therefore, an amended motion has been prepared for the 2023 NGA regarding a bipartisan agreement to commit to sustain the current provision of Roads to Recovery (R2R) and retain the Local Roads and Community Infrastructure (LRCI) funding programs to Local Government.

Council endorsement of the attached motion is required prior to submitting this as an agenda item.

Motions must be submitted online by 24 March 2023 and in accordance with the ALGA 2023 NGA [Discussion Paper - Calls for Motions](#).

## LEGAL IMPLICATIONS

N/A

## STRATEGIC PLAN

The proposed motion is consistent with the below goals identified in the City of Mount Gambier 2020-2024 Strategic Plan.

Goal 2: Our Location

- 2.1 Infrastructure development and managing our current assets

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

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

## COUNCIL POLICY

R2R and LRCI funding assist Council in maintaining its assets and public facilities in accordance with Council's Policy and Asset Management Plans.

[Council Policy A900 - Asset Management](#)

[City of Mount Gambier Asset Management Summary 2023-2032](#)



**ECONOMIC IMPLICATIONS**

N/A

**ENVIRONMENTAL IMPLICATIONS**

N/A

**SOCIAL IMPLICATIONS**

N/A

**CULTURAL IMPLICATIONS**

N/A

**RESOURCE IMPLICATIONS**

N/A

**VALUE FOR MONEY**

The R2R and LRCI programs provide up to 100% funding for approved projects that have been endorsed by Council.

**RISK IMPLICATIONS**

N/A

**EQUALITIES AND DIVERSITY IMPLICATIONS**

N/A

**ENGAGEMENT AND COMMUNICATION STRATEGY**

N/A

**IMPLEMENTATION STRATEGY**

N/A

**CONCLUSION AND RECOMMENDATION**

It is recommended that the attached motion be endorsed for submission to the ALGA National General Assembly in June 2023.

**ATTACHMENTS**

1. Proposed Motion - ALGA June 2023 National General Assembly [↓](#) 





## **Motion for the ALGA 2023 National General Assembly**

### **Bipartisan agreement to commit to the ongoing provision of Roads to Recovery, and Local Roads and Community Infrastructure Funding**

#### **Motion**

The National General Assembly calls on the Australian Government to commit to sustain the current provision of Roads to Recovery (R2R) and retain the Local Roads and Community infrastructure (LRCI) funding programs to Local Government.

#### **National Objective**

The provision and maintenance of quality roads and community infrastructure by Local Government is pivotal to building and sustaining vibrant communities. Local Governments throughout Australia have proven to be strong delivery partners with the Australian Government in the delivery of small and large infrastructure projects that not only enhance the quality of life for their constituents but contribute significantly to the broader economy.

Throughout the past number of years Local Government infrastructure and asset management, particularly in regional areas, has been impacted by the compounding effects of a global pandemic in terms of supply, cost escalation and skill shortage. This coupled with extreme weather events has put unprecedented pressure on Local Government resources and their capacity to deliver, maintain and replace critical infrastructure.

Research indicates that the \$2.6 billion Roads to Recovery (R2R) program funded by the Australian Government for the period 2019-20 to 2023-24, averaging \$520M p.a. will be reduced to \$500M p.a. from 2024-25. This equates to an annual reduction to Local Government roads infrastructure of \$20M.

Programs such as Roads to Recovery and Local Roads and Community Infrastructure provide relief to Local Government and enable the ongoing delivery of key, critical infrastructure projects for their communities during these unparalleled times.

#### **Summary of Key Arguments**

This motion seeks a commitment from the Australian Government to continue with these programs and sustain current levels of funding to mitigate underinvestment and declining standards of community infrastructure that is critical for local and regional social and economic development, and ultimately national productivity.





**19.8 INSTALLATION OF A DISABLED PERMIT PARKING ONLY ZONE ON PERCY STREET, MOUNT GAMBIER – REPORT NO. AR23/14450**

|                                  |  |
|----------------------------------|--|
| <b>Committee:</b>                | <b>Council</b>   |
| <b>Meeting Date:</b>             | <b>21 March 2023</b>   |
| <b>Report No.:</b>               | <b>AR23/14450</b>  |
| <b>CM9 Reference:</b>            | <b>AF22/378</b>  |
| <b>Author:</b>                   | <b>Derek Ferguson, Team Leader General Inspectorate</b>  |
| <b>Authoriser:</b>               | <b>Ritu Datta, Acting General Manager Corporate and Regulatory Services</b>  |
| <b>Summary:</b>                  | <b>Westpac Bank has requested that Council install a Disabled Permit Parking Only Zone on Percy Street, Mount Gambier.</b> |
| <b>Strategic Plan Reference:</b> | <b>Goal 1: Our People</b><br><b>Goal 2: Our Location</b><br><b>Goal 5: Our Commitment</b>                                  |

**REPORT RECOMMENDATION**

1. That Council Report No. AR23/14450 titled Installation of a Disabled Permit Parking Only Zone as presented on 21 March 2023 be noted.
2. That Council endorse the Traffic Impact Statement and proposed area shown on the aerial map as attached to Report No. AR23/14450.
3. That Council, in accordance with the power delegated by the Minister under Section 17(1) and (2) of the Road Traffic Act (Instrument of Delegation dated 22 August 2013), resolves the following:

**Prohibited Area**  
Ref No. 2.3.106

**Disabled Permit Parking Only**

PERCY STREET (SOUTHERN HALF) - from 10 metres to 18 metres east of the intersection with Penola Road

To apply at all times



## **TYPE OF REPORT**

Other

## **BACKGROUND**

Westpac bank moved its premises to Commercial Street East and have requested a Disabled Permit Parking Space, this proposal has been supported by all nearby shop owners. With a number of elderly customers using the bank, a disabled parking space closer to the bank will give elderly customers easier access.

## **PROPOSAL**

To Install a Disabled Permit Parking Zone on Percy Street (southern side).

## **LEGAL IMPLICATIONS**

## **STRATEGIC PLAN**

Our Location 2.1.1

## **COUNCIL POLICY**

N/A

## **ECONOMIC IMPLICATIONS**

N/A

## **ENVIRONMENTAL IMPLICATIONS**

N/A

## **SOCIAL IMPLICATIONS**

N/A

## **CULTURAL IMPLICATIONS**

N/A

## **RESOURCE IMPLICATIONS**

Parking inspector to monitor the area on a regular basis.

## **VALUE FOR MONEY**

N/A

## **RISK IMPLICATIONS**

N/A

## **EQUALITIES AND DIVERSITY IMPLICATIONS**

N/A

## **ENGAGEMENT AND COMMUNICATION STRATEGY**

N/A

## **IMPLEMENTATION STRATEGY**





Signage and Line Marking to be installed.

## **CONCLUSION AND RECOMMENDATION**

It is recommended that Council Install a Disabled Parking Zone on Percy Street (southern side).



## ATTACHMENTS

1. Customer Feedback - Disabled parking - Additional Spots - Commercial Street East Precinct - Westpac Mount Gambier - Bank SA [↓](#) 
2. Additional Information - Customer Feedback - Disabled Parking - Additional Spots - Commercial Street East Precinct - Westpac Mount Gambier - Bank SA [↓](#) 
3. Traffic Impact Statement - Disabled Permit Parking Zone - Percy Street [↓](#) 
4. Aerial Photo - Disabled Permit Parking Zone - Percy Street [↓](#) 





Westpac Banking Corporation  
Group Property  
Level 24, 275 Kent Street  
Sydney NSW 2000  
[www.westpac.com.au](http://www.westpac.com.au)

30 March 2022

Ms Barbara Cernovskis  
**General Manager City Infrastructure**  
City of Mount Gambier  
10 Watson Tce  
Mount Gambier SA 5290

Dear Barbara,

**RE: Allocation of Disabled Parking Spaces on Percy St**

My name is Tayla O'Brien and I am the Bank Manager of the BankSA and Westpac branches in Mount Gambier. I write regarding the allocation of disabled parking spaces along Percy St. Following the recent co-location of the Westpac branch into the BankSA branch at 1 Commercial St East, it has become apparent to me that there is an under allocation of disabled parking spots in the area.

Currently there are almost no disabled parking spaces in the Commercial St East precinct. There has been a notable shift in retail foot traffic in this area with the relocation of a number of large retailers, increasing the demand for parking spaces in general. BankSA and Westpac provide essential services to the community of Mt Gambier, and I am hearing first hand almost daily of the struggle our elderly and disabled customers have in finding parking in the immediate area.

To support these members of our community, we would suggest that additional disabled parking spaces be allocated on Percy St at the Penola Rd end (see Insert 1), ideally at least two (2). This would not only assist the BankSA and Westpac customers who need disabled parking, but also the customers of the various cafes and other retailers in the surrounds.

We appreciate your support, assistance and understanding in this matter.

If you have any questions, please do not hesitate to contact the undersigned.





Yours sincerely,

Tayla O'Brien

**Bank Manager – BankSA & Westpac Mount Gambier**

1 Commercial St East

Mount Gambier SA 5290

Insert 1: Suggested disabled parking locations on Percy St



Attachment provided by Tayla from Westpac Mount Gambier  
Feedback from customers and business neighbours collated over 3 months

Thank you for your time earlier this week.

I have spoken to our neighbours and have received feedback as follows:

- Copenhagen feels very strongly that a disabled park is required. Ideally out the front but happy with Percy Street idea too. They have several groups of adults with varying levels of mobility requirements who meet at their café every few weeks for lunch. Today when I went in to Copenhagen there was two people in a wheel chair having lunch. They frequent Copenhagen as they have a ramp and are easy to navigate, but often they have to get dropped off or park far away.
- Metro – supportive of having a park.
- Taking Shape – supportive of having a park, suggested Percy Street.
- Lima and Co
- Tony Pasin Office – supportive of having more disabled parks, not personally impacted as has their own off street parking and disabled park for their patrons.

Complaint Feedback:

We have received upwards of 20 complaints through our formal channels, but many more comments and remarks. Here is some verbatim we have received in the past 3 months. I have used initials for privacy.

MC: Parking is much more inconvenient. I can walk but older people cant.

LB: Westpac has relocated to an awful position being on the main street there is nowhere for you to park and being handicapped it is even worse, you have to walk a long way.

JF: The bank is my preferred provider but you've downsized our branch into Bank SA location. Bit of a nuisance to be honest.

KM: Westpac in mount gambier has recently moved in with Bank SA. There is limited parking in the area

GE: New Location not easily accessed by elderly. Parking also a problem. Husband not wanting to go there ever again.

MD: same as before and in addition I find your new premises very inconvenient to access with regard to traffic jams

KM: not enough car parks in the area.



# TRAFFIC IMPACT STATEMENT

Disabled Permit Parking Zone  
Percy Street (Southern Side)

## Part A – Traffic Management

It is the view of the undersigned that the installation of a Disabled Permit Parking Zone on Percy Street (Southern Side) will not be detrimental to traffic management in the area.

## Part B – Road Safety Effects

It is anticipated that the proposal will not have any negative impacts on road safety.

