

AGENDA

Ordinary Council Meeting

Tuesday 21 October 2025

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

Time: 6:00 pm
Date: Tuesday 21 October 2025
Location: City Hall, Watson Terrace
Enter via Cave Garden/Thugi



Andrew Aitken
INTERIM CHIEF EXECUTIVE OFFICER
17 October 2025

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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 CONDUCT OF THE GALLERY

MEMBERS OF THE GALLERY ARE REMINDED THAT THEY MUST NOT BEHAVE IN A DISORDERLY MANNER OR CAUSE AN INTERRUPTION TO THE MEETING. WHILST AUDIO RECORDING OF COUNCIL AND COMMITTEE MEETINGS IS PERMITTED, PHOTOGRAPHING, FILMING AND TELEVISIONING ARE PROHIBITED UNLESS EXPRESS PRIOR PERMISSION IS GRANTED BY THE PRESIDING MEMBER. WE ASK THAT YOU PLEASE PLACE YOUR PHONES ON SILENT. SHOULD AN EMERGENCY OCCUR AT ANY STAGE, PLEASE FOLLOW THE DIRECTION OF COUNCIL STAFF TO VACATE THE BUILDING.

3 APOLOGIES

That the apology(ies) from Mayor Lynette Martin OAM be received.

4 LEAVE OF ABSENCE

Nil

5 CONFIRMATION OF COUNCIL MINUTES

5.1 CONFIRMATION OF COUNCIL MINUTES

RECOMMENDATION

That the minutes of the Ordinary Council Meeting held on 16 September 2025, Special Council Meeting held on 23 September 2025 and Special Council Meeting held on 30 September 2025 be confirmed as an accurate record of the proceedings of the meeting.

6 MAYORAL REPORT

6.1 MAYORAL REPORT - OCTOBER 2025

- Stand Like Stone – Community Strengthening Grant – Photo with Jason Wallace and GTE representative
- Introductory Meeting with Superintendent Trent Cox, SAPOL
- Limestone Coast Tourism Transition Committee Meeting
- LCLGA Mayor's Catch-up (virtual)
- LGA Nominations Committee Meeting (virtual)
- Fortnightly Meetings with Media and Communications Co-ordinator
- CEO Interviews
- LGR&DS Advisory Committee Meeting (virtual)
- 5GTR-FM Radio Interview
- Monthly Meetings with General Manager City Infrastructure
- Internal Meeting – Mayors Christmas Appeal – Media and Promotion



- Confidential Elected Member Briefing – Joint Meeting with District Council of Grant
- Weekly Meetings with Interim CEO
- School Visit / chamber tour – Mount Gambier High School
- Meeting with General Manager People Place and Liveability
- Meet and greet with LCLGA Executive Officer and Interim CEO
- Meeting with LCLGA Executive Officer, Charlotte Edmunds
- CEO Selection Panel Meeting
- Special Council Meeting
- Elected Member Briefing – Strategic Tourism Update
- LCLGA Audit and Risk Committee Meeting
- Audit & Risk Committee Meeting
- ABC broadcasting live from the Library – Panel Discussion with ABC's Conor Burke for the ABC's 70th Anniversary
- Citizenship Ceremony
- Onsite meeting with MFS Chief Officer, Jeff Swann (Mount Gambier Fire Station)
- Radio interview with Ewan Grant – Triple M – Christmas Parade and Mayors Christmas Appeal
- National Police Remembrance Day Service and Wreath Laying
- Meeting with Sam Moosavi - Mount Gambier Medical Students' Society
- LGR&DS Advisory Committee Special Meeting – COP 31 Business Case (virtual)
- UniSA Leaders in Industry Luncheon
- Meeting with LCLGA Executive Officer – Charlotte Edmunds
- Special Council Meeting
- Elected Member Briefing – Disability Action Inclusion Plan
- Elected Member Briefing – Rating Review
- SAROC Committee Meeting (Renmark)
- LGA Board of Directors Meeting (Renmark)
- Council Tour – Renmark Paringa Council
- Meeting with Lou Parsons
- Confidential Elected Member Briefing – Legal Matters
- Elected Member Briefing – CBD Master Plan
- Elected Member Briefing – Advocacy Plan
- Mayor's Christmas Appeal launch photo with agencies
- Internal meeting – Junior Sports Assistance Fund discussion
- Meeting with CoMG Interim CEO and LGA President, Heather Holmes Ross and Interim CEO, Karen Teaha
- LCLGA Board Meeting (Naracoorte)
- VIP Function – Adelaide Guitar Festival (Blak Country)
- Radio interview with Ewan Grant – Mayors Christmas Appeal
- Special LGA Board of Directors Meeting
- Pre-agenda discussion with Interim CEO and Deputy Mayor
- Elected Member Briefing – Confidential Procurement and Tendering
- Elected Member Briefing – Confidential Respectful Community Interactions
- Elected Member Briefing – Trees
- Donation drive sausage sizzle at official opening of Drakes Mount Gambier – Mayors Christmas Appeal
- Chamber Tour with Boandik Community Care
- LCLGA Mayor's Catch-up (virtual)
- LGA Nominations Committee Meeting (virtual)
- LCLGA Special Board Meeting (virtual)



RECOMMENDATION

That the Mayoral Report be received.

7 REPORTS FROM COUNCILLORS

7.1 REPORTS FROM COUNCILLORS

RECOMMENDATION

That the reports made by Councillors be received.

8 QUESTIONS WITH NOTICE

Nil

9 QUESTIONS WITHOUT NOTICE

10 PETITIONS

Nil

11 DEPUTATIONS

Nil

12 NOTICE OF MOTION TO REVOKE OR AMEND

Nil

13 ELECTED MEMBERS INFORMATION BRIEFING SESSIONS

RECOMMENDATION

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

ATTACHMENTS

1. Information Briefing Session - Elected Members - Record of Proceedings - 22/09/2025 - Joint Meeting with District Council of Grant [**13.1.1** - 1 page]
2. Information Briefing Session - Elected Members - Record of Proceedings - 23/09/2025 - Strategic Tourism Update [**13.1.2** - 1 page]
3. Information Briefing Session - Elected Members - Record of Proceedings - 30/09/2025 - Disability Action Inclusion Plan and Rating Review [**13.1.3** - 1 page]



4. Information Briefing Session - Elected Members - Record of Proceedings - 07/10/2025 - Confidential Legal Matters - CBD Masterplan - Advocacy [**13.1.4** - 2 pages]
5. Information Briefing Session - Elected Members - Record of Proceedings - 14/10/2025 - Trees - Confidential Respectful Community Interactions - Procurement and Tendering and Impromptu Operational Update [**13.1.5** - 2 pages]



**INFORMATION / BRIEFING SESSION
5:30 PM, MONDAY, 22 SEPTEMBER 2025**

Ref: AF22/549

**RECORD OF PROCEEDINGS
5:30 PM, MONDAY, 22 SEPTEMBER 2025
Council Chamber, Civic Centre
10 Watson Terrace, Mount Gambier**

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

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

1. JOINT MEETING WITH DISTRICT COUNCIL OF GRANT

District Council of Grant representatives:

MEMBERS PRESENT:-	STAFF PRESENT:-
Mayor Kylie Boston Cr Megan Dukalskis Cr Brad Mann Cr Katherine Greene Cr Bruce Bain Cr Gavin Clarke Cr Peter Duncan Cr Barry Kuhl Cr Rodney Virgo Cr Karen Turnbull	Chief Executive Officer Manager Growth and Strategy
MEMBERS APOLOGIES:-	LEAVE OF ABSENCE:-
Nil	Nil

City of Mount Gambier representatives:

MEMBERS PRESENT:-	STAFF PRESENT:-
Mayor Lynette Martin Cr Jason Virgo Cr Sonya Mezinec Cr Paul Jenner Cr Max Bruins Cr Frank Morello Cr Josh Lynagh Cr Mark Lovett	Interim Chief Executive Officer General Manager People Place and Liveability Manager Economy Strategy and Engagement
MEMBERS APOLOGIES:-	LEAVE OF ABSENCE:-
Nil	Nil

DISCUSSION:

Joint Elected Member Briefing with the District Council of Grant, to discuss joint tourism and strategic priorities.

Discussion closed at 7.05 p.m.

**INFORMATION / BRIEFING SESSION
5:00 PM TUESDAY 23 SEPTEMBER 2025**

RECORD OF PROCEEDINGS
5:00 pm, Tuesday 23 September 2025
10 Watson Terrace, Mount Gambier

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

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

1. STRATEGIC TOURISM UPDATE

MEMBERS PRESENT:-

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

STAFF PRESENT:-

Interim Chief Executive Officer
General Manager People Place and Liveability
General Manager City Infrastructure
General Manager Corporate and Regulatory Services
Manager Economy Strategy and Engagement

MEMBERS APOLOGIES:-

Nil

LEAVE OF ABSENCE:-

Nil

DISCUSSION:

Council tourism priorities and opportunities, were discussed.

Discussion closed at 6.23 p.m.

**INFORMATION / BRIEFING SESSION
5:00 PM TUESDAY 30 SEPTEMBER 2025**

RECORD OF PROCEEDINGS
5:00 pm, Tuesday 30 September 2025
10 Watson Terrace, Mount Gambier

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

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

1. DISABILITY ACTION INCLUSION PLAN

MEMBERS PRESENT:-

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

STAFF PRESENT:-

Interim Chief Executive Officer
General Manager People Place and Liveability
General Manager City Infrastructure
General Manager Corporate and Regulatory Services
Acting Manager Library & Community Development

MEMBERS APOLOGIES:-

Nil

LEAVE OF ABSENCE:-

Nil

DISCUSSION:

Update on Disability Action Plan.

The session described at Item 2 was open to the public.

2. RATING REVIEW

MEMBERS PRESENT:-

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

STAFF PRESENT:-

Interim Chief Executive Officer
General Manager People Place and Liveability
General Manager City Infrastructure
General Manager Corporate and Regulatory Services
Manager Financial Services
Revenue Coordinator

MEMBERS APOLOGIES:-

Nil

LEAVE OF ABSENCE:-

Nil

DISCUSSION:

Draft rating review and consultation document.

Discussion closed at 6.25 p.m.

**INFORMATION / BRIEFING SESSION
5:00 PM TUESDAY 7 OCTOBER 2025**

RECORD OF PROCEEDINGS
5:00 pm, Tuesday 7 October 2025
10 Watson Terrace, Mount Gambier

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

The session described at Item 1 will not be open to the public as the matter to be discussed is of a confidential nature within the ambit of Section 90(3) of the Local Government Act 1999 being:

(h) legal advice.

1. CONFIDENTIAL - LEGAL MATTERS

MEMBERS PRESENT:-

Mayor Lynette Martin
Cr Sonya Meziniec
Cr Paul Jenner
Cr Max Bruins
Cr Frank Morello
Cr Josh Lynagh
Cr Mark Lovett

STAFF PRESENT:-

Interim Chief Executive Officer
General Manager People Place and Liveability
General Manager City Infrastructure
Manager Governance and Property

MEMBERS APOLOGIES:-

Cr Jason Virgo

LEAVE OF ABSENCE:-

Nil

DISCUSSION:

Discussion on contractual matters.

The session described at Items 2 and 3 were open to the public.

2. CBD MASTERPLAN

MEMBERS PRESENT:-

Mayor Lynette Martin
Cr Sonya Meziniec
Cr Paul Jenner
Cr Max Bruins
Cr Frank Morello
Cr Josh Lynagh
Cr Mark Lovett

STAFF PRESENT:-

Interim Chief Executive Officer
General Manager People Place and Liveability
General Manager City Infrastructure

MEMBERS APOLOGIES:-

Cr Jason Virgo

LEAVE OF ABSENCE:-

Nil

DISCUSSION:

Concepts for CBD planning and infrastructure and scope for masterplan.

3. ADVOCACY

MEMBERS PRESENT:-

Mayor Lynette Martin
Cr Sonya Meziniec
Cr Paul Jenner
Cr Max Bruins
Cr Frank Morello
Cr Josh Lynagh
Cr Mark Lovett

STAFF PRESENT:-

Interim Chief Executive Officer
General Manager People Place and Liveability
General Manager City Infrastructure

MEMBERS APOLOGIES:-

Cr Jason Virgo

LEAVE OF ABSENCE:-

Nil

DISCUSSION:

Advocacy document. Ask of Government.

Discussion closed at 7.05 p.m.

**INFORMATION / BRIEFING SESSION
5:00 PM TUESDAY 14 OCTOBER 2025**

RECORD OF PROCEEDINGS
5:00 pm, Tuesday 14 October 2025
10 Watson Terrace, Mount Gambier

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

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

1. TREES

MEMBERS PRESENT:-

STAFF PRESENT:-

Mayor Lynette Martin
Cr Sonya Meziniec
Cr Paul Jenner
Cr Max Bruins
Cr Jason Virgo
Cr Josh Lynagh
Cr Mark Lovett

Interim Chief Executive Officer
General Manager People Place and Liveability
General Manager City Infrastructure
Acting General Manager Corporate and Regulatory Services
Manager Operations Infrastructure
Parks and Gardens Co-ordinator
Manager Governance and Property
Manager Financial Services
Manager People and Culture
Procurement Business Partner

MEMBERS APOLOGIES:-

LEAVE OF ABSENCE:-

Cr Frank Morello

Nil

DISCUSSION:

Urban Landscape Principles and Urban Landscape Plan.

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

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);*
- (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty*

2. CONFIDENTIAL RESPECTFUL COMMUNITY INTERACTIONS

MEMBERS PRESENT:-

STAFF PRESENT:-

Mayor Lynette Martin
Cr Sonya Meziniec
Cr Paul Jenner
Cr Max Bruins
Cr Jason Virgo
Cr Josh Lynagh
Cr Mark Lovett

Interim Chief Executive Officer
General Manager People Place and Liveability
General Manager City Infrastructure
Acting General Manager Corporate and Regulatory Services
Manager Governance and Property
Manager Financial Services
Manager People and Culture
Procurement Business Partner

MEMBERS APOLOGIES:- LEAVE OF ABSENCE:-

Cr Frank Morello Nil

DISCUSSION:

Discussion on approach and draft framework.

The session described at Item 3 was open to the public.

3. PROCUREMENT AND TENDERING

MEMBERS PRESENT:- STAFF PRESENT:-

Mayor Lynette Martin	Interim Chief Executive Officer
Cr Sonya Meziniec	General Manager People Place and Liveability
Cr Paul Jenner	General Manager City Infrastructure
Cr Max Bruins	Acting General Manager Corporate and Regulatory Services
Cr Jason Virgo	Manager Governance and Property
Cr Josh Lynagh	Manager Financial Services
Cr Mark Lovett	Manager People and Culture
	Procurement Business Partner

MEMBERS APOLOGIES:- LEAVE OF ABSENCE:-

Cr Frank Morello Nil

DISCUSSION:

Discussion on procurement and tendering reporting.

The session described at Item 4 was open to the public.

4. IMPROMPTU - OPERATIONAL UPDATE

MEMBERS PRESENT:- STAFF PRESENT:-

Mayor Lynette Martin	Interim Chief Executive Officer
Cr Sonya Meziniec	General Manager People Place and Liveability
Cr Paul Jenner	General Manager City Infrastructure
Cr Max Bruins	Acting General Manager Corporate and Regulatory Services
Cr Jason Virgo	Manager Governance and Property
Cr Josh Lynagh	Manager Financial Services
Cr Mark Lovett	Manager People and Culture
	Procurement Business Partner

MEMBERS APOLOGIES:- LEAVE OF ABSENCE:-

Cr Frank Morello Nil

DISCUSSION:

Update on:

- Library Café
- October Agenda Items

Discussion closed at 7.01 p.m.

14 ELECTED MEMBERS TRAINING AND DEVELOPMENT

Nil

15 AUDIT AND RISK COMMITTEE

15.1 MINUTES OF AUDIT AND RISK COMMITTEE HELD ON 24/09/2025

That having considered the recommendations of the Audit and Risk Committee in regard to the agenda items:

- 5.1 AUDIT AND RISK COMMITTEE SELF-ASSESSMENT REVIEW 2024/2025**
- 5.2 AUDIT AND RISK COMMITTEE ANNUAL REPORT**
- 5.3 DRAFT 2024/2025 FINANCIAL STATEMENTS**
- 5.4 COMPARISON OF ACTUAL TO BUDGET FOR THE YEAR ENDED 30 JUNE 2025**
- 5.5 AUDIT AND RISK COMMITTEE MEETING REPORT**

RECOMMENDATION

Council receive and note the minutes of the Audit and Risk Committee meeting held on 24/09/2025.

[Audit and Risk Committee Minutes](#)

16 CHIEF EXECUTIVE OFFICER SELECTION PANEL

16.1 CHIEF EXECUTIVE OFFICER SELECTION PANEL MEETING HELD ON 23/09/2025

That having considered the recommendations of the Chief Executive Officer Selection Panel in regard to the agenda item:

7.1 CHIEF EXECUTIVE OFFICER RECRUITMENT

RECOMMENDATION

Council receive and note the minutes of the Chief Executive Officer Selection Panel meeting held on 23/09/2025.

[Chief Executive Officer Selection Panel Minutes](#)

17 JUNIOR SPORTS ASSISTANCE FUND COMMITTEE

17.1 JUNIOR SPORTS ASSISTANCE FUND COMMITTEE AGM HELD ON 24/09/2025

That having considered the recommendations of the Junior Sports Assistance Fund in regard to the agenda items:

- 5.1 STATEMENT OF REVENUE AND EXPENSES – YEAR ENDED 30/06/2025**
- 5.2 MEMBER ORGANISATION CONTRIBUTIONS**
- 5.3 PAYMENTS TO MEMBER ORGANISATIONS**



- 5.4 GENERAL DEVELOPMENTS OF THE FUND FROM 01/07/2024 TO 30/06/2025**
- 5.5 COMMITTEE APPOINTMENTS**
- 5.6 REVIEW OF TERMS OF REFERENCE**

RECOMMENDATION

Council receive and note the minutes of the Junior Sports Assistance Fund Committee AGM meeting held on 24 September 2025.

[Junior Sports Assistance Fund AGM Committee Minutes](#)

**17.2 JUNIOR SPORTS ASSISTANCE FUND GENERAL MEETING HELD ON
24/09/2025**

That having considered the recommendations of the Junior Sports Assistance Fund in regard to the agenda item:

5.1 YOUTH EMPOWERMENT SPORTS PROGRAM

RECOMMENDATION

Council receive and note the minutes of the Junior Sports Assistance Fund Committee meeting held on 24 September 2025.

[Junior Sports Assistance Fund Committee Minutes](#)

18 BUILDING FIRE SAFETY COMMITTEE

Nil

19 COUNCIL REPORTS

19.1 AUDIT AND RISK COMMITTEE MEETING REPORT SEPTEMBER 2025

Author: Kahli Rolton, Manager Financial Services

Authoriser: Jane Fetherstonhaugh, General Manager Corporate and Regulatory Services

RECOMMENDATION

1. That Council report titled 'Audit and Risk Committee Meeting Report September 2025' as presented on Tuesday 21 October 2025 be noted.
2. That Council note the report provided by the Audit and Risk Committee, summarises the work of the Committee
 - (a) In the lead up to its meeting, held 24 September 2025 and
 - (b) The observations and discussions of the Committee during the meeting.
3. That Council notes the Audit and Risk Committee Annual Report for 2024/2025 as attached to this report.



PURPOSE

A report to Council after the Audit and Risk Committee meeting, summarising the work of the committee preceding the meeting and the outcomes of the meeting

BACKGROUND / OPTIONS

Period Preceding the September Meeting:

1. **Email to Committee 10 June 2025** – Audit and Risk Committee Meeting Summary Report was presented to Council Meeting on 17 June 2025. Members were requested to review the report and provide any feedback prior to the meeting.

2. **Letter to Independent Members 10 June 2025** – Superannuation Compliance Update and Information Request. Council is collecting personal and superannuation details from independent committee members to prepare for possible superannuation contributions on sitting fees, following updated guidance. No payments will be made yet, but members are asked to submit their details and complete a form by 20 June 2025.

3. **Email to Committee 30 July 2025** – Audit and Risk Committee meeting originally scheduled for 6 August 2025 was deferred, as confirmed by Presiding Member and rescheduled to 24 September 2025 with the rating review workshop to remain.

4. **Information Briefing Session 6 August 2025** – An Information Briefing Session was held with Audit and Risk Committee Members and Council Elected Members, with representatives from LGiQ in attendance, to discuss the draft report on the Review of the Basis of Rating and enable the Audit and Risk Committee to provide feedback to be presented to Council for consideration.

5. **Email to Committee 21 August 2025** – Following the LGiQ Rating Review Workshop, a summary document of proposed recommendations was circulated to Committee Members. The document includes; The draft report, administrative comments and Audit and Risk Comments.

Members were requested to review the content and forward feedback to Kahli Rolton, Manager Financial Services by 27 August 2025.

Feedback was received by Committee Member Alex Brown and Belinda Johnson.

For noting, An informal briefing was held with Council 9 September 2025 where the Audit and Risk Committee comments were provided in order to progress the rating review. As this has been circulated to and discussed with Elected Members separately, it is not provided as part of this report.

6. **Meeting with Committee Member Alex Brown 27 August 2025** – Following the Rating Review internal briefing held 6 August 2025, a meeting was held with Council staff Jo Scheidl, Revenue Coordinator and Kahli Rolton, Manager Financial Services and Committee member Alex Brown (also an employee at the City of Unley) to discuss the City of Unley's journey on changing the basis of rating for Short Stay Rental Accommodation.

7. **Email to Committee 5 September 2025** – The Audit and Risk Committee meeting originally rescheduled to 24 September 2025 has been deferred, as confirmed by the Presiding Member, and moved to 8 October 2025. Auditors, who have been onsite recently, advised their report will not be ready for the September meeting but can be finalised if the meeting is held on the new date, allowing time for a workshop with the Committee.

8. **Email to Committee 17 September 2025** – Audit and Risk Committee meeting email sent to confirm availability to change meeting to 24 September 2025 as originally deferred to ensure meet legislative requirement of holding an Audit and Risk Committee meeting in each quarter of the year and on the basis that the External Auditors will be available to present their findings.

9. **Email to Committee 17 September 2025** - Memo sent to Audit and Risk Committee containing the draft of the Audit and Risk Committee's Self-Assessment and Annual Report for 2024/2025 for review. Members asked to provide feedback or suggestions by 24 September 2025.

At the time of writing this report feedback had been received by the Presiding Member, Paul Duka, Committee Member Belinda Johnson and Council Committee member Cr Paul Jenner.

