

**MINUTES OF CITY OF MOUNT GAMBIER  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE,  
MOUNT GAMBIER ON TUESDAY, 12 DECEMBER 2023 AT 6:00 PM**

**PRESENT:** Mayor Lynette Martin (OAM), Cr Frank Morello, Cr Josh Lynagh, Cr Kate Amoroso, Cr Mark Lovett, Cr Max Bruins, Cr Paul Jenner, Cr Sonya Mezinec, Cr Jason Virgo

<b>OFFICERS IN ATTENDANCE:</b>	Chief Executive Officer	- Mrs S Philpott
	General Manager City Infrastructure	- Ms B Cernovskis
	General Manager Corporate and Regulatory Services	- Mrs J Fetherstonhaugh
	Manager Governance and Property	- Mr M McCarthy
	Manager Financial Services	- Mrs J Scoggins
	Communications Officer	- Ms M Brookes
	Councillor Support Officer	- Mrs M Telford

**1 ACKNOWLEDGEMENT OF COUNTRY**

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

**2 APOLOGIES**

Nil

**3 LEAVE OF ABSENCE**

Nil

**4 CONFIRMATION OF COUNCIL MINUTES**

**RESOLUTION 2023/245**

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

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

**CARRIED**

**5 MAYORAL REPORT**

**5.1 MAYORAL REPORT - DECEMBER 2023**

- Meeting with CEO of WomenCAN Australia
- LCLGA Audit and Risk Committee Meeting
- Visit to Men's Shed



- Chamber of Commerce Christmas Wrap Up Video
- Limestone Coast Tourism Immersion and Networking Event
- With CEO, Breakfast Meeting with Her Excellency, The Governor of South Australia
- Presentations at the Mount Gambier Family Truck Show 2023
- Presentation of winning Sashes at Mount Gambier Gift
- Speech at Blue Lake Fun Run
- Radio Interview 5GTR-FM
- Meeting re Mount Gambier Bus Service
- Elected Member Information Briefing Session Audit and Risk Committee
- Mount Gambier Christmas Parade Presentation Evening
- Elected Member Briefing – Conduct of Meeting Policy
- Elected Member Briefing – Confidential Items Process
- End of Year Final Coffee & Chat – the Haven Volunteers
- Middle School Presentation Service – St Martins Lutheran College
- With CEO, Meeting with Senior Executives re Environmental Sustainability
- Stand Like Stone – A Year in Review
- Twilight Market – Drop-In Session – Mount Gambier 2035
- Carols in Nine Languages, Anglican Church
- Introductory Meeting – Executives from Banking Sector
- Elected Member Briefing – Partnership Priorities and Advocacy Document 2024-2025
- Elected Member Briefing – Council Elections and Reform Paper
- Grant High School – Presentation Evening
- Volunteer Christmas Celebration
- Limestone Coast Landscape Board Meeting
- Citizen of the Year Awards Selection Panel Meeting
- Drawing of Chamber of Commerce Christmas Wrap Up
- International Timber Solutions – Christmas Function
- LCLGA General Meeting
- Welcome - Blue Lake Y Swimming Club 2-Day Carnival
- Christmas Book Delivery – Final Count
- Christmas Lunch – Radiation Therapy Working Party
- Mount Gambier High School Presentation and Performance Night – Senior School
- Middle School Awards – Tenison Woods College
- Independent Learning Centre – 2023 Graduation and Celebration of Success



**RESOLUTION 2023/246**

Moved: Mayor Lynette Martin

Seconded: Cr Jason Virgo

That the Mayoral report made on 12 December 2023 be received.

**CARRIED**

**6 REPORTS FROM COUNCILLORS**

Cr Max Bruins	Presentation on Local Government to Year 4 students at Tenison Woods College
Cr Paul Jenner	Public Lighting Working Group Meeting, Group Training Employment Board Meeting, Limestone Coast Landscape Board
Cr Josh Lynagh	Community Engagement at Thugi Summer Market
Cr Sonya Meziniec	Say No To Violence Breakfast, Mount Gambier High School PLP Presentations – Panel Member, Mount Gambier Christmas Parade Presentation Night, Riddoch Arts and Culture Centre Opening of 3 Exhibitions, Mount Gambier 2035 Engagement – Thugi Summer Markets

**RESOLUTION 2023/247**

Moved: Cr Kate Amoroso

Seconded: Cr Frank Morello

That the reports made by Councillors on 12 December 2023 be received.

**CARRIED**

**7 QUESTIONS WITH NOTICE**

**7.1 QUESTION WITH NOTICE - ADVOCACY WORK - MOUNT GAMBIER PUBLIC BUS SERVICE**

The following question was received from Cr Max Bruin:

**Question**

What proactive advocacy work has been undertaken in relation to improving Mount Gambier's Public Bus Services in the last 2 months since we were last provided with an update?

**Response**

*Mayor Lynette Martin provided the following response:*

Thank you for your question Cr Bruins and of course this is a matter of great interest to Council and our community.



Council Officers and I have met with representatives of Keolis Downer, who are very aware of the shortcomings of the current bus service and are working towards a couple of tweaks to the current routes, within the parameters of the current contract.

They are starting to get good patronage data to enable them to do internal reviews of the service within the current scope.

Chief Executive Officer, Sarah Philpott and I were scheduled to meet with Minister Koutsantonis next Tuesday in Adelaide, but the Minister has cancelled that meeting and rescheduled it to March next year.