## Conclusion

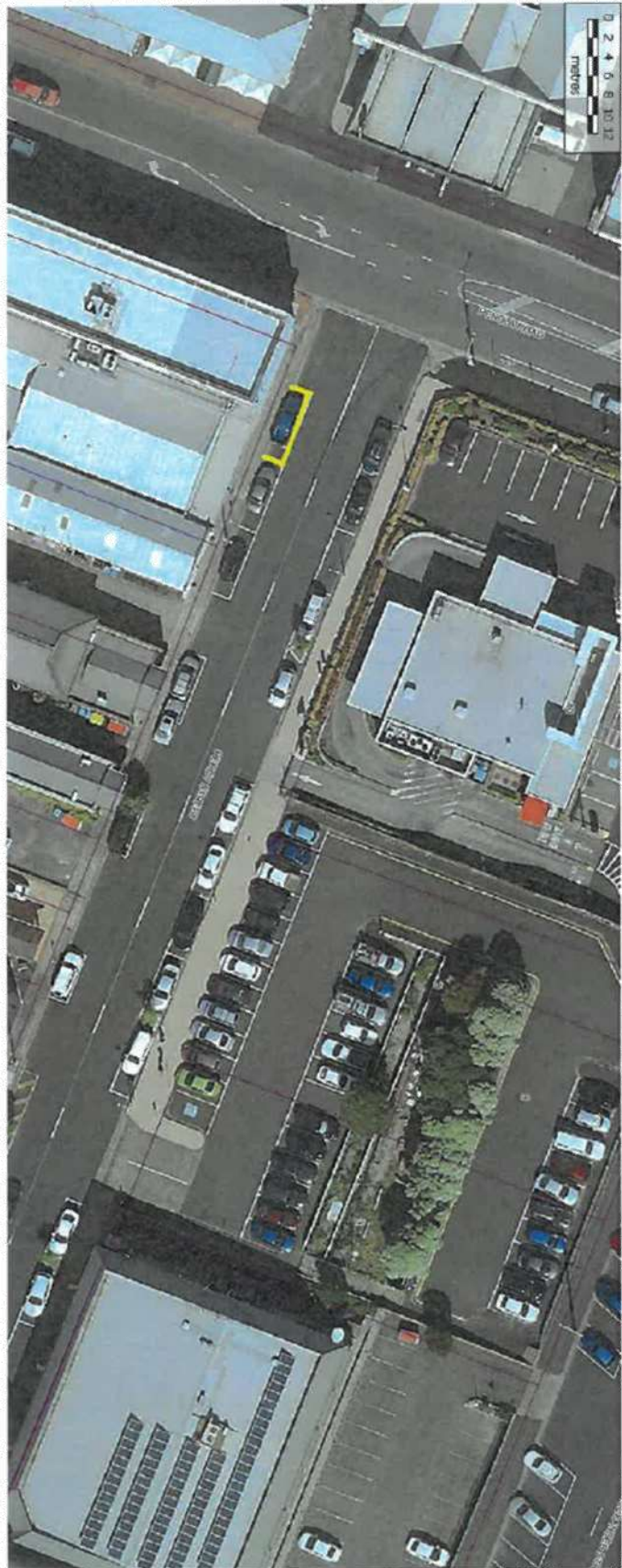
In the opinion of the undersigned, the Installation of a Disabled Permit Parking Zone on Percy Street (Southern Side) will not have negative impacts on traffic management or road safety and is therefore deemed appropriate for the area.



.....  
**Abdullah MAHMUD**  
MANAGER- OPERATIONS AND ENGINEERING

16<sup>th</sup> March 2023







**19.9 INSTALL NO STOPPING ZONES ON BAY ROAD (EASTERN AND WESTERN SIDES) –  
REPORT NO. AR23/14538**

|                                  |   |
|----------------------------------|---|
| <b>Committee:</b>                | <b>Council</b>  |
| <b>Meeting Date:</b>             | <b>21 March 2023</b>  |
| <b>Report No.:</b>               | <b>AR23/14538</b>   |
| <b>CM9 Reference:</b>            | <b>AF22/378</b>   |
| <b>Author:</b>                   | <b>Derek Ferguson, Team Leader General Inspectorate</b>   |
| <b>Authoriser:</b>               | <b>Ritu Datta, Acting General Manager Corporate and Regulatory Services</b>   |
| <b>Summary:</b>                  | <b>Council has installed a refuge island on Bay Road that links the Rail Trail and as a safety precaution proposes to install No Stopping areas on the eastern and western sides of Bay Road.</b> |
| <b>Strategic Plan Reference:</b> | <b>Goal 1: Our People<br/>Goal 2: Our Location<br/>Goal 5: Our Commitment</b>   |

**REPORT RECOMMENDATION**

1. That Council Report No. AR23/14538 titled 'Install No Stopping Zones on Bay Road (Eastern and Western sides)' as presented on 21 March 2023 be noted.
2. That Council endorse the Traffic Impact Statement and proposed area shown on the aerial map as attached to Report No. AR23/14538.
3. That Council, in accordance with the power delegated by the Minister under Section 17(1) and (2) of the Road Traffic Act (Instrument of Delegation dated 22 August 2013), resolves the following:

**Prohibited Area**  
Ref No. 1.1.514

**No Stopping**

BAY ROAD (EASTERN SIDE) - from 10 metres to 53 metres south of the intersection with Herriot Street

BAY ROAD (WESTERN SIDE) - from 10 metres to 64 metres south of the intersection with Railway Terrace

To apply at all times



## **TYPE OF REPORT**

Other

## **BACKGROUND**

Due to increased pedestrian traffic along the Rail Trail, last year Council installed a refuge island on Wehl Street South to link the trail together.

To further support this an additional refuge island has been constructed at the Bay Road section of the Rail Trail.

## **PROPOSAL**

As a safety precaution, and for consistency with the Wehl Street South refuge island, it is proposed to install a No Stopping Zone on Bay Road (eastern and western sides).

## **LEGAL IMPLICATIONS**

N/A

## **STRATEGIC PLAN**

Our People 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 Council

## **COUNCIL POLICY**

N/A

## **ECONOMIC IMPLICATIONS**

N/A

## **ENVIRONMENTAL IMPLICATIONS**

N/A

## **SOCIAL IMPLICATIONS**

N/A

## **CULTURAL IMPLICATIONS**

N/A

## **RESOURCE IMPLICATIONS**

Council to monitor for compliance.

## **VALUE FOR MONEY**

N/A

## **RISK IMPLICATIONS**

Safety risk.

## **EQUALITIES AND DIVERSITY IMPLICATIONS**

N/A

## **ENGAGEMENT AND COMMUNICATION STRATEGY**

N/A

## **IMPLEMENTATION STRATEGY**

Signage and line marking installed.



## **CONCLUSION AND RECOMMENDATION**

This report recommends that a No Stopping Zone on Bay Road (eastern and western sides) be installed for safety reasons.

## **ATTACHMENTS**

1. Traffic Impact Statement - Bay Road - (Eastern and Western) Sides [↓](#) 
2. Aerial Photo - No Stopping - Bay Road (Eastern and Western)sides [↓](#) 



## TRAFFIC IMPACT STATEMENT

No Stopping Zone  
Bay Road (Eastern and Western Side)

### Part A – Traffic Management

It is the view of the undersigned that the installation of a No Stopping Zone on Bay Road (Eastern and Western Side) will not be detrimental to traffic management in the area.

### Part B – Road Safety Effects

It is anticipated that the proposal will not have any negative impacts on road safety.

### Conclusion

In the opinion of the undersigned, the Installation of a No Stopping Zone on Bay Road (Eastern and Western Side) will not have negative impacts on traffic management or road safety and is therefore deemed appropriate for the area.



.....  
**Abdullah MAHMUD**  
MANAGER- OPERATIONS AND ENGINEERING

16<sup>th</sup> March 2023





**19.10 WULANDA RECREATION AND CONVENTION CENTRE CARPARK - PARKING RESTRICTIONS – REPORT NO. AR23/14621**

**Committee:** Council  
**Meeting Date:** 21 March 2023  
**Report No.:** AR23/14621  
**CM9 Reference:** AF22/378  
**Author:** Derek Ferguson, Team Leader General Inspectorate  
**Authoriser:** Ritu Datta, Acting General Manager Corporate and Regulatory Services  
**Summary:** With the completion of the Wulanda Recreation and Convention centre it is proposed to resolve parking restrictions for 5 Disabled Permit Parking Spaces, a 15-minute Parking area and a Bus Zone.  
**Strategic Plan Reference:** Goal 1: Our People  
Goal 2: Our Location  
Goal 5: Our Commitment

**REPORT RECOMMENDATION**

1. That Council Report No. AR23/14621 titled 'Wulanda Recreation and Convention Centre Carpark - Parking Restrictions' as presented on 21 March 2023 be noted.
2. That Council endorse the Traffic Impact Statement and proposed area shown on the aerial map attached to Report No. AR23/14621.
3. That Council, in accordance with the power delegated by the Minister under Section 17(1) and (2) of the Road Traffic Act (Instrument of Delegation dated 22 August 2013), resolves the following:

**Prohibited Area**

Ref No. 2.3.106

**Disabled Permit Parking**

Wulanda Recreation and Convention Centre Car Park

To apply at all times

**Prohibited Area**

Ref No. 2.1.086

**Bus Zone**

Wulanda Recreation and Convention Centre Car Park

To apply at all times

**Prohibited Area**

Ref No. 3.5.100

**15 Minute Parking**

Wulanda Recreation and Convention Centre Car Park

To apply at all times



## **TYPE OF REPORT**

Other

## **BACKGROUND**

### **Disabled Permit Parking**

Following construction of the Wulanda Recreation and Convention Centre (WRCC), 5 disabled car parking spaces were created nearest the entrance to the centre. In order to allow Council to commence monitoring these spaces for compliance a formal resolution of Council is required.

The area is highlighted in blue on the attached aerial map.

### **Bus Zone**

Management of the WRCC have requested a permanent bus zone be installed in the car parking area.

In January 2023 the SA Country Swimming Championships was held at the WRCC and a temporary bus zone was created to allow buses to drop off and collect near the entrance to the centre. This was successful and deters cars from parking long term in this section rather than in the allocated car parks. Please note this does not impact on the total number of car parks.

The area is highlighted in red on the attached aerial map.

### **15 Minute Parking**

Management of the WRCC have requested a timeframe to be allocated for cars to park in the 'kiss and drop' zone for the centre to deter cars parking in this section for extended lengths of time. This area allows for approximately 8 cars.

The area is highlighted in yellow on the attached aerial map.

## **PROPOSAL**

To install 5 Disabled Parking Permit car spaces, a 15 Minute Parking Area and a Bus Zone in the Wulanda Recreation and Convention Centre Car Park.

## **LEGAL IMPLICATIONS**

N/A

## **STRATEGIC PLAN**

Our People 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 Council.

## **COUNCIL POLICY**

N/A

## **ECONOMIC IMPLICATIONS**

N/A

## **ENVIRONMENTAL IMPLICATIONS**

N/A

## **SOCIAL IMPLICATIONS**

N/A

## **CULTURAL IMPLICATIONS**

N/A



## **RESOURCE IMPLICATIONS**

Parking inspectors to monitor for compliance.

## **VALUE FOR MONEY**

N/A

## **RISK IMPLICATIONS**

N/A

## **EQUALITIES AND DIVERSITY IMPLICATIONS**

N/A

## **ENGAGEMENT AND COMMUNICATION STRATEGY**

N/A



## **IMPLEMENTATION STRATEGY**

Signage and Line Marking.

## **CONCLUSION AND RECOMMENDATION**

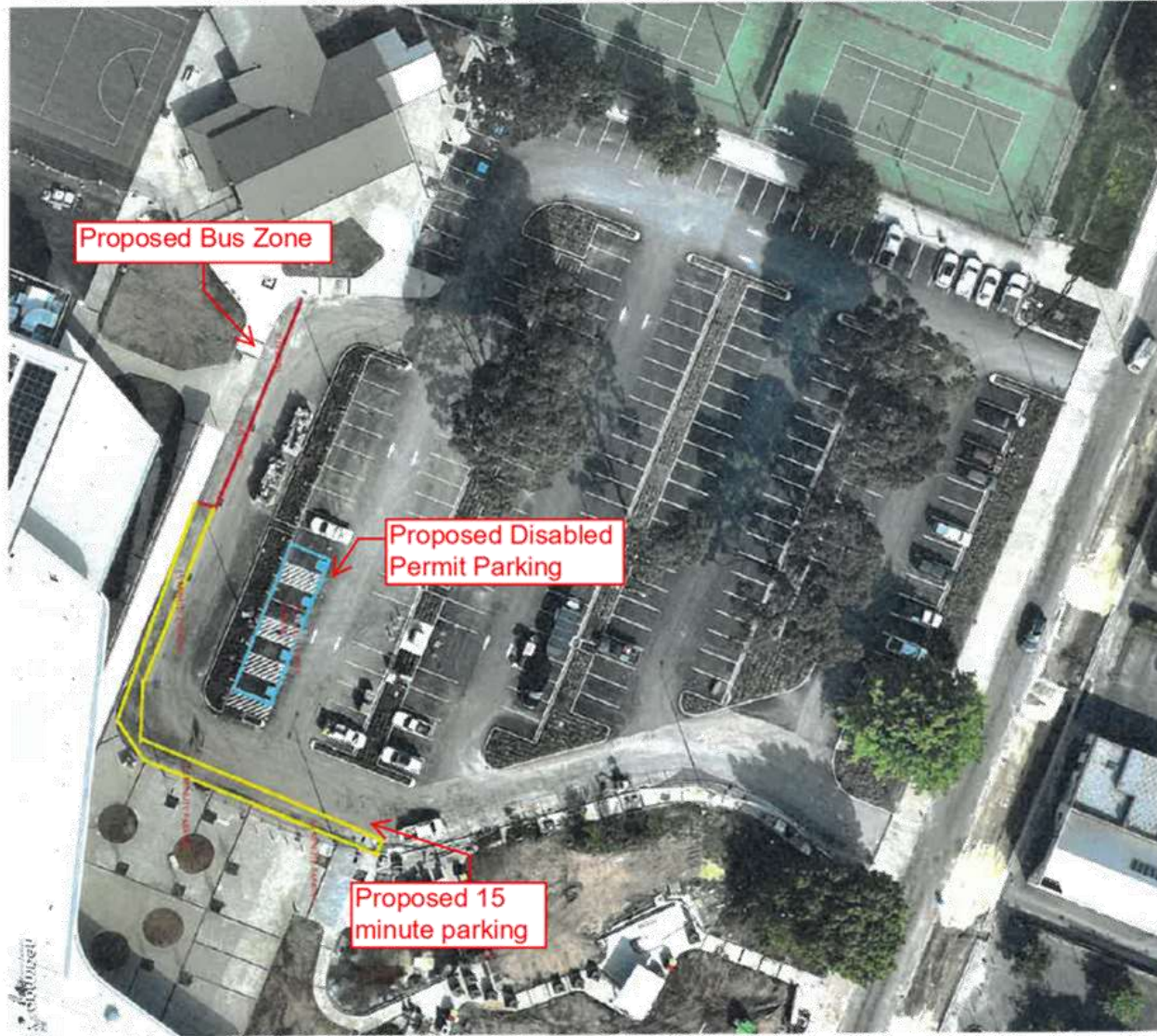
It is recommended that Council install 5 Disabled Parking Permit car spaces, a 15 Minute Parking Area and a Bus Zone in the Wulanda Recreation and Convention Centre Car Park.