10. **Council Member Briefing** – Meeting held as required between the Council Member Audit and Risk Committee representative and General Manager Corporate and Regulatory Services, Manager Financial Services to provide a briefing on the reports included in the agenda prior to the meeting.

11. **Presiding Member Pre-Meeting** - Meeting held as required between the Manager Financial Services and the Presiding Member to discuss the agenda prior to the meeting.

Outcomes of the Meeting 24 September 2025:

The following reports were discussed at the 24 September 2025 meeting. The outcomes of the reports are outlined in the meeting minutes.

5.1 Audit and Risk Committee Self-Assessment Review 2024/2025

The Committee questioned the layout and scoring methodology of this report for consideration in advance of next year or following the appointment or re-appointment of new Committee Members at the conclusion of their tenure.

Key points for future consideration:

- Rather than a score out of 10 define as: meeting requirements, not meeting requirements or exceeding requirements.
- There are different assessment models and areas for assessment that could be included as part of the Committee's self-assessment of their performance.
-

The Committee felt that a score of 10 out of 10 was not reflective of the fact there is always room for improvement and decided that a score of 9 out of 10 reflected this. Some discussion was held around independence self-assessment.

5.2 Audit and Risk Committee Annual Report

The Committee reflected that this report is a good representation of work undertaken over the year. Key discussion points included:

- Updating the score to 9 out of 10 and expanding the recommendation to enable this and other minor changes to occur. An updated annual report inclusive of changes is attached to this report for Council.
- The inclusion of the annual work plan not being reflective of updates or changes throughout the year and recording the year/date in the header for clarity. Members of the Committee agreed that its inclusion added value as it showed on a page the range of work of the Committee. It also allows for comparison against what was actually achieved for readers per the Committee decision making section.

5.3 Draft 2024/2025 Financial Statements



The Committee were complimentary of the financial statements and analytics provided, noting that questions arising from their review were majority answered and transparent in the reports. Recommendation was added to commend the administration on the outstanding work in presenting the Financial Statements.

Some members having been on the Committee for a number of years reflected on the journey over the last few years to improve the financial sustainability, long term planning and reporting of Council and noted the hard decisions that were required to achieve this, namely rate rises.

The improvement in financial sustainability ratios was notably mentioned in particular the decreasing net financial liabilities ratio and the achievement of an 88% asset renewal funding ratio. Further comments were made regarding the impact of the Financial Assistance Grants, however the adjusted operating surplus ratio continues to head in the right direction overall.

The external auditors were present for this section of the meeting and discussed their findings in relation to indexation of assets and their recommendation to have additional support for whatever CPI or Building Price Index is used in future, noting that the impact of the indexation applied for 2024/2025 is immaterial and that Administration have agreed to run indexation on assets as at 1 July 2025.

The Committee requested figures be updated through the Long Term Financial Plan in preparation for the next iteration of the plan.

5.4 Comparison of Actual to Budget for the year ended 30 June 2025

Questions were raised around the cost neutrality for changes in service provision in relation to cleaners and visitor servicing and whether any reviews had been completed.

The Committee also requested an update on Wulanda to a future meeting.

A copy of the carry forward budget report that was presented to Council in August 2025 will be forwarded to the committee for context in relation to the asset renewal funding ratio.

5.5 Audit and Risk Committee Meeting Report

The Committee requested the following be noted for Council.

No informal briefing was held immediately prior to the meeting due to the availability of the external auditors. Audit Manager, Danny Phillips from Dean Newbery joined the meeting part way through to discuss with the Committee their findings and recommendations.

It is custom practice for the Committee to meet with the auditors without inclusion of management. Due to the unavailability of the Audit Partner and timing constraints for the Audit Manager and members of the Committee there was no opportunity for the Committee and Auditors to meet without management present on this occasion.

The Committee noted that while this did not occur, they did not have any issues to raise.

CONCLUSION

The report tables the observations and discussions of the Audit and Risk Committee to provide additional context to Council.

The Annual Report of the Audit and Risk Committee is attached summarising the work of the Committee over the 2024/2025 financial year.

ATTACHMENTS

1. Audit and Risk Committee Annual Report 2024 2025 [19.1.1 - 7 pages]



AUDIT & RISK COMMITTEE ANNUAL REPORT

JULY 2024 - JUNE 2025

Established under the Local Government Act 1999 by Council to provide independent assurance and advice on accounting, financial management, internal controls, risk management and governance.

The Audit and Risk Committee reviewed and monitored numerous functions adding value to Council's strategic planning, annual financial statements, risk management and internal controls. Highlights for the year included the waste financial modelling, debt refinancing, policy reviews and governance, ESCOSA Local Government advice, biennial review of internal financial controls and associated risk, internal audit program recommendations and actions, and review of Long Term Financial Plan and Annual Budget.

MEETING ATTENDANCE AND MEMBERSHIP

Seven ordinary meetings were held over the course of the 2024/2025 financial year. The meetings were held across the year in July 2024, August 2024, October 2024, November 2024, February 2025, April 2024 and June 2025.

7 meetings	Mr P Duka (Presiding)	Mayor Martin (Ex-Officio)	Cr P Jenner	Mr A Brown	Ms B Johnson
Attendances:	7/7	6/7	6/7	7/7	7/7

INFORMAL PRE MEETINGS & WORKSHOPS

Prior to each formal meeting of the Audit and Risk Committee Council Administration hold pre-meeting briefings separately with the Presiding Member and Council Member at their request.

5

workshops
held

14 August 2024 - Audit and Risk Committee Update and Waste Financial Modeling

9 January 2025 - Confidential Workshop, Refinancing Options

5 February 2025 - Audit and Risk Committee Update, Rating Review and Update on Budget Preparation

2 April 2025 - Audit and Risk Committee Update, ESCOSA and Internal Financial Controls

4 June 2025 - Audit and Risk Committee Update, Internal Audits, Interim Audit, External Audit

SELF ASSESSMENT EVALUATION

Self assessment is completed annually by the Committee and covers 10 Broad areas for performance review. The last review was completed 28 October 2024.

9/10

agreed all performance
areas are being met

Role & Terms of Reference

Independence

Committee Skills/Training

Work Program

Council Structure & Decision Making

Meeting Operation & Frequency

Resources available to the Committee

Working Relationship with Council & Senior Management

Access to appropriate Council Information

Extent that the Committee's advice is contributing to effective operation of Council

ANNUAL WORK PLAN - 2025

Date	5-Feb February	2-Apr April	4-Jun May	6-Aug August	5-Nov November	3-Dec December
Recommendations To Council Meeting Dates						
Financial Reporting & Management:						
Review statutory financial statements						
Comparison of actual performance to budget as at year-end						
Review performance of investments and borrowings						
Audit & Risk Committee self-assessment and annual report						
Internal Controls and Risk Management Systems:						
Monitor effectiveness of Council's internal controls & risk mgt systems						
Strategic Risk Register						
Review of insurances						
Work Health Safety Update						
Policies and Leases/Licenses Update						
Public Interest Disclosure Act & Prudential Reports:						
Review arrangements for employees to raise concerns in financial reporting and other matters						
Be satisfied that independent investigation of matters raised are appropriately followed up.						
Provide advice on the management of prudential reports						
Internal Audit:						
Internal Audit - Oversight of program planning and scope						
Progress on internal audits						
External Audit:						
Review annual audit plan						
Meeting with auditors to review audit findings						
Review audit management report and management's response						
Review Management Representation Letter						
Auditor Engagement (Term 3 of 5 years)						
Review of Strategic Management and Business Plans:						
Review Asset Management Plans (Forward Works Program)						
Review Long Term Financial Plan						
Review Annual Business Plan						
Budget Reviews (BR1, BR2, BR3) - for noting only reports go direct to Council						
		BR2		BR3		BR1
Policy Reviews:						
Budget Framework Policy B300						
Treasury Management Policy T150						
Asset Accounting Policy (Annual review)						
Any other policies as required						
Other:						
Review annual work plan						
Review Terms of Reference (every 2 years)						



COMMITTEE DECISION MAKING

Report	Work Program Category
29/07/2024 Correspondence Received	Other
29/07/2024 Internal Audit - Payroll and Remuneration	Internal Audit
29/07/2024 Internal Audit - PDI Act - Post Implementation	Internal Audit
29/07/2024 Quarterly Internal Audit Update	Internal Audit
29/07/2024 Lease and Licence Update	Other
29/07/2024 Council Policy Update	Policy Review
29/07/2024 External Audit Interim Management Report 2023/2024	External Audit
29/07/2024 Audit and Risk Committee Meeting Report	Other
14/08/2024 Caroline Landfill 2023/2024 Post Closure Provision Update	Financial Reporting and Management
28/10/2024 Draft 2023/2024 Financial Statements	Financial Reporting and Management



Report	Work Program Reference
28/10/2024 Comparison of Actual to Budget for the year ended 30 June 2024	Financial Reporting and Management
28/10/2024 Audit and Risk Committee Annual Report	Committee Governance
28/10/2024 Audit and Risk Committee Self-Assessment Review 2023/2024	Committee Governance
28/10/2024 Audit and Risk Committee Meeting Report	Other
25/11/2024 Annual review Borrowing and Investments	Treasury Management
25/11/2024 Internal Audit: Amended Plan, Quarterly Update and Project Scope	Internal Audit
25/11/2024 Policy Update	Policy Review
25/11/2024 Policies for Review <ul style="list-style-type: none"> • Request for Service and Complaint Procedure, • Internal Review of Council's Decisions, • Emergency Management and • Treasury Management 	Policy Review
25/11/2024 Lease and Licence Update	Other
25/11/2024 Annual Work Plan and Meeting Schedule	Committee Governance



City of
Mount Gambier

Report	Work Program Reference
25/11/2024 Audit and Risk Committee Meeting Report	Other
5/02/2025 Strategic Risk Register	Internal Controls and Risk Management Systems
5/02/2025 Work Health Safety (WHS) and Wellbeing Quarterly Report	Internal Controls and Risk Management Systems
5/02/2025 Budget Framework Policy B300	Policy Review
5/02/2025 Review of Terms of Reference	Committee Governance
5/02/2025 Audit and Risk Committee Meeting Report	Other
2/04/2025 Lease and Licence Update	Other
2/04/2025 Policy Update	Policy Review
2/04/2025 Quarterly Internal Audit Update	Internal Audit
2/04/2025 Internal Financial Controls 2024/2025 Self-Assessment and Update from Previous Assessment	Internal Controls and Risk Management Systems



City of
Mount Gambier

Report	Work Program Reference
2/04/2025 Asset Accounting Policy	Policy Review
2/04/2025 ESCOSA Local Government Advice February 2025	Financial Reports and Management
2/04/2025 External Audit Matters 2023/2024 Update	External Audit
2/04/2025 Audit and Risk Committee Meeting Report	Other
4/06/2025 Draft Annual Business Plan and Budget 2025/2026	Review of Strategic Management and Business Plans
4/06/2025 Draft Long Term Financial Plan for Public Consultation	Review of Strategic Management and Business Plans
4/06/2025 Draft Asset Management Planning Approach	Review of Strategic Management and Business Plans
4/06/2025 Risk Appetite Statement	Internal Controls and Risk Management Systems
4/06/2025 External Audit Interim Management Report 2024/2025	External Audit
4/06/2025 Quarterly Internal Audit Update	Internal Audit



Report	Work Program Reference
4/06/2025 Internal Audit Procurement and Contract Management	Internal Audit
4/06/2025 Work Health Safety (WHS) and Wellbeing Quarterly Report - January - March 2025	Internal Controls and Risk Management Systems
4/06/2025 Audit and Risk Committee Meeting Report	Other



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City of
Mount Gambier

19.2 STATUTORY FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2025

Author: Kahli Rolton, Manager Financial Services

Authoriser: Tracy Tzioutziouklaris, Acting General Manager Corporate and Regulatory Services

RECOMMENDATION

1. That Council report titled 'Statutory Financial Statements for the Year Ended 30 June 2025' as presented on Tuesday 21 October 2025 be noted.
2. That Council acknowledges
 - (a) The completion report by the external auditors results in an unmodified audit report with no material misstatements.
 - (b) The Audit and Risk Committee advised at their meeting 24 September 2025 their review of the draft financial statements for the year ended 30 June 2025 'presenting fairly the state of affairs of the Council'.
3. That the audited Financial Statements for the year ended 30 June 2025, as attached, be adopted.
4. That Council authorises the Mayor and Chief Executive Officer to certify the financial statements in their final form.
5. That Council authorises the Chief Executive Officer or Delegate to make any necessary changes to the 2024/2025 Financial Statements and associated documents arising from this meeting, together with any editorial amendments and finalisation of the documents formatting and graphic design that do not materially alter the integrity of the document.

PURPOSE

The purpose of this report is to present Council with formal recommendations to administer all things necessary to adopt and finalise the financial statements for the year ended 30 June 2025 following presentation via the Audit and Risk Committee.

The annual financial statements provide Council, the community and other interested parties with a record of the financial activities and the financial position of the Council, comparative to the preceding financial period. This year Council has recorded a surplus of \$1.925m largely due to the timing of receipt of Financial Assistance Grants.

BACKGROUND / OPTIONS

AUDIT AND RISK COMMITTEE

Recommendation

At the Audit and Risk Committee (the Committee) meeting held on 24 September 2025, the Draft 2024/2025 Financial Statements were presented and the Committee resolved:

"That the Audit and Risk Committee advises Council that in accordance with Section 126(4(a)) of the Local Government Act 1999, it has reviewed the draft annual financial statements of Council for the financial year 2025 and 'they present fairly the state of affairs of the council'."



Reports

Full details of the Financial Statements and associated external audit completion report are detailed in the Audit and Risk Committee reports and attachments as presented at the meeting held on 24 September 2025. The Minutes and full details are linked to this Council Agenda (October 2025). Attachments to this report contain an unsigned version of the General Purpose Financial Statements for the year ended 30 June 2025 and a copy of the analytical review.

Key highlights from the Audit and Risk Committee reports include:

Income - finished 7% above original budget and 2% under the final revised budget for 2024/2025.

The largest income deviation from budget was the receipt of two advance payments relating to the Financial Assistance Grant program. These timing adjustments have resulted in the recognition of both advance amounts in the 2024/2025 financial year, albeit one advance payment lower than anticipated.

Expenses - finished 1% above original budget and 1% under the final revised budget for 2024/2025.

The largest expenditure deviation from budget was employee costs, which were majority offset by a decrease to materials, contracts and other expenses.

Ratios - Financial Sustainability ratios were improved in comparison to last financial year, with all meeting or exceeding their targets with the exception of the asset renewal ratio.

Timing issues in relation to capital expenditure are the main reason for the asset sustainability ratio reporting at 88%, 12% lower than target. It should be noted this is a significant improvement on the prior year asset sustainability ratio of 61%.

The full analytical review containing current and prior year comparison is attached to this report for ease.

EXTERNAL AUDIT

External Auditors, Dean Newbery have provided an unmodified audit completion report subject to the successful completion of outstanding matters noted. Please refer to attachments for a copy of the completion report.

Audit Completion Report – Matters to be addressed in future financial years

The Auditor's Report for the financial year found no material misstatements or instances of non-compliance.

Dean Newbery have recommended for the 2025/2026 Financial year that Council update the Asset Accounting policy and procedures to ensure that internal indexations are always supported by either an independent peer review or an internal assessment comparing indexation rates against capital expenditure incurred in the year that the indexation is applied.

At the conclusion of the work completed in 2025/2026 they further recommend that Council's Asset Management Plans and Long-Term Financial Plan be updated to include the latest data received as a result of the valuation and condition assessment undertaken.



IMPLICATIONS TO CONSIDER

Legal	Financial statements are prepared accurately to reflect Councils financial position while complying with relevant accounting standards and principles. Council financial statements must be audited by an independent auditor to ensure the financial statements are free from material misstatements and comply with legal requirements. Financial statements must be made publicly available.
Financial and Budget	Analysis of financial statements allows Council to assess their financial performance and monitor financial sustainability. The information provided in annual financial statements can influence future budgeting decisions to ensure the future direction of Council is managed in a financially sustainable manner.
Other Resources	The Long-term financial plan and Asset management plan outline future goals and objectives of Council. Annual financial statements provide an opportunity to review current performance with projected performance.

RISK ANALYSIS

The risk identification and categorisation relies on the City of Mount Gambier [Risk Management Policy](#).

Risk	Consequence Rating	Risk Likelihood Rating	Risk Rating	Mitigation
Financial misrepresentation	Insignificant (1)	Unlikely (2)	Low	Continue to outsource annual audit, with a change of service provider every 5 years.
Lack of financial transparency	Minor (2)	Unlikely (2)	Low	Financial statements will form part of the Annual report for transparency to community.
Non-compliance with legislative requirements	Insignificant (1)	Rare (1)	Low	Review legislative requirements annually in line with work plan.

APPLICATION OF STRATEGIC PLAN

This report aligns to the following strategic objectives(s):

N/A

This report contributes to delivery of the following key strategic project(s):

N/A

RELEVANT COUNCIL POLICY

[Asset Accounting](#)
[Asset Management - A900](#)
[Budget Policy - B300](#)
[Rates - Rating - R105](#)
[Treasury Management - T150](#)



IMPLEMENTATION AND NEXT STEPS

Once adopted the "Certification of Financial Statements" (attachment 2) can be signed by the CEO and Mayor and returned to Council's auditors. Once the auditors have received this document they will prepare and return Council's financial statements including;

- Independent Auditor's Report
- Independent assurance report on the internal controls of the City of Mount Gambier
- Certification of Auditor's Independence

Council's financial statements will be published in the Council's Annual Report for the 2024/2025 financial year and will be provided to the:

- Minister for Local Government;
- South Australian Local Government Grants Commission; and
- Other key stakeholders.

CONCLUSION

The financial statements are general purpose statements representing the financial performance of the Council for the 2024/2025 financial year and the financial position as at 30 June 2025. The financial statements have been prepared in accordance with the Australian Accounting Standards, Local Government Act 1999 and Local Government (Financial Management) Regulations 2011.

ATTACHMENTS

1. General Purpose Financial Statements 2024 2025 [**19.2.1** - 45 pages]
2. For signing CEO and Mayor [**19.2.2** - 1 page]
3. 2025 Audit Completion Report - City of Mount Gambier [**19.2.3** - 16 pages]
4. Financial Statement Analytical Review [**19.2.4** - 7 pages]



City of Mount Gambier

GENERAL PURPOSE FINANCIAL STATEMENTS

for the year ended 30 June 2025

City of Mount Gambier

General Purpose Financial Statements

for the year ended 30 June 2025

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City of Mount Gambier

General Purpose Financial Statements

for the year ended 30 June 2025

Certification of Financial Statements

We have been authorised by the Council to certify the financial statements in their final form.

In our opinion:

- the accompanying financial statements comply with the *Local Government Act 1999, Local Government (Financial Management) Regulations 2011* and Australian Accounting Standards,
- the financial statements present a true and fair view of the Council's financial position at 30 June 2025 and the results of its operations and cash flows for the financial year,
- internal controls implemented by the Council provide a reasonable assurance that the Council's financial records are complete, accurate and reliable and were effective throughout the financial year,
- the financial statements accurately reflect the Council's accounting and other records.

Andrew Aitken
INTERIM CHIEF EXECUTIVE OFFICER

Date:

Lynette Martin
MAYOR

Date:

City of Mount Gambier

Statement of Comprehensive Income

for the year ended 30 June 2025

\$ '000	Notes	2025	2024
Income			
Rates	2a	30,388	26,488
Statutory charges	2b	923	781
User charges	2c	10,408	9,179
Grants, subsidies and contributions - capital	2g	1,225	989
Grants, subsidies and contributions - operating	2g	7,091	672
Investment income	2d	79	53
Reimbursements	2e	1,141	1,230
Other income	2f	697	2,669
Total income		51,952	42,061
Expenses			
Employee costs	3a	17,811	15,292
Materials, contracts and other expenses	3b	19,110	19,320
Depreciation, amortisation and impairment	3c	11,902	10,795
Finance costs	3d	1,883	1,822
Total expenses		50,706	47,229
Operating surplus / (deficit)		1,246	(5,168)
Physical resources received free of charge	2i	1,933	2,053
Asset disposal and fair value adjustments	4	(1,321)	(1,475)
Amounts received specifically for new or upgraded assets	2g	67	216
Net surplus / (deficit)		1,925	(4,374)
Other comprehensive income			
Amounts which will not be reclassified subsequently to operating result			
Changes in revaluation surplus - I,PP&E	8a	3,228	45,425
Impairment (expense) / recoupments offset to asset revaluation reserve	8a	(113)	(177)
Total amounts which will not be reclassified subsequently to operating result		3,115	45,248
Total other comprehensive income		3,115	45,248
Total comprehensive income		5,040	40,874

The above Statement of Comprehensive Income should be read in conjunction with the accompanying notes.

City of Mount Gambier

Statement of Financial Position

as at 30 June 2025

\$ '000	Notes	2025	2024
ASSETS			
Current assets			
Cash and cash equivalent assets	5a	192	270
Trade and other receivables	5b	2,861	2,531
Inventories	5c	84	76
Subtotal		3,137	2,877
Non-current assets held for sale	16	—	335
Total current assets		3,137	3,212
Non-current assets			
Infrastructure, property, plant and equipment	6	448,597	445,641
Total non-current assets		448,597	445,641
TOTAL ASSETS		451,734	448,853
LIABILITIES			
Current liabilities			
Trade and other payables	7a	4,687	5,317
Borrowings	7b	6,135	9,986
Provisions	7c	5,171	3,561
Total current liabilities		15,993	18,864
Non-current liabilities			
Borrowings	7b	26,068	27,079
Provisions	7c	3,331	1,608
Total non-current liabilities		29,399	28,687
TOTAL LIABILITIES		45,392	47,551
Net assets		406,342	401,302
EQUITY			
Accumulated surplus		89,588	87,287
Asset revaluation reserves	8a	315,808	312,693
Other reserves	8b	946	1,322
Total equity		406,342	401,302

The above Statement of Financial Position should be read in conjunction with the accompanying notes.

City of Mount Gambier

Statement of Changes in Equity

for the year ended 30 June 2025

\$ '000	Notes	Accumulated surplus	Asset revaluation reserve	Other reserves	Total equity
2025					
Balance as at 1 July		87,287	312,693	1,322	401,302
Net surplus / (deficit) for year		1,925	—	—	1,925
Other comprehensive income					
Gain (loss) on revaluation of IPP&E	6a	—	3,228	—	3,228
IPP&E impairment (expense) / recoupments offset to ARR	6a	—	(113)	—	(113)
Total comprehensive income		1,925	3,115	—	5,040
Transfers between reserves	8b	376	—	(376)	—
Balance at the end of period		89,588	315,808	946	406,342
2024					
Balance as at 1 July		87,644	271,174	1,610	360,428
Net surplus / (deficit) for year		(4,374)	—	—	(4,374)
Other comprehensive income					
Gain (loss) on revaluation of IPP&E	6a	—	45,425	—	45,425
IPP&E impairment (expense) / recoupments offset to ARR	6a	—	(177)	—	(177)
Total comprehensive income		(4,374)	45,248	—	40,874
Transfers between reserves	8b	288	—	(288)	—
Balance at the end of period		87,287	312,693	1,322	401,302

The above Statement of Changes in Equity should be read in conjunction with the accompanying notes.