As a consequence of this delayed meeting, we have written to Minister Koutsantonis requesting that Mount Gambier be included in the upcoming regional transport review which is being conducted early next year.

We are seeking confirmation that Mount Gambier is included in the proposed regional review.

In addition, earlier today, I spoke with Minister Scriven at an event we were both attending and I mentioned to her that we were keen to see Mount Gambier included in the Regional Transport Review and she undertook to find out more about the review process.

## 8 QUESTIONS WITHOUT NOTICE

### **RESOLUTION 2023/248**

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

That the questions without notice raised by Cr Paul Jenner and responses be recorded.

**CARRIED**



### **8.1 QUESTION WITHOUT NOTICE – FOOTPATH / PRAM RAMP BUDGET ENQUIRY**

The following question without notice was received from Cr Paul Jenner:

**Question:**

How much does Council spend on new footpaths and maintenance of footpaths per year and how much is allocated to pram ramps ?

**Response:**

Footpaths: \$424,000

Maintenance of Footpaths: \$115,000

Pram Ramps: Previous program is redundant. New Program being developed that includes Audit recommendations. Will be presented to Council as part of the Infrastructure Asset Management Plan.

### **8.2 QUESTION WITHOUT NOTICE – LONG TERM PLAN – FOOTPATHS**

The following question without notice was received from Cr Paul Jenner:

**Question:**

When will the new footpath long term plan be completed?

**Response:**

A 10 year plan is currently being prepared that includes recommendations from audits and master plans that will be presented to Council as part of the Long Term Financial Plan, Infrastructure Asset Management Plan and Budget process.

### **8.3 QUESTION WITHOUT NOTICE – CROSSOVERS**

The following question without notice was received from Cr Paul Jenner:

**Question:**

Who is responsible for driveway crossovers?

**Response:**

Driveways are the responsibility of the property owner in line with Council Policy F175 Footways and Crossovers.

### **8.4 QUESTION WITHOUT NOTICE – MEDIA ARTICLE**

The following question without notice was received from Cr Paul Jenner:

**Question:**

Following the article published in the South East Voice last week, was Council contacted in relation to the article, prior to print?

**Response:**



Council has no record of any contact from the Resident and Ratepayers Association regarding footpaths prior to the article being published, but we have been contacted since the article was published.

**9 PETITIONS**

Nil

**10 DEPUTATIONS**

Nil

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

Nil

**12 ELECTED MEMBERS INFORMATION BRIEFING SESSIONS**

**12.1 ELECTED MEMBER INFORMATION/BRIEFING SESSIONS FROM 18/11/2023 TO 9/12/2023**

**RESOLUTION 2023/249**

Moved: Cr Sonya Meziniec

Seconded: Cr Mark Lovett

1. That Council Report No. AR23/44824 titled 'Elected Member Information/Briefing Sessions from 18/11/2023 to 9/12/2023' as presented on 12 December 2023 be noted.

**CARRIED**

**13 ELECTED MEMBERS TRAINING AND DEVELOPMENT**

Nil

**14 COUNCIL ACTION ITEMS**

**COUNCIL ACTION ITEMS - 21/11/2023**

**RESOLUTION 2023/250**

Moved: Cr Mark Lovett

Seconded: Cr Frank Morello

1. That Council Report No. AR23/86721 titled 'Council Action Items - 21/11/2023' as presented on 12 December 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 27 NOVEMBER 2023**

**RESOLUTION 2023/251**

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

That the Minutes of the Audit and Risk Committee meeting held on 27 November 2023 as attached be noted.

**CARRIED**

**16.2 EXTERNAL AUDIT MANAGEMENT REPORT – REPORT NO. AR23/76759**

**RESOLUTION 2023/252**

Moved: Cr Paul Jenner

Seconded: Cr Sonya Meziniec

1. That Audit and Risk Committee Report No. AR23/76759 titled 'External Audit Management Report' as presented on 27 November 2023 be noted.

**CARRIED**

**16.3 REVIEW OF COUNCIL POLICIES AND LEASES/LICENCES - UPDATE – REPORT NO. AR23/76976**

**RESOLUTION 2023/253**

Moved: Cr Paul Jenner

Seconded: Cr Sonya Meziniec

1. That Audit and Risk Committee Report No. AR23/76976 titled 'Review of Council Policies and Leases/Licences - Update' as presented on 27 November 2023 be noted.
2. That Policy P910 Provision of Loans or Guarantees to Community Groups as attached to Report No. AR23/76976, be suspended whilst under review.
3. That Policy E200 - Employees - Service Awards - Gifts as Resignation/Retirement as attached to Report No. AR23/76976, be suspended whilst under review.

**CARRIED**



**16.4 POLICY REVIEW - F225 FRAUD, CORRUPTION, MISCONDUCT AND MALADMINISTRATION PREVENTION POLICY AND INTERNAL AUDIT POLICY – REPORT NO. AR23/66340**

**RESOLUTION 2023/254**

Moved: Cr Paul Jenner

Seconded: Cr Josh Lynagh

1. That Audit and Risk Committee Report No. AR23/66340 titled 'Policy Review - F225 Fraud, Corruption, Misconduct and Maladministration Prevention Policy and Internal Audit Policy' as presented on 27 November 2023 be noted.
2. That the revised F225 Fraud, Corruption, Misconduct and Maladministration Prevention Policy as attached to Report No. AR23/66340, having been reviewed by the Audit and Risk Committee on 27 November 2023, be adopted.
3. That the Internal Audit Policy as attached to Report No. AR23/66340, having been reviewed by the Audit and Risk Committee on 27 November 2023, be adopted.
4. That the Chief Executive Officer or Delegate be authorised to make any necessary changes to the policies arising from this meeting, together with any typographical corrections, amendments to position or organisation titles, and finalisation of the document's formatting that do not materially alter the integrity of the document.
5. That the responsibility for the internal audit function as set out in the Internal Audit Policy and Draft Internal Audit Plan be noted.