## **ATTACHMENTS**

1. Aerial Photo - Wulanda Recreation and Convention Centre Car Park - 5 Disabled Permit Parking Spaces - 15 Minute Parking - Bus Zone [↓](#) 
2. Traffic Impact Statement - Wulanda Recreation and Convention Centre Car Park - 5 Disabled Permit Car Parks -15 Minute Parking - Bus Zone [↓](#) 







# TRAFFIC IMPACT STATEMENT

Bus Zone  
Wulanda Recreation and Convention Centre Car Park

## Part A – Traffic Management

It is the view of the undersigned that the installation of a Bus Zone in the Wulanda Recreation and Convention Centre Car Park will not be detrimental to traffic management in the area.

## Part B – Road Safety Effects

It is anticipated that the proposal will not have any negative impacts on road safety.

## Conclusion

In the opinion of the undersigned, the installation of Bus Zone in the Wulanda Recreation and Convention Centre Car Park will not have negative impacts on traffic management or road safety and is therefore deemed appropriate for the area.



.....  
**Abdullah MAHMUD**  
MANAGER- OPERATIONS AND ENGINEERING

16<sup>th</sup> March 2023



# TRAFFIC IMPACT STATEMENT

15 Minute Parking  
Wulanda Recreation and Convention Centre Car Park

## Part A – Traffic Management

It is the view of the undersigned that the installation of a 15 Minute Parking Zone in the Wulanda Recreation and Convention Centre Car Park will not be detrimental to traffic management in the area.

## Part B – Road Safety Effects

It is anticipated that the proposal will not have any negative impacts on road safety.

## Conclusion

In the opinion of the undersigned, the installation of 15 Minute Parking Zone car parks in the Wulanda Recreation and Convention Centre Car Park will not have negative impacts on traffic management or road safety and is therefore deemed appropriate for the area.



.....  
**Abdullah MAHMUD**  
MANAGER- OPERATIONS AND ENGINEERING

16<sup>th</sup> March 2023



## TRAFFIC IMPACT STATEMENT

**5 Disabled Permit Parking Only Car Parks  
Wulanda Recreation and Convention Centre Car Park**

### Part A – Traffic Management

It is the view of the undersigned that the installation of 5 Disabled Permit Parking only car parks in the Wulanda Recreation and Convention Centre Car Park will not be detrimental to traffic management in the area.

### Part B – Road Safety Effects

It is anticipated that the proposal will not have any negative impacts on road safety.

### Conclusion

In the opinion of the undersigned, the installation of 5 Disabled Permit Parking only car parks in the Wulanda Recreation and Convention Centre Car Park will not have negative impacts on traffic management or road safety and is therefore deemed appropriate for the area.



.....  
**Abdullah MAHMUD**  
MANAGER- OPERATIONS AND ENGINEERING

16<sup>th</sup> March 2023



**19.11 WULANDA RECREATION AND CONVENTION CENTRE - VERBAL UPDATE – REPORT NO. AR23/14672**

**Meeting:** Council  
**CM9 Reference:** AF22/378  
**Author:** Barbara Cernovskis, General Manager City Infrastructure  
**Authoriser:** Sarah Philpott, Chief Executive Officer

**REPORT RECOMMENDATION**

1. That Council Report No. AR23/14672 titled 'Wulanda Recreation and Convention Centre - Verbal Update' as presented on 21 March 2023 be noted.
2. That following Council resolution in February, Council notes that this is the last verbal report due to completion of the construction works at Wulanda Recreation and Convention Centre.

**BACKGROUND**

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

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

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

**ATTACHMENTS**

Nil



## 20 MOTIONS WITH NOTICE

### 20.1 NOTICE OF MOTION - ESSENTIAL SERVICES COMMISSION OF SA (ESCOSA) SCHEME

**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 21 March 2023, I intend to move the following motion:

#### MOTION

1. That Council Report No. AR23/13463 titled 'Notice of Motion - Essential Services Commission of SA (ESCOSA) Scheme' as presented on 21 March 2023 be noted.
2. That the Mayor write to the Premier Peter Malinauskas, South Australian Minister for Local Government Geoff Brock and the LGA and:
  - a) Express our extreme displeasure and frustration that ratepayers are expected to bear the cost and incur the added budget pressures of the recently introduced ESCOSA "Advisory Scheme" among other cost of living increases in the current economic environment.
  - b) Request that an immediate review be undertaken of the scheme to determine its necessity and effectiveness and its funding model.
  - c) Request that ESCOSA does not seek reimbursement of costs from any council until such a review has been undertaken.

#### RATIONALE

At the present time ESCOSA are running a compulsory scheme to provide advice about the appropriateness of long term financial plans, which is a double up of work council already undertakes with our own external auditors.

The scheme is an unnecessary double up, and one for which councils are required to reimburse ESCOSA \$40k for the review.

This is a doubling of resources, that the government are seeking the ratepayers across the state to pay for in a time of high inflation and cost of living pressures.

This scheme needs to be thoroughly reviewed as to its need and efficacy and funding models reviewed before being rolled out to any further councils, and fees should be waived until such time as this review is undertaken.

I commend this Notice of Motion to Council.

#### ATTACHMENTS

Nil



**21 URGENT MOTIONS WITHOUT NOTICE**

**22 CONFIDENTIAL ITEMS OF COMMITTEES**

Nil



## 23 NEW CONFIDENTIAL ITEMS

### 23.1 LIBRARY CAFE - EXPRESSIONS OF INTEREST – REPORT NO. AR23/15719

#### 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 AR23/15719 Library Cafe - Expressions of Interest.

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

- information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is
  - conducting business; or
  - proposing to conduct business; or
  - to prejudice the commercial position of the Council

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information to be discussed with the item includes information that, if disclosed, could reasonably be expected to confer a commercial advantage on a 3rd party with whom COuncil is proposing to contract and jeopardise the commercial position of Council in the negotiation of arrangements for the operation of the Library Cafe.

#### 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 AR23/15719 Library Cafe - Expressions of Interest and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b) be kept confidential and not available for public inspection until 6 years have elapsed, or 1 year after the expiry of an operating arrangement entered into in association with this Expression of Interest process, whichever is the later. To be reviewed once in every year in accordance with s91(9). The name of the successful operator be released immediately following execution of agreement documentation.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.



## 23.2 DELEGATION TO AWARD ELECTRICITY CONTRACT – REPORT NO. AR23/16014

### CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except the Mayor, Councillors and (Council Officers) be excluded from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 23.2 AR23/16014 Delegation to award electricity contract.

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

- information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is
  - conducting business; or
  - proposing to conduct business; or
  - to prejudice the commercial position of the Council

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

### CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 23.2 AR23/16014 Delegation to award electricity contract and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b) be kept confidential and not available for public inspection until a contract has been executed for the relevant supply.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

**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, 21 FEBRUARY 2023 AT 6.00 P.M.**

**PRESENT:** Mayor Lynette Martin (OAM), Cr Ben Hood, Cr Frank Morello, Cr Josh Lynagh, Cr Kate Amoroso, Cr Max Bruins, Cr Paul Jenner (arrived at 6:01p.m.), Cr Sonya Mezinec

|                                |   |  |
|--------------------------------|---|--|
| <b>OFFICERS IN ATTENDANCE:</b> | Chief Executive Officer<br>General Manager City Infrastructure<br>General Manager Corporate and Regulatory Services<br>General Manager City and Community Growth<br>Manager Governance and Property<br>Manager Financial Services<br>Manager Organisational Development<br>Media and Communications Coordinator<br>Communications Officer<br>Manager Library and Community Development<br>Executive Administrator | - Mrs S Philpott<br>- Ms B Cernovskis<br>- Mr D Barber<br>- Mrs S La Greca<br>- Mr M McCarthy<br>- Mrs J Scoggins<br>- Mrs R Datta<br>- Mr J McDonald<br>- Ms M Brookes<br>- Mrs G Davison<br>- Ms T Chant |
|--------------------------------|---|--|

## 1 ACKNOWLEDGEMENT OF COUNTRY

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

Cr Jenner arrived at 6:01pm

## 2 APOLOGIES

Nil

## 3 LEAVE OF ABSENCE

Nil

Item 10 was heard and minuted earlier in the meeting.

## 10 DEPUTATIONS

### 10.1 DEPUTATION - MR JOHN SCHRODER - TREE CONCERNS - COMMERCIAL STREET

Mr John Schroder presented to Members regarding his tree concerns in Commercial Street.

## 4 CONFIRMATION OF COUNCIL MINUTES

### RESOLUTION 2023/18

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

That the minutes of the Ordinary Council meeting held on 24 January 2023 be confirmed as an accurate record of the proceedings of the meeting.

**CARRIED**

## 5 MAYORAL REPORT

### 5.1 MAYORAL REPORT - FEBRUARY 2023

- Meeting with Jason Wallace – ac.care
- Limestone Coast Radiation Treatment Working Group Meeting
- Australia Day Breakfast and Awards Ceremony
- Citizenship Ceremony
- 2023 Mount Gambier Sub Section – Naval Association – Annual Dinner
- Liberty Church – City Wide Churches Celebration
- SAROC & GAROC Meeting with Federal Local Government Minister Kristy McBain MP
- Grassroots Community Listening Tour with Shadow Cabinet
- Elected Member Briefing – RACT Board
- Elected Member Briefing – Mandatory Finance Induction
- Tour of The Riddoch Arts and Cultural Centre
- Limestone Coast Radiation Treatment Working Group Meeting
- Meeting with EO of LCLGA
- Introductory Meeting with CEO with Sam Bradbrook, ABC
- Elected Member Briefing – Presentation by LGFA
- Elected Member Briefing – Sustainability
- Confidential Elected Member Briefing
- Audit and Risk Committee Meeting
- LCLGA Board AGM/GM – DC Robe
- SA Police Band Community Concert and Law Enforcement Torch Run (LETR)
- Mount Gambier Lions Club 60<sup>th</sup> Anniversary – Dinner – Her Excellency the Governor of SA in attendance
- ABC Radio Interview – re Presidency of LCLGA
- ABC Radio Interview – re Public Bus Service
- Small Cultural Ceremony – Valley Lake/Ketla Malpi Public Amenity Construction
- Mount Gambier Lions Club 60<sup>th</sup> Anniversary – Commemorative Tree Planting – Elizabeth Knight Reserve

- Elected Member Briefing – Update on Long Term Financial Plan
- Elected Member Briefing – Regional Planning Session Two

**RESOLUTION 2023/19**

Moved: Mayor Lynette Martin

Seconded: Cr Paul Jenner

That the Mayoral report made on 21 February 2023 be received.