City of Mount Gambier

Statement of Cash Flows

for the year ended 30 June 2025

\$ '000	Notes	2025	2024
Cash flows from operating activities			
<u>Receipts</u>			
Rates receipts		30,227	26,501
Statutory charges		864	781
User charges		10,320	9,179
Grants, subsidies and contributions		7,091	1,102
Investment receipts		79	54
Reimbursements		1,141	1,230
Other receipts		746	1,349
<u>Payments</u>			
Payments to employees		(17,159)	(14,663)
Payments for materials, contracts and other expenses		(19,692)	(19,843)
Finance payments		(1,728)	(1,719)
Net cash provided by (or used in) operating activities	9b	<u>11,889</u>	<u>3,971</u>
Cash flows from investing activities			
<u>Receipts</u>			
Grants utilised for capital purposes		1,279	307
Amounts received specifically for new or upgraded assets		67	216
Sale of replaced assets		479	110
Sale of surplus assets		288	–
<u>Payments</u>			
Expenditure on renewal/replacement of assets		(7,691)	(3,528)
Expenditure on new/upgraded assets		(1,596)	(6,188)
Net cash provided (or used in) investing activities		<u>(7,174)</u>	<u>(9,083)</u>
Cash flows from financing activities			
<u>Receipts</u>			
Proceeds from loans		4,750	8,374
Proceeds from bonds and deposits		83	64
<u>Payments</u>			
Repayments of loans		(9,482)	(2,930)
Repayment of lease liabilities		(144)	(202)
Net cash provided by (or used in) financing activities		<u>(4,793)</u>	<u>5,306</u>
Net increase (decrease) in cash held		<u>(78)</u>	<u>194</u>
plus: cash & cash equivalents at beginning of period		<u>270</u>	<u>76</u>
Cash and cash equivalents held at end of period	9a	<u>192</u>	<u>270</u>

The above Statement of Cash Flows should be read in conjunction with the accompanying notes.

City of Mount Gambier

Notes to and forming part of the Financial Statements

for the year ended 30 June 2025

Contents of the Notes accompanying the General Purpose Financial Statements

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City of Mount Gambier

Notes to and forming part of the Financial Statements for the year ended 30 June 2025

Note 1. Summary of Material Accounting Policies

The principal accounting policies adopted by Council in the preparation of these consolidated financial statements are set out below.

These policies have been consistently applied to all the years presented, unless otherwise stated.

(1) Basis of preparation

1.1 Compliance with Australian Accounting Standards

This general purpose financial report has been prepared in accordance with Australian Accounting Standards as they apply to not-for-profit entities, other authoritative pronouncements of the Australian Accounting Standards Board, Interpretations and relevant South Australian legislation.

The financial report was authorised for issue by certificate under regulation 14 of the Local Government (Financial Management) Regulations 2011.

1.2 Historical cost convention

Except as stated below, these financial statements have been prepared in accordance with the historical cost convention.

1.2 Critical accounting estimates

The preparation of financial statements in conformity with Australian Accounting Standards requires the use of certain critical accounting estimates and requires management to exercise its judgement in applying Council's accounting policies.

The areas involving a higher degree of judgement or complexity, or areas where assumptions and estimates are significant to the financial statements are specifically referred to in the relevant sections of this Note.

1.3 Rounding

All amounts in the financial statements have been rounded to the nearest thousand dollars (\$'000).

(2) The local government reporting entity

City of Mount Gambier is incorporated under the SA Local Government Act 1999 and has its principal place of business at 10 Watson Terrace, Mount Gambier. These consolidated financial statements include the Council's direct operations and all entities through which Council controls resources to carry on its functions. In the process of reporting on the Council as a single unit, all transactions and balances between activity areas and controlled entities have been eliminated.

(3) Income recognition

The Council recognises revenue under AASB 1058 Income of Not-for-Profit Entities (AASB 1058) or AASB 15 Revenue from Contracts with Customers (AASB 15) when appropriate.

In cases where there is an 'enforceable' contract with a customer with 'sufficiently specific' performance obligations, the transaction is accounted for under AASB 15 where income is recognised when (or as) the performance obligations are satisfied (i.e. when it transfers control of a product or service to a customer). Revenue is measured based on the consideration to which the Council expects to be entitled in a contract with a customer.

In other cases, AASB 1058 applies when a not-for-profit (NFP) entity enters into transactions where the consideration to acquire an asset is significantly less than the fair value of the asset principally to enable the entity to further its objectives. The excess of the asset recognised (at fair value) over any 'related amounts' is recognised as income immediately, except in the case where a financial asset has been received to enable the council to acquire or construct a recognisable non-financial asset that is to be controlled by the council. In this case, the council recognises the excess as a liability that is recognised over time in profit and loss when (or as) the entity satisfies its obligations under the transfer.

In recent years, the payment of untied grants (financial assistance grants/ local roads/ supplementary grants) has varied from the annual allocation as shown in the table below:

continued on next page ...

City of Mount Gambier

Notes to and forming part of the Financial Statements for the year ended 30 June 2025

Note 1. Summary of Material Accounting Policies (continued)

	Cash Payment Received	Annual Allocation	Difference
2021/22	\$5,134,125	\$3,891,585	+ \$1,242,540
2022/23	\$5,541,926	\$4,227,169	+ \$1,314,757
2023/24	\$263,252	\$4,618,149	- \$4,354,897
2024/25	\$6,765,226	\$4,417,888	+ \$2,347,338

Because these grants are untied, the Australian Accounting Standards require that payments be recognised upon receipt. Accordingly, the operating results of these periods have been distorted compared to those that would have been reported had the grants been paid in the year to which they were allocated.

The Operating Surplus Ratio disclosed in Note 12 has also been calculated after adjusting for the distortions resulting from the differences between the actual grants received and the grants entitlements allocated.

(4) Cash, cash equivalents and other financial instruments

Cash assets include all amounts readily convertible to cash on hand at Council's option with an insignificant risk of changes in value with a maturity of three months or less from the date of acquisition.

Receivables for rates and annual charges are secured over the subject land, and bear interest at rates determined in accordance with the Local Government Act 1999. Other receivables are generally unsecured and do not bear interest.

All receivables are reviewed as at the reporting date and adequate allowance made for amounts the receipt of which is considered doubtful.

All financial instruments are recognised at fair value at the date of recognition. A detailed statement of the accounting policies applied to financial instruments also form part of Note 10.

(5) Inventories

Inventories held in respect of stores have been valued by using the weighted average cost on a continual basis, after adjustment for loss of service potential. Inventories held in respect of business undertakings have been valued at the lower of cost and net realisable value.

continued on next page ...

City of Mount Gambier

Notes to and forming part of the Financial Statements

for the year ended 30 June 2025

Note 1. Summary of Material Accounting Policies (continued)

(6) Infrastructure, property, plant and equipment

6.1 Initial recognition

All assets are initially recognised at cost. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition.

All non-current assets purchased or constructed are capitalised as the expenditure is incurred and depreciated as soon as the asset is held "ready for use". Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition, including architects' fees and engineering design fees and all other costs incurred. The cost of non-current assets constructed by the Council includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overhead.

6.2 Materiality

Assets with an economic life in excess of one year are only capitalised where the cost of acquisition exceeds materiality thresholds established by Council for each type of asset. In determining (and in reviewing) such thresholds, regard is had to the nature of the asset and its estimated service life.

Examples of capitalisation thresholds applied during the year are given in Note 6. No capitalisation threshold is applied to the acquisition of land or interests in land or the Riddoch Art Collection.

6.3 Subsequent recognition

All material asset classes are revalued on a regular basis such that the carrying values are not materially different from fair value. Significant uncertainties exist in the estimation of fair value of a number of asset classes including land, buildings and associated structures and infrastructure. Further detail of these uncertainties, and of existing valuations, methods and valuers are provided at Note 6.

6.4 Depreciation of non-current assets

Other than land, footpath nature strips, the Les Hill Collection and the Riddoch art Collection, all infrastructure, property, plant and equipment assets recognised are systematically depreciated over their useful lives on a straight-line basis which, in the opinion of Council, best reflects the consumption of the service potential embodied in those assets. Waste management assets are depreciated on an asset capacity in use basis.

Depreciation methods, useful lives and residual values of classes of assets are reviewed annually.

Major depreciation periods for each class of asset are shown in Note 6. Depreciation periods for infrastructure assets have been estimated based on the best information available to Council, but appropriate records covering the entire life cycle of these assets are not available, and extreme care should be used in interpreting financial information based on these estimates.

6.5 Impairment

Assets whose future economic benefits are not dependent on the ability to generate cash flows, and where the future economic benefits would be replaced if Council were deprived thereof, are not subject to impairment testing.

Other assets that are subject to depreciation are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount (which is the higher of the present value of future cash inflows or value in use).

Where an asset that has been revalued is subsequently impaired, the impairment is first offset against such amount as stands to the credit of that class of assets in Asset Revaluation Reserve, any excess being recognised as an expense.

(7) Payables

7.1 Goods & Services

Creditors are amounts due to external parties for the supply of goods and services and are recognised as liabilities when the goods and services are received. Creditors are normally paid 30 days after the month of invoice. No interest is payable on these amounts.

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City of Mount Gambier

Notes to and forming part of the Financial Statements

for the year ended 30 June 2025

Note 1. Summary of Material Accounting Policies (continued)

7.2 Payments Received in Advance & Deposits

Amounts other than grants received from external parties in advance of service delivery, and security deposits held against possible damage to Council assets, are recognised as liabilities until the service is delivered or damage reinstated, or the amount is refunded as the case may be.

(8) Borrowings

Borrowings are carried at their principal amounts which represent the present value of future cash flows associated with servicing the debt. Interest is accrued over the period to which it relates and is recorded as part of "Payables". Interest free loans are carried at their nominal amounts; interest revenues foregone by the lender effectively being a reduction of interest expense in the period to which it relates.

Beginning 2024 financial year, cash advance debentures that are used in lieu of an overdraft facility for working capital have been classified to current liabilities.

(9) Employee benefits

9.1 Salaries, Wages & Compensated Absences

Liabilities for employees' entitlements to salaries, wages and compensated absences expected to be paid or settled within 12 months of reporting date are accrued at nominal amounts (including payroll based oncosts) measured in accordance with AASB 119.

Liabilities for employee benefits not expected to be paid or settled within 12 months are measured as the present value of the estimated future cash outflows (including payroll based oncosts) to be made in respect of services provided by employees up to the reporting date. Present values are calculated using government guaranteed securities rates with similar maturity terms.

Weighted avg. discount rate 3.50% (2024, 4.00%)

Weighted avg. settlement period 1 year (2024, 1 year)

9.2 Superannuation

The Council makes employer superannuation contributions in respect of its employees to the Hostplus Superannuation Scheme. The Scheme has two types of membership, each of which is funded differently. Details of the accounting policies applied and Council's involvement with the schemes are reported in Note 15.

(10) Provisions for reinstatement, restoration and rehabilitation

Council operates the Caroline landfill site, incorporating cells which require capping upon complete fill. Capping and restoration costs can include the dismantling and demolition of infrastructure and the removal of residual materials and remediation and rehabilitation of disturbed areas. Estimated close down and restoration costs are provided for in the accounting period when the obligation arising from the related disturbance occurs and are carried at the net present value of estimated future costs.

Although estimated future costs are based on a closure plan, such plans are based on current environmental requirements. Council's strategic planning aims to reduce waste to landfill and is extending the operational life of this facility. Due to this and the changing legislative environment it operates, uncertainty exists in the estimation of the future closure date. Engineering review by external consultants, Tonkins Engineering was completed 5 August 2024 to provide independent assessment of the future restoration provision as at 30 June 2024 and estimated future closure dates. Independent consultants, BRM Advisory were also engaged to complete financial modelling which adjusted the methodology in calculating the net present value of future restoration costs over the life of the landfill site. This resulted in an impact to other income of \$2,155,237 and subsequent reduction to the future restoration provision, liability recorded in the previous financial year.

As at the time of preparing these financial statements, the Council is undertaking a strategic review of its waste management and disposal activities which may impact on the projected remaining filling life of the landfill activities and the landfill capping and post closure strategies. The Council has developed a waste and resource recovery master plan which may impact on the scope and timing of future works connected with the closure and rehabilitation of the landfill site. Consequently, the value of the landfill liability provisions may be subject to material changes once elements of the master plan are implemented. Users of the financial statements should be aware of this potential material change in the future and in context of the key assumptions and estimates relating to the landfill liabilities recorded on the Balance Sheet.

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City of Mount Gambier

Notes to and forming part of the Financial Statements

for the year ended 30 June 2025

Note 1. Summary of Material Accounting Policies (continued)

(11) Leases

The Council assesses at contract inception whether a contract is, or contains, a lease. That is, if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration.

Council as a lessee

The Council recognises lease liabilities to make lease payments and right-of-use assets representing the right to use the underlying assets.

i) Right-of-Use-Assets

The Council recognises right-of-use assets at the commencement date of the lease. Right-of-use assets are measured at cost, less any accumulated depreciation and impairment losses, and adjusted for any remeasurement of lease liabilities. The cost of right-of-use assets includes the amount of lease liabilities recognised, initial direct costs incurred, lease payments made at or before the commencement date less any lease incentives received and the estimate of costs to be incurred to restore the leased asset.

Right of use assets are depreciated on a straight-line basis over the shorter of the lease term and the estimated useful lives of the assets based on the life of the lease.

Office and equipment	2 to 5 years
Land Improvements	1 year

The right-of-use assets are also subject to impairment. Refer to the accounting policies in section 6.5 - Impairment of non-financial assets above.

ii) Lease Liabilities

At the commencement date of the lease, the Council recognises lease liabilities measured at the present value of lease payments to be made over the lease term. In calculating the present value of lease payments, the Council uses its incremental borrowing rate or the interest rate implicit in the lease.

(12) New accounting standards and UIG interpretations

Council has assessed all the standards / interpretations currently issued which are not yet effective and have determined that there is no expected material impact on the reported financial position or performance.

(13) Comparative figures

To ensure comparability with the current reporting period's figures, some comparative period line items and amounts may have been reclassified or individually reported for the first time within these financial statements and/or the notes.

In 2023-24 note 2(c), "Sales - general" included tourism revenue and waste discounts. From 2024-25, tourism revenue is disclosed separately as "Tourism and Visitor Services" due to its increased materiality, resulting in the removal of "Sundry". Waste discounts have been reclassified to Landfill Charges to better reflect their classification. Comparative figures for 2023-24 have been reclassified accordingly.

In 2023-24 note 2(g), the Roads to Recovery grant was classified as operating grant income. In 2024-25, this has been reclassified as capital grant income to better reflect its classification. Comparative figures for 2023-24 have been reclassified accordingly.

In 2023-2024 note 2(d), an internal interest allocation for the section 41 Committee - Junior Sports Assistance Fund was classified as "Investment income - banks and other". In 2024-25, this has been removed to ensure Council is compliant with accounting standards. Comparative figures for 2023-24 have been removed accordingly.

In 2023-2024 note 3(a), "Salaries and wages" included expenses for Income protection. From 2024-2025, Income protection has been included in "Other employee related costs" to better reflect its classification.

City of Mount Gambier

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 2. Income

\$ '000	2025	2024
(a) Rates		
General rates		
General rates	24,647	22,164
Less: mandatory rebates	(293)	(269)
Less: discretionary rebates, remissions and write-offs	(24)	(17)
Total general rates	24,330	21,878
Other rates (including service charges)		
Landscape levy	1,409	1,352
Waste collection	4,457	3,097
Total other rates (including service charges)	5,866	4,449
Other charges		
Penalties for late payment	138	122
Legal and other costs recovered	54	39
Total other charges	192	161
Total rates	30,388	26,488

(b) Statutory charges

Planning, Development and Infrastructure Act fees	238	189
Town planning fees	224	250
Animal registration fees and fines	309	223
Parking fines / expiation fees	71	42
Other licences, fees and fines	81	77
Total statutory charges	923	781

(c) User charges

Cemetery/crematoria fees	948	911
Hall and equipment hire	15	14
Property lease	294	298
Sales - general	60	100
Wulanda	2,783	2,726
Green Waste Collection	34	35
Landfill Charges	5,431	4,593
Sales - Waste Transfer Station and Re-Use Market	422	372
Tourism and Visitor Services	421	130
Total user charges	10,408	9,179

(d) Investment income

Local Government Finance Authority	79	53
Total investment income	79	53

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City of Mount Gambier

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 2. Income (continued)

\$ '000	2025	2024
(e) Reimbursements		
Private works	51	19
Wulanda	830	975
Other	260	236
Total reimbursements	1,141	1,230

\$ '000	2025	2024
(f) Other income		
Insurance and other recoupments - infrastructure, property, plant and equipment	121	80
Sundry	430	361
Donations	105	73
Caroline Landfill	41	2,155
Total other income	697	2,669

\$ '000	2025	2024
(g) Grants, subsidies and contributions		
Capital grants, subsidies and contributions		
Amounts received specifically for new or upgraded assets	67	216
Total amounts received for new or upgraded assets	67	216
Other grants, subsidies and contributions - capital		
Roads to Recovery	574	430
Untied - Local Roads and Community Infrastructure	591	509
Boundary Roads Contributions	60	50
Total Other grants, subsidies and contributions - capital	1,225	989
Operating grants, subsidies and contributions		
Regional Transport Subsidy Program	90	134
Untied - Financial Assistance Grant	6,765	263
Library and communications	153	165
Sundry	83	110
Other grants, subsidies and contributions - operating		
Total other grants, subsidies and contributions - operating	7,091	672
Total grants, subsidies and contributions	8,383	1,877

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City of Mount Gambier

Notes to and forming part of the Financial Statements

for the year ended 30 June 2025

Note 2. Income (continued)

\$ '000	2025	2024
(i) Sources of grants		
Commonwealth Government	1,175	950
State Government	7,103	793
Other	105	134
Total	8,383	1,877

(h) Conditions over grants and contributions

Grants and contributions which were obtained on the condition that they be expended for specified purposes or in a future period, but which are not yet expended in accordance with those conditions, and are required to be repaid to the funding body if not expended, are as follows:

Unexpended at the close of the previous reporting period	34	294
Less:		
<i>Expended during the current period from revenues recognised in previous reporting periods</i>		
Pine Hall / O'Leary Road	–	(12)
Tertiary Education	(14)	(30)
State Bicycle	–	(7)
Pinehall Avenue (O'Leary Road to Sunnybrae Road)	–	(208)
Margaret Worth Exhibition	–	(25)
Age Friendly - Immersive Storytelling	–	–
Subtotal	(14)	(282)
Plus:		
<i>Amounts recognised as revenues in this reporting period but not yet expended in accordance with the conditions</i>		
Tertiary Education	22	22
Pinehall Avenue (O'Leary Road to Sunnybrae Road)	–	–
Margaret Worth Exhibition	–	–
Age Friendly - Immersive Storytelling	12	–
Subtotal	34	22
Unexpended at the close of this reporting period	54	34
Net increase (decrease) in assets subject to conditions in the current reporting period	20	(260)

(i) Physical resources received free of charge

Land and improvements	226	23
Roads	602	1,231
Stormwater drainage	812	508
Footpaths & Kerbing	293	291
Total physical resources received free of charge	1,933	2,053

City of Mount Gambier

Notes to and forming part of the Financial Statements for the year ended 30 June 2025

Note 3. Expenses

\$ '000	Notes	2025	2024
(a) Employee costs			
Salaries and wages		14,011	12,208
Employee leave expense		1,852	1,617
Superannuation	15	1,799	1,512
Workers' compensation insurance		753	590
Other employee related costs		309	277
Less: capitalised and distributed costs		(913)	(912)
Total operating employee costs		17,811	15,292
Total number of employees (full time equivalent at end of reporting period)		153	143
(b) Materials, contracts and other expenses			
(i) Prescribed expenses			
Auditor's remuneration			
- Auditing the financial reports		27	28
Elected members' expenses		250	243
Election expenses		9	10
Subtotal - prescribed expenses		286	281
(ii) Other materials, contracts and expenses			
Contractors		7,999	8,100
Energy		1,780	1,827
Legal expenses		153	219
Levies Paid to Government - Regional Landscape levy recovered		1,407	1,351
Sundry		225	189
Contributions/Donations		495	547
Insurance		661	635
Levies Paid to Government - EPA, ESL & Dog Levies		2,028	1,925
Materials		1,608	1,564
Training		151	133
Water		264	257
Communication		204	238
Consultants		527	722
Licences and Subscriptions		1,322	1,332
Subtotal - Other material, contracts and expenses		18,824	19,039
Total materials, contracts and other expenses		19,110	19,320

continued on next page ...