**CARRIED**

**16.5 POLICY REVIEW - PROCUREMENT AND DISPOSAL OF LAND AND ASSETS POLICIES – REPORT NO. AR23/64014**

**RESOLUTION 2023/255**

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

1. That Audit and Risk Committee Report No. AR23/64014 titled 'Policy Review - Procurement and Disposal of Land and Assets Policies' as presented on 27 November 2023 be noted.
2. That the P420 Procurement and Disposal of Land and Assets Policy be revoked and replaced by the Procurement Policy and the Disposal of Land and Assets Policy.
3. That the Disposal of Land and Assets Policy as attached to Report No. AR23/64014, having been reviewed by the Audit and Risk Committee on 27 November 2023, be adopted.
4. That the Procurement Policy as attached to Report No. AR23/64014, having been reviewed by the Audit and Risk Committee on 27 November 2023, be adopted.
5. That the Chief Executive Officer or Delegate be authorised to make any necessary changes to the policies arising from this meeting, together with any typographical corrections, amendments to position or organisation titles, and finalisation of the document's formatting that do not materially alter the integrity of the document.

**CARRIED**





**16.6 COUNCIL INVESTMENTS AND BORROWINGS – REPORT NO. AR23/70502**

**RESOLUTION 2023/256**

Moved: Cr Paul Jenner

Seconded: Cr Sonya Mezinec

1. That Audit and Risk Committee Report No. AR23/70502 titled 'Council Investments and Borrowings' as presented on 27 November 2023 be noted.

**CARRIED**

**16.7 SELF-ASSESSMENT OF PERFORMANCE AUDIT AND RISK COMMITTEE –  
REPORT NO. AR23/76967**

**RESOLUTION 2023/257**

Moved: Cr Paul Jenner

Seconded: Cr Mark Lovett

1. That Audit and Risk Committee Report No. AR23/76967 titled 'Self-assessment of Performance Audit and Risk Committee' as presented on 27 November 2023 be noted.
2. That the Audit and Risk Committee Self-Assessment Report for 2022/2023, having been reviewed by the Audit and Risk Committee on 27 November 2023, be adopted.

**CARRIED**



**16.8 AUDIT AND RISK COMMITTEE WORK PROGRAM & MEETING SCHEDULE 2024 –  
REPORT NO. AR23/76965**

**RESOLUTION 2023/258**

Moved: Cr Paul Jenner

Seconded: Cr Josh Lynagh

1. That Audit and Risk Committee Report No. AR23/76965 titled 'Audit and Risk Committee Work Program & Meeting Schedule 2024' as presented on 27 November 2023 be noted.
2. That having been reviewed by the Audit and Risk Committee on 27 November 2023, the below meeting dates for 2024 be adopted, noting that the meeting dates are subject to change, including if an additional meeting is required:
  - (a) 29 January 2024
  - (b) 26 February 2024;
  - (c) 25 March 2024;
  - (d) 27 May 2024;
  - (e) 29 July 2024;
  - (f) 28 October 2024; and
  - (g) 25 November 2024.
3. That the draft work program as reviewed by the Audit and Risk Committee for the calendar year 2024 (attached) be adopted, noting the meeting dates, months and schedule are subject to change, including if an additional meeting is required.

**CARRIED**

**16.9 INTERNAL AUDIT PROGRAM – REPORT NO. AR23/78717**

**RESOLUTION 2023/259**

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

1. That Audit and Risk Committee Report No. AR23/78717 titled 'Internal Audit Program' as presented on 27 November 2023 be noted.
2. That the Draft Internal Audit Plan as attached to Report No. AR23/78717, having been reviewed by the Audit and Risk Committee on 27 November 2023, be adopted with the following additions:
  - (a) Procurement and Contract Management to be added
3. That the Chief Executive Officer or Delegate be authorised to make any necessary changes to the Draft Internal Audit Plan arising from this meeting, together with any typographical corrections, amendments to position or organisation titles, and finalisation of the document's formatting that do not materially alter the integrity of the document.

**CARRIED**



**16.10 RISK MANAGEMENT REPORT SEPTEMBER 2023 – REPORT NO. AR23/76980**

**RESOLUTION 2023/260**

Moved: Cr Paul Jenner  
Seconded: Cr Sonya Meziniec

1. That Audit and Risk Committee Report No. AR23/76980 titled 'Risk Management Report September 2023' as presented on 27 November 2023 be noted.

**CARRIED**

**16.11 WORK HEALTH SAFETY AND WELLBEING MANAGEMENT – REPORT NO. AR23/76978**

**RESOLUTION 2023/261**

Moved: Cr Paul Jenner  
Seconded: Cr Frank Morello

1. That Audit and Risk Committee Report No. AR23/76978 titled 'Work Health Safety and Wellbeing Management' as presented on 27 November 2023 be noted.