**CARRIED****6 REPORTS FROM COUNCILLORS**

Cr Josh Lynagh Australia Day Breakfast and Awards Ceremony, Citizenship Ceremony, Women's Health @ Hawkins Health Clinic opening.

Cr Ben Hood Australia Day, City-wide Combined Church Service – Liberty Church, Shadow Cabinet Forum at Wulanda.

Cr Paul Jenner Australia Day Breakfast and Awards Ceremony, Citizenship Awards Ceremony, Borderline Speedway – Kings Challenge, Volunteer Mandatory Training Session 3, Mount Gambier Autistic and Autism Communities Forum, Mount Gambier Library Market, Riddoch Arts and Cultural Trust AGM, Public Lighting Working Group meeting, February Markets and Farmers Market, SA Police Band Community Concert, District Council of Grant Council meeting, GTE Board meeting, Shadow Cabinet Learn and Listen meeting, Switch the Headspace – Mental Health Football Game at McDonald Park.

Cr Sonya Mezinec Australia Day Breakfast and Awards, Community Forum with Shadow Cabinet, Exhibition Opening – Experimenta Life Forms Riddoch Arts and Cultural Centre, last meeting of Wulanda Project Control Group, Mount Gambier Health Advisory Council, meeting with Adam Box, Education Director re Lifelong Learning, Riddoch Arts and Cultural Trust 1<sup>st</sup> AGM.

Cr Frank Morello Community listening tour with Shadow Cabinet, Australia Day Breakfast and Awards Ceremony.

**RESOLUTION 2023/20**

Moved: Cr Kate Amoroso

Seconded: Cr Ben Hood

That the reports made by Councillors on 21 February 2023 be received.

**CARRIED****7 QUESTIONS WITH NOTICE****7.1 QUESTION WITH NOTICE – CIVIC CENTRE UPGRADE**

Cr Paul Jenner asked the following Question with Notice:

Question:

Can an update be provided regarding the maintenance of the Civic Centre Building?

Answer:

Council Officers have regular meetings with Country Arts as co-owners of the space. A structural review has been undertaken and we are meeting to prioritise works required to be budgeted and undertaken.

## 7.2 QUESTION WITH NOTICE – WORKFORCE PLANNING

Cr Kate Amoroso asked the following Question with Notice:

Question:

Can the CEO please provide an update on our succession planning processes and workforce planning especially in relation to retention, attraction and the supported worker review?

Answer:

Success and talent planning includes opportunities for higher duties, secondment and acting arrangements as well as leadership, training and development.

Recruitment processes are inclusive and merit based, with inclusion training sessions held on disability inclusion as well as an active program of work health and safety and health and wellbeing programs.

Organisational workforce induction and onboarding processes are undergoing review, and additional first aid and work health safety support is being pursued. A number of critical leadership positions within City Infrastructure are also being filled. Sources of funding for traineeships and a business case for a structured supported wage program and traineeship program is being developed for 23/24.

## 8 QUESTIONS WITHOUT NOTICE

### MOTION

#### RESOLUTION 2023/21

Moved: Cr Paul Jenner

Seconded: Cr Kate Amoroso

That the question 'What options does Council have to undertake a holistic review of Tree Management?' and the answer be recorded in the minutes.

**CARRIED**

Cr Paul Jenner asked the following Question with Notice:

Question:

What options does Council have to undertake a holistic review of Tree Management?

Answer:

Council undertake periodic reviews of its policy however, in light of new information or legislative changes reviews can be brought forward.

**9 PETITIONS**

Nil

**10 DEPUTATION****10.1 DEPUTATION - MR JOHN SCHRODER - TREE CONCERNS - COMMERCIAL STREET**

Item 10.1 was considered and minuted earlier in the meeting (see minutes following Item 3).

**11 NOTICE OF MOTION TO RESCIND OR AMEND**

Nil

**12 ELECTED MEMBERS WORKSHOPS****12.1 ELECTED MEMBER INFORMATION/BRIEFING SESSIONS FROM 20/01/2023 TO 16/02/2023****RESOLUTION 2023/22**

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

1. That Council Report No. AR23/6834 titled 'Elected Member Information/Briefing Sessions from 20/01/2023 to 16/02/2023' as presented on 21 February 2023 be noted.

**CARRIED****13 ELECTED MEMBERS TRAINING AND DEVELOPMENT**

Nil

**14 COUNCIL ACTION ITEMS****14.1 COUNCIL ACTION ITEMS - 24/01/2023****RESOLUTION 2023/23**

Moved: Cr Sonya Meziniec

Seconded: Cr Ben Hood

1. That Council Report No. AR23/9332 titled 'Council Action Items - 24/01/2023' as presented on 21 February 2023 be noted.

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

Nil



**16 AUDIT AND RISK COMMITTEE MINUTES AND RECOMMENDATIONS****16.1 MINUTES OF THE AUDIT AND RISK COMMITTEE HELD ON 9 FEBRUARY 2023****RESOLUTION 2023/24**

Moved: Cr Sonya Meziniec

Seconded: Cr Max Bruins

That the Minutes of the Audit and Risk Committee meeting held on 9 February 2023 as attached be noted.

**CARRIED****16.2 COUNCIL INVESTMENTS AND BORROWINGS – REPORT NO. AR22/60852****RESOLUTION 2023/25**

Moved: Cr Sonya Meziniec

Seconded: Cr Kate Amoroso

1. That Audit and Risk Committee Report No. AR22/60852 titled 'Council Investments and Borrowings' as presented on 09 February 2023 be noted.

**CARRIED****16.3 EXTERNAL AUDIT MANAGEMENT REPORT – REPORT NO. AR23/5855****RESOLUTION 2023/26**

Moved: Cr Sonya Meziniec

Seconded: Cr Josh Lynagh

1. That Audit and Risk Committee Report No. AR23/5855 titled 'External Audit Management Report' as presented on 09 February 2023 be noted.

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

Nil

**18 BUILDING FIRE SAFETY COMMITTEE MINUTES**

Nil

**19 COUNCIL REPORTS****19.1 CASUAL VACANCY IN OFFICE OF COUNCILLOR****RESOLUTION 2023/27**

Moved: Cr Max Bruins

Seconded: Cr Paul Jenner

1. That Council Report No. AR23/9160 titled 'Casual Vacancy in Office of Councillor' as presented on 21 February 2023 be noted.
2. That the casual vacancy arising from 24 January 2023 in the position of City of Mount Gambier area councillor formerly occupied by Mark Lovett, be noted.
3. That the Member Allowance overpaid to Mark Lovett be pursued, as a debt owed to Council, with recovery action deferred until any appeal processes have been exhausted, with recovery if Mark Lovett is not returned to office on a pro-rata basis from 24 January 2023.

**CARRIED**

## **19.2 JUNIOR SPORTS ASSISTANCE FUND - PRESIDING MEMBER VACANCY**

### **MOTION**

#### **RESOLUTION 2023/28**

Moved: Cr Max Bruins  
Seconded: Cr Paul Jenner

That Item 19.2 'Junior Sports Assistance Fund – Presiding Member Vacancy' lie on the table until the Ex-Officio status of the Mayor is confirmed.

**CARRIED**

Item 19.2 'Junior Sports Assistance Fund – Presiding Member Vacancy' was resumed.

#### **RESOLUTION 2023/29**

Moved: Cr Max Bruins  
Seconded: Cr Ben Hood

1. That Council Report No. AR23/10029 titled 'Junior Sports Assistance Fund - Presiding Member Vacancy' as presented on 21 February 2023 be noted.
2. That Mayor Martin as Ex-Officio member of the committee assume the role as presiding member until such time as a determination is made around former Cr Mark Lovett.

**CARRIED**

Cr Hood left the meeting 6:46pm

## **19.3 REVIEW OF COUNCIL DELEGATION UPDATES - FEBRUARY 2023**

#### **RESOLUTION 2023/30**

Moved: Cr Paul Jenner  
Seconded: Cr Max Bruins

1. That Council Report No. AR22/62797 titled 'Review of Council Delegation Updates - February 2023' as presented on 21 February 2023 be noted.
2. That Council grants the delegation of powers and functions of the Council as provided for in the tables referenced in Council Report No. AR22/62797 (Attachment 1) to the person

occupying or acting in the office of Chief Executive Officer of the Council pursuant to section 44 of the Local Government Act 1999

3. The delegations granted in resolution (2) above pursuant to:
- (a) the Local Government Act to the Council's Chief Executive Officer, in accordance with sections 44(4)(b) and 101 of the Local Government Act, but subject to section 44(3a) of the Local Government Act,

may be further sub-delegated by the Chief Executive Officer or delegate.

4. Planning, Development and Infrastructure Act Delegations

- (a) In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the proposed Instrument of Delegation (Attachment 1 annexed to the Report No. AR22/62797 titled SA Instrument A) are hereby delegated to the person occupying or acting in the office of Chief Executive Officer of the Council subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
- (b) Such powers and functions delegated in resolution 4 (a) may be further sub-delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the relevant Instrument of Delegation;

5. General

The delegations granted in resolutions (2) to (4) above are subject to the following conditions and limitations:

- (a) If two or more delegates are nominated in respect of a power or function, then each nominated person or position is granted a delegation and may exercise the power or function independently of any other delegate.
- (b) the delegate must exercise a delegated function or power in accordance with and due regard to:
- (i) applicable legislative and other legal requirements; and
- (ii) relevant policies and guidelines adopted by the Council.
- (c) in regard to the following delegations under the Local Government Act:
- (i) section 133: the power to obtain funds does not extend to imposing rates, borrowing money or obtaining other forms of financial accommodation or fixing or varying fees under sections 188(1)(d) to 188(1)(h) of the Local Government Act;
- (ii) section 137: the power to expend funds in the performance or discharge of the council's powers, functions or duties in accordance is limited to funds allocated as part of a budget adopted by the council and the sub-delegation financial limitations set by the Chief Executive Officer;
- (iii) section 143(1): the power to write off debts is limited to debts not exceeding \$5,000;
- (iv) section 188(3): the powers in regard to fees and charges are limited to fees and charges imposed under sections 188(1)(a), 188(1)(b) and 188(1)(c).
- (d) Each delegation of a power or function is granted independent of, and severable from, every other delegation granted under this or any other resolution or instrument.

- (e) A delegation of a power or function determined to be invalid or unlawful will be deemed to be severed from the delegations granted under this or any other resolution or instrument and remaining delegations will continue to operate according to their terms.
- (f) These delegations will come into operation on Wednesday 22 February 2023 and remain in force until varied or revoked by resolution of the Council.
- (g) Previous delegations granted by the Council of the powers and functions delegated under these resolutions are revoked with effect from Wednesday 22 February 2023.

**CARRIED**

Cr Hood returned to the meeting 6:48pm

#### **19.4 SECOND QUARTER REPORT ON ANNUAL BUSINESS PLAN 2022/2023 ANNUAL OBJECTIVES**

##### **RESOLUTION 2023/31**

Moved: Cr Sonya Mezinac

Seconded: Cr Frank Morello

1. That Council Report No. AR23/9006 titled 'Second Quarter Report on Annual Business Plan 2022/2023 Annual Objectives' as presented on 21 February 2023 be noted.

**CARRIED**

#### **19.5 BUDGET REVIEW 2 2022/2023**

##### **RESOLUTION 2023/32**

Moved: Cr Sonya Mezinac

Seconded: Cr Max Bruins

1. That Council Report No. AR23/7656 titled 'Budget Review 2 2022/2023' as presented on 21 February 2023 be noted.
2. That Council adopts the attached revised budget for the year ending 30 June 2023 as at 31 December 2022 (Budget Review 2).

**CARRIED**

Pursuant to Section 74 of the Local Government Act 1999, Cr Max Bruins disclosed a material conflict of interest in Item 19.6:

*"I'm a current board member of the Queen Elizabeth Park Trust, as wind-up is still in process".*

In accordance with Section 74 of the Local Government Act 1999 Cr Bruins did not participate in the meeting for Item 19.6.

Pursuant to Section 74 of the Local Government Act 1999, Mayor Martin disclosed a material conflict of interest in Item 19.6:

*"A member of my family is a board member of the QEPT".*

In accordance with Section 74 of the Local Government Act 1999 Mayor Martin did not participate in the meeting for Item 19.6.