City of Mount Gambier

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 3. Expenses (continued)

\$ '000	2025	2024
(c) Depreciation, amortisation and impairment		
(i) Depreciation and amortisation		
Buildings and other structures	4,572	4,560
Infrastructure		
Stormwater Drainage	323	319
Kerbing and Footpaths	1,621	1,603
Roads	2,471	2,400
Carparks	240	240
Right-of-use assets	161	217
Plant and equipment	1,145	775
Waste Management	1,011	345
Office Equipment	279	281
Other assets	56	49
Subtotal	11,879	10,789
(ii) Impairment		
Capital Work In Progress	23	6
Subtotal	23	6
Total depreciation, amortisation and impairment	11,902	10,795

(d) Finance costs

Interest on loans	1,717	1,706
Interest on leases	11	32
Unwinding of present value discounts	155	84
Total finance costs	1,883	1,822

Note 4. Asset disposal and fair value adjustments

\$ '000	2025	2024
Infrastructure, property, plant and equipment		
(i) Assets renewed or directly replaced		
Proceeds from disposal	479	110
Less: carrying amount of assets sold	(1,860)	(1,469)
Gain (loss) on disposal	(1,381)	(1,359)
(ii) Assets surplus to requirements		
Proceeds from disposal	288	—
Less: carrying amount of assets sold	(201)	(116)
Less: assets held for sale gain	(27)	—
Gain (loss) on disposal	60	(116)
Net gain (loss) on disposal or revaluation of assets	(1,321)	(1,475)

City of Mount Gambier

Notes to and forming part of the Financial Statements for the year ended 30 June 2025

Note 5. Current assets

\$ '000	2025	2024
(a) Cash and cash equivalent assets		
Cash on hand and at bank	192	270
Total cash and cash equivalent assets	192	270

\$ '000	2025	2024
(b) Trade and other receivables		
Rates - general and other	1,034	873
Accrued revenues	116	–
Debtors - general	1,480	1,333
GST recoupment	206	323
Prepayments	9	2
Other	16	–
Subtotal	2,861	2,531

Total trade and other receivables	2,861	2,531
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\$ '000	2025	2024
(c) Inventories		
Stores and materials	30	22
Trading stock	54	54
Total inventories	84	76

City of Mount Gambier

Notes to and forming part of the Financial Statements for the year ended 30 June 2025

Note 6. Infrastructure, property, plant & equipment and investment property

Infrastructure, property, plant and equipment

\$ '000		Fair Value Level	as at 30/06/24				Asset movements during the reporting period										as at 30/06/25			
			At Fair Value	At Cost	Accumulated Depreciation	Carrying amount	Asset Additions New / Upgrade	Asset Additions Renewals	WDV of Asset Disposals	Depreciation Expense (Note 3c)	Impairment Loss (recognised in P/L) (Note 3c)	Impairment Loss (recognised in Equity) (Note 9)	WIP Transfers	Adjustments	The from/to "Held for Sale" category	Revaluation Increments to Equity (ASR) (Note 9)	At Fair Value	At Cost	Accumulated Depreciation	Carrying amount
Capital work in progress			–	4,339	–	4,339	369	901	–	–	(23)	–	(4,236)	–	–	–	–	1,350	–	1,350
Waste Management	3		–	9,783	(9,626)	157	2,781	–	–	(1,011)	–	–	3,488	–	–	–	16,052	–	(10,637)	5,415
Land	2		–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Land	3		69,586	–	–	69,586	226	–	(255)	–	–	–	–	–	–	53	69,610	–	–	69,610
Office Equipment			–	4,110	(1,919)	2,191	6	37	(6)	(279)	–	–	–	–	–	–	–	4,120	(2,171)	1,949
Riddoch Collection	3		4,356	–	–	4,356	23	–	–	–	–	–	–	–	–	–	4,356	23	–	4,379
Buildings and other structures	3		193,052	852	(64,830)	129,074	414	207	(16)	(4,572)	–	(113)	156	–	–	1,126	194,947	1,237	(69,908)	126,276
Stormwater Drainage	3		36,090	62	(10,022)	26,130	766	116	(3)	(323)	–	–	46	–	–	241	37,228	182	(10,437)	26,973
Kerbing and Footpaths	3		95,545	675	(22,934)	73,286	578	814	(433)	(1,621)	–	–	243	–	–	656	95,970	2,259	(24,706)	73,523
Public Lighting			–	712	(56)	656	–	–	–	(36)	–	–	–	–	–	6	–	718	(92)	626
Infrastructure - Other (Retaining walls, safety barriers)			5,471	358	(1,394)	4,435	21	–	–	(67)	–	–	–	–	–	39	5,520	382	(1,474)	4,428
Roads (sub-base, pavement, seal, traffic lights)	3		148,594	3,537	(36,283)	115,848	974	2,146	(845)	(2,367)	–	–	303	–	–	1,045	149,080	6,792	(38,769)	117,103
Carparks	3		10,497	168	(3,536)	7,129	–	–	–	(240)	–	–	–	–	–	62	10,591	170	(3,810)	6,951
Right-of-use assets			–	625	(359)	266	14	–	–	(161)	–	–	–	–	–	–	–	459	(340)	119
Plant and equipment			–	11,272	(4,393)	6,879	387	3,072	(557)	(1,145)	–	–	–	–	–	–	–	12,744	(4,108)	8,636
Other assets			–	1,672	(363)	1,309	–	6	–	(56)	–	–	–	–	–	–	–	1,678	(419)	1,259
Total infrastructure, property, plant and equipment			563,191	38,165	(155,715)	445,641	6,559	7,299	(2,115)	(11,878)	(23)	(113)	–	–	–	3,228	583,354	32,114	(166,871)	448,597
Comparatives			445,777	87,234	(133,255)	399,756	9,296	4,139	(1,628)	(10,789)	(6)	(177)	–	(40)	(335)	45,425	563,191	38,165	(155,715)	445,641

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City of Mount Gambier

Notes to and forming part of the Financial Statements

for the year ended 30 June 2025

Note 6. Infrastructure, property, plant & equipment and investment property (continued)

Valuation of infrastructure, property, plant & equipment and investment property

Valuation of assets

The fair value of assets and liabilities must be estimated in accordance with various Accounting Standards for either recognition and measurement requirements or for disclosure purposes.

AASB 13 Fair Value Measurement requires all assets and liabilities measured at fair value to be assigned to a "level" in the fair value hierarchy as follows:

Level 1: Unadjusted quoted prices in active markets for identical assets or liabilities that the entity can access at the measurement date.

Level 2: Inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly or indirectly.

Level 3: Inputs for the asset or liability that are not based on observable market data (unobservable inputs).

Refer to Note 6a for the disclosure of the Fair Value Levels of Infrastructure, Property, Plant and Equipment Assets.

Information on valuations

Fair value hierarchy level 2 valuations - External valuation completed as at 1 July 2024 on buildings and structures used the current gross replacement cost with fair value level 3 inputs. Due to this certain buildings and structures and land thereon that were previously recorded as fair value level 2 have been transferred to fair value level 3.

Fair value hierarchy level 3 valuations of land - Valuations of Crown land, community land and land subject to other restrictions on use or disposal, shown above as being based on fair value hierarchy level 3 valuation inputs, are based on prices for similar assets in an active market, but include adjustments for specific advantages or disadvantages attaching to the particular asset that are not directly or indirectly observable in that market, or the number and / or amount of observable adjustments of which are so great that the valuation is more fairly described as being based on level 3 valuation inputs.

Fair value hierarchy level 3 valuations of buildings, infrastructure and other assets - There is no known market for buildings, infrastructure and other assets. These assets are valued at depreciated current replacement cost. This method involves:

- The determination of the cost to construct the asset (or its modern engineering equivalent) using current prices for materials and labour, the quantities of each being estimated based on recent experience of this or similar Councils, or on industry construction guides where these are more appropriate.
- The calculation of the depreciation that would have accumulated since original construction using current estimates of residual value and useful life under the prime cost depreciation method adopted by Council.

This method has significant inherent uncertainties, relying on estimates of quantities of materials and labour, residual values and useful lives, and the possibility of changes in prices for materials and labour, and the potential for development of more efficient construction techniques. Accordingly, formal sensitivity analysis does not provide useful information.

Other information

At 1 July 2004 upon the transition to AIFRS, Council elected pursuant to AASB 1.D5 to retain a previously established deemed cost under GAAP as its deemed cost. With subsequent addition at cost, this remains as the basis of recognition of non-material asset classes.

Upon revaluation, the current new replacement cost and accumulated depreciation are re-stated such that the difference represents the fair value of the asset determined in accordance with AASB 13 Fair Value Measurement: accumulated depreciation is taken to be the difference between current new replacement cost and fair value. In the case of land, current replacement cost is taken to be the fair value.

Highest and best use

All of Council's non financial assets are considered as being utilised for their highest and best use.

Highest and best use - For land which Council has an unfettered right to sell, the "highest and best use" recognises the possibility of the demolition or substantial modification of some or all of the existing buildings and structures affixed to the land.

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City of Mount Gambier

Notes to and forming part of the Financial Statements

for the year ended 30 June 2025

Note 6. Infrastructure, property, plant & equipment and investment property (continued)

Much of the land under Council's care and control is Crown land or has been declared as community land under the provisions of the Local Government Act 1999. Other types of restrictions also exist.

For land subject to these restrictions, the highest and best use is taken to be the "highest and best use" available to Council, with a rebuttable presumption that the current use is the "highest and best use". The reason for the current use of a large proportion of Council's assets being other than the "highest and best use" relates to Council's principal role as the provider of services to the community, rather than the use of those assets for the generation of revenue.

For buildings and other structures on and in the land, including infrastructure, "highest and best use" is determined in accordance with the land on and in which they are situated.

Transition to AASB 13 - Fair Value Measurement

The requirements of AASB 13 Fair Value Measurement have been applied to all valuations undertaken since 1 July 2013 as shown by the valuation dates by individual asset classes below.

Capitalisation Thresholds

Capitalisation thresholds used by Council for a representative range of assets are shown below. No capitalisation threshold is applied to the acquisition of land or interests in land.

	\$
Office Furniture & Equipment	5,000
Other Plant & Equipment	5,000
Buildings - new construction/extensions	10,000
Park & Playground Furniture & Equipment	5,000
Road construction & reconstruction	10,000
Paving & Footpaths, Kerb & Gutter	10,000
Stormwater Drainage	10,000
Waste Management	10,000

Estimated Useful Lives

Useful lives are estimated for each individual asset. In estimating useful lives, regard is had to technical and commercial obsolescence, as well as legal and other limitations on continued use. The range of useful lives for a representative range of assets is shown below, although individual assets may have an estimated total useful life of greater or lesser amount:

Plant, Furniture & Equipment

Office Equipment	3 to 10 years
Vehicles and Road-making Equipment	3 to 25 years
Other Plant & Equipment	3 to 30 years

Building & Other Structures

Buildings	15 to 250 years
Park Structures	20 to 30 years
Playground Equipment	20 to 40 years
Benches, Seats, etc	10 to 30 years

Waste Management

Landfill assets	capacity in use
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Infrastructure

Sealed Roads - Surface	15 to 40 years
Sealed Roads - Structure	40 to 240 years
Unsealed Roads	12 to 75 years
Paving and Footpaths, Kerb and Gutter	10 to 80 years
Carparks	15 - 80 years
Public Lighting	20 years
Stormwater Drainage	50 to 125 years

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City of Mount Gambier

Notes to and forming part of the Financial Statements

for the year ended 30 June 2025

Note 6. Infrastructure, property, plant & equipment and investment property (continued)

<i>Other Assets</i>	10 to 15 years
Artworks and Historical Collections	indefinite
Right-of-Use Assets (refer to Note 15)	life of lease

Waste Management - Landfill

Landfill remediation and cell development assets are amortised on a consumption basis over the individual landfill cell's capacity to receive waste and estimated life of the whole site. At the time of construction of a cell, Council includes the present value of estimated costs to cap the cell. This estimate is offset by the recognition of a provision. This recognition of the capping costs is amortised in line with the consumption of the landfill cell's capacity used in any one year.

Land & Land Improvements

Council being of the opinion that it is not possible to attribute a value sufficiently reliably to qualify for recognition, land under roads has not been recognised in these reports. Land acquired for road purposes during the year is initially recognised at cost, but transferred to fair value at reporting date, effectively writing off the expenditure.

Freehold land and land over which Council has control, but does not have title, is recognised on the cost basis. No capitalisation threshold is applied to the acquisition of land or interests in land.

Land was revalued as at 30 June 2025 based on Valuer General valuations provided to Council.

- Basis of valuation: Fair Value/Site value, Land Valuation Act 1971
- Date of valuation: 30 June 2025
- Valuer: Valuer General

Artworks and Historical Collections

The Riddoch Art Collection was last revalued as at 30 June 2023 by Simon Storey Art and Cultural Collection valuers. Revaluations occur every 4 yeears. These assets and other historical collections are not depreciated.

- Basis of valuation: Fair Value
- Date of valuation: 30 June 2023
- Valuer: Simon Storey Valuers
- Next valuation: 30 June 2027

Buildings & Other Structures

Buildings and other structures were revalued as at 1 July 2023 by Brooke Smith of AssetVal/Marsh. Revaluations occur every four years. All additions are initially recorded at cost. There was a 13% average increase in depreciation for buildings and structures as a result of the revaluation undertaken in the previous reporting period.

- Basis of valuation: Fair Value/Market Value/Current Gross Replacement Cost
- Date of valuation: 1 July 2023
- Valuer: AssetVal
- Internal indexation applied as per Asset Accounting Policy as at 30 June 2025
- Next valuation: 1 July 2027

Infrastructure - Stormwater, Retaining Walls and Carparks

The valuation of Other Infrastructure including stormwater drainage, retaining walls and carpark assets were undertaken by independent valuer, Antonio Blefari MIE(Aust) NER from iinSights Pty Ltd as at 1 July 2023. There was a 59% average increase in depreciation for Other Infrastructure as a result of the revaluation undertaken in the previous reporting period.

- Basis of valuation: Fair Value/Current Gross Replacement Cost
- Date of valuation: 1 July 2023
- Valuer: iinSights Pty Ltd
- Internal indexation applied as per Asset Accounting Policy as at 30 June 2025
- Next valuation: 1 July 2027

Infrastructure - Kerbing and Footpaths, Roads, Public Lighting

Infrastructure assets including footpaths, kerbs and guttering, and road assets were last revalued as at 30 June 2023 by independent valuer, Antonio Blefari MIE(Aust) NER from iinSights Pty Ltd.

- Basis of valuation: Fair Value/Current Gross Replacement Cost
- Date of valuation: 30 June 2023
- Valuer: iinSights Pty Ltd
- Internal indexation applied as per Asset Accounting Policy as at 30 June 2025
- Next valuation: 1 July 2026

Infrastructure - Public Lighting

continued on next page ...

City of Mount Gambier

Notes to and forming part of the Financial Statements

for the year ended 30 June 2025

Note 6. Infrastructure, property, plant & equipment and investment property (continued)

These assets are recognised on the cost basis.

Plant, Furniture & Equipment

These assets are recognised on the cost basis.

All other Assets

These assets are recognised on the cost basis in the case of signage and IT assets and depreciated over their established useful lives.

Note 7. Liabilities

\$ '000	2025 Current	2025 Non Current	2024 Current	2024 Non Current
(a) Trade and other payables				
Goods and services	2,908	—	3,804	—
Payments received in advance	532	—	472	—
- Grants and contributions - capital	54	—	—	—
- Other	41	—	37	—
Accrued expenses - employee entitlements	485	—	407	—
Accrued expenses - other	401	—	412	—
Deposits, retentions and bonds	255	—	172	—
Other	11	—	13	—
Total trade and other payables	4,687	—	5,317	—

(b) Borrowings

Loans	6,091	26,018	9,884	26,957
Lease liabilities	44	50	102	122
Total Borrowings	6,135	26,068	9,986	27,079

All interest bearing liabilities are secured over the future revenues of the Council

(c) Provisions

Employee entitlements (including oncosts)	4,025	349	3,561	239
Cell capping	1,146	2,803	—	1,200
Future restoration	—	179	—	169
Total provisions	5,171	3,331	3,561	1,608

continued on next page ...

City of Mount Gambier

Notes to and forming part of the Financial Statements

for the year ended 30 June 2025

Note 7. Liabilities (continued)

Movements in Landfill & Restoration Provisions

2025 (current and non-current) \$ '000	Provision for Capping Cell 3c (current) 2025	Provision for Capping Cell 4a (non-current) 2025	Provision for Future Restoration (non-current) 2025	Total 2025
Opening balance	1,200	–	168	1,368
Add: additional amounts recognised/derecognised	–	2,659	–	2,659
(Less): payments	(54)	–	–	(54)
Add: unwinding of present value discounts	–	144	11	155
Closing balance	1,146	2,803	179	4,128

City of Mount Gambier

Notes to and forming part of the Financial Statements

for the year ended 30 June 2025

Note 8. Reserves

	as at 30/06/24				as at 30/06/25
\$ '000	Opening Balance	Increments (Decrements)	Transfers	Impairments	Closing Balance
(a) Asset revaluation reserve					
Land	59,254	53	–	–	59,307
Buildings and other structures	70,789	1,126	–	(113)	71,802
Infrastructure	180,230	2,049	–	–	182,279
Minor Plant	–	–	–	–	–
Other assets	2,420	–	–	–	2,420
Total asset revaluation reserve	312,693	3,228	–	(113)	315,808
Comparatives	271,174	45,425	(3,729)	(177)	312,693

	as at 30/06/24				as at 30/06/25
\$ '000	Opening Balance	Tfrs to Reserve	Tfrs from Reserve	Other Movements	Closing Balance
(b) Other reserves					
Mount Gambier Cemetery	711	–	(711)	–	–
Mayor Christmas Appeal	72	31	(52)	–	51
Junior Sports Assistance Fund	135	22	(18)	–	139
Waste Service	–	–	–	–	–
Open Space	404	–	(10)	–	394
Downstream Drainage	–	–	–	–	–
Building Asset Maintenance	–	362	–	–	362
Total other reserves	1,322	415	(791)	–	946
Comparatives	1,610	64	(352)	–	1,322

Purposes of reserves

Asset revaluation reserves

The asset revaluation reserve is used to record increments and decrements arising from changes in fair value of non current assets (less any subsequent impairment losses, where applicable).

Other reserves

Other Reserves are used when reserves are maintained for the purpose of specific Council committees or for committed funds of Council.

Mount Gambier Cemetery

Council has reviewed the purpose and operation of the Cemetery Reserve. Analysis determined that when all costs associated with cemetery operations are considered, no surplus funds are generated. The reserve as at 30 June 2025 is nil as the reserve has now been closed.

Mayor Christmas Appeal

Represents funds held for the City of Mount Gambier's Mayor Christmas Appeal, to be used solely for that purpose.

Junior Sports Assistance Fund

Represents funds held for the Junior Sports Assistance Fund, to be used solely for that purpose.

Waste Service

Represents the net surplus (income less expenses) from waste collection and related waste management activities, set aside to fund future waste service operations. The reserve balance at 30 June 2025 is nil as expenses have exceeded revenue to date.

continued on next page ...

City of Mount Gambier

Notes to and forming part of the Financial Statements

for the year ended 30 June 2025

Note 8. Reserves (continued)

Open Space

Represents the funds collected from the creation of subdivisions, to be used for future open space development and improvement projects.

Downstream Drainage

Represents funds collected for downstream drainage projects. The reserve balance at 30 June 2025 is nil as expenses exceeded revenue to date.

Building Asset Maintenance Reserve

Represents funds received from the sale of surplus assets, set aside to fund future building asset maintenance and related expenses.

Note 9. Reconciliation to Statement of Cash Flows

\$ '000	Notes	2025	2024
---------	-------	------	------

(a) Reconciliation of cash

Cash assets comprise highly liquid investments with short periods to maturity subject to insignificant risk of changes of value. Cash at the end of the reporting period as shown in the Statement of Cash Flows is reconciled to the related items in the Statement of Financial Position as follows:

Total cash and equivalent assets	5	192	270
Balances per Statement of Cash Flows		192	270

\$ '000	2025	2024
---------	------	------

(b) Reconciliation of Operating Result

Net surplus/(deficit)	1,925	(4,374)
Non-cash items in income statements		
Depreciation, amortisation and impairment	11,902	10,795
Non-cash asset acquisitions	(1,933)	(2,053)
Grants for capital acquisitions treated as investing activity	(1,292)	(775)
Net (gain)/loss on disposals	1,321	1,475
Adjustment Caroline	–	(2,155)
	11,923	2,913
Add (less): changes in net current assets		
Net (increase)/decrease in receivables	(330)	912
Net (increase)/decrease in inventories	(8)	(9)
Net increase/(decrease) in trade and other payables	(269)	(467)
Net increase/(decrease) in unpaid employee benefits	574	622
Net increase/(decrease) in other provisions	(1)	–
Net cash provided by (or used in) operations	11,889	3,971

continued on next page ...

City of Mount Gambier

Notes to and forming part of the Financial Statements for the year ended 30 June 2025

Note 9. Reconciliation to Statement of Cash Flows (continued)

(c) Non-cash financing and investing activities

Acquisition of assets by means of:

Physical resources received free of charge	21	1,933	2,053
Amounts recognised in income statement		1,933	2,053

Non-cash financing (other)

Leases		14	14
Total non-cash financing and investing activities		1,947	2,067

(d) Financing arrangements

Unrestricted access was available at balance date to the following lines of credit (\$ '000):

Bank overdrafts	400	250
Corporate credit cards	30	30
LGFA cash advance debenture facility	21,500	21,500

The bank overdraft facilities may be drawn at any time and may be terminated by the bank without notice.

Note 10. Financial instruments

Recognised financial instruments

Bank, deposits at call, short term deposits

Accounting Policy:

Initially recognised at fair value and subsequently measured at amortised cost; interest is recognised when earned.

Terms & Conditions:

Deposits returned fixed interest rates between 4.15% and 4.65% (2024: 4.30% and 4.55%) during the year, with a balance of nil at 30/06/2025.

Carrying Amount:

Approximates fair value due to the short term to maturity.

Receivables - rates and associated charges (including legals and penalties for late payment)

Accounting Policy:

Initially recognised at fair value and subsequently measured at amortised cost. An impairment provision is recognised using the expected credit loss method.

Terms & Conditions:

Secured over the subject land, arrears attract interest of 0.76% (2024: 0.75%). Council is not materially exposed to any individual debtor, credit risk exposure is concentrated within the Council's boundaries in the State.

Carrying Amount:

Approximates fair value (after deduction of any allowance).

Receivables - fees and other charges

Accounting Policy:

continued on next page ...

City of Mount Gambier

Notes to and forming part of the Financial Statements

for the year ended 30 June 2025

Note 10. Financial instruments (continued)

Initially recognised at fair value and subsequently measured at amortised cost. An impairment provision is recognised using the expected credit loss method.

Terms & Conditions:

Unsecured, and do not bear interest. Council is not materially exposed to any individual debtor, credit risk exposure is concentrated within the Council's boundaries.

Carrying Amount:

Approximates fair value (after deduction of any allowance).

Receivables - other levels of government

Accounting Policy:

Initially recognised at fair value and subsequently measured at amortised cost. An impairment provision is recognised using the expected credit loss method.

Terms & Conditions:

Amounts due have been calculated in accordance with the terms and conditions of the respective programs following advice of approvals, and do not bear interest. All amounts are due by Departments and Agencies of State and Federal Governments.

Carrying Amount:

Approximates fair value.

Liabilities - creditors and accruals

Accounting Policy:

Liabilities are recognised for amounts to be paid in the future for goods and services received, whether or not billed to the Council.

Terms & Conditions:

Liabilities are normally settled on 30 day terms.

Carrying Amount:

Approximates fair value.

Liabilities - interest bearing borrowings

Accounting Policy:

Initially recognised at fair value and subsequently at amortised cost using the effective interest rate.

Terms & Conditions:

Secured over future revenues, borrowings are repayable; variable interest is charged between 5.40% and 6.15%, with fixed interest charged between 4.75% and 4.95%.