**CARRIED**

**16.12 AUDIT AND RISK COMMITTEE MEETING REPORT 27/11/23 – REPORT NO. AR23/81356**

**RESOLUTION 2023/262**

Moved: Cr Paul Jenner  
Seconded: Cr Sonya Meziniec

1. That Audit and Risk Committee Report No. AR23/81356 titled 'Audit and Risk Committee Meeting Report 27/11/23' as presented on 27 November 2023 be noted.

**CARRIED**

**16.13 Motion - Briefing Notes - Cr Paul Jenner - 21 November 2023**

**RESOLUTION 2023/263**

Moved: Cr Paul Jenner  
Seconded: Cr Mark Lovett

That the briefing notes provided by Cr Paul Jenner from the 21 November 2023 Council meeting, as attached the minutes of this meeting, 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 CBD ACTIVATION UPDATE**

**RESOLUTION 2023/264**

Moved: Cr Jason Virgo

Seconded: Cr Josh Lynagh

1. That Council Report No. AR23/84103 titled 'CBD Activation Update' as presented on 12 December 2023 be noted.

**CARRIED**

**19.2 RECFISH SA – PROPOSAL**

**RESOLUTION 2023/265**

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

1. That Council Report No. AR23/84307 titled 'RecFish SA - Proposal' as presented on 12 December 2023 be noted.
2. That Council endorses an application with PIRSA as Phase 1 for stocking of fish and associated activities, timings and species suitability in Valley Lake / Ketla Malpi up to the value of \$1,800.
3. That investigation be undertaken, and a report prepared for Council outlining implementation of a recreational fishing permit that includes commercial modelling, ongoing maintenance/restocking and resourcing requirements.

**CARRIED**

**19.3 MOUNT GAMBIER 2035 - COMMUNITY PANEL**

**RESOLUTION 2023/266**

Moved: Cr Max Bruins

Seconded: Cr Sonya Mezinec

1. That Council Report No. AR23/83287 titled 'Mount Gambier 2035 - Community Panel' as presented on 12 December 2023 be noted.



2. That Council endorse the proposed approach for Phase 3 of the Mount Gambier 2035 process, involving the establishment of a Community Panel.

**CARRIED**

#### **19.4 SAINT MARTINS LUTHERAN COLLEGE - USE OF SAINT MARTINS DRIVE RESERVE**

##### **RESOLUTION 2023/267**

Moved: Cr Mark Lovett

Seconded: Cr Josh Lynagh

1. That Council Report No. AR23/84174 titled 'Saint Martins Lutheran College - Use of Saint Martins Drive Reserve' as presented on 12 December 2023 be noted.
2. That public consultation be conducted with owners and occupiers of residential properties located proximate to Saint Martins Drive Reserve (refer diagram – Attachment 1) on the proposal to licence the reserve to Saint Martins Lutheran College for use during school hours in 2024 and 2025.
3. That a further report be presented to Council to consider any submissions received in response to public consultation conducted in accordance with resolution (2).
4. That, in the event that no submissions objecting to the proposal are received in response to public consultation conducted in accordance with resolution (2), the Chief Executive Officer or authorised delegate grant a licence to Saint Martins Lutheran College to use Saint Martins Drive Reserve during school hours for the remainder of the 2024 and 2025 school years.

**CARRIED**

#### **19.5 SA AMBULANCE - ADDITIONAL PARKING - MOUNT GAMBIER URGENT CARE CLINIC - 13 CROUCH STREET SOUTH**

##### **RESOLUTION 2023/268**

Moved: Cr Mark Lovett

Seconded: Cr Paul Jenner

1. That Council Report No. AR23/85511 titled 'SA Ambulance - Additional Parking - Mount Gambier Urgent Care Clinic - 13 Crouch Street South' as presented on 12 December 2023 be noted.
2. That Council endorse the Traffic Impact Statement and proposed area shown on the aerial map attached to Report No. AR23/85511
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. 6.1.01

**AMBULANCE ONLY**

CROUCH STREET SOUTH (Eastern side) - From 72.2 metres to 87.5 metres north of the intersection with Sturt Street

To apply at all times.

**CARRIED**



**19.6 FIRST QUARTER REPORT ON ANNUAL BUSINESS PLAN 2023/2024 ANNUAL OBJECTIVES**

**RESOLUTION 2023/269**

Moved: Cr Max Bruins  
Seconded: Cr Mark Lovett

1. That Council Report No. AR23/78615 titled 'First Quarter Report on Annual Business Plan 2023/2024 Annual Objectives' as presented on 12 December 2023 be noted.

**CARRIED**

**19.7 AUDIT AND RISK COMMITTEE MEMBERSHIP**

**RESOLUTION 2023/270**

Moved: Cr Sonya Mezinec  
Seconded: Cr Max Bruins

1. That Council Report No. AR23/78764 titled 'Audit and Risk Committee Membership' as presented on 12 December 2023 be noted.
2. That the following two independent members of Council's Audit and Risk Committee be reappointed for a further 2 year period expiring on 15 February 2026:
  - (a) Alexander Brown
  - (b) Belinda Johnson
3. That Council advertise for an Independent Member for its Audit and Risk Committee through a request for Expressions of Interest (EOI) process.

**CARRIED**

Cr Mark Lovett left the meeting at 7:05 pm

Cr Mark Lovett returned to the meeting at 7:06 pm

**19.8 UPDATE - GRANTS AND SPONSORSHIP REVIEW**

**RESOLUTION 2023/271**

Moved: Cr Max Bruins  
Seconded: Cr Josh Lynagh

1. That Council Report No. AR23/52998 titled 'Update - Grants and Sponsorship Review' as presented on 12 December 2023 be noted.
2. That the proposed phased approach for implementation to transition a new model of Grants, Sponsorships & Incentives be endorsed.
3. At least one elected member be appointed to the Assessment Panel.
4. On implementation of new model, a new Grants, Sponsorships & Incentive Policy be presented to Council prior to the new Financial Year 2024/2025.