Cr Hood as Deputy Mayor took the Chair for Item 19.6.

### 19.6 QUEEN ELIZABETH PARK TRUST - WINDING UP

#### RESOLUTION 2023/33

Moved: Cr Frank Morello

Seconded: Cr Paul Jenner

1. That Council Report No. AR23/8917 titled 'Queen Elizabeth Park Trust - Winding Up' as presented on 21 February 2023 be noted.
2. That the correspondence from the Queen Elizabeth Park Trust Board notifying Council of its winding up be noted.
3. That the past and present Board Members/Trustees of the Queen Elizabeth Park Trust be thanked for their service in building and maintaining what have become valuable assets for Mount Gambier within the crater lakes precinct.

**CARRIED**

Cr Bruins returned to the meeting at 6:54p.m.

Mayor Martin returned to the meeting at 6:54p.m. and resumed the Chair.

Pursuant to Section 74 of the Local Government Act 1999, Cr Sonya Mezinec disclosed a general conflict of interest in Item 19.7:

*"I am Council representative on the Riddoch Arts and Cultural Trust".*

In accordance with Section 74 of the Local Government Act 1999 Cr Mezinec did not participate in the meeting for Item 19.7.

### 19.7 RIDDOCH ARTS AND CULTURAL TRUST - 2022-2023 PLAN

#### RESOLUTION 2023/34

Moved: Cr Frank Morello

Seconded: Cr Josh Lynagh

1. That Council Report No. AR22/85966 titled 'Riddoch Arts and Cultural Trust - 2022-2023 Plan' as presented on 21 February 2023 be noted.
2. That the Riddoch Arts and Cultural Trust 2022-2023 Plan as attached to Council Report No. AR22/85966 be endorsed.
3. That the requisite budget amount of \$46,500 (including \$20,000 in-kind support) to support the Riddoch Arts and Cultural Trust 2022-2023 Plan, and an allocation for external audit in the order of \$10k-\$15k, be included in Council's Draft 2023-2024 financial year operating budget, noting there are various nominal in kind contributions/expenditure necessary to support the work of the Riddoch Arts and Cultural Trust Board and Association in this establishment phase.

**CARRIED**

Cr Mezinec returned to the meeting 7:03p.m.

## 19.8 WULANDA RECREATION AND CONVENTION CENTRE - VERBAL UPDATE

A verbal update was provided by Barbara Cernovskis, General Manager City Infrastructure on the construction progress of the Wulanda Recreation and Convention Centre.

### RESOLUTION 2023/35

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

1. That Council Report No. AR23/3721 titled 'Wulanda Recreation and Convention Centre - Verbal Update' as presented on 21 February 2023 be noted.
2. That due to completion of the construction works at Wulanda Recreation and Convention Centre that March be the final verbal update report.

**CARRIED**

## 19.9 MITCHELL STREET TREES - ATS REPORT

### RESOLUTION 2023/36

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

1. That Council Report No. AR23/8604 titled 'Mitchell Street Trees - ATS Report' as presented on 21 February 2023 be noted.
2. That the arborists report obtained to give effect to the recommendation in the Section 270 Internal Review Report on the matter of the *Lagunaria patersonia* (Norfolk Island Hibiscus) planted along the western side of Mitchell Street, be received and noted.

**CARRIED**

## 20 MOTIONS WITH NOTICE

### 20.1 NOTICE OF MOTION - RAIL TRAIL COMMUNITY PLANTING PROJECT

#### RESOLUTION 2023/37

Moved: Cr Sonya Meziniec

Seconded: Cr Ben Hood

1. That Council Report No. AR23/9356 titled 'Notice of Motion - Rail Trail Community Planting Project' as presented on 21 February 2023 be noted.
2. That Council Administration scope out a draft plan for a community planting project to vegetate the Rail Trail beyond the Rail Lands Precinct.
3. That the draft plan include, but not be limited to the following considerations:
  - Collaboration with and drawing on the expertise of Glenelg Nature Trust and Burrendies
  - Preference be given to indigenous and hardy plants requiring minimal maintenance
  - Division of the Rail Trail into sections with a variety of plantings along the trail

- Scheduling a series of community planting days inviting community groups, school groups, social clubs, business and groups of residents along the trail to participate.

4. That the draft plan be presented to a workshop for Councillors in May 2023.

**CARRIED**

## **21 MOTIONS WITHOUT NOTICE**

Nil

## **22 CONFIDENTIAL ITEMS OF COMMITTEES**

Nil

## **23 NEW CONFIDENTIAL ITEMS**

### **23.1 SECTION 270 INTERNAL REVIEW - MITCHELL STREET TREES - LEGAL ADVICE – REPORT NO. AR23/10258**

#### **RESOLUTION 2023/38**

Moved: Cr Max Bruins

Seconded: Cr Ben Hood

#### **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, D Barber, S La Greca, M McCarthy, J Scoggins, R Datta, J McDonald, M Brookes, G Davison and T Chant be excluded from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 23.1 AR23/10258 Section 270 Internal Review - Mitchell Street Trees - Legal Advice.

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

- information concerning matters that must be considered in confidence in order to ensure that the Council does not:
  - breach any law, order or direction of a court or tribunal constituted by law,
  - breach any duty of confidence, or
  - breach any other legal obligation or duty
- legal advice

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the matter for consideration includes associated legal advice obtained in relation to the nuisance matters being associated with the subject matter of the report, and attachments to the Internal Review report contain 3rd party information for which Council has no express or implied licence to publish and so disclosure could reasonably be expected to breach a law or duty of confidence in relation to that content.

**CARRIED**

The Mayor sought the approval of at least two-thirds of the members present at the meeting to suspend meeting procedures for 10 minutes until 7:35p.m.:

Purpose of the Suspension: Discussion of Item 23.1

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

Meeting Procedures were suspended at 07:20 PM

The Mayor sought approval to extend the suspension for a further 5 minutes.

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

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

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

The Period of Suspension came to an end and Meeting Procedures resumed at 07:39 PM

### **RESOLUTION 2023/39**

Moved: Cr Max Bruins

Seconded: Cr Ben Hood

### **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 AR23/10258 Section 270 Internal Review - Mitchell Street Trees - Legal Advice and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (g) and (h) be kept confidential and not available for public inspection until the matter has been considered by Council, with Resolutions/Minutes to be released immediately following consideration by Council, the covering report AR23/10258 and legal advice (Attachment 1) be retained in confidence and reviewed annually in accordance with the *Local Government Act 1999*.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

**CARRIED**

## **23.2 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #25 - AS AT 07/02/2023 - REPORT NO. AR23/9397**

### **RESOLUTION 2023/40**

Moved: Cr Ben Hood

Seconded: Cr Sonya Mezinac

### **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, D Barber, S La Greca, M McCarthy, J Scoggins, R Datta, J McDonald, M Brookes, G Davison and T Chant be excluded



from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 23.2 AR23/9397 Project Control Group (PCG) Progress Report #25 - As At 07/02/2023.

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

- information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Council is
  - conducting business; or
  - proposing to conduct business; or
  - to prejudice the commercial position of the Council
- commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected:
  - to prejudice the commercial position of the person who supplied the information, or
  - to confer a commercial advantage on a third party
- information concerning matters that must be considered in confidence in order to ensure that the Council does not:
  - breach any law, order or direction of a court or tribunal constituted by law,
  - breach any duty of confidence, or
  - breach any other legal obligation or duty
- legal advice

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

**CARRIED**

Cr Amoroso left the meeting at 7:43p.m.

Cr Amoroso returned 7:45p.m.

#### **RESOLUTION 2023/41**

Moved: Cr Max Bruins

Seconded: Cr Ben Hood

#### **CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL**

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 23.2 AR23/9397 Project Control Group (PCG) Progress Report #25 - As At 07/02/2023 and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (b), (d), (g) and (h) be kept confidential and not available for public inspection until 12 months after completion of the project.

2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

**CARRIED**

**24 MEETING CLOSE**

**The Meeting closed at 7:50p.m.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 21 March 2023.**

.....  
**PRESIDING MEMBER**

**MINUTES OF CITY OF MOUNT GAMBIER  
JUNIOR SPORTS ASSISTANCE FUND COMMITTEE MEETING  
HELD AT THE CONFERENCE ROOM, LEVEL 1, 10 WATSON TERRACE,  
MOUNT GAMBIER ON WEDNESDAY, 1 MARCH 2023 AT 5.30 P.M.**

**PRESENT:** Cr Megan Dukalskis, Mrs Jeanette Elliott, Ms Karen Cunningham, Ms Felicity Walker, Ms Jenny Burston

**OFFICERS IN ATTENDANCE:** General Manager City and Community Growth - Ms Sue La Greca  
Councillor Support Officer - Mrs M Telford

**1 APPOINTMENT OF ACTING PRESIDING MEMBER**

**COMMITTEE RESOLUTION**

Moved: Felicity Walker  
Seconded: Jeanette Elliott

In the absence of Mayor Lynette Martin, Cr Megan Dukalskis be appointed Acting Presiding Member for the meeting.

**CARRIED**

**2 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.**

**3 APOLOGY(IES)**

**COMMITTEE RESOLUTION**

Moved: Jenny Burston  
Seconded: Jeanette Elliott

That the apology from Mayor Lynette Martin be received.

**CARRIED**

**4 CONFIRMATION OF MINUTES**

**COMMITTEE RESOLUTION**

Moved: Karen Cunningham  
Seconded: Felicity Walker

That the minutes of the Junior Sports Assistance Fund meeting held on 2 March 2022 be confirmed as an accurate record of the proceedings of the meeting.

**CARRIED**

**5 QUESTIONS WITHOUT NOTICE**

Nil

**6 REPORTS****6.1 CORRESPONDENCE RECEIVED****COMMITTEE RESOLUTION**

Moved: Jeanette Elliott

Seconded: Karen Cunningham

1. That Junior Sports Assistance Fund Report No. AR23/11963 titled 'Correspondence Received' as presented on 01 March 2023 be noted.

**CARRIED****6.2 STATEMENT OF REVENUE AND EXPENSES - AS AT 21 FEBRUARY 2023****COMMITTEE RESOLUTION**

Moved: Felicity Walker

Seconded: Jeanette Elliott

1. That Junior Sports Assistance Fund Report No. AR23/12012 titled 'Statement of Revenue and Expenses - as at 21 February 2023' as presented on 01 March 2023 be noted.
2. The financial statement of the Fund as at 21 February 2023 be received, noting a cash balance of \$136,493.90

**CARRIED****6.3 APPLICATIONS FOR FINANCIAL ASSISTANCE FOR JUNIOR AND PAYMENTS FROM THE FUND - 01/02/2022 - 31/01/2023****COMMITTEE RESOLUTION**

Moved: Jenny Burston

Seconded: Felicity Walker

1. That Junior Sports Assistance Fund Report No. AR23/12088 titled 'Applications for Financial Assistance for Junior and Payments from the Fund - 01/02/2022 - 31/01/2023' as presented on 01 March 2023 be noted.

**CARRIED**

**6.4 COMMERCIAL CLUB INC. - ANNUAL DONATIONS - EXCEPTIONAL JUNIOR PROGRAM 2022****COMMITTEE RESOLUTION**

Moved: Felicity Walker  
Seconded: Karen Cunningham

1. That Junior Sports Assistance Fund Report No. AR23/9809 titled 'Commercial Club Inc. - Annual Donations - Exceptional Junior Program 2022' as presented on 01 March 2023 be noted.
2. The following junior received the 2022 Commercial Club Inc. donation to assist that junior to advance in their chosen sport and to achieve their potential:  
Awardee: Vaughn Stratford - Mount Gambier Swimming Club Inc.
3. The presentation of the Commercial Club Inc. donation take place at a time convenient to the recipient, member organisation and a representative of the Commercial Club Inc.
4. The media be invited to attend the presentation.

**CARRIED****7 MOTION WITHOUT NOTICE - COACHING CLINIC FUNDING 2023****COMMITTEE RESOLUTION**

Moved: Jenny Burston  
Seconded: Jeanette Elliott

1. That additional wording be added to the 2023 Coaching Clinic Application form to indicate that additional funding will be considered if the allocated \$5,000 is not adequate for the 2023 round of applications.