Carrying Amount:

Approximates fair value.

Liabilities - leases

Accounting Policy:

Accounted for in accordance with AASB 16 as stated in Note 14.

continued on next page ...

City of Mount Gambier

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 10. Financial instruments (continued)

\$ '000	Due < 1 year	Due > 1 year and ≤ 5 years	Due > 5 years	Total Contractual Cash Flows	Carrying Values
Financial assets and liabilities					
2025					
Financial assets					
Cash and cash equivalents	192	–	–	192	192
Receivables	2,861	–	–	2,861	2,861
Total financial assets	3,053	–	–	3,053	3,053
Financial liabilities					
Non-current borrowings	5,551	17,022	7,890	30,463	26,018
Payables	3,706	–	–	3,706	3,706
Current borrowings	7,238	–	–	7,238	6,091
Lease liabilities	44	50	–	94	94
Total financial liabilities	16,539	17,072	7,890	41,501	35,909
Total financial assets and liabilities	19,592	17,072	7,890	44,554	38,962
2024					
Financial assets					
Cash and cash equivalents	270	–	–	270	270
Receivables	2,528	–	–	2,528	2,529
Total financial assets	2,798	–	–	2,798	2,799
Financial liabilities					
Non-current borrowings	–	22,396	9,470	31,866	26,958
Payables	4,461	–	–	4,461	4,461
Current borrowings	11,249	–	–	11,249	9,883
Lease liabilities	102	122	–	224	224
Total financial liabilities	15,812	22,518	9,470	47,800	41,526
Total financial assets and liabilities	18,610	22,518	9,470	50,598	44,325

The following interest rates were applicable to Council's borrowings at balance date:

\$ '000	2025		2024	
	Weighted Avg Interest Rate	Carrying Value	Weighted Avg Interest Rate	Carrying Value
Other variable rates	5.50%	10,400	6.15%	13,920
Fixed interest rates	4.86%	21,803	4.91%	23,145
		32,203		37,065

Net fair value

All carrying values approximate fair value for all recognised financial instruments. There is no recognised market for the financial assets of the Council.

Risk exposures

continued on next page ...

City of Mount Gambier

Notes to and forming part of the Financial Statements

for the year ended 30 June 2025

Note 10. Financial instruments (continued)

Credit Risk represents the loss that would be recognised if counterparties fail to perform as contracted. The maximum credit risk on financial assets of the Council is the carrying amount, net of any impairment. All Council investments are made with the SA Local Government Finance Authority and are guaranteed by the SA Government. Except as detailed in Notes 5 & 6 in relation to individual classes of receivables, exposure is concentrated within the Council's boundaries, and there is no material exposure to any individual debtor.

Market Risk is the risk that fair values of financial assets will fluctuate as a result of changes in market prices. All of Council's financial assets are denominated in Australian dollars and are not traded on any market, and hence neither market risk nor **currency risk** apply.

Liquidity Risk is the risk that Council will encounter difficulty in meeting obligations with financial liabilities. In accordance with the model Treasury Management Policy (LGA Information Paper 15), liabilities have a range of maturity dates. Council also has available a range of bank overdraft and standby borrowing facilities that it can access.

Interest Rate Risk is the risk that future cash flows will fluctuate because of changes in market interest rates. Council has a balance of both fixed and variable interest rate borrowings and investments. Cash flow fluctuations are managed holistically in seeking to minimise interest costs over the longer term in a risk averse manner.

Note 11. Capital expenditure and investment property commitments

\$ '000	2025	2024
Capital commitments		
Capital expenditure committed for at the reporting date but not recognised in the financial statements as liabilities:		
Buildings & Other Structures	105	247
- Footpaths and Kerbing	72	51
- Roads	49	384
Plant and equipment	669	1,036
Waste	85	44
Other	187	69
	1,167	1,831
These expenditures are payable:		
Not later than one year	1,167	1,831
	1,167	1,831

City of Mount Gambier

Notes to and forming part of the Financial Statements

for the year ended 30 June 2025

Note 12. Financial indicators

\$ '000	Amounts 2025	Indicator 2025	Indicators 2024	Indicators 2023
Financial Indicators overview				
<i>These Financial Indicators have been calculated in accordance with Information paper 9 - Local Government Financial Indicators prepared as part of the LGA Financial Sustainability Program for the Local Government Association of South Australia.</i>				
1. Operating Surplus Ratio				
Operating surplus	1,246	2.4%	(12.3)%	(4.1)%
Total operating income	51,952			
<i>This ratio expresses the operating surplus as a percentage of total operating revenue.</i>				
2. Net Financial Liabilities Ratio				
Net financial liabilities	42,339	81%	106%	95%
Total operating income	51,952			
<i>Net Financial Liabilities are defined as total liabilities less financial assets (excluding equity accounted investments in Council businesses). These are expressed as a percentage of total operating revenue.</i>				
Adjustments to Ratios				
<i>In recent years the Federal Government has made advance payments prior to 30th June from future year allocations of financial assistance grants, as explained in Note 1. These Adjusted Ratios correct for the resulting distortion in key ratios for each year and provide a more accurate basis for comparison.</i>				
Adjusted Operating Surplus Ratio				
Operating surplus	(1,168)	(2.4)%	(1.8)%	(7.5)%
Total operating income	49,605			
Adjusted Net Financial Liabilities Ratio				
Net financial liabilities	42,339	85%	96%	109%
Total operating income	49,605			
3. Asset Renewal Funding Ratio				
Asset renewals	7,691			
Infrastructure and Asset Management Plan required expenditure	8,696	88%	61%	88%
<i>Asset renewals expenditure is defined as capital expenditure on the renewal and replacement of existing assets relative to the optimal level planned, and excludes new capital expenditure on the acquisition of additional assets.</i>				

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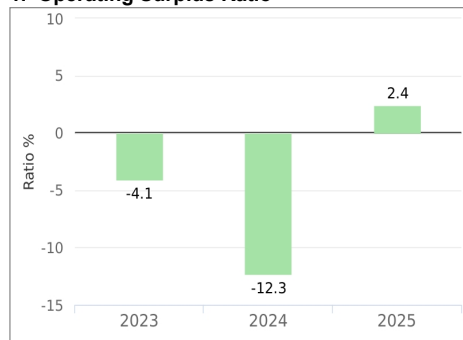
City of Mount Gambier

Notes to and forming part of the Financial Statements for the year ended 30 June 2025

Note 12. Financial indicators (continued)

Financial indicators - graphs

1. Operating Surplus Ratio



Purpose of operating surplus ratio

This indicator is to determine the percentage the operating revenue varies from operating expenditure

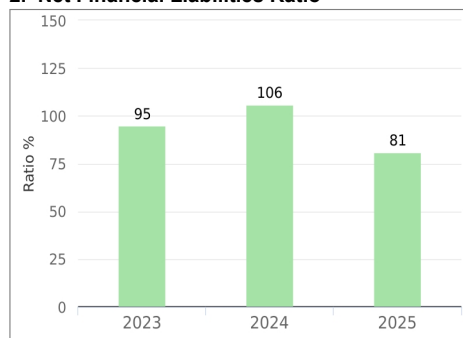
Commentary on 2024/25 result

2024/25 ratio 2.4%

The operating surplus ratio in 2025 is higher than the previous year largely driven by an increase in grants received due to the late payment of Financial Assistance Grants.

The target per Council's Treasury Management Policy is a ratio of greater or equal to 0.0% by 2026/2027.

2. Net Financial Liabilities Ratio



Purpose of net financial liabilities ratio

This indicator shows the significance of the net amount owed to others, compared to operating revenue

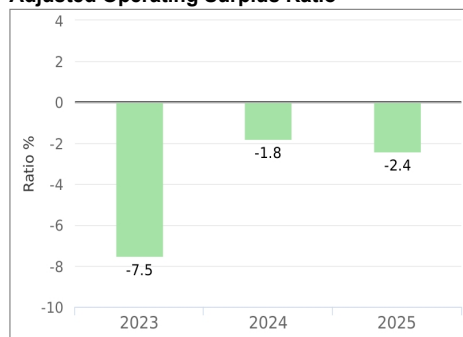
Commentary on 2024/25 result

2024/25 ratio 81%

The 2025 ratio is lower than the previous year largely due to a decrease in borrowings and creditors.

Council's target ratio is lower than 100% by 2026/2027.

Adjusted Operating Surplus Ratio



Purpose of adjusted operating surplus ratio

This indicator is to determine the percentage the operating revenue (adjusted for timing differences in the Financial Assistance Grant) varies from operating expenditure

Commentary on 2024/25 result

2024/25 ratio (2.4)%

The adjusted operating surplus ratio is more in line with expectations following adjustments to the Financial Assistance Grants brought forward payments.

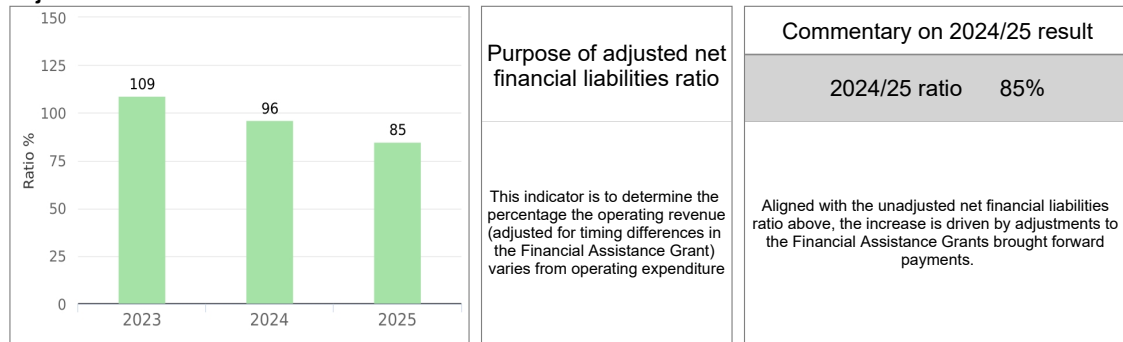
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City of Mount Gambier

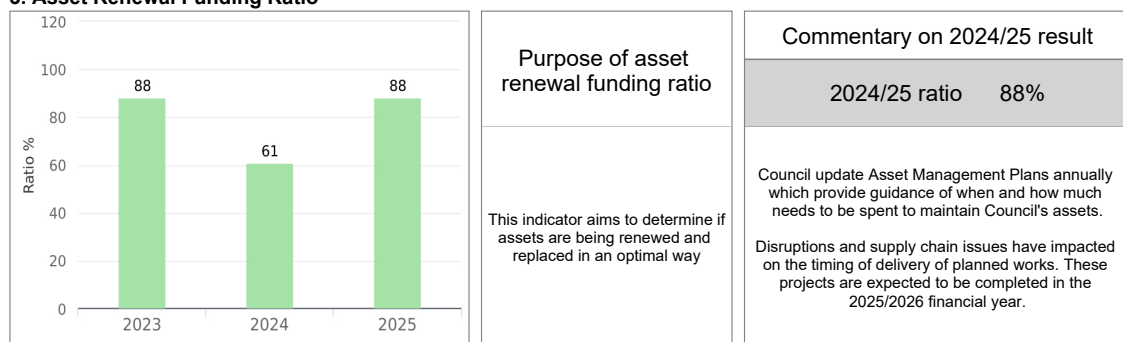
Notes to and forming part of the Financial Statements for the year ended 30 June 2025

Note 12. Financial indicators (continued)

Adjusted Net Financial Liabilities Ratio



3. Asset Renewal Funding Ratio



City of Mount Gambier

Notes to and forming part of the Financial Statements for the year ended 30 June 2025

Note 13. Uniform presentation of finances

\$ '000	2025	2024
<p>The following is a high level summary of both operating and capital investment activities of the Council prepared on a simplified Uniform Presentation Framework basis.</p> <p>All Councils in South Australia have agreed to summarise annual budgets and long-term financial plans on the same basis.</p> <p>The arrangements ensure that all Councils provide a common 'core' of financial information, which enables meaningful comparisons of each Council's finances.</p>		
Income		
Rates	30,388	26,488
Statutory charges	923	781
User charges	10,408	9,179
Grants, subsidies and contributions - capital	1,225	989
Grants, subsidies and contributions - operating	7,091	672
Investment income	79	53
Reimbursements	1,141	1,230
Other income	697	2,669
Total Income	51,952	42,061
Expenses		
Employee costs	(17,811)	(15,292)
Materials, contracts and other expenses	(19,110)	(19,320)
Depreciation, amortisation and impairment	(11,902)	(10,795)
Finance costs	(1,883)	(1,822)
Total Expenses	(50,706)	(47,229)
Operating surplus / (deficit)	1,246	(5,168)
Net timing adjustment for general purpose grant funding	2,347	(4,355)
Less: grants, subsidies and contributions - capital	(1,225)	(989)
Adjusted Operating surplus / (deficit)	2,368	(10,512)
Net outlays on existing assets		
Capital expenditure on renewal and replacement of existing assets	(7,691)	(3,528)
Add back depreciation, amortisation and impairment	11,902	10,795
Add back proceeds from sale of replaced assets	479	110
	4,690	7,377
Net outlays on new and upgraded assets		
Capital expenditure on new and upgraded assets (including investment property and real estate developments)	(1,596)	(6,188)
Add back grants, subsidies and contributions - capital new/upgraded	1,225	989
Add back amounts received specifically for new and upgraded assets	67	216
Add back proceeds from sale of surplus assets (including investment property, real estate developments and non-current assets held for resale)	288	—
	(16)	(4,983)
Annual net impact to financing activities (surplus/(deficit))	7,042	(8,118)

City of Mount Gambier

Notes to and forming part of the Financial Statements

for the year ended 30 June 2025

Note 14. Leases

(i) Council as a lessee

Terms and conditions of leases

Council entered contracts as a lessee for various IT equipment.

Set out below are the carrying amounts (written down value) of right of use assets recognised within Infrastructure Property, Plant & Equipment.

(a) Right of use assets

\$ '000	Office	Other	Total
2025			
Opening balance	259	7	266
Additions to right-of-use assets	–	14	14
Depreciation charge	(155)	27	(128)
Balance at 30 June	104	48	152
2024			
Opening balance	442	27	469
Additions to right-of-use assets	–	14	14
Depreciation charge	(183)	(34)	(217)
Balance at 30 June	259	7	266

(b) Lease liabilities

Set out below are the carrying amounts of lease liabilities (included under interest-bearing loans and borrowings) and the movements during the period:

\$ '000	2025	2024
Balance at 1 July	224	403
Additions	14	14
Accretion of interest	11	32
Payments	(155)	(225)
Balance at 30 June	94	224
Classified as:		
Current	44	102
Non-current	50	122

The maturity analysis of lease liabilities is included in Note 12.

The Group had total cash outflows for leases of \$210,000.

The following are the amounts recognised in profit or loss:

Depreciation expense of right-of-use assets	161	217
Interest expense on lease liabilities	11	32
Total amount recognised in profit or loss	172	249

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City of Mount Gambier

Notes to and forming part of the Financial Statements

for the year ended 30 June 2025

Note 14. Leases (continued)

(ii) Council as a lessor

Council owns various buildings, plant and other facilities that are available for hire or lease (on a non-cancellable basis wherever practicable) in accordance with the published revenue policy. Rentals received from such leases are disclosed as rent and hire of non-investment property in Note 2.

Note 15. Superannuation

The Council makes employer superannuation contributions in respect of its employees to Hostplus (formerly Local Government Superannuation Scheme and Statewide Super). There are two types of membership, each of which is funded differently. Permanent and contract employees of the South Australian Local Government sector with Salarylink benefits prior to 24 November 2009 have the option to contribute to the Accumulation section and/or Salarylink. All other employees (including casuals) have all contributions allocated to the Accumulation section.

Accumulation only members

Accumulation only members receive both employer and employee contributions on a progressive basis. Employer contributions are based on a fixed percentage of ordinary time earnings in accordance with superannuation guarantee legislation (11.50% in 2024/25; 11.00% in 2023/24) and enterprise bargaining agreement (1% in 2025 and 2024). No further liability accrues to the Council as the superannuation benefits accruing to employees are represented by their share of the net assets of the Fund.

Salarylink (Defined Benefit Fund) members

Salarylink is a defined benefit scheme where the benefit payable is generally based on a formula determined by the member's contribution rate, number of years and complete days and level of contribution and final average salary. Council makes employer contributions to Salarylink as determined by the Fund's Trustee based on advice from the appointed Actuary. The rate is currently 6.3% (6.3% in 2023/24) of "superannuation" salary.

In addition, Council makes a separate contribution of 3% of ordinary time earnings for Salarylink members to their Accumulation account. Employees also make member contributions to the Salarylink section of the Fund. As such, assets accumulate in the Salarylink section of the Fund to meet the member's benefits, as defined in the Trust Deed, as they accrue.

The Salarylink section is a multi-employer sponsored plan. As the Salarylink section's assets and liabilities are pooled and are not allocated by each employer, and employees may transfer to another employer within the local government sector and retain membership of the Fund, the Actuary is unable to allocate benefit liabilities, assets and costs between employers. As provided by AASB 119.34(a), Council does not use defined benefit accounting for these contributions.

The most recent actuarial investigation was conducted by the Fund's actuary, Louise Campbell, FIAA, of Willis Towers Watson as at 30 June 2023. The Trustee has determined that the current funding arrangements are adequate for the expected Salarylink liabilities. However, future financial and economic circumstances may require changes to Council's contribution rates at some future time.

Contributions to other superannuation schemes

Council also makes contributions to other superannuation schemes selected by employees under the "choice of fund" legislation. All such schemes are of the accumulation type, where the superannuation benefits accruing to the employee are represented by their share of the net assets of the scheme, and no further liability attaches to the Council.

City of Mount Gambier

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 16. Non-current assets held for sale and discontinued operations

Non-current assets held for sale
The two parcels of land were held for sale as at 30 June 2024 we sold during the 2024-2025 financial year. No assets remain classified as held for sale at 30 June 2025.

\$ '000	2025	2024
(ii). Carrying amounts of assets and liabilities		
Assets		
Land	—	335
Total assets	—	335
Net assets	—	335

Note 17. Contingencies and assets/liabilities not recognised in the balance sheet

The following assets and liabilities do not qualify for recognition in the Statement of Financial Position, but knowledge is considered relevant to the users of the financial report in making and evaluating decisions about the allocation of scarce resources.

1. Land under roads

As reported in the Financial Statements, Council is of the opinion that it is not possible to attribute a value sufficiently reliably for these assets to qualify for recognition, and accordingly land under roads has not been recognised in the reports. Land acquired for road purposes during the year is initially recognised at cost, but transferred to fair value at reporting date, effectively writing off the expenditure.

At reporting date, Council controlled 234.7 km of road reserves of average width 20 metres.

2. Potential insurance losses

Council is a multi-purpose organisation providing a large range of building, parks infrastructure, playgrounds and other facilities accessible to the public. At any time, it is likely that claims will have been made against Council that remain unsettled.

Council insures against all known insurable risks using a range of insurance policies, each of which is subject to deductible "insurance excesses", the amount of which varies according to the class of insurance.

Council has recognised the potential losses arising from claims known at reporting date based on average historical net cost (including insurance excess) of similar types of claims. Other potential claims not reported to Council may have existed at reporting date.

3. Legal expenses

Council is the planning consent authority for its area under the Development Act 1993 (as amended). Pursuant to that Act, certain persons aggrieved by a planning decision of the Council may appeal. It is normal practice that parties bear their own legal costs. At the date of these reports, Council has not received notice of any appeals against planning decisions made prior to reporting date. All known costs have been recognised, but the amount of further costs cannot be known until the appeals are determined.

City of Mount Gambier

Notes to and forming part of the Financial Statements
for the year ended 30 June 2025

Note 18. Related party transactions

Key management personnel

Transactions with key management personnel

The Key Management Personnel of the Council include the Mayor, Councillors, CEO and certain prescribed officers under section 112 of the Local Government Act 1999. In all, 13 persons were paid the following total compensation:

\$ '000	2025	2024
The compensation paid to key management personnel comprises:		
Salaries, allowances & other short term benefits	1,012	917
Post-employment benefits	88	88
Total	1,100	1,005

Retail businesses owned by key management personnel and/or relatives of key management personnel supplied various goods to Council during 2024/2025. Purchases were made as required on a 30 day account, on normal commercial terms and at arm's length. No individual purchases from these businesses exceeded \$260.00 with the total cumulative spend \$2,551.67.

Two key mannagement personnel and/or relatives of key personnel are members in a community based not-for-profit organisation that Council engage for cultural services and contractual labour hire services including apprentices and trainees.

One key management personnel and/or relatives of key management personnel undertook a land subdivision within the City of Mount Gambier during the 2024/2025 financial year. The subdivision was managaed by a neutral thrid party within normal terms and conditions applicable to the public including payment of fees and charges.

One key management personal and/or relatives of key management personnel submitted a planning and building application during the 2024/2025 financial year and paid applicable fees. The transaction was conducted under normal terms and conditions applicable to the public.

Dean Newbery

Independent auditors report

Placeholder page 1

Dean Newbery

Independent auditors report

Placeholder page 2

Dean Newbery

Independent assurance report

Placeholder page 1

Dean Newbery

Independent assurance report

Placeholder page 2

City of Mount Gambier

General Purpose Financial Statements

for the year ended 30 June 2025

Certification of Auditor Independence

To the best of our knowledge and belief, we confirm that, for the purpose of the audit of City of Mount Gambier Council for the year ended 30 June 2024 the Council's Auditor, Dean Newbery and Partners has maintained its independence in accordance with the requirements of the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011* made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22(3) *Local Government (Financial Management) Regulations 2011*.



Andrew Aitken
INTERIM CHIEF EXECUTIVE OFFICE



Paul Duka
PRESIDING MEMBER, AUDIT AND RISK COMMITTEE

Date: 01/10/2025

City of Mount Gambier

General Purpose Financial Statements

for the year ended 30 June 2025

Statement by Auditor

I confirm that, for the audit of the financial statements of City of Mount Gambier for the year ended 30 June 2024, I have maintained my independence in accordance with the requirements of APES 110 – Code of Ethics for Professional Accountants, Section 290, published by the Accounting Professional and Ethical Standards Board, in accordance with the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011* made under that Act.

This statement is prepared in accordance with the requirements of Regulation 22 (5) *Local Government (Financial Management) Regulations 2011*.

Samatha Creten

Dean Newbery

Date:

City of Mount Gambier

General Purpose Financial Statements

for the year ended 30 June 2025

Certification of Financial Statements

We have been authorised by the Council to certify the financial statements in their final form.