**CARRIED**



Pursuant to Section 74 of the Local Government Act 1999, Cr Josh Lynagh disclosed a general conflict of interest in Item 19.9.

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

Nature of Interest:

*The item contains a section that relates to visits by government representatives and I work for Minister Scriven.*

Intention to Participate:

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

Reason for Participating:

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

In accordance with Section 75B of the Local Government Act 1999 Cr Josh Lynagh remained in the meeting for Item 19.9.

## **19.9 POLICY REVIEW**

### **RESOLUTION 2023/272**

Moved: Cr Frank Morello

Seconded: Cr Sonya Mezinec

1. That Council Report No. AR23/80747 titled 'Policy Review' as presented on 12 December 2023 be noted.
2. The updated policies as attached to Council Report No. AR23/80747 be endorsed:
  - C320 Council Chamber and Reception Area - Use of
  - P900 Public Interest Disclosure
3. The V140 Visits by Parliamentary Governmental Representatives Policy, as attached to Council Report No. AR23/80747, be revoked.

**CARRIED**

Having participated in the meeting for Item 19.9 Cr Josh Lynagh voted in favour the motion.

## **20 MOTIONS WITH NOTICE**

Nil

## **21 MOTIONS WITHOUT NOTICE**

Nil

## **22 CONFIDENTIAL ITEMS OF COMMITTEES**

Nil



## 23 NEW CONFIDENTIAL ITEMS

### 23.1 RIDDOCH ARTS AND CULTURAL TRUST - BOARD MEMBER APPOINTMENT – REPORT NO. AR23/83171

#### RESOLUTION 2023/273

Moved: Cr Paul Jenner

Seconded: Cr Max Bruins

#### CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except the Mayor, Councillors and Council Officers S Philpott, B Cernovskis, J Fetherstonhaugh, M McCarthy, J Scoggins and M Telford be excluded from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 23.1 AR23/83171 Riddoch Arts and Cultural Trust - Board Member Appointment.

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

- information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead)

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the subject matter includes information concerning the personal affairs of the expression interest applicants the disclosure of which would be and unreasonable disclosure of personal affairs information.

**CARRIED**

Pursuant to Section 74 of the Local Government Act 1999, Cr Max Bruins disclosed a general conflict of interest in Item 23.1.

In accordance with Section 75B Cr Max Bruins informed the meeting:

Nature of Interest:

*I am listed as a referee on one of the applications as I am an acquaintance.*

Intention to Participate:

*I will not participate in the meeting.*

In accordance with Section 75B of the Local Government Act 1999 Cr Max Bruins left the meeting at 7.08 p.m.

Pursuant to Section 74 of the Local Government Act 1999, Cr Sonya Meziniec disclosed a general conflict of interest in Item 23.1.

In accordance with Section 75B Cr Sonya Meziniec informed the meeting:

Nature of Interest:

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

Intention to Participate:

*I will not participate in the meeting.*





In accordance with Section 75B of the Local Government Act 1999 Cr Sonya Meziniec left the meeting at 7.08 p.m.

**RESOLUTION 2023/274**

Moved: Cr Frank Morello

Seconded: Cr Mark Lovett

**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 AR23/83171 Riddoch Arts and Cultural Trust - Board Member Appointment and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under Section 90(2) & (3) (a) be kept confidential and not available for public inspection until further order of Council (report Attachments only) with the Report and Resolution to be released with the minutes of the meeting.
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**

Cr Max Bruins returned to the meeting at 7.13 p.m.

Cr Sonya Meziniec returned to the meeting at 7.13 p.m.



**23.2 AF23/431 TENDER - PROCUREMENT - RECONSTRUCTION OF FOUR ROAD SEGMENTS – REPORT NO. AR23/84680**

**RESOLUTION 2023/275**

Moved: Cr Mark Lovett

Seconded: Cr Max Bruins

**CONSIDERATION FOR EXCLUSION OF THE PUBLIC**

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except the Mayor, Councillors and Council Officers S Philpott, B Cernovskis, J Fetherstonhaugh, M McCarthy, J Scoggins and M Telford be excluded from attendance at the meeting for the receipt and consideration in confidence of Agenda Item 23.2 AR23/84680 AF23/431 Tender - Procurement - Reconstruction of Four Road Segments.

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

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

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because tenders for the: supply of goods, or the provision of services, or the carrying out of works.