**CARRIED****8 MEETING CLOSE**

**The Meeting closed at 5.48 p.m.**

**The minutes of this meeting were confirmed at the Junior Sports Assistance Fund held on .**

.....  
**PRESIDING MEMBER**

**15.2 CORRESPONDENCE RECEIVED – REPORT NO. AR23/11963**

|                                  |  |
|----------------------------------|--|
| <b>Committee:</b>                | <b>Junior Sports Assistance Fund</b>   |
| <b>Meeting Date:</b>             | <b>1 March 2023</b>  |
| <b>Report No.:</b>               | <b>AR23/11963</b>  |
| <b>CM9 Reference:</b>            | <b>AF11/725</b>  |
| <b>Author:</b>                   | <b>Melissa Telford, Councillor Support Officer</b>   |
| <b>Authoriser:</b>               | <b>Sue La Greca, General Manager City and Community Growth</b>   |
| <b>Summary:</b>                  | <b>This report provides detail of correspondence received since the last general meeting of the Fund dated 2 March 2022.</b> |
| <b>Strategic Plan Reference:</b> | <b>Goal 1: Our People</b>  |

**REPORT RECOMMENDATION**

1. That Junior Sports Assistance Fund Report No. AR23/11963 titled 'Correspondence Received' as presented on 01 March 2023 be noted.



**TYPE OF REPORT**

Other

**BACKGROUND**

This report provides details of correspondence received since the previous general meeting of the Fund held 2 March 2022 and is provided for information.

**PROPOSAL**

The Secretary reported that the following correspondence has been received since the last general meeting dated 2 March 2022:-

- Sarah Cameron - letter of thanks for donation to Josh Cameron to assist with costs of his athletics commitments
- Zeb Chant - letter of thanks for donation to attend the National Baseball Championships
- City of Mount Gambier - notification of Elected Member representation to the City of Mount Gambier Junior Sports Assistance Fund - Cr Mark Lovett
- District Council of Grant - notification of Elected Member representation to the City of Mount Gambier Junior Sports Assistance Fund - Cr Megan Dukalskis
- City of Mount Gambier - notification of Elected Member representation to the City of Mount Gambier Junior Sports Assistance Fund due to vacancy of office - Mayor Lynette Martin

**LEGAL IMPLICATIONS**

N/A

**STRATEGIC PLAN**

The Junior Sports Assistance Fund supports its member sporting organisations to develop and grow to achieve their aspirations and encourage and support participation.

- 1.1.1 Fostering and supporting community-based organisations.
- 1.1.2 Supporting programs that allow our community groups to be more effective in achieving their goals.
- 1.2.2 Helping community groups to help themselves by providing support for effective networks to develop and grow.
- 1.3.2 Providing opportunities to enable our community to be supported and involved.

**COUNCIL POLICY**

N/A

**ECONOMIC IMPLICATIONS**

N/A

**ENVIRONMENTAL IMPLICATIONS**

N/A

**SOCIAL IMPLICATIONS**

The Junior Sports Assistance Fund provides financial assistance to local junior sportspersons of Mount Gambier and District who have achieved as a minimum, selection in a formal State team and who compete at National sporting events (or equivalent) and who are a member of an Affiliated Sporting Organisation to aid in the financial burden these events place on regional families.



The Fund provides an ongoing pool of money for distribution to those juniors selected to represent the State or to represent Australia or equivalent and it also provides additional funding sourced from external sponsorship which is awarded to an exceptional junior on an annual basis.

### **CULTURAL IMPLICATIONS**

N/A

### **RESOURCE IMPLICATIONS**

The Junior Sports Assistance Fund places no additional financial implications for Council.

### **VALUE FOR MONEY**

N/A

### **RISK IMPLICATIONS**

N/A

### **EQUALITIES AND DIVERSITY IMPLICATIONS**

N/A

### **ENGAGEMENT AND COMMUNICATION STRATEGY**

Communication with Member Organisations is ongoing. Applications for funding for State or National Funding can be received at any time. Specialised programs run on an annual basis such as Specialised Coaching Clinics, Disadvantaged Juniors and Exceptional Junior and these Programs are promoted to Members Organisations of the Fund as they arise.

### **IMPLEMENTATION STRATEGY**

N/A

### **CONCLUSION AND RECOMMENDATION**

This report presents correspondence received for presentation to the Junior Sports Assistance Fund Committee for noting.

### **ATTACHMENTS**

1. Email from Sarah Cameron - Appreciation - Donation from Junior Sports Assistance Fund - Josh Cameron
2. Email from Zeb Chant - Appreciation - Donation from Junior Sports Assistance Fund
3. Letter from City of Mount Gambier - Junior Sports Assistance Fund - Council Representative - Cr Mark Lovett
4. Letter from District Council of Grant - Junior Sports Assistance Fund - Council Representative - Cr Megan Dukalskis
5. Letter from City of Mount Gambier - Junior Sports Assistance Fund - Council Representative due to Vacancy of Office - Mayor Lynette Martin





**Melissa Telford**

---

**From:** Sarah Cameron <sjcam.sc@gmail.com>  
**Sent:** Tuesday, 21 June 2022 10:56 AM  
**To:** City Emails  
**Subject:** Sports Grant - Thank you

To whom it may concern

My son Josh recently received a sporting grant from the City Council to assist with the costs of his athletics commitments.

We wanted to say a big thank you for this assistance. The money given was really appreciated and helped with transport costs to Adelaide.

It's great the Council is able to support young athletes like Josh.

Thanks again,  
Sarah Cameron



24 June 2022

Timothy Coote

Secretary

City of Mount Gambier

Civic Centre, 10 Watson Terrace

Mount Gambier

Dear Timothy

I'm writing to thank the City of Mount Gambier and the District Council of Grant for my sporting grant. It is very much appreciated and will help greatly with the expenses involved.

I've been selected in the SA Under 16's Baseball team. We compete in Brisbane at the National Championship for a week from the 2<sup>nd</sup> July 2022.

I'm so excited to be selected and looking forward to the competition. We have been travelling to Adelaide most weekends for training so the expenses have been high leading up to my selection.

Thank you again for the Grant.

Kind Regards

Zeb Chant







Reference: AF11/725

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](mailto:city@mountgambier.sa.gov.au)  
[mountgambier.sa.gov.au](http://mountgambier.sa.gov.au)

30 November 2022

Mrs Georgina Davison  
Acting General Manager  
City and Community Growth

Email: [city@mountgambier.sa.gov.au](mailto:city@mountgambier.sa.gov.au)

Dear Georgina,

RE: **ELECTED MEMBER REPRESENTATION - CITY OF MOUNT GAMBIER JUNIOR SPORTS ASSISTANCE FUND**

Council at its meeting held on 29 November 2023 resolved that Cr Mark Lovett be appointed as Council's representative to the Junior Sports Assistance Fund.

Contact details are as follows:

Mobile: 0401 925 794  
E-mail: [crlovett@mountgambier.sa.gov.au](mailto:crlovett@mountgambier.sa.gov.au)

Yours faithfully

A handwritten signature in black ink, appearing to read 'Sarah Philpott'.

**Sarah PHILPOTT**  
CHIEF EXECUTIVE OFFICER



Ref: 9.24.1/11

7 December 2022

Georgina Davison  
Acting General Manager  
City and Community Growth  
Email: [city@mountgambier.sa.gov.au](mailto:city@mountgambier.sa.gov.au)



Principal Office  
324 Commercial Street West, Mount Gambier  
PO Box 724, Mount Gambier SA 5290  
Telephone (08) 8721 0444  
Facsimile (08) 8721 0410  
Email [info@dcgrant.sa.gov.au](mailto:info@dcgrant.sa.gov.au)  
Website [www.dcgrant.sa.gov.au](http://www.dcgrant.sa.gov.au)

Branch Office  
5 Charles Street  
Port MacDonnell SA 5291

Dear Georgina

Re: **Elected Member Representation – City of Mount Gambier Junior Sports Assistance Fund**

Council at its meeting of 28 November 2022 resolved that the Council Representative on the City of Mount Gambier Junior Sports Assistance Fund is Cr Megan Dukalskis.

Cr Dukalskis' contact details are  
[megan.dukalskis@dcgrant.sa.gov.au](mailto:megan.dukalskis@dcgrant.sa.gov.au)  
Mobile phone 0418 251 988

Please contact Cr Dukalskis directly regarding the Junior Sports Assistance Fund Meetings and Events.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Darryl Whicker", written over a light blue circular stamp.

**Darryl Whicker**  
CHIEF EXECUTIVE OFFICER





Reference: AF11/725

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](mailto:city@mountgambier.sa.gov.au)  
[mountgambier.sa.gov.au](http://mountgambier.sa.gov.au)

23 February 2023

Mrs Sue La Greca  
General Manager City and Community Growth

Email: [city@mountgambier.sa.gov.au](mailto:city@mountgambier.sa.gov.au)

Dear Sue,

RE: **ELECTED MEMBER REPRESENTATION - CITY OF MOUNT GAMBIER JUNIOR SPORTS ASSISTANCE FUND**

A vacancy has arisen in the position of Presiding Member of the Junior Sports Assistance Fund as a result of the vacancy in the office of area councillor formerly occupied by Mark Lovett, who was Council's Elected Member appointee to, and Presiding Member of the Junior Sports Assistance Fund.

Due to the vacancy of office Council at its meeting held on 21 February 2023 resolved that Mayor Martin as Ex-Officio member of the Committee assume the role as Presiding Member to the Junior Sports Assistance Fund.

Contact details are as follows:

Mobile: 0455 782 535  
E-mail: [mayormartin@mountgambier.sa.gov.au](mailto:mayormartin@mountgambier.sa.gov.au)

Yours faithfully

A handwritten signature in black ink, appearing to read 'Sarah Philpott', written over a light blue horizontal line.

**Sarah PHILPOTT**  
CHIEF EXECUTIVE OFFICER



**15.3 STATEMENT OF REVENUE AND EXPENSES - AS AT 21 FEBRUARY 2023 – REPORT NO. AR23/12012**

**Committee:** Junior Sports Assistance Fund  
**Meeting Date:** 1 March 2023  
**Report No.:** AR23/12012  
**CM9 Reference:** AF11/725  
**Author:** Melissa Telford, Councillor Support Officer  
**Authoriser:** Sue La Greca, General Manager City and Community Growth  
**Summary:** This report presents the financial position of the Junior Sports Assistance Fund as at 21 February 2023.  
**Strategic Plan Reference:** Goal 1: Our People

**REPORT RECOMMENDATION**

1. That Junior Sports Assistance Fund Report No. AR23/12012 titled 'Statement of Revenue and Expenses - as at 21 February 2023' as presented on 01 March 2023 be noted.
2. The financial statement of the Fund as at 21 February 2023 be received, noting a cash balance of \$136,493.90



**TYPE OF REPORT**

Other

**BACKGROUND**

The financial position of the Junior Sports Assistance Fund is reported for the information of the Committee detailing revenue and expenses for financial year 2022/2023.

**PROPOSAL**

This report provides the Junior Sports Assistance Fund Committee with details of the transactions and balance of the fund for 2022/2023 as at 21 February 2023.

**LEGAL IMPLICATIONS**

N/A

**STRATEGIC PLAN**

The Junior Sports Assistance Fund supports its member sporting organisations to develop and grow to achieve their aspirations and encourage and support participation.

- 1.1.1 Fostering and supporting community-based organisations.
- 1.1.2 Supporting programs that allow our community groups to be more effective in achieving their goals.
- 1.2.2 Helping community groups to help themselves by providing support for effective networks to develop and grow.
- 1.3.2 Providing opportunities to enable our community to be supported and involved.

**COUNCIL POLICY**

N/A

**ECONOMIC IMPLICATIONS**

N/A

**ENVIRONMENTAL IMPLICATIONS**

N/A

**SOCIAL IMPLICATIONS**

The Junior Sports Assistance Fund provides financial assistance to local junior sportspersons of Mount Gambier and District who have achieved as a minimum, selection in a formal State team and who compete at National sporting events (or equivalent) and who are a member of an Affiliated Sporting Organisation to aid in the financial burden these events place on regional families.

The Fund provides an ongoing pool of money for distribution to those juniors selected to represent the State or to represent Australia or equivalent and it also provides additional funding sourced from external sponsorship which is awarded to an exceptional junior on an annual basis.





**CULTURAL IMPLICATIONS**

N/A

**RESOURCE IMPLICATIONS**

The Junior Sports Assistance Fund places no additional financial implications for Council.