In our opinion:

- the accompanying financial statements comply with the *Local Government Act 1999, Local Government (Financial Management) Regulations 2011* and Australian Accounting Standards,
- the financial statements present a true and fair view of the Council's financial position at 30 June 2025 and the results of its operations and cash flows for the financial year,
- internal controls implemented by the Council provide a reasonable assurance that the Council's financial records are complete, accurate and reliable and were effective throughout the financial year,
- the financial statements accurately reflect the Council's accounting and other records.

Andrew Aitken
INTERIM CHIEF EXECUTIVE OFFICER

Date:

Lynette Martin
MAYOR

Date:

External Audit Completion Report

Financial Year Ended 30 June 2025

City of Mount Gambier

Dean**Newbery**

24 September 2025

Dear Audit & Risk Committee Members

This report has been prepared for the City of Mount Gambier (the Council) Audit & Risk Committee in relation to the financial year ended 30 June 2025 external audit.

The purpose of this report is to provide members of the Audit & Risk Committee a summary of the significant matters that have arisen from our audit which we believe covers material matters dealt within our work completed.

As at the time of preparing this report, we have completed a sufficient level of work to enable us to provide you with our expected audit opinions subject to finalisation of the outstanding matters outlined within this report. We are pleased to report that we expect to issue unmodified audit reports subject to the successful completion of the outstanding matters noted.

Should you require any further information, please contact me on 8267 4777.

I would like to take this opportunity to thank the Administration for the assistance provided throughout the audit process.

Your sincerely



Samantha Creten
Director

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Executive Summary

Scope

The audit procedures have been designed and carried out by the audit team in accordance with Australian Auditing Standards and per the audit scope prescribed under the *Local Government Act 1999* and applicable Regulations for the financial year ended 30 June 2025.

Our audit procedures were designed to undertake the work necessary to form opinions as required per the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011* as to whether:

- the financial report was prepared, in all material respects, in accordance with the Australian Auditing Standards and the *Local Government Act 1999* (the Act) and applicable Regulations; and,
- controls exercised by the Council in relation to the receipts, expenditure and investment of moneys, the acquisition and disposal of property and the incurring of liabilities are sufficient to provide assurance that the financial transactions of the Council have been conducted properly and in accordance with law. The opinion is based on the criteria established in the *Better Practice Model – Financial Internal Control* issued by the Local Government Association of South Australia.

Audit Status

All requested audit adjustments have been processed and disclosures within the financial report appropriately modified based on audit testing completed. All requested information has been provided by the Administration during the course of the audit.

Subject to the finalisation of the matters outlined in this report, our audit opinions for the financial year ended 30 June 2025 will be signed without reference to any qualifications. Draft copies of the audit reports have been provided within this report.

Executive Summary

Outstanding Matters to be Completed

- Undertake a review of subsequent events since balance date.
- Obtain certified financial statements as required.
- Receipt of the signed Management Representation Letter.

Independence

In accordance with our professional ethical requirements, we confirm that, for the audit of the Council for the financial year ended 30 June 2025, all members of our audit team have maintained their independence in accordance with the requirements of APES 110 – Code of Ethics for Professional Accountants, Part 4A, published by the Accounting Professional and Ethical Standards Board and in accordance with *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011*.

Summary of Misstatements

Below is a summary of misstatements identified during the course of the Balance Date audit and the status of matters identified. Any misstatements, either individually or in aggregate, that are considered to be immaterial, have not been adjusted.

Misstatements which are considered trivial have not been included in the table below.

Matter No.	Description	Operating Surplus/ (Deficit) (\$'000)	Net Surplus/ (Deficit) (\$'000)	Assets Dr/(Cr) (\$'000)	Liabilities Dr/(Cr) (\$'000)	Equity Dr/(Cr) (\$'000)	Status of Matter
	No Misstatements were identified	-	-	-	-	-	
	Summary Corrected Misstatements	-	-	-	-	-	
	Summary Uncorrected Misstatements	-	-	-	-	-	

Matters for Those Charged with Governance and Management

Fraud	
Description	Outcome
The external audit is not designed to detect fraud however our audit procedures include evaluating the risk of material misstatement due to fraud whilst maintaining professional scepticism and evaluating evidence for signs of fraud. Should any instances arise and we become aware of it, we will report them to you.	<p>Management have confirmed to us that there were no matters of fraud identified for the financial year and we have not identified any instances of fraud in the work we have completed.</p> <p>We believe it is important for the Administration and the Audit & Risk Committee to continually evaluate and enhance the effectiveness of the internal control environment to identify and mitigate potential fraud risks.</p>
Legal Compliance	
Description	Outcome
We have made enquiries with the Administration in relation to non-compliance with laws and regulations during the course of the financial year.	No instance of non-compliance have been identified as a result of the enquires we have made with the Administration.

Key Audit Matters Considered

As part of our audit planning process we identified key audit and accounting matters that were considered and tested during the course of the audit which represented areas of identified risk where material misstatements could occur.

As a result of the work we have recently completed, we have provided further detail below of the key audit matters and the outcomes from our testing completed.

Management Override of Internal Controls		
Key Audit Matter Description	Audit Work Undertaken	Outcomes of Testing Completed
The Australian Auditing Standards mandate that the external auditor must assume there is a risk that the Council's Administration can override internal controls, even those that appear to be functioning effectively, leading to potential manipulation of accounting records.	<ul style="list-style-type: none">• Review and observation of controls in operation to assess whether controls are operating effectively as intended throughout the period.• Perform analytical reviews and recalculation of transactions.• Test the appropriateness of journal entries processed to prepare the financial statements.• Review of accounting estimates and assumptions applied to the preparation of those estimates to evaluate its appropriateness and relevance.	No matters were identified during the course of our audit.

Key Audit Matters Considered (cont.)

Accounting for Grant Income

Key Audit Matter Description	Audit Work Undertaken	Outcomes of Testing Completed
Treatment of Grant Income Received	<ul style="list-style-type: none"> Reviewed Grant Agreements and identified specific performance obligation to assess whether there were any unrecorded liabilities, and the recognition of revenue was appropriate per accounting standards. Reviewed accounting treatment of funding received (e.g., Capital vs Operating) to ensure appropriate classification and disclosure per the Model Financial Statements. 	Audit procedures did not identify any material misstatements.

Caroline Landfill

Key Audit Matter Description	Audit Work Undertaken	Outcomes of Testing Completed
Caroline Landfill – Provision for Capping and Post Closure Rehabilitation	<ul style="list-style-type: none"> Review of the methodology and calculation for the capping and post closure provision model that is in its second year of application. Review of the Future Rehabilitation – Post Closure Assumption updates. Held discussions with the Administration. 	Audit procedures did not identify any material misstatements.

Key Audit Matters Considered (cont.)

Internal unit rate indexation

Key Audit Matter Description	Audit Work Undertaken	Outcomes of Testing Completed
Indexation of Infrastructure, Buildings & Structures	<ul style="list-style-type: none"> Evaluation of assumptions and data used to calculate the unit rate indexation applied as at 30 June 2025 	<p>Our review did not identify matters which would result in material misstatement on the financial statements.</p> <p>We have raised further matters in the 'Matters to be Considered in Future Years' section of this report.</p>

Treatment of Capital Works in Progress (WIP)

Key Audit Matter Description	Audit Work Undertaken	Outcomes of Testing Completed
Treatment of Capital Work in Progress (WIP)	<ul style="list-style-type: none"> Reviewed WIP reconciliations to identify any long-term projects recorded to ensure correct ongoing classification of costs as WIP. Tested transactions allocated to WIP to ensure appropriate allocation of expenses incurred as Operating vs Capital in line with AASB 116. 	Audit procedures did not identify any material misstatements.

Matters to be Addressed in Future Financial Years

As a result of audit work completed, the following audit matters have been identified during the course of our audit which we have summarised below.

Internal Indexations	
Audit Matter Description	Audit Recommendation
We note that Council has formally adopted an indexation of 0.9% (50% of Adelaide CPI of 1.8%) with an application date of 30 June 2025 and have not had these rates peer reviewed or performed a comprehensive internal assessment comparing the indexation rate applied to unit rates determined by recent capital expenditure.	Recommend updating Council’s Asset Accounting policy and procedures to ensure that internal indexations are always supported by either an independent peer review or an internal assessment comparing indexation rates against actual capital expenditure incurred in the year that the indexation is applied.
We have not recommended any adjustments for FY2024/25 given the Administration has assured that a desktop revaluation (indexation) will be completed in FY2025/26 with an effective date of 1 July 2025 and the current indexation applied will not have any effect on the FY2024/25 depreciation expense.	At the conclusion of the work completed in FY2026 we recommend that Council’s Asset Management Plans and Long-Term Financial Plan be updated to include the latest data received as a result of the valuation and condition assessment undertaken

Draft Audit Report

INDEPENDENT AUDITOR'S REPORT

To the members of the City of Mount Gambier

Report on the Audit of the Financial Report

Opinion

We have audited the accompanying financial report of the City of Mount Gambier (the Council), which comprises the Statement of Financial Position as at 30 June 2025, the Statement of Comprehensive Income, the Statements of Changes in Equity, the Statement of Cash Flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies, and other explanatory information and the Certification of the Financial Statements.

In our opinion, the accompanying financial report presents fairly, in all material aspects, the financial position of the Council as at 30 June 2025, and its financial performance and its cash flows for the year then ended in accordance with the *Local Government Act 1999*, *Local Government (Financial Management) Regulations 2011* and the Australian Accounting Standards.

Basis for Opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described as in the Auditor's Responsibilities for the Audit of the Financial Report section of our report. We are independent of the Council in accordance with the auditor independence requirements of the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 Code of Ethics for Professional Accountants (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibility of Management and Those Charged with Governance for the Financial Report

Management is responsible for the preparation of the Council's financial report in accordance with Australian Accounting Standards, the *Local Government Act 1999* and the *Local Government (Financial Management) Regulations 2011*, and for such controls as Management determines is necessary to enable the preparation of the financial report is free from material misstatement, whether due to fraud or error.

In preparing the financial report, Management is responsible for assessing the Council's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless management either intends to liquidate the Council or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Council's financial reporting process.

Draft Audit Report (Cont.)

Auditor's Responsibilities for the Audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not a guarantee that the audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of financial report.

As part of an audit in accordance with the Australian Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Council's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.

- Conclude on the appropriateness of the management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Council's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Council to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

DEAN NEWBERY

SAMANTHA CRETEN

Director

Signed on the day of 2025

Draft Assurance Report on Internal Controls

INDEPENDENT ASSURANCE REPORT ON THE INTERNAL CONTROLS OF THE CITY OF MOUNT GAMBIER

Opinion

In our opinion, the **City of Mount Gambier** (the Council) has complied, in all material respects, with *Section 125 of the Local Government Act 1999* in relation to the Internal Controls established by the Council relating to the receipt, expenditure and investment of money, acquisition and disposal of property and incurring of liabilities so as to provide reasonable assurance that the financial transactions of the Council have been conducted properly and in accordance with law for the period 1 July 2024 to 30 June 2025.

Basis for Opinion

We have audited the Internal Controls of the Council under the requirements of *Section 125 of the Local Government Act 1999* in relation only to the Internal Controls established by the Council to ensure that financial transactions relating to the receipt, expenditure and investment of money, acquisition and disposal of property and incurring of liabilities for the period 1 July 2024 to 30 June 2025 have been conducted properly and in accordance with law.

We conducted our engagement in accordance with Standard on Assurance Engagements ASAE 3000 *Assurance Engagements Other than Audits or Reviews of Historical Financial Information* and ASAE 3150 *Assurance Engagements on Controls* issued by the Auditing and Assurance Standards Board.

We believe that the evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

The Council's Responsibility for the Internal Controls

The Council is responsible for implementing and maintaining an adequate system of internal controls, in accordance with Section 125 of the *Local Government Act 1999* to ensure that the receipt, expenditure and investment of money, the acquisition and disposal of property, and incurring of liabilities have been conducted properly and in accordance with law.

Our Independence and Quality Control

We have complied with the independence and other relevant ethical requirements relating to assurance engagements, and applying Auditing Standard ASQC 1 *Quality Control for Firms that Perform Audits and Review of Financial Reports and Other Financial Information*, and Other Assurance Engagements in undertaking the assurance engagement.

Assurance Practitioner's Responsibilities

Our responsibility is to express an opinion on the Council's compliance with *Section 125 of the Local Government Act 1999* in relation only to the Internal Controls established by the Council to ensure that financial transactions relating to the receipt, expenditure and investment of money, acquisition and disposal of property and incurring of liabilities, based on our procedures have been conducted properly and in accordance with law.

ASAE 3150 requires that we plan and performed our procedures to obtain reasonable assurance about whether, in all material respects, the controls are suitably designed to achieve the control objectives and the controls operating effectively through the period. ASAE 3000 also requires us to comply with the relevant ethical requirements for the Australian professional accounting bodies.

An assurance engagement to report on the designed and operating effectiveness of controls involves performing procedures to obtain evidence about the suitability of the design of the controls to achieve the control objectives and the operating effectiveness of the controls throughout the period. The procedures selected depend on our judgement, including the assessment of the risks that the controls are not suitably designed or the controls did not operate effectively. Our procedures included testing the operating effectiveness to the controls that we consider necessary to achieve the control objectives identified. An Assurance engagement of this type also includes evaluating the suitability of the control objectives.

Draft Assurance Report on Internal Controls

Limitation on Use

This report has been prepared for the members of the Council in accordance with *Section 129(1)(b) of the Local Government Act 1999* in relation to the Internal Controls specified above. We disclaim any assumption of responsibility for any reliance on this report to any persons or users other than the members of the Council, or for any purpose other than that for which it was prepared.

Limitations of Controls

Because of the inherent limitations of any internal control structure it is possible that, even if the controls are suitably designed and operating effectively, the control objectives may not be achieved so that fraud, error, or non-compliance with laws and regulations may occur and not be detected.

An assurance engagement on operating effectiveness of controls is not designed to detect all instances of controls operating ineffectively as it is not performed continuously throughout the period and the tests performed are on a sample basis. Any projection of the outcome of the evaluation of controls to future periods is subject to the risk that the controls may become inadequate because of changes in conditions, or that the degree of compliance with them may deteriorate.

DEAN NEWBERY

SAMANTHA CRETEN

Director

Signed on the day of 2025

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Dean Newbery

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Statement of Other Comprehensive Income							Original	Variance 2025 to original budget	% var orig budget	Final budget revision 2025	Variance 2025 to final budget	% var final budget
Notes	2025	2024	% var PY	Budget 2025								
	\$'000	\$'000		\$'000			\$'000			\$'000	\$'000	
Income												
Rates	2a	58%	30,388	63%	26,488	15%	30,314	74	0%	30,343	45	0%
Statutory Charges	2b	2%	923	2%	781	18%	896	27	3%	817	106	13%
User Charges	2c	20%	10,408	22%	9,179	13%	9,812	596	6%	10,317	91	1%
Grants, subsidies and contributions - capital	2f	2%	1,225	2%	989	24%	388	837	216%	733	492	67%
Grants, subsidies and contributions - operating	2f	14%	7,091	2%	672	955%	5,250	1,841	35%	9,138	- 2,047	-22%
Investment Income		0%	79	0%	53	49%	57	22	39%	79	-	0%
Reimbursements	2d	2%	1,141	3%	1,230	-7%	1,192	- 51	-4%	1,140	1	0%
Other Income	2e	1%	697	6%	2,669	-74%	665	32	5%	602	95	16%
Total Income		100%	51,952	100%	42,061	24%	48,574	3,378	7%	53,169	- 1,217	-2%
Expenses												
Employee costs	3a	35%	17,811	32%	15,292	16%	16,324	1,487	9%	17,224	587	3%
Materials, contracts and other expenses	3b	38%	19,110	41%	19,320	-1%	20,148	- 1,038	-5%	19,996	- 886	-4%
Depreciation, amortisation and impairment	3c	23%	11,902	23%	10,795	10%	11,857	45	0%	11,820	82	1%
Finance costs	3d	4%	1,883	4%	1,822	3%	1,928	- 45	-2%	1,979	- 96	-5%
Total Expenses		100%	50,706	100%	47,229	7%	50,257	449	1%	51,019	- 313	-1%
OPERATING SURPLUS/DEFICIT			1,246	-	5,168	-124%	- 1,683	2,929	-174%	2,150	- 904	-42%
Physical resources received free of charge			1,933		2,053	-6%	1,000	933	93%	1,000	933	93%
Asset disposal and fair value adjustments	-		1,321	-	1,475	-10%	-	1,321		16	- 1,337	-8356%
Amounts received specifically for new or upgraded assets			67		216	-69%	250	- 183	-73%	38	105	-276%
NET SURPLUS/DEFICIT			1,925	-	4,374	-144%	- 433	2,358	-545%	3,128	- 1,203	-38%

2a	2025	2024	Variance	% vairance PY	High level comments
Rates	\$'000	\$'000	\$'000		
General Rates					
General Rates	24,647	22,164	2,483	11%	This is in line with the gross rates increase of 11.24% for 2024/2025 financial year.
Less: mandatory rebates	- 293	- 269	24	9%	An increase in rates, results in an increase in mandatory rebates
Less: discretionary rebates	- 24	- 17	7	41%	An increase in rates, results in an increase in discretionary rebates
Total General Rates	24,330	21,878	2,452	11%	overall increase consistent with Annual Business Plan and Budget rates increase of 11.24%.
Other Rates					
Landscape Levy	1,409	1,352	57	4%	
Waste Collection	4,457	3,097	1,360	44%	Waste Service Charge change in methodology applied in 2024/2025 to more accurately reflect actual cost of service provision. Charge increased 42.85% from \$217.70 to \$311.00. The number of properties continues to increase each year with growth, however the main driver for the difference was the increase in fee.
Total Other Rates	5,866	4,449	1,417	32%	
Other Charges					
Penalties for late payment	138	122	16	13%	An increase in rates will generally result in an increase for penalties for late payment. Penalties have risen 2% higher than the rates rise for the year. Materially consistent.
Legal and other costs recovered	54	39	15	38%	
Total other charges	192	161	31	19%	
2b					
Statutory Charges					
Planning, Development and Infrastructure Act	238	189	49	26%	6.7% increase on prior year in number of approved developments. Value of approved developments increased by 67%.
Town planning fees	224	250	- 26	-10%	
Animal registration fees and fines	309	223	86	39%	Dog registrations have remained stable over the past 2 years with 5,394 registered in 2023/2024 and 5,331 registered in 2024/2025. c9.3% increase in fees from 23/24 to 24/25. There has been an increase in expiation activity on dogs for non-payment of registration. These are keys to the increase in revenue for animal registrations and fines.
Parking fines/expiation fees	71	42	29	69%	increased hours for parking inspector, recovered through increased revenue. Will have increase in contractor expense.
Other licences, fees and fines	81	77	4	5%	
Total statutory charges	923	781	142	18%	

2c					
User Charges					
Cemetery/crematoria fees	948	911	37	4%	15% increase in the number of cremations from the prior year, large contributor to the increase. Burials relatively flattined. c2.7% increase in fees from 23/24 to 24/25.
Hall and equipment hire	15	14	1	7%	
Property lease	294	298	-4	-1%	
Sales - general	60	100	-40	-40%	
Sundry	-	-	-		
Wulanda	2,783	2,726	57	2%	Consistent with membership numbers flattining and finding their "norm" following an exciting start up period with membership growth.
Green Waste Colelction	34	35	-1	-3%	
Landfill Charges	5,431	4,593	838	18%	8% increase in gate fees from 23/24 to 24/25, coupled with an increase of 3.5% to volumes from external parties are the main drivers of this increase. Prior year includes discounts for fee increases - no discounts authorised for 2024/2025.
Sales - Waste Transfer Station and ReUse	422	372	50	13%	
Tourism and Visitor Services	421	130	291	224%	Council took over operations of Engelbrecht Cave (previously outsourced) early in the financial year and continued to operate and charge for tours. This additional service provision is majority of the reason for the increase in revenue accounting for \$276k of additional revenue
Total User Charges	10,408	9,179	1,229	13%	
Investment Income					
Local Government Financing Authority	79	53	26	49%	Council's forecast modelling suggests that peak debt will be incurred in 2024/2025. LGFA special distribution payments are calculated relative to average deposit and loan levels held during the course of the financial year.
2d					
Reimbursements					
Private Works	51	19	32	168%	Correction to coding. \$35k DIT for median maintenance. Has been charged in prior years. Belgravia deficit decreased from previous year. Electricity large driver of reduction.
Wulanda	830	975	-145	-15%	
Other	260	236	24	10%	
Total Reimbursements	1,141	1,230	-89	-7%	
2e					
Other Income					
Insurance and other recoupments - IPPE	121	80	41	51%	Workers Compensation special dist income Bequest of \$25k for the Riddoch Arts and Cultural Centre A once off adjustment to correct prior year accounting treatment for Caroline Landfill valued at \$2.155m forms the basis of the large decrease in other income. Council undertook significant review during the 2023/2024 financial year and engaged consultants which resulted in the methodology of calculating the net present value of Caroline Landfill future restoration provisions differently. In consultation with Auditors, Dean Newbery, this adjustment was made to operating revenue rather than via Other Comprehensive Income (equity). For the first time since implementation, Council has started receiving gas royalties for Caroline Landfill.
Sundry	430	361	69	19%	
Donations	105	73	32	44%	
Caroline Landfill	41	2,155	-2,114	-98%	
Total other income	697	2,669	-1,972	-74%	

2f					
Grants, Subsidies and Contributions					
Other grants, subsidies and contributions - capital					
Roads to Recovery	574	430	144	33%	5 year base funding increase. 2024/2025 first year of increase
Untied - Local Roads and Community Infrastructure	591	509	82	16%	
Boundary Roads Contributions	60	50	10	20%	DC Grant contribution returned to \$60k as per years prior to 23/24
Total Other grants, subsidies and - capital	1,225	989	236	24%	
Operating grants, subsidies and contributions					
Regional Transport Subsidy program	90	134	- 44	-33%	Financial Assistance Grants advance payment not received in 2023/2024. Advance payment for 2024/2025 only 50%, previous years has been 85%.
Untied - Financial Assistance Grant	6,765	263	6,502	2472%	
Library and communications	153	165	- 12	-7%	
Sundry	83	110	- 27	-25%	
Total operating grants, subsidies and contributions	7,091	672	6,419	955%	
Amounts received specifically for new or upgraded assets	67	216	- 149	-69%	
Total Grants, Subsidies and Contributions	8,383	1,877	6,506	347%	