**CARRIED**

**RESOLUTION 2023/276**

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

**CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL**

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report 23.2 AR23/84680 AF23/431 Tender - Procurement - Reconstruction of Four Road Segments and its attachments, having been considered by the Council in confidence under Section 90(2) & (3) (k) be kept confidential and not available for public inspection until 12 months after the completion of the tender works, with the name of the successful tenderer and the tender contract value to be disclosed following execution of a contract..
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

**CARRIED**



**24 MEETING CLOSE**

**The Meeting closed at 7.22 p.m.**

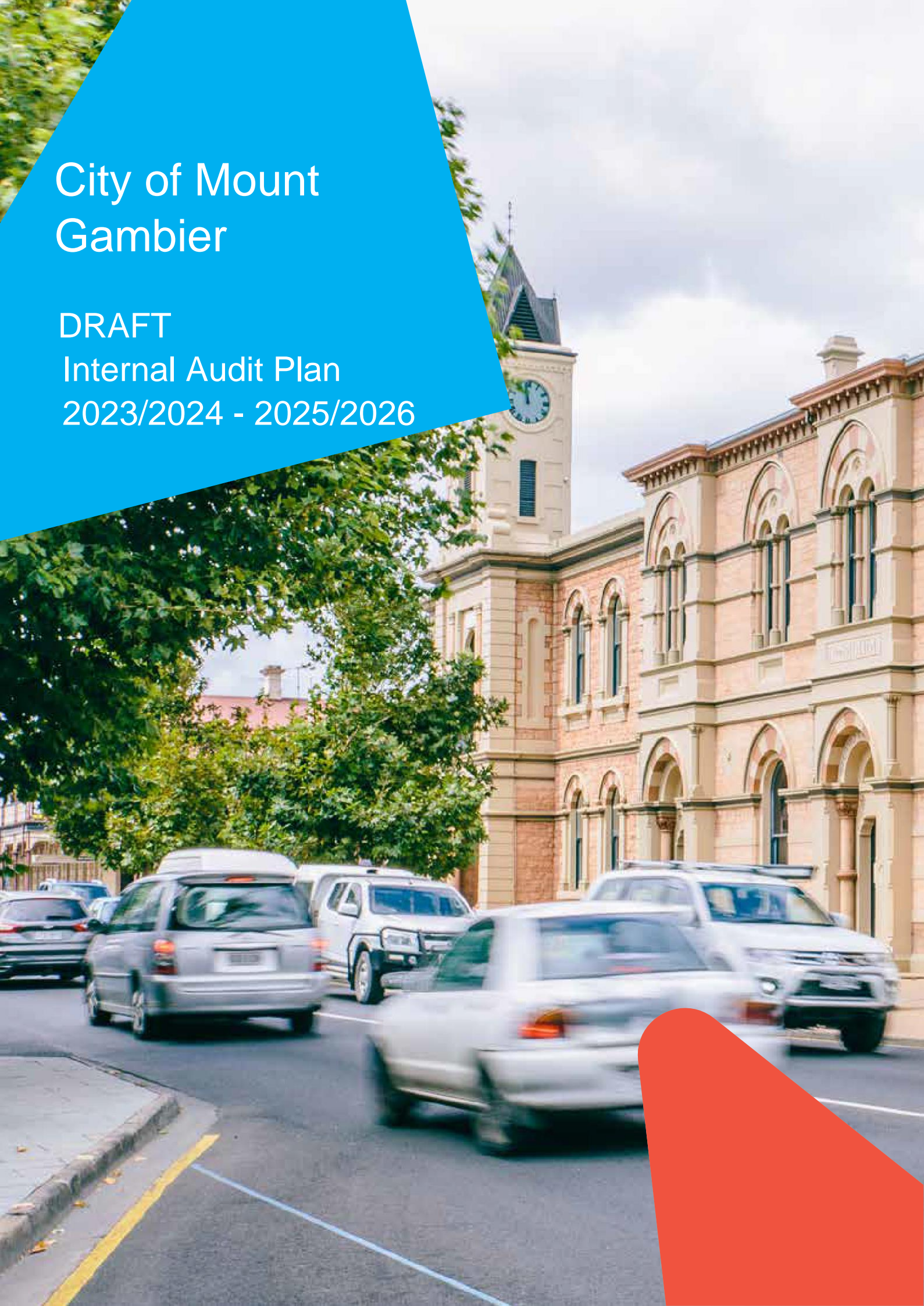
**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 25 December 2023.**

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**PRESIDING MEMBER**



# City of Mount Gambier

DRAFT  
Internal Audit Plan  
2023/2024 - 2025/2026







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## Objective:

- **Proposed Internal Audit Projects** - The City of Mount Gambier's Internal Audit Plan presents the proposed internal audit projects for the 2023/2024 – 2025/2026 financial years.
- **Key Objective** - The objective of these internal audit projects is to ensure that key strategic risks are being effectively managed and to enhance the business performance of City of Mount Gambier by reviewing existing business processes and recommending improvements to process effectiveness, efficiency and economy.
- **Organisational Performance** - These audit projects are expected to strengthen the effectiveness of risk management, governance and internal controls.

## Methodology:

- **Risk Based Approach** - To ensure that the City of Mount Gambier is able to obtain the most value from its internal audit projects, projects have been selected and resources have been allocated to the most significant auditable risks faced by Council.
- **Strategic Risk Register** - This defined focus of internal audit projects assumes that the Internal Audit Plan should be primarily based on City of Mount Gambier's risk profile. Council Administration has reviewed its strategic risk register, and as such this register is the primary source in the determination of the Internal Audit Plan (Appendix 1).
- **Strategic Risk Inherent Risk Extreme** - For the first three year Internal Audit Plan for COMG internal audits have been proposed that have an inherent risk rating of extreme and current risk rating of high as per the Strategic Risk Register summary below:

	Description	Inherent	Current	Target
1	Cyber Security	Extreme	High	Medium
2	Financial Sustainability	Extreme	High	Medium
3	People Workforce and Compliance	Extreme	High	Medium
4	Climate and Future Vulnerability	High	High	Medium
5	People Culture and Workforce Planning	Extreme	High	Medium
6	Safety Compliance and WHS Management	Extreme	High	Medium
7	Environmental Compliance	High	High	Medium
8	Major Infrastructure	Extreme	High	Medium
9	Governance, Compliance and Legislative Obligations	Extreme	High	Medium
10	Political Risk and Stability	Medium	Medium	Low
11	Economic Development	Medium	Medium	Low
12	Contract Management, Procurement and Project Management	Medium	Medium	Low
13	Relationship, Connection and Engagement with Community	High	Low	Low

## Methodology(Continued):

- **Secondary Sources** - Have been considered in the development of the Internal Audit Plan:
  - **External Auditor's Recommendations** - Recommendations made as part of Council's previous interim and balance date audits.
  - **Benchmarking** - A review of internal audits being undertaken by other South Australian Councils.
  - **Internal Financial Controls Self-Assessment** - Controls/activities where action plans have been developed have also been considered.
  - **Scheme/LGRS Audits** – Feedback from audits.
- **Strategic Work Plan** – Council has a number of strategic priorities that Administration will be delivering over the next three years. These include a number of projects such as the workforce plan that are aligned with the strategic risk of People Workforce and Compliance. Where projects are being delivered across the three years either internal audits are not proposed in this plan or are included in the final year.
- **The Internal Audit Plan Categorisation** – The internal audit plan has been categorised principally under three headings as shown below:

### Three Types of Audit

Operational

To review the robustness of systems, policies and processes.

Strategic

To provide an independent examination of the strategic objective, a program, function, operation or the management systems and procedures of council to assess whether the administration is achieving value for money, efficiency, and effectiveness.

Compliance/Legislative

To provide comfort that contractual or legislative/regulatory obligations are being met.



## Approval and Revision:

- **Approval** - The City of Mount Gambier's Internal Audit Plan requires approval from the following authorities:
  - Council Executive Leadership Team (ELT);
  - Audit and Risk Committee; and
  - Council.
- **Annual Review** - Subsequent to its adoption the 2023/2024 – 2025/2026 Internal Audit Plan should be reviewed at the end of each financial year against the City of Mount Gambier's risk register which is also revised annually. This ensures that the coming year's audit projects continue to focus on critical business risks impacting the organization. This revision may result in the introduction of new audit projects, removal of some audit projects and re-prioritisation of some existing audit projects.
- **Emerging Issues** - Issues that arise outside the formalised work plan but are considered of high risk or in response to an emerging matter may also drive changes to the program. As Council becomes more mature in its measure of risk or as new risks arise, the Internal Audit Plan will be updated to accommodate any new priorities for audits to be undertaken.

## Internal Audit Process:

- **Process Steps** – The steps to be followed in an internal audit are as follows:





## Resourcing:

- The City of Mount Gambier's 2023/2024 – 2025/2026 Internal Audit Plan will be delivered utilising the following resource:
  - **Manager Financial Services (MFS) (or such equivalent position)** - Is responsible, on a day to day basis, for the internal audit function of Council. In achieving operational independence of the internal audit function the CEO has ensured that the MFS has dual reporting lines. These reporting lines require that the MFS must:
    - **Administrative Reporting** - Report administratively to the CEO to facilitate day to day operations of the internal audit function and;
    - **Strategic Direction** - Report to the Audit and Risk Committee for strategic direction and accountability of the internal audit function.
  - **Finance Activities** - Where the MFS has responsibility for an activity that is scheduled for review, the Manager Organisational Development will manage the internal audit to ensure that the independence of the function is not compromised.
  - **Internal Resource** – Where appropriate controls are in place to maintain independence and the skills and capacity are available within the organisation audits will be completed using existing in-house resource.
  - **External Resource** – External providers will be utilised for strategic and compliance audits where specialised skills and experience are required.

## Reporting:

- **Individual Internal Audit Reports** - Will be brought to the Council Executive and Audit and Risk Committee as required to detail the scope of the internal audit prior to commencement of the audit activity, with a further report to be brought to the Council Executive and Audit and Risk Committee to provide the internal audit report that will detail the findings and agreed actions.

- **Legislated Reporting:**

Aligned with **Section 126 (4)** of the Local Government Act one of the functions of the Audit and Risk Committee will be as follows:

*(i) if the council has an internal audit function—*

*(A) providing oversight of planning and scoping of the internal audit work plan; and*

*(B) reviewing and commenting on reports provided by the person primarily responsible for the internal audit function at least on a quarterly basis;*

## Reporting (Continued):

Aligned with **Section 125A** of the Local Government Act as follows:

- (1) *Despite any other law or instrument to the contrary, the person primarily responsible for the internal audit function - (a) must ensure that any reports they prepare relating to the internal audit function are provided directly to the audit and risk committee; and (b) may report any matters relating to the internal audit function directly to the audit and risk committee.*

As such quarterly reporting will be provided to the Council Executive and the Audit and Risk Committee.