**VALUE FOR MONEY**

N/A

**RISK IMPLICATIONS**

N/A

**EQUALITIES AND DIVERSITY IMPLICATIONS**

N/A

**ENGAGEMENT AND COMMUNICATION STRATEGY**

Communication with Member Organisations is ongoing. Applications for funding for State or National Funding can be received at any time. Specialised programs run on an annual basis such as Specialised Coaching Clinics, Disadvantaged Juniors and Exceptional Junior and these programs are promoted to Members Organisations of the Fund as the arise.

**IMPLEMENTATION STRATEGY**

N/A

**CONCLUSION AND RECOMMENDATION**

The financial positions of the Junior Sports Assistance Fund as at 21 February 2023 is very sound. The balance of the fund is \$136,493.90 which is more than sufficient to cover future commitments. This report is presented for noting.

**ATTACHMENTS**

1. Junior Sports Assistance Fund - Financial Report as at 21/02/2023



**CITY OF MOUNT GAMBIER JUNIOR SPORTS ASSISTANCE FUND****STATEMENT OF REVENUE AND EXPENDITURE**

As at 21/02/2023

**REVENUE**

|                      |  |    |           |                  |
|----------------------|--|----|-----------|------------------|
| <b>Task 984</b>      | <b>Member Contributions</b>                    |    | \$        | -                |
| <b>Task 985</b>      | <b>Council Contributions</b>                   |    | \$        | <b>16,000.00</b> |
|                      | City of Mount Gambier                          | \$ | 12,000.00 |                  |
|                      | District Council of Grant                      | \$ | 4,000.00  |                  |
| <b>Task 1160</b>     | <b>Donations Income - General</b>              |    | \$        | -                |
| <b>Task 1161</b>     | <b>Donations Income - Coaching Clinics</b>     |    | \$        | -                |
| <b>Task 1162</b>     | <b>Donations Income Exceptional Juniors</b>    |    | \$        | -                |
| <b>Task 1163</b>     | <b>Donations Income - Disadvantaged Junior</b> |    | \$        | -                |
| <b>Task 1165</b>     | <b>Interest - Income</b>                       |    | \$        | -                |
| <b>TOTAL REVENUE</b> |  |    | <b>\$</b> | <b>16,000.00</b> |

**LESS EXPENDITURE**

|                          |  |    |           |                  |
|--------------------------|--|----|-----------|------------------|
| <b>TASK 986</b>          | <b>Payment to Sportsperson</b>                     |    | \$        | <b>1,600.00</b>  |
|                          | Basketball Mount Gambier Inc                       | \$ | 800.00    |                  |
|                          | Mount Gambier Disc Golf                            | \$ | 350.00    |                  |
|                          | South Gambier Football Club                        | \$ | 250.00    |                  |
|                          | Blue Lake Y Swimming Club                          | \$ | 200.00    |                  |
| <b>TASK 987</b>          | <b>Payment to Coaching Clinic</b>                  |    | \$        | -                |
| <b>TASK 988</b>          | <b>Payment to Exceptional Junior</b>               |    | \$        | -                |
| <b>TASK 989</b>          | <b>Payment to Financially Disadvantaged Junior</b> |    | \$        | -                |
| <b>TOTAL EXPENDITURE</b> |  |    | <b>\$</b> | <b>1,600.00</b>  |
| <b>SURPLUS (DEFICIT)</b> |  |    | <b>\$</b> | <b>14,400.00</b> |



**CITY OF MOUNT GAMBIER JUNIOR SPORTS ASSISTANCE FUND****STATEMENT OF NET ASSETS**

As at 21/02/2023

**This is represented by:**

|  |                      |
|--|----------------------|
| Net Assets as at 30 June 2022                | \$ 122,093.90        |
| Add Surplus/Defecit year ending 30 June 2023 | \$ 14,400.00         |
|  | <b>\$ 136,493.90</b> |

**City of Mount Gambier Reserve Account**

|  |                      |
|--|----------------------|
| 8900.9950.9970 Junior Sports Assistance Fund Reserve | \$ 136,493.90        |
| <b>TOTAL ASSETS</b>                                  | <b>\$ 136,493.90</b> |

Prepared by:


---

**Kylie Harradine**  
TEAM LEADER FINANCIAL ACCOUNTING  
14/09/2022



**CITY OF MOUNT GAMBIER JUNIOR SPORTS ASSISTANCE FUND****NOTES TO THE FINANCIAL STATEMENTS  
For the year ended 30 June 2022****NOTE 1: STATEMENT OF ACCOUNTING POLICIES**

The financial statements are a special purpose financial report prepared for use by members of the Association. The committee have determined that the Association is not a reporting entity and therefore there is no requirement to apply Australian Accounting Standards, Australian Accounting Interpretations and other authoritative pronouncements of the Australian Accounting Standards Board in the preparation and presentation of these financial statements.

The financial statements have been prepared from historical cost records and do not take into account changing money values or, except where stated, current valuations of non-current assets. The cash basis of accounting has been adopted. The financial statements have been prepared on the going concern basis, and the concept of materiality has been applied. No accounting standards, accounting interpretations or other authoritative pronouncements have been applied.

The following material accounting policies which are consistent with the previous period unless otherwise stated, have been adopted in the preparation of this financial statement.

- (a) Income Tax  
The association is exempt from Income Tax.



**15.4 APPLICATIONS FOR FINANCIAL ASSISTANCE FOR JUNIOR AND PAYMENTS FROM THE FUND - 01/02/2022 - 31/01/2023 – REPORT NO. AR23/12088**

|                                  |  |
|----------------------------------|--|
| <b>Committee:</b>                | <b>Junior Sports Assistance Fund</b>   |
| <b>Meeting Date:</b>             | <b>1 March 2023</b>  |
| <b>Report No.:</b>               | <b>AR23/12088</b>  |
| <b>CM9 Reference:</b>            | <b>AF11/725</b>  |
| <b>Author:</b>                   | <b>Melissa Telford, Councillor Support Officer</b>   |
| <b>Authoriser:</b>               | <b>Sue La Greca, General Manager City and Community Growth</b>   |
| <b>Summary:</b>                  | <b>This report provides detail on applications received for financial assistance from Member Organisations of the Fund and payments made from the Fund for period 01/02/022 to 31/01/2023.</b> |
| <b>Strategic Plan Reference:</b> | <b>Goal 1: Our People</b>  |

**REPORT RECOMMENDATION**

1. That Junior Sports Assistance Fund Report No. AR23/12088 titled 'Applications for Financial Assistance for Junior and Payments from the Fund - 01/02/2022 - 31/01/2023 ' as presented on 01 March 2023 be noted.



**TYPE OF REPORT**

Other

**BACKGROUND**

This report provides detail on applications received for financial assistance from Members of the Junior Sports Assistance Fund and payments made from the Fund since the previous general meeting of 2 March 2022 and is provided for information.

**PROPOSAL***Applications for Financial Assistance*

The following applications have been received and payments made from the Fund for period 2 March 2022 to 31 January 2023:

- |     |   |       |
|-----|---|-------|
| (a) | <u>Mount Gambier Netball Association</u>          |       |
|     | Nil   |       |
| (b) | <u>Basketball Mount Gambier</u>                   |       |
|     | (i) two nominees                                  | \$600 |
|     | (i) four nominees                                 | \$800 |
| (c) | <u>Lower South East Hockey Association</u>        |       |
|     | (i) one nominee                                   | \$400 |
| (d) | <u>Mount Gambier and District Baseball League</u> |       |
|     | (i) one nominee                                   | \$350 |
| (e) | <u>Blue Lake Y Swim Club</u>                      |       |
|     | (i) one nominee                                   | \$200 |
| (f) | <u>South Gambier Football/Netball Clubs</u>       |       |
|     | (i) one nominee                                   | \$250 |
| (g) | <u>North Gambier Football/Netball Clubs</u>       |       |
|     | Nil   |       |
| (h) | <u>Mount Gambier Touch Association</u>            |       |
|     | Nil   |       |
| (i) | <u>Mount Gambier and District Junior Cricket</u>  |       |
|     | Nil   |       |
| (j) | <u>Mount Gambier Golf Club</u>                    |       |



Nil

(k) Mount Gambier District Little Athletics

(i) one nominee \$400

(l) Discretionary

(i) Mount Gambier Disc Golf Club \$350  
*(disadvantaged junior/program closed)*

(ii) Limestone Coast Football Association \$300  
*(disadvantaged junior/program closed)*

(m) Mount Gambier and District Pony Club

Nil

(n) South East Women's Football

Nil

(o) Mount Gambier Cycling Club

(i) one nominee \$300

(ii) one nominee \$300

(p) Limestone Coast Football Association

Nil

(q) Lakes Junior Tennis

Nil

(r) Mount Gambier Swimming Club

Nil

(s) West Gambier Netball Club

(i) one nominee \$300

*Payments from the Fund*

Payments to Member Organisations for Junior Sports person's financial assistance for period 1 July 2021 to 31 January 2023 amounts to \$5,250 and total payments since 1 July 1988 to 31 January 2023 amounts to \$500,345.

Actual payments to Member Organisations for Coaching Clinics for the period 1 July 2021 to 31 January 2023 amounts to \$9,300 and total actual payments since 1 July 1991 to 31 January 2023 amounts to \$104,683.

Payments to Member Organisations for Financially Disadvantaged Juniors for period 1 July 2021 to 31 January 2023 amounts to \$1,500 and total payments since 22 May 2013 to 31 January 2023 amounts to \$19,000.



Payments to Member Organisations for Exceptional Juniors for period 1 July 2021 to 31 January 2023 amounts to \$3,000 and total payments since 20<sup>th</sup> November 2013 to 31 January 2023 amounts to \$12,000. Note: this initiative was previously funded by a sponsor direct to the awardee.

Payments from the Junior Sports Fund on a quarterly basis over previous quarters for Juniors - State Selection only (not special programs) is as follows:

| <i>Financial year</i> | <i>Quarter</i> | <i>Totals each quarter \$</i> | <i>Accumulative Totals \$</i> |
|-----------------------|----------------|-------------------------------|-------------------------------|
| 2022/2023             | J - S          | \$450                         | \$450                         |
|                       | O - D          | \$1,150                       | \$1,600                       |
|                       | J - 24 Feb     | Nil                           |                               |
|                       | A - J          |                               |                               |
| 2021/2022             | J - S          | Nil                           | Nil                           |
|                       | O - D          | \$700                         | \$700                         |
|                       | J - M          | \$1,300                       | \$2,000                       |
|                       | A - J          | \$1,650                       | \$3,650                       |
| 2020/2021             | J - S          | Nil                           | Nil                           |
|                       | O - D          | Nil                           | Nil                           |
|                       | J - M          | \$750                         | \$750                         |
|                       | A - J          | \$1,800                       | \$2,550                       |
| 2019/2020             | J - S          | 7,050                         | 7,050                         |
|                       | O - D          | 1,700                         | 8,750                         |
|                       | J - M          | 3,400                         | 10,550                        |
|                       | A - J          | Nil                           | 10,550                        |
| 2018/2019             | J - S          | 5,500                         | 5,500                         |
|                       | O - D          | 3,750                         | 9,250                         |
|                       | J - M          | 2,325                         | 11,575                        |
|                       | A - J          | 4,620                         | 16,195                        |
| 2017/2018             | J - S          | 4,100                         | 4,100                         |
|                       | O - D          | 4,600                         | 8,700                         |
|                       | J - M          | 2,100                         | 10,800                        |
|                       | A - J          | 2,650                         | 13,450                        |
| 2016/2017             | J - S          | 6,750                         | 6,750                         |
|                       | O - D          | 2,250                         | 9,000                         |
|                       | J - M          | 8,500                         | 17,500                        |
|                       | A - J          | 2,850                         | 20,350                        |
| 2015/2016             | J - S          | 3,450                         | 3,450                         |
|                       | O - D          | 9,950                         | 13,400                        |
|                       | J - M          | 3,900                         | 17,300                        |
|                       | A - J          | 3,300                         | 20,600                        |

#### *Other Applications Received*

Since the previous general meeting of 2 March, 2022:

- (a) no non-resident applications were received during this period.
- (b) no applications for financial assistance were declined during this period.
- (c) two discretionary donations were made during this period:

|   |       |
|---|-------|
| <i>Limestone Coast Football Association (late disadvantaged junior application)</i> | \$300 |
| <i>Mount Gambier Disc Golf Club</i>   | \$350 |





**LEGAL IMPLICATIONS**

N/A

**STRATEGIC PLAN**

The Junior Sports Assistance Fund supports its member sporting organisations to develop and grow to achieve their aspirations and encourage and support participation.

- 1.1.1 Fostering and supporting community-based organisations.
- 1.1.2 Supporting programs that allow our community groups to be more effective in achieving their goals.
- 1.2.2 Helping community groups to help themselves by providing support for effective networks to develop and grow.
- 1.3.2 Providing opportunities to enable our community to be supported and involved.

**COUNCIL POLICY**

N/A

**ECONOMIC IMPLICATIONS**

N/A

**ENVIRONMENTAL IMPLICATIONS**

N/A

**SOCIAL IMPLICATIONS**

The Junior Sports Assistance Fund provides financial assistance to local junior sportspersons of Mount Gambier and District who have achieved as a minimum, selection in a formal State team and who compete at National sporting events (or equivalent) and who are a member of an Affiliated Sporting Organisation to aid in the financial burden these events place on regional families.

The Fund provides an ongoing pool of money for distribution to those juniors selected to represent the State or to represent Australia or equivalent and it also provides additional funding sourced from external sponsorship which is awarded to an exceptional junior on an annual basis.

**CULTURAL IMPLICATIONS**

N/A

**RESOURCE IMPLICATIONS**

The Junior Sports Assistance Fund places no additional financial implications for Council.

**VALUE FOR MONEY**

N/A



**RISK IMPLICATIONS**

N/A

**EQUALITIES AND DIVERSITY IMPLICATIONS**

N/A

**ENGAGEMENT AND COMMUNICATION STRATEGY**

Communication with Member Organisations is ongoing. Applications for funding for State or National Funding can be received at any time. Specialised programs run on an annual basis such as Specialised Coaching Clinics, Disadvantaged Juniors and Exceptional Junior and these Programs are promoted to Members Organisations of the Fund as the arise.

**IMPLEMENTATION STRATEGY**

N/A

**CONCLUSION AND RECOMMENDATION**

The Junior Sports Assistance Fund Report 'Applications for Financial Assistance for Juniors and Payments from the Fund - 01/02/2022 - 31/01/2023 is provided for the information and noting of the Committee.

**ATTACHMENTS**

Nil



**15.5 COMMERCIAL CLUB INC. - ANNUAL DONATIONS - EXCEPTIONAL JUNIOR PROGRAM 2022 – REPORT NO. AR23/9809**

|                                  |  |
|----------------------------------|--|
| <b>Committee:</b>                | <b>Junior Sports Assistance Fund</b>   |
| <b>Meeting Date:</b>             | <b>1 March 2023</b>  |
| <b>Report No.:</b>               | <b>AR23/9809</b>   |
| <b>CM9 Reference:</b>            | <b>AF11/725</b>  |
| <b>Author:</b>                   | <b>Melissa Telford, Councillor Support Officer</b>   |
| <b>Authoriser:</b>               | <b>Sue La Greca, General Manager City and Community Growth</b>   |
| <b>Summary:</b>                  | The Commercial Club Inc. provides funding to assist the Junior Sports Assistance Fund to facilitate a program to acknowledge, financially assist and celebrate an exceptional junior who has excelled in their chosen sport. Member Organisations are invited to submit up to two confidential nominations for consideration of the Committee. |
| <b>Strategic Plan Reference:</b> | <b>Goal 1: Our People</b>  |

**REPORT RECOMMENDATION**

1. That Junior Sports Assistance Fund Report No. AR23/9809 titled 'Commercial Club Inc. - Annual Donations - Exceptional Junior Program 2022' as presented on 01 March 2023 be noted.
2. The following junior received the 2022 Commercial Club Inc. donation to assist that junior to advance in their chosen sport and to achieve their potential:  
Awardee:
3. The presentation of the Commercial Club Inc. donation take place at a time convenient to the recipient, member organisation and a representative of the Commercial Club Inc.
4. The media be invited to attend the presentation.



## TYPE OF REPORT

Other

## BACKGROUND

The Commercial Club Inc. have provided ongoing support to the Junior Sports Fund in its endeavours to provide meaningful assistance to our talented young sportspeople for numerous years.

The Annual Exceptional Junior Program provides the resource to acknowledge a junior sportsperson who has displayed the ideals, enthusiasm, skills and abilities to develop their fullest potential in their chosen sport and could advance to the highest levels of achievement.

The Commercial Club's donations to the Junior Sports Fund over many years are a magnificent contribution and we are truly indebted to the Club for their continued support and interest in the Program.

## PROPOSAL

Member Organisations were invited to submit up to two (2) confidential nominations to the Committee in accordance with the guidelines and the application form, closing on Friday 3 February 2023.

As at the close of applications the following nominations were received:

### (i) **Applicant 1**

Mount Gambier Swimming Club Inc. - Nominee Aged 12 years:

Applicant 1 is a regular competitor and medal winner at State level swimming since commencing competition in 2020. Applicant 1 has shown dedication to her training, representing the Lower South East at SAPSASA swimming, SA and VIC Country Swimming Championships and State Age Championships.

In 2023 she was inducted into the Limestone Coast Regional Sporting Academy - Swimming Program. She represented SA at the Australian Country Swimming Championships in Darwin in October 2022, receiving the silver medal for 50m Backstroke.

Most recently, at the SA Country Swimming Championships hosted at Wulanda Recreation and Convention Centre, Applicant 1 won the gold medal in the girls 12 year old 50m Backstroke as well as gold in the Girls 12 year old 50m Butterfly. She also achieved a National qualifying time for the 50m Butterfly at the Australian Age Swimming Championships to be held on the Gold Coast in April 2023.

### (ii) **Applicant 2**

Mount Gambier Swimming Club Inc. - Nominee Aged 15 years:

Applicant 2 commenced competitive swimming in 2015 with many successes at State Level. His greatest achievements to date have been:

- Currently listed as top 5 swimmer in SA for 50m Breaststroke and top 10 on 100m Breaststroke, 50m and 100m Backstroke.
- Silver medallist 50m and 100m Breaststroke at 2023 SA Country Swimming Championships at Wulanda Recreation and Convention Centre.
- Three times Bronze medallist in 2022 Australian Country Swimming Championships in Darwin in 50m, 100m and 200m Breaststroke.
- 4th at 2022 SA State Long Course Swimming Championships.



Applicant 2 is an active participant in the Limestone Coast Regional Sporting Academy - Swimming program. In addition to his regular training (7 sessions per week), he has shown his dedication to his sport through regular gym sessions, participation in a nutrition program and study of theory relating to the sport.

Applicant 2 has been coaching junior swimmers since 2021, leading junior swimmers twice per week in addition to his own training. Not only does he teach correct stroke technique, race requirements, diving and backstroke starts and tumble turns, more importantly, he encourages new and younger swimmers to give their best. Applicant 2 leads by example, with extremely good sportsmanship especially in the competition environment. He is very supportive of all swimmers in his Club as well as other participants. He has shown resilience in times of adversity, especially when dealing with injury that impacted on his ability to compete at his best.

Additionally, he has completed formal qualifications to support his coaching, including Competitive Strokes Training and AustSwim Teaching Certificate. Applicant 2 is well respected by parents, committee and swimmers in the Club and was nominated as the athlete's representative to take the 'athlete's oath' at the opening of the 2023 SA Country Swimming Championships.

(iii) **Applicant 3**

Basketball Mount Gambier - Nominee Aged 16 years:

Applicant 3 has represented Basketball Mount Gambier since they moved to Mount Gambier in 2019. Although she has never trialled for State, she is part of the local Pioneers team.

Applicant 3 is exceptional at giving back. She refereed from a young age at U14, coached for a number of years starting with U12's and now coaches U17's and helps with the Seniors. Applicant 3 has volunteered and ran the Junior Program on Friday nights for 2 years. She also helps in canteen, scores and does anything that is asked of her.

(iv) **Applicant 4**

Basketball Mount Gambier - Nominee Aged 18 years:

Applicant 4 has represented the Lakers Team from 2016 to 2022, with 2022 being his last year in U18 men. In 2019 he represented U15 boys at the Southern Cross Challenge and in 2022 formed part of the U16 SA State Team at the Australian Country Junior Basketball Cup. In 2021 and 2022 Applicant participated at the AIC State Event and in 2021 he also represented U18 State Team at the Australian Junior Championships.

Applicant 4 has always refereed for Basketball Mount Gambier and he has taken on coaching duties giving back to U12 and U14 boys.

(v) **Applicant 5**

Limestone Coast Football Association - Nominee Aged 13 years:

Applicant 5 has been in the Limestone Coast Football LCFA representative team for the past 3 years. He has also formed part of the SA U12 representative team. Applicant 5 attended the Ultimate Fiji Cup in 2022. He has trialled for the U12 State team and made the final 15, but not the top players to travel to WA, but was the only country boy to reach the final round of selections. Applicant 5 attends the LCFA Soccer Academy and had also attended FFSA regional camps in Adelaide. He was the captain of the Millicent Soccer Club U12 grand final winning team.

Applicant 5 supports junior players and is always encouraging of juniors developing. He runs lines and works in the canteen as required. He has also assisted with Millicent Soccer Club working bees.



**(vi) Applicant 6**

Blue Lake Y Swim Club - Nominee Aged 15 years:

Applicant 6 is close to qualifying for Age Nationals and is working hard to achieve his goal. He has qualified for State Championships the last 3 years. He did not compete at Long Course States in 2022 due to COVID. He swam 9 events at Short Course States and swam in 6 finals (top 10) with his best result being 5th in 200m. He achieved 6 individual metals at Country Championships.

Applicant 6 is a great role model within the Club and was Team Captain at the recent SA Country Championships. He enjoys helping and encouraging other swimmers. He teaches swimming lessons at the local Swimskool and looks forward to being more involved in the Club when he is older.

**(vii) Applicant 7**

Blue Lake Y Swim Club - Nominee Aged 11 years:

Applicant 7 represented SA in National School Swimming Championships in Brisbane. Achieved State times and swimming in SA U11 Championships in March 2023. Achieved national time in 50m Breaststroke. Broke 50m and 100m country record at the SA Country Swimming Championships and was awarded Best Female Swimmer 11yr/under trophy and Development Trophy for Best Female Athlete at the SA Country Championships.

Applicant 7 is an active member of the Blue Lake Y Swimming Club. She is a role model for all other swimmers as she always demonstrates commitment, respect, discipline, wonderful sportsmanship, and determination.

**LEGAL IMPLICATIONS**

N/A

**STRATEGIC PLAN**

Our People

**COUNCIL POLICY**

N/A

**ECONOMIC IMPLICATIONS**

N/A

**ENVIRONMENTAL IMPLICATIONS**

N/A

**SOCIAL IMPLICATIONS**

The Junior Sports Assistance Fund provides financial assistance to local junior sportspersons of Mount Gambier and District who have achieved as a minimum, selection in a formal State team and



who compete at National sporting events (or equivalent) and who are a member of an Affiliated Sporting Organisation to aid in the financial burden these events place on regional families.

The Fund provides an ongoing pool of money for distribution to those juniors selected to represent the State or to represent Australia or equivalent and it also provides additional funding sourced from external sponsorship which is awarded to an exceptional junior on an annual basis.

### **CULTURAL IMPLICATIONS**

N/A

### **RESOURCE IMPLICATIONS**

The Junior Sports Assistance Fund places no additional financial implications for Council.

### **VALUE FOR MONEY**

N/A

### **RISK IMPLICATIONS**

N/A

### **EQUALITIES AND DIVERSITY IMPLICATIONS**

N/A

### **ENGAGEMENT AND COMMUNICATION STRATEGY**

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The Fund provides an ongoing pool of money for distribution to those juniors selected to represent the State or to represent Australia or equivalent and it also provides additional funding sourced from external sponsorship which is awarded to an exceptional junior on an annual basis.

### **IMPLEMENTATION STRATEGY**

Upon adoption, funding will be disbursed to the successful Exceptional Junior for 2022.

### **CONCLUSION AND RECOMMENDATION**

This report presents the applications received for consideration of the Junior Sports Assistance Fund. The Exceptional Junior 2022 will be determined at the meeting.

### **ATTACHMENTS**

Nil