	2025	2024	Variance	% vairance PY	
3a	\$'000	\$'000	\$'000		
Employee costs					
					Annual Salary increase of 3.5%. Cleaners brought in house part way through 23/24 with 24/25 being first full year of operations. Volunteer Management and SROSS roles plus 2 additional FTE's per year. Tourism and Visitor services team expanded to take on Engelbrecht and Umpferston/Balumbul operations part way through the year. Engelbrecht expenses largely offset by an increase in revenue for tours. Long outstanding vacancies from 23/24 that were filled in 24/25 include: General Manager People Place and Liveability, Environmental Health Officer (x2), Planning Officer, Team Leader Waste. Transition of an IT contractor to an employee.
salaries and wages	14,011	12,208	1,803	15%	increase in employment will see increase in oncosts
employee leave expense	1,852	1,617	235	15%	increase in salaries results in increase to superannuation. Also noting additional legislated 0.5% super guarantee increase.
superannuation	1,799	1,512	287	19%	
workers compensation insurance	753	590	163	28%	
other employee related costs	309	277	32	12%	
Less: capitalised and distributed costs	- 913	- 912	1	0%	
Total operating employee costs	17,811	15,292	2,519	16%	

3b						
Materials, contracts and other expenses						
Prescribed						
Auditors remuneration	27	28	-	1	-4%	Fixed fee contract
Elected Members expenses	250	243		7	3%	
Election expenses	9	10	-	1	-10%	
Total prescribed expenses	286	281		5	2%	
other materials, contracts and expenses						
contractors	7,999	8,100	-	101	-1%	Reduction to Belgravia payments reduction to electricity usage, main contributor Wulanda from improvements to plant room, heating and cooling and operations in general. suitably qualified staff are assisting to keep Council legal costs contained. During 24/25 Council had minimal litigation matters.
energy	1,780	1,827	-	47	-3%	
legal expenses	153	219	-	66	-30%	
levies paid to government - Regional						
Landscape Levy recovered	1,407	1,351		56	4%	Increase in cost for dog registrations results in a corresponding increase in dog levies paid.
Sundry	225	189		36	19%	
Contributions/Donations	495	547	-	52	-10%	
Insurance	661	635		26	4%	
levies paid to government - EPA, ESL & Dog						
levies	2,028	1,925		103	5%	
Materials	1,608	1,564		44	3%	
Training	151	133		18	14%	
Water	264	257		7	3%	
Communication	204	238	-	34	-14%	
Consultants	527	722	-	195	-27%	Reductions to consultants are largely timing and cyclical related including: reduced actual masterplanning costs in 24/25, no revaluation consultants in 24/25 (last revaluation in 23/24), 23/24 saw a once off investment in electricity/energy consultants.
Licences and Subscriptions	1,322	1,332	-	10	-1%	
Total other materials, contracts and expenses	18,824	19,039	-	215	-1%	
Total Materials, contracts and other expenses	19,110	19,320	-	210	-1%	

3c					
Depreciation					
Buildings and Structures	4,572	4,560	12	0%	<p>A number of leases changing over in the coming financial year landfill compactor is Council's most expensive item of plant and was renewed during 24/25. Council has expanded its plant and equipment fleet to include an additional garbage compactor. Council has improved its monitoring and alignment of consumption of the use of plant and equipment when changes occur to the length of use. Cell 4A construction completed September 2025. Legal obligation to cap Cell 4A results in fixed assets also increasing by the expected capping provision. In 23/24 Cell 3C was being overfilled and fully depreciated, resulting in reduced depreciation expenses for waste management in the prior year.</p>
Infrastructure					
Stormwater Drainage	323	319	4	1%	
Kerbing and Footpaths	1,621	1,603	18	1%	
Roads	2,471	2,400	71	3%	
Carparks	240	240	-	0%	
Right of use assets	161	217	-	56	
				-26%	
Plant and equipment	1,145	775	370	48%	
Waste management	1,011	345	666	193%	
office equipment	279	281	-	2	-1%
other assets	56	49	7	14%	
Total Depreciation	11,879	10,789	1,090	10%	
Impairment					
capital works in progress	23	6	17	283%	
Total Depreciation, amortisation and impairment					
	11,902	10,795	1,107	10%	

3d					
Finance Costs					
Interest on loans	1,717	1,706	11	1%	<p>Lowering interest rates coupled with higher debt position A number of leases changing over in the coming financial year Cell 4A capping provision brought in as construction completed of Cell 4A in September 2024 which triggered the legal obligation for recognition. The provision is required to be unwound based on the same period for consumption in use of the cell.</p>
Interest on leases	11	32	-	21	
				-66%	
Unwinding of present value discounts	155	84	71	85%	
Total finance costs	1,883	1,822	61	3%	

19.3 REVIEW OF THE BASIS OF RATING CONSULTATION PAPER

Author: Kahli Rolton, Manager Financial Services
Authoriser: Tracy Tzioutziouklaris, Acting General Manager Corporate and Regulatory Services

RECOMMENDATION

1. That Council report titled 'Review of the Basis of Rating Consultation Paper' as presented on Tuesday 21 October 2025 be noted.
2. That Council endorse the paper titled 'Review of the Basis of Rating Consultation Paper' for public consultation as attached to this Report which includes R105 Rating Policy and R155 Rate Rebate Policy.
3. That Council authorises the Chief Executive Officer to make any necessary changes to the Review of the Basis of Rating Consultation Paper and associated Policies or Fact Sheets arising from this meeting, together with any editorial amendments and finalisation of the documents formatting and graphic design.
4. That a Special Council meeting be scheduled for Tuesday, 18 November 2025 conditional on receipt of registration(s) for verbal submissions prior to the registration close off date.

PURPOSE

To seek endorsement from Council to release the "Review of the Basis of Rating Consultation Paper" for public consultation in accordance with the Local Government Act 1999.

BACKGROUND / OPTIONS

Background and Context

Rate revenue is an integral part of Council's resourcing, accounting for more than 63% of total revenue per the 2025/2026 budget. As a result, Council's rating strategy and policies are a key component to ensure financial sustainability, the provision of a wide range of services to meet community needs and expectations and ensure stewardship of assets and infrastructure now and for future generations.

The Local Government Act 1999 allows Council reasonable flexibility in the way it raises revenue from rating. It is better practice to review this from time to time to ensure that the ever-changing landscape of industry, business, households and community needs are reflected and remain relevant in Council's rating strategy.

The City of Mount Gambier is reviewing its rating structure to ensure it remains fair, equitable, and financially sustainable. This process is known as a rating review and considers the best way that Council can distribute the rate burden amongst the community and the reasoning for the use and magnitude of differential rating between categories of ratepayers.

Development of the Consultation Paper

As part of the rating review process Council engaged the services of an external consultant to facilitate workshops with Administration Staff, Elected Members and the Audit and Risk Committee and to undertake modelling required to help the direction of the review. The process was halted while the annual business plan and budget was in preparation for 2025/2026 and it recommenced shortly afterwards with modelling updated to the latest figures.



Five informal briefings (workshops) have been held in the development of this Consultation Paper as follows with Elected Members or Audit and Risk Committee and one meeting with administration staff:

Date	Facilitated By	For
10 December 2024	External consultant	Council
18 December 2024	External consultant	Administration staff
28 January 2025	External consultant	Council
6 August 2025	External consultant	Audit and Risk Committee
9 September 2025	Administration staff	Council
30 September 2025	Administration staff	Council

Desired Outcomes

From the workshops held, a set of desired outcomes were developed that formed the basis for the consultation paper presented in this Report and include:

- Establishing an optimal rating system;
- Improving fairness and equity of the current rating system including the current fixed charge and differential rating application;
- Aligning the rating approach with Council's strategic objectives and vision for the future of Mount Gambier wherever possible including:
 - Encouragement of development of land being held;
 - Encouragement of occupation of vacant shops;
 - Fairness in rating for short stay rental accommodation;
 - Considerations of capacity to pay for specific land use categories.

Summary of Proposed Changes and Considerations

Seven key proposed changes and considerations are detailed in the consultation paper and cover a broad range of issues.

1. Reduction of the Fixed Charge from 38% to 34% of general rate revenue to maintain consistency with previous messaging regarding the introduction of the waste service charge and in consideration of the City of Mount Gambier's comparative level of disadvantage under the Socio-Economic Indexes for Areas (SEIFA).
2. Implementation of phased differential rating structure over three years to reduce sudden impact of proposed changes.
3. Application of Commercial rates to Short Stay Rental Accommodation (SSRA), currently rated as residential.
4. Retention of current rate capping policy to protect residential ratepayers from excessive increases in any single year.
5. Update of Rating and Rate Rebate Policies.
6. Non-Rating Strategies for shopping precincts, acknowledging that rating alone cannot address all the challenges faced.
7. Annual review of rate growth assumptions as part of the budget process.

Some ratepayers will be affected more so than others based on the differential changes proposed to the land use categories to which they are subject. Ratepayers who are expected to incur a more significant change will be targeted via email or post of the public consultation. The following table provides an overview of the proposed changes to differential rating per land use as presented in the Consultation Paper.

Land Use	Current	26/27	27/28	28/29
Residential	100%	100%	100%	100%
Commercial				



- Office & Shop	270%	250%	225%	200%
- Other (incl SSRA)	270%	250%	200%	200%
Industrial – Other	270%	250%	225%	200%
Industrial – Light	270%	250%	225%	200%
Primary Production	100%	200%	250%	250%
Vacant Land	270%	270%	270%	270%
Other	100%	100%	100%	100%

Rating Policies

Minor amendments are suggested for the Rating Policies attached to the Annual Business Plan and Budget as follows.

R105 Rating Policy –

- Expansion of section 4.10 Land Use pertaining to identification and setting
- Introduction of section 4.11 Short Stay Accommodation including start date for implementation, defining properties as majority of use of the property, for majority of the time and process for objections.
- Wording to effect current practice in relation to the provision for Waste Service Collection for properties receiving 100% rebate.
- Update to contact details following implementation of a new email address specifically for rates enquiries.
- Minor wording improvements and formatting to assist with readability.

R155 Rate Rebate Policy –

- Update to contact details following implementation of a new email address specifically for rates enquiries.
- Wording to effect current practice in relation to the provision for Waste Service Collection for properties receiving 100% rebate.
- Minor wording improvements and formatting to assist with readability.

IMPLICATIONS TO CONSIDER

Legal	<p>Under Section 151 of the Local Government Act 1999, before a council changes the basis of rating, Council must prepare a public report on the proposed change and follow relevant steps set out in its community consultation and engagement policy. This report must address:</p> <ul style="list-style-type: none"> • Reasons for the proposed change; • Relationship to Council's overall rate structure and policies; • Likely impact on ratepayers of the proposed change; • Issues concerning equity within the community; • Any other relevant matters.
Financial and Budget	<p>This review does not evaluate the level of rates charged, the services provided by the Council or how much revenue from rates is raised. Its focus is to consider if the distribution of rates is equitable across our ratepayers.</p> <p>This review does briefly comment on the assumptions for treatment in growth of rateable assessments; however this is only to defer review to the budget process and make sure it is considered annually.</p> <p>Other budget considerations</p>



	<ul style="list-style-type: none"> Technology experts engaged for Short Stay Rental Accommodation c\$7.5k p.a. External consultants and modelling c\$10k, once off Administration time to implement changes, once off, annual updates following
Community Consultation and Engagement	<p>The City of Mount Gambier is committed to transparent and informed decision-making. By engaging with the community, Council can better understand the diverse needs, concerns, and expectations of ratepayers. This feedback helps to identify potential unintended consequences, improve policy design, and build public trust.</p> <p>Consultation also provides an opportunity to explain the rationale behind proposed changes, clarify misconceptions, and demonstrate how the proposed rating structure aligns with principles of equity, fairness, and financial sustainability.</p> <p>Council will undertake consultation activity in alignment with its P195 Community Consultation and Engagement Policy at a 'Consult' level.</p> <p>For this project, this will include:</p> <ul style="list-style-type: none"> Advice of the consultation through a local news publication A consultation page on Have Your Say Mount Gambier, open for at least 21 days, featuring information about the proposal, FAQ's and feedback/submission form. This is anticipated to open by 27 October 2025 (if not earlier) and conclude 18 November 2025 in line with the proposal for a special meeting of Council. A special public meeting inviting local community members to provide submissions (verbal), noting this will not go ahead if no registrations are received refer Public Meeting details below, 18 November 2025. Verbal registrations close 4pm, Thursday, 13 November 2025. Written notice to a range of key stakeholders to advise of the project and invite feedback.
Other Resources	n/a

RISK ANALYSIS

The risk identification and categorisation relies on the City of Mount Gambier [Risk Management Policy](#).

Risk	Consequence Rating	Risk Likelihood Rating	Risk Rating	Mitigation
Finance - That the distribution of the rate burden amongst ratepayers is not fair and equitable based on principles of taxation and does not have adequate substantiation for this.	Moderate (3)	Possible (3)	Moderate	Public consultation and targeted notification of consultation. Phased implementation over 3 years. Service reviews required.



That implementation timeframes are too short and do not allow ratepayers adequate time to adjust. That Council is not financially sustainable and is not raising enough revenue to provide services.				
Reputation - Community dissatisfaction with changes to rating or expectations regarding community service levels based on rates paid	Moderate (3)	Possible (3)	Moderate	Clear communication, transparent process
Legal / Regulatory / Policy - Non-compliance with regulatory/legislative/statutory requirements	Moderate (3)	Possible (3)	Moderate	Compliance monitored through governance practices and external consultants
Service Delivery - Inability to meet service level expectations	Moderate (3)	Possible (3)	Moderate	Unlocking project currently underway for service cataloguing and strategic workforce planning
People – staff capacity limitations	Moderate (3)	Possible (3)	Moderate	Resourcing provisions and contractor support
Infrastructure – stewardship of assets is inadequate based on revenue raised to cover required service levels	Moderate (3)	Possible (3)	Moderate	Annual review of asset management plans and annual business plan and budget.

APPLICATION OF STRATEGIC PLAN

This report aligns to the following strategic objectives(s):

Priority 4: Economic and Business Growth

4.1 Implement process efficiencies that support small, medium and large-scale businesses to open and thrive in our city.

Priority 5: A Vibrant Community

5.4 Support the strategic growth of an inner-city population through focussed residential and overnight stay growth initiatives.



- 5.6 Promote sustainable activation through well-considered public infrastructure, tailored regulations and efficient systems and procedures that actively support city vibrancy.

Priority 6: Excellence in Leadership and Governance

- 6.1 Ensure Elected Council Members are meeting their civic obligations and making informed, strategic decisions in the best interests of the community.
- 6.4 Review and continually update the Long -Term Financial Plan to ensure ongoing financial sustainability to community expectations and legislative requirements.

This report contributes to delivery of the following key strategic project(s):

Priority 6: Excellence in Leadership and Governance

Undertake a rating review that guides Council's approach to rates to ensure our financial sustainability.

RELEVANT COUNCIL POLICY

[Rates - Rate Rebate - R155](#)

[Rates - Rating - R105](#)

IMPLEMENTATION AND NEXT STEPS

1. Formally identify all Short Stay Rental Accommodation properties
2. Public Consultation 27 October 2025 (if not earlier) to 18 November 2025 (in line Council Meetings as proposed) that we will be notifying land use categories more significantly affected directly to ensure they have an awareness and opportunity to provide feedback.
3. Elected Members notified of Special Meeting, Friday 14 November 2025
4. Special Council Meeting (if required) 18 November 2025
5. Informal Briefing of Council (if required) 25 November 2025 to review feedback prior to adoption
6. Council consideration for adoption, Council Meeting 16 December 2025
7. Phased implementation over 3 year period.

CONCLUSION

The Review of the Basis of Rating Consultation Paper represents Council's commitment to better practice and work towards achieving a fair and equitable system of rating based on principles of taxation, strategic planning priorities and the changing profile of the community.

It proposes a staged implementation to reduce sudden impact of change for ratepayers affected with notable increases for short stay rental accommodation properties and primary production land use offset by reductions for commercial and industrial land use combined with a reduction to the fixed charge.

ATTACHMENTS

1. Review Basis of Rating - City of Mount Gambier - Public Consultation Paper [19.3.1 - 61 pages]
2. Review of basis of rating - Information Sheet [19.3.2 - 2 pages]
3. Rating Review - Short Stay Rental Accommodation - Information Sheet [19.3.3 - 2 pages]



Review of the Basis of Rating Consultation Paper City of Mount Gambier

Prepared for Public Consultation – October 2025

This paper is presented to the community to provide information and invite feedback on proposed changes to Council's basis of rating.

Consultation Activity:

To ensure that community and key stakeholders are informed about the proposed rating changes and have the opportunity to provide feedback, Council will undertake consultation activity in alignment with its P195 Community Consultation and Engagement Policy at a 'Consult' level.

This includes the promise of two-way communications designed to obtain public feedback about ideas on rationale, alternatives and proposals to inform decision making – Council will listen and acknowledge concerns and aspirations and provide feedback where possible.

Council will also observe or extend upon emerging South Australian Local Government standards in consultation activities directly attached to rating review processes. For this project, this will include:

- Advice of the consultation through a **local news publication**
- A **consultation page** on Have Your Say Mount Gambier, open for at least 21 days, featuring information about the proposal, FAQ's and feedback/submission form.
- A **public meeting** inviting local community members to provide submissions (verbal), noting this will not go ahead if no registrations are received, refer to Public Meeting details below.
- **Written notice** to a range of key stakeholders to advise of the project and invite feedback.

Special Public Meeting:

A special public meeting of Council will be held on Tuesday 18 November 2025 prior to the ordinary Council meeting only if submissions to speak have been received.

Those interested in speaking to their submission must complete the form located on the Have Your Say website (refer below) or contact Council at the email address below by 4pm, Thursday, 13 November 2025 to register.

Where no submissions have been received by the due date, a special public meeting will not be held.

Council Meeting:

Council Meeting, 16 December 2025 to formally consider the rating review outcomes.

Submissions:

Members of the community are invited to make written submissions expressing their views on the future structure of Council's basis of rating and the information contained within this consultation paper. Submissions will be accepted until 5pm, Tuesday 18 November 2025.

Written Submissions:

Website: [Have Your Say Mount Gambier](#)

Email: city@mountgambier.sa.gov.au

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1. Introduction

Rate revenue is an integral part of Council's resourcing, accounting for more than 63% of total revenue per the 2025/26 budget. As a result, Council's rating strategy and policies are a key component to ensure financial sustainability, the provision of a wide range of services to meet community needs and expectations and ensure stewardship of assets and infrastructure now and for future generations.

The Local Government Act 1999 allows Council reasonable flexibility in the way it raises revenue from rating. It is better practice to review this from time to time to ensure that the ever-changing landscape of industry, business, households and community needs are reflected and remain relevant in Council's rating strategy.

The City of Mount Gambier is reviewing its rating structure to ensure it remains fair, equitable, and financially sustainable. This process is known as a rating review and considers the best way that Council can distribute the rate burden amongst the community and the reasoning for the use and magnitude of differential rating between categories of ratepayers.

Importantly, this review does not evaluate the level of rates charged, the services provided by the Council or how much revenue from rates is raised. Its focus is to consider if the distribution of rates is equitable across our ratepayers. This review does briefly comment on the assumptions for treatment in growth of rateable assessments,

This consultation paper outlines proposed changes to the basis of rating and invites feedback from the community.

The review has been informed by:

- Elected Members input in considering the vision for the future of Mount Gambier,
- Independent advice and analysis by LGiQ,
- Feedback from the City of Mount Gambier Audit and Risk Committee,
- City of Mount Gambier staff.

2. Legislative Framework

The legislative provisions relating to council rates are contained within:

Local Government Act 1999 (SA)

Chapter 10 – Rates and Charges

Section 146 – Rates and charges that a council may impose

Section 147 – Rateability of land

Section 148 – Land against which rates may be assessed

Section 149 – Contiguous land

Section 150 – General Principles

Section 151 – Basis of Rating

Section 152 – General Rates

Section 153 – Declaration of general rate (including differential general rates)

Section 154 – Separate rates

Section 158 – Minimum rates and special adjustments for specified values

Section 159-166 - Rebates of rates

Section 167 – Valuation of land for the purpose of rating

Section 168 - Valuation of land

Local Government (General) Regulations 2013 (SA)

Section 14 - Differentiating factors

Fire and Emergency Act 2005

Under Section 151 of the Local Government Act 1999, before a council changes the basis of rating, Council must prepare a public report on the proposed change and follow relevant steps set out in its community consultation and engagement policy available on Council's website, www.mountgambier.sa.gov.au/council/governance/council-policies. This report must address:

- Reasons for the proposed change;
- Relationship to Council's overall rate structure and policies;
- Likely impact on ratepayers of the proposed change;
- Issues concerning equity within the community;
- Any other relevant matters.

3. Purpose of the Consultation

Community consultation is an important part of the rating review process. It ensures that the voices of residents, businesses, and stakeholders are heard and considered in shaping the future of Council's rating strategy.

The City of Mount Gambier is committed to transparent and informed decision-making. By engaging with the community, Council can better understand the diverse needs, concerns, and expectations of ratepayers. This feedback helps to identify potential unintended consequences, improve policy design, and build public trust.

Consultation also provides an opportunity to explain the rationale behind proposed changes, clarify misconceptions, and demonstrate how the proposed rating structure aligns with principles of equity, fairness and capacity to pay.

This paper aims to:

- Define the objectives and desired outcomes of the rating review;
- Explain the rationale behind proposed rating changes;
- Provide context on why Council's collect rates and principles of taxation;
- Present the modelling and expected impacts of the proposed changes;
- Invite community feedback to inform Council's final decision.

4. Objectives and Desired Outcomes

Elected Members have provided input and considered the information contained in this paper in a number of workshops which started with the engagement of LGiQ in November 2024 for the purpose of gathering information, undertaking benchmarking, analysis of the current rating system and working with Council and administration staff to achieve desired outcomes.

This rating review focuses on the structure and fairness of the rating system itself, including the distribution of the rate burden across land use categories, while considering principles of taxation, strategic planning priorities and the changing profile of the community. Council has also considered the impact of population growth and changes in land use categorisation with the objective of ensuring that the rating methodology remains relevant for our growing city.

The desired outcomes of the rating review include:

- Establishing an optimal rating system;
- Improving fairness and equity of the current rating system including the current fixed charge and differential rating application;
- Aligning the rating approach with Council's strategic objectives and vision for the future of Mount Gambier wherever possible including:
 - o Encouragement of development of land being held;
 - o Encouragement of occupation of vacant shops;
 - o Fairness in rating for short stay rental accommodation;
 - o Considerations of capacity to pay for specific land use categories.

Council acknowledges the initial work undertaken by LGiQ in support of the rating review process, including the facilitation of workshops with Council staff, Elected Members, and the Audit & Risk Committee. The draft report provided by LGiQ formed a valuable foundation for further analysis, and Council has since built upon this work, incorporating feedback from Elected Members to ensure alignment with local priorities and strategic objectives.

5. Summary of Proposed Changes and Considerations

The proposed changes outlined in this consultation paper are a direct response to the desired outcomes identified by Elected Members and are influenced by the initial analytical and benchmarking work undertaken by LGiQ. Other key influences include financial sustainability, principles of taxation and legislative requirements. These changes aim to improve fairness, equity, and transparency in the way Council raises revenue through rates.

The following include proposals for changes and key considerations as part of the rating review:

1. Fixed Charge set at 34% of General Rate Revenue:

This change reflects Council's intention to balance the principles of equity and benefits received. The fixed charge ensures that all eligible ratepayers contribute a base amount towards the cost of services that are equally available to all, such as public infrastructure, recreation facilities, community events and services. Properties with lower capital values will proportionately pay less than those with higher capital values where the fixed charge is lower.

The fixed charge is currently set at 38%. The 34% level, is designed to maintain consistency with previous messaging when the waste service charge was introduced and provide a stable revenue base while considering City of Mount Gambier's comparative level of disadvantage under the Socio-Economic Indexes for Areas (SEIFA) index. For noting, section 151 of the Local Government Act 1999 prescribes that councils must not raise fixed charges that exceed 50% of all revenue raised from general rates.

2. Phased Differential Rating Structure over Three Years:

To improve equity and align with capacity to pay, Council proposes a staged adjustment to differential rates across certain land use categories. This includes reducing the differential for commercial and industrial, while increasing the differential for primary production and maintaining the differential for vacant land. The phased approach reduces sudden impacts for majority of ratepayers and allows ratepayers time to adjust.

Changes to differential rating per land use has been reviewed with improved rationale for the proposed rates detailed in section 11 of this consultation paper.

3. Application of Commercial Rates to Short Stay Rental Accommodation (SSRA):

Eligible properties used for short stay rental accommodation will be rated as commercial-other to reflect their income generating nature, higher service demand and to provide fairness and equity with other commercial accommodation business providers. If implemented, Council will engage with affected property owners and provide clear communication and support during implementation.

Majority of SSRA properties are rated as residential. By changing their land use to commercial-other, these properties will be subject to higher differential rating and increases to the amount of rates they pay.

4. Retention of Current Rate Capping Policy:

Council will retain its existing rate capping provisions to protect residential ratepayers from excessive increases in any single year. This policy provides a safeguard for residential ratepayers, particularly those on fixed incomes or in areas with rapidly increasing property values. Refer Appendix 1 for Rating Policy.

5. Update of Rating and Rate Rebate Policies:

Council's Rating Policy and Rate Rebate Policy are updated to reflect the proposed changes and ensure compliance with legislative requirements. These updates will also improve clarity and transparency for ratepayers and are included as part of this public consultation paper. Refer Appendix 1 and 2 for relevant Policies.

6. Non-Rating Strategies for Shopping Precincts:

Council acknowledges that rating alone cannot address all challenges facing central business district (CBD) and local shopping precincts. Complementary strategies will be explored to support economic revitalisation outside of the rating review. The CBD master planning, currently in progress, could consider recommendations and options that have arisen as part of this rating review.

7. Annual Review of Rate Growth Assumptions:

Council will review rate growth assumptions annually as part of the budget process. This ensures that growth in rateable assessments is appropriately accounted for and that additional revenue is used to support service delivery and infrastructure investment.

6. Why Councils Collect Rates

Council delivers a broad range of services to support and enhance the community. The range of services continues to grow. These services include the operation and upkeep of local infrastructure such as roads, parks, gardens, playgrounds, street lighting, public amenities, cemeteries, sport and recreation facilities, Mount Gambier Library, the Riddoch Arts and Cultural Centre, Waste Transfer Station, ReUse Market and Caroline Landfill. Further to this, Council aids provision of community events, visitor servicing, environmental sustainability initiatives and waste collection. Council is also required to undertake regulatory functions for the safety, amenity and prosperity of community including animal control, parking, building, planning and public health regulation.

Each council is unique, shaped by the needs and priorities of its community. As a result, the mix of services and infrastructure provided by the City of Mount Gambier may differ

from neighbouring councils. So too will the revenue required to fund these services, and the way in which the rate burden is shared across the community.

7. Principles of Taxation

Council rates are a form of taxation used to fund services and infrastructure. Many ratepayers will question the value they individually receive from the rates they pay; however, rates are raised as a form of taxation for services for the whole community. Rates are a wealth tax, taxed against the value of property. The principle being that the more property, or the higher the value of the property, the more a ratepayer should and are able to pay.

In determining the most appropriate method of charging council rates, it is important to give appropriate weight to the main principles of taxation, as outlined in the LGA Financial Sustainability Paper #20 'Rating and Other Funding Policy Options'.

Benefits Received

This principle recognises that those who receive more services or consume more resources should contribute more. Council provides a wide range of services—such as, roads, parks, libraries, and community programs—which are funded collectively through rates.

Capacity to Pay

Rates should reflect the ability of ratepayers to contribute. While income is the most direct measure of capacity to pay, councils do not have access to income data. Instead, the capital value of a property is used as a proxy, based on the assumption that higher property values generally correlate with greater financial capacity.

Administrative Simplicity

The rating system should be straightforward to administer and understand. It should have minimal complexity and compliance costs, and be difficult to avoid. Council aims to maintain a system that is efficient and cost-effective to manage and ensures that all eligible properties contribute.

Economic Efficiency

Rates should be structured in a way that does not unduly influence economic behaviour. Council seeks to avoid rating practices that distort behaviour, such as discouraging development or business activity that is not aligned with strategic direction or addresses issues concerning the local community.

Policy Consistency

Rating as a form of taxation should be internally consistent and based on clear, predictable rules. It should be transparent and understandable to ratepayers, supporting confidence in Council's financial governance.

8. Council Profile

A council should understand the demographics and needs of its community to inform the range and level of council services and the impact that council rates have on its ratepayer base.

Data relating to Mount Gambier, has been collected from various sources including the Australian Bureau of Statistics (ABS) 2021 and 2024 Census, profile ID and actual data from the Valuer General:

People (2024 estimated)	27,888
Median age	41
Private Dwellings (residential 2025/2026)	12,872
Average number of people per household	2.3
In the labour force (People aged 15 years and over)	58.9%
Median household income (per month)	\$4,928
Median rent (per month)	\$880
Median mortgage repayments (per month)	\$1,127
Median residential property value (2025/2026)	\$ 416,341
Local Businesses	2,105

Data source: www.abs.gov.au/census/find-census-data/quickstats/2021/LGA44620

[About the profile areas | RDA Limestone Coast Region | Community profile](#)

Socio-Economic Indexes for Areas (SEIFA)

The ABS also collects data to calculate Socio-Economic Indexes for Areas (SEIFA) and the Index of Relative Socio-economic Advantage and Disadvantage (IRSAD), which summarises information about the economic and social conditions of people and households within an area. This index includes both relative advantage and disadvantage measures.

A low score means that there is relatively greater disadvantage and a lack of advantage in general. An area could have a low score if there are:

- many households with low incomes, or many people in unskilled occupations; and
- a few households with high incomes, or few people in skilled occupations.

A high score means a relative lack of disadvantage and greater advantage in general. An area may have a high score if there are:

- many households with high incomes, or many people in skilled occupations; and
- few households with low incomes, or few people in unskilled occupations.

The average score for South Australian local government areas is 948. City of Mount Gambier is below average with a score of 893 and is ranked 13 out of 71. City of Mount Gambier is also ranked lower than its neighbouring councils and is around the middle of its council grouping in terms of income.

Below is a comparison of Mount Gambier's IRSAD index score compared to other councils categorised in the same 'Australian classification of local governments' (ACLG) grouping, as well as its neighbouring councils.

2021 Local Government Area (SA only)	Score	Rank
Murray Bridge	866	5
Cooper Pedy	868	6
Whyalla	868	8
Port Augusta	877	9
Mount Gambier	893	13
Wattle Range	906	18
Port Lincoln	915	22
Victor Harbour	927	26
Kingston	942	31
Naracoorte Lucindale	949	35
Tatiara	950	37
Grant	974	49
Robe	984	54
Roxby Downs	1004	59

Data source: www.abs.gov.au/statistics/people/people-and-communities/socio-economic-indexes-areas-seifa-australia/latest-release#data-downloads

9. Current Rating Methodology

The City of Mount Gambier's rating system is designed to raise revenue in a way that is fair, transparent, and aligned with the principles of taxation and community expectations. Council applies a combination of rating tools to distribute the rate burden across the community. The current method of rating incorporates:

Valuation Basis – Capital Value

Council uses the **Capital Value** provided annually by the Valuer-General as the basis for rating property. The Capital Value includes both the value of the land and any improvements to the land. This method is considered the fairest way to distribute the rate burden as property value is a reasonable indicator of wealth and capacity to pay. Capital value is reflective of market value and provides consistency across the rating system.

Differential rates by land use:

Differential rating is a method used by councils to apply different rates to properties based on their land use category, or locality or both. Council uses land use category only. Under this system, Council assigns a base rate to residential properties (100%) and applies higher or lower differential rates to other categories. These land use categories include for example, commercial, industrial, primary production, and vacant land and the differential applied from base depends on the level of services consumed, capacity to pay and the strategic needs of Council and the community.

This approach allows Council to more fairly distribute the rate burden across the community by recognising that different types of properties place varying:

- demands on Council services and infrastructure; and
- limitations on the strategic progress of the City of Mount Gambier and its community.

For example, commercial and industrial properties typically generate more traffic, require more regulatory oversight, benefit from greater public investment in infrastructure, generally have higher capacity to pay income earning activities and are therefore rated at a higher differential.

The table below provides a summary of land use categories and differential rates applied as per the 2025/26 annual business plan and budget.

Land Use	Number rateable properties	Current differential	Cents in the Dollar
Residential	12953	100%	\$0.182106
Commercial	1086	270%	\$0.491686
Industrial	246	270%	\$0.491686
Primary Production	30	100%	\$0.182106
Vacant Land	419	270%	\$0.491686
Other	61	100%	\$0.182106

* figures are based on 2025/26 annual business plan and budget

Fixed Charge

A **fixed charge** is applied uniformly to all eligible rateable properties, regardless of their capital value. This component ensures that all ratepayers contribute equally to the cost of core administrative and support services that benefit the entire community. The fixed charge must not exceed 50% of total rate revenue and helps to moderate the impact of valuation changes on individual properties.

Council currently declares a fixed charge of \$683.90 (2025/26) which equates to approximately 38% of rate revenue.

Rate capping

To protect ratepayers from significant increases in rates due to valuation changes, Council applies 15% **rate capping** for residential properties in accordance with its Policy (exclusions apply). This mechanism limits the amount by which rates can increase for eligible residential properties in a given year, helping to maintain affordability and reduce financial stress for residential ratepayers affected by sharp valuation shifts. Rate capping is essentially a discount and the expense is borne by other ratepayers.

Separate Rates – Regional Landscape Levy

Councils are required under the Landscape South Australia Act 2019 to collect the levy on all rateable properties on behalf of the State Government. The levy helps to fund the operations of regional landscape boards who have responsibility for the management of the State's natural resources. Council collects this levy on behalf of State Government and does not retain the revenue nor determine how the revenue is spent.

Service Charges

The Waste Service Charge (WSC) reflects the cost of providing the kerbside waste service provision to the community and is charged on the basis of the service being available at the property. The WSC was introduced four years ago when it was separated from general rates to highlight the cost of waste management. Council is currently (2025/2026) charging \$344 per applicable assessment.

Rate Rebates

Mandatory rebates - Councils are required under the Local Government Act 1999 to provide a rebate to qualifying properties under a number of categories. The rates which are foregone via mandatory rebates are redistributed across the ratepayer base (i.e. all other ratepayers are subsidising the rates contribution for those properties who receive the rebate).

Discretionary rebates - A council may grant a rebate of rates or service charges in a number of circumstances. The rates which are foregone via Discretionary Rebates are redistributed across the ratepayer base (i.e. all other ratepayers are subsidising the rates contribution for those properties who receive the rebate).

Please refer to R155 Rate Rebate Policy for further details on mandatory and discretionary rate rebates.

10. Benchmarking Considerations

In undertaking this rating review, the City of Mount Gambier has considered benchmarking against other councils within its grouping under the Australian Classification of Local Authorities (ACLA), as well as neighbouring regional councils. While benchmarking can provide useful context, it is important to recognise that each council is unique in its mix of services, community priorities, geographic characteristics, and rateable property profiles.

For these reasons, benchmarking data has not been incorporated into this consultation paper. The proposed changes are specific to the City of Mount Gambier and reflect the needs, expectations, and socio-economic conditions of its ratepayers.

This review is focused on ensuring fairness, equity, and sustainability for Mount Gambier's community, rather than drawing direct comparisons with other councils whose circumstances may differ significantly.

Average rate comparison

Averages Residential 2024/2025			
Metro	Rural	State	CoMG
\$2,033	\$1,769	\$1,849	\$1,342
Averages Commercial 2024/2025			
Metro	Rural	State	CoMG
\$8,169	\$2,892	\$4,523	\$4,393
Averages Industrial 2024/2025			
Metro	Rural	State	CoMG
\$6,783	\$4,425	\$5,136	\$5,798
Averages Primary Production 2024/2025			
Metro	Rural	State	CoMG
\$3,589	\$3,032	\$3,210	\$2,190
Averages Vacant Land 2024/2025			
Metro	Rural	State	CoMG
\$4,033	\$1,090	\$2,016	\$1,804
Averages Other 2024/2025			
Metro	Rural	State	CoMG
\$10,046	\$2,368	\$4,785	\$4,158

Council's own data analysis/review. Averages exclude Service Charges.

11. Detailed Proposed Changes, Modelling and Impact

To understand the implications of proposed rating changes, the City of Mount Gambier engaged LGiQ to undertake detailed modelling across all land use categories for the financial years 2025/26 to 2028/29. **The modelling is based on current capital valuations and land use classifications, acknowledging that future changes such as new developments, valuation shifts, and inflation may influence outcomes over the years so have been excluded.** This modelling provides comparable assessments against Council's latest known rating data.

The modelling supports the proposed changes outlined in summary at Section 5 and provides a clear picture of how the rate burden will shift across the community. It includes adjustments to the fixed charge, differential rating structure, and the introduction of commercial rates for short stay rental accommodation (SSRA) phased in over a number years.

Methodology

- **Base Year:** 2025/26 capital values and land use categories.
- **Indexation or rate increases:** Excludes any anticipated inflation or annual rate increases that may be forecast in the LTFP.
- **Fixed Charge:** Reduced from 38% to 34% of rate revenue.
- **Differential Rates:** Phased changes over three years for selected land use categories.
- **Rate Capping:** Retained for residential properties under existing policy.

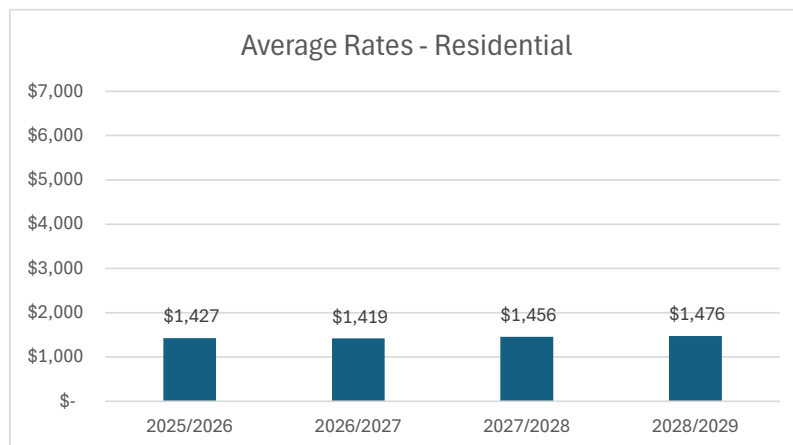
Summary of Proposed Differential Rates

Land Use	Current	26/27	27/28	28/29
Residential	100%	100%	100%	100%
Commercial				
- Office & Shop	270%	250%	225%	200%
- Other (incl SSRA)	270%	250%	200%	200%
Industrial – Other	270%	250%	225%	200%
Industrial – Light	270%	250%	225%	200%
Primary Production	100%	200%	250%	250%
Vacant Land	270%	270%	270%	270%
Other	100%	100%	100%	100%

Land Use Impact Analysis

Residential

- **Average Rates:** Increase from \$1,427 to \$1,476 over 3 years.
- **Differential:** remains at 100% over 3 years.
- **Cumulative Change:** +\$49 or 3.44% increase from current.



- **Impact:** The proposed changes result in modest increases for residential ratepayers, spread across approximately 13,000 properties. Residential properties represent 87% of the total rateable assessments and contribute 73% of total rate revenue by 2028/29, up from 70% in 2026/27. An immediate decrease in year two is observed, primarily due to the reduction in the fixed charge and the increase in differential rates for other land use categories.

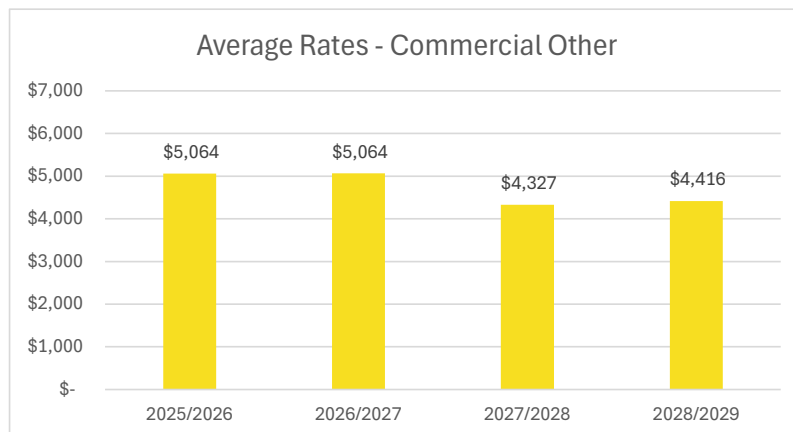
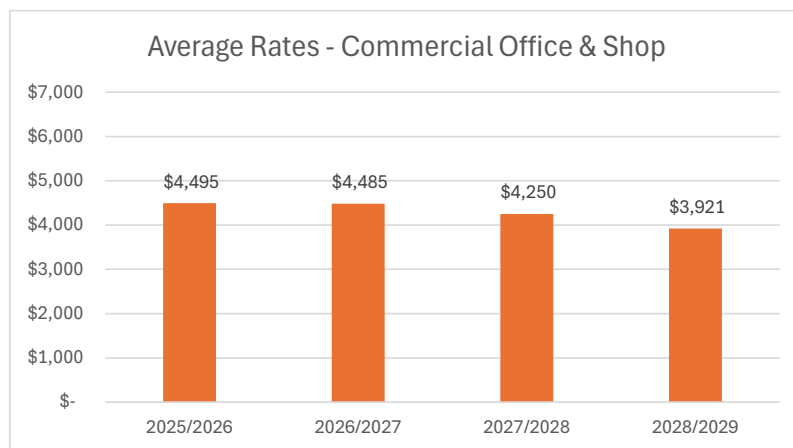
The increase in average rates is distributed across a large number of properties, which helps to spread the rate burden and enables Council to reduce the differential rates for commercial and industrial land uses without compromising revenue stability.

- **Reasoning:** Residential properties form the foundation of Council's rating base and retain the 100% differential rate which reflects the following considerations:
 - **Socio-economic context:** The City of Mount Gambier has a below-average SEIFA score, indicating a higher level of socio-economic disadvantage. This reinforces the need to minimise financial pressure on residential ratepayers. The reduction to the fixed charge has addressed this.
 - **Base rate stability:** The residential differential serves as the baseline for all other land use categories. Retaining this rate ensures consistency and

provides a stable reference point for evaluating and adjusting other differentials.

Commercial (excluding short stay rental accommodation)

- **Average Rates:** Office and shop decrease from \$4,495 to \$3,921.
Other decrease from \$5,064 to \$4,416.
- **Differential:** Phased reduction from 270% to 200% over 3 years.
- **Cumulative Change:** Office and shop -\$575 or 12.77% decrease from current.
Other (excl SSRA) -\$648 or 12.79% decrease from current.



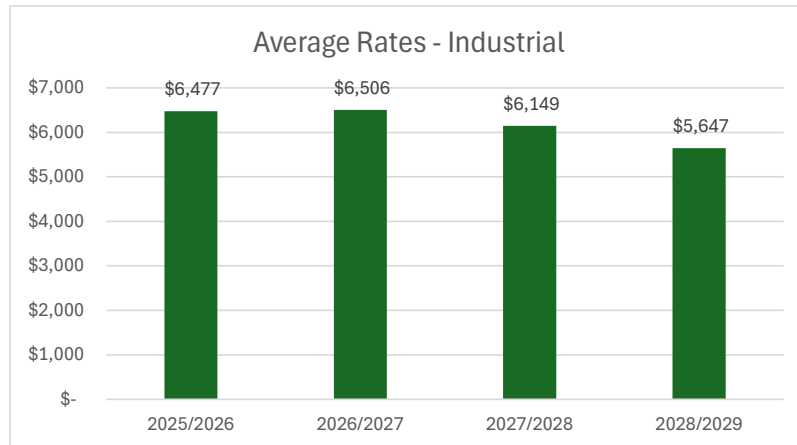
- **Impact:** The reduction in differential rates eases the financial pressure on approximately 1,108 commercial properties. While the number of properties is significantly smaller than residential, the dollar impact per property is more substantial due to higher capital values.

Total rate revenue share from commercial properties is projected to decrease from 20% in 2026/27 to 17% in 2028/29.

- **Reasoning:** Council acknowledges the critical importance of a buoyant and sustainable commercial sector and its contribution to the economic fabric, vibrancy and liveability of our community. Council's proposed reduction in commercial differential rate reflects this contribution, whilst also demonstrating an intention to move toward a more equitable rating structure, which acknowledges the service demand and infrastructure use attached to commercial activities. The target differential of 200% is considered appropriate based on the following rationale:
 - **Increased use of infrastructure:** Commercial properties typically generate higher traffic volumes and place greater demand on roads, drainage, and associated infrastructure, leading to increased maintenance and renewal costs.
 - **Public realm investment:** Council invests significantly in infrastructure that supports commercial activity, including carparking, lighting, walkways, overhead canopies, and place-making initiatives.
 - **Town planning and activation:** Commercial areas benefit from targeted planning and activation strategies, such as footpaths, CCTV, street furniture, public art, and events that enhance vibrancy and economic activity.
 - **Regulatory services:** Commercial properties require more frequent engagement with Council's regulatory functions, including but not limited to environmental health inspections