Aligned with **Section 99** of the Local Government Act the CEO will:

- (ib) *to report annually to the relevant audit and risk committee on the council's internal audit processes;*

## Internal Audit Plan:

Internal Audit Project	Description	Strategic Risk	Category	Resource	2023/2024	2024/2025	2025/2026
<b>Internal Audit Plan Development</b>	Development of the Internal Audit Plan following review in 2024. This will include indicative audit scopes and links to Council's Strategic Risk Register.	All Risks	All	Internal	✓		
<b>Penetration Testing</b>	The objective of this testing is to identify weaknesses within the COMG internal network on an ongoing basis.	Cyber Security	Operational	External	✓	✓	✓
<b>Incident Response Plan</b>	Review the adequacy of the incident response plan.	Cyber Security	Operational	Internal	✓	✓	✓
<b>Payroll &amp; Remuneration</b>	Review onboarding, changes to staff employment terms and exit of staff.	Financial Sustainability	Operational	External	✓		
<b>Position Description &amp; Accreditation</b>	Review of position descriptions across the organisation to ensure that they are in date, accurate and that accreditation has been maintained by staff.	People, Workforce and Compliance	Compliance/ Legislation	Internal	✓		
<b>PDI Act 2016 - Post Implementation Audit</b>	Review of processes and organizational compliance further to the implementation of the PDI Act 2016.	Governance, Compliance, and Legislative Obligations	Compliance/ Legislation	External	✓		
<b>Data Protection &amp; Privacy</b>	The review will assess the design of Council's process for compliance with relevant privacy legislation and testing the operating effectiveness of key controls such as data management, data storage, privacy breach response and management.	Cyber Security	Compliance/ Legislation	Internal		✓	
<b>Management of Leave Entitlements</b>	Review of staff leave entitlements focusing liabilities, and effectiveness of administrative principles and procedures.	People, Workforce and Compliance	Compliance/ Legislation	Internal		✓	
<b>Legislated Training</b>	Review of completion of legislated training across the organisation.	Safety Compliance and WHS Management	Compliance/ Legislation	Internal		✓	

Internal Audit Project	Description	Strategic Risk	Category	Resource	2023/2024	2024/2025	2025/2026
<b>Workers Compensation Process</b>	Review of effectiveness of administrative principles and procedures.	Safety Compliance and WHS Management	Compliance/ Legislation	External		✓	
<b>Fraud Prevention</b>	Review the effectiveness and completeness of Council's framework (gap analysis vs standard, roles, responsibilities, policies and procedures and internal training and awareness).	Governance, Compliance, and Legislative Obligations	Compliance/ Legislation	External		✓	
<b>Council Policies</b>	Review of Council policies ensuring alignment with the "Better Practice model" and legislation.	Governance, Compliance, and Legislative Obligations	Compliance/ Legislation	Internal		✓	
<b>Grants Management</b>	Review of Council's 'Cradle to Grave' grants process from strategy to acquittal.	Financial Sustainability	Strategic	External			✓
<b>Investigations</b>	Review of investigation procedures.	Safety Compliance and WHS Management	Compliance/ Legislation	External			✓
<b>Project Health Check</b>	This review will include an assessment of a project's management mechanisms, governance structure, project team roles and responsibilities, and project status reporting mechanisms.	Major Infrastructure	Strategic	External			✓
<b>Legislative Compliance</b>	Assessment of COMG's legislative compliance work plan, auditing one act at a time with actions monitored and managed by Council Staff.	Governance, Compliance, and Legislative Obligations	Compliance/ Legislation	External			✓
<b>Procurement</b>	Assessment of compliance with the exemption from competitive process framework.	Financial Sustainability	Compliance/ Legislation	Internal		✓	
<b>Contract Management</b>	Compliance with delegation register throughout the contract management life cycle.	Financial Sustainability	Compliance/ Legislation	Internal			✓

It is acknowledged that the Internal Audit Plan may be subject to variations the risk profile or business objectives for Council mature further. Any proposed variations will be presented to the Audit and Risk Committee for consideration prior to any amendments being made to the endorsed Internal Audit Plan.

As required Council's ELT, the Audit and Risk Committee or Council Members may also request for additional audit projects that were not originally included in the Internal Audit Plan.

## Appendix 1 - Strategic Risk Register:

Risk ID #	Risk Description	Inherent Risk Rating (If Controls Fail)	Current Risk Rating (Controls in Place)
S1	Inability to maintain connected relationship with community may result in strategic targets and objectives not being aligned to community expectation	High	Low
S2	Non compliance with legislation requirements can result in legal implications and inability to deliver on decision making and critical council services.	Extreme	High
S3	Adequate resource and planning to maintain and current major infrastructure and delivery of new infrastructure	Extreme	High
S4	Inability to meet environmental targets and legislative requirements could impact ability to deliver on core services such as waste management, cemetery operations, conservation and water management, heritage requirements.	High	High
S5	Management of the political environment including relationships with Elected body, State, Federal and Regional Local Governments	Medium	Medium
S6	Access, Connectivity and positioning of the City to ensure ongoing economic viability	Medium	Medium
S7	Effective Contract Management that demonstrates transparency, value and quality of projects	Medium	Medium
S8	Effective management of Rates Revenue, Level of Funding, Revenue Growth, Ineffective Debt, Liability and Expenditure Management	High	High
S9	Organisational preparedness for climate change events, emergency management planning and capability within organisation, community and other councils	High	High
S10	Providing a safe and compliant environment and systems to manage WHS in the workplace, and keep people safe from risk, injury and harm	Extreme	High
S11	Strategic, Planned and Effective workforce planning, including recruitment and retention, creating a positive culture where people with capacity to innovate and grow	Extreme	High
S12	Ineffective Systems can leave the organisation exposed to cyberattacks resulting in possibility of ransom, loss of organisation and community data and reputational damage	Extreme	High
S13	Prevention of Risk or harm to children, young people and vulnerable people, inability to maintain Child Safe Organisational Standard with Department of Human Services	Extreme	High



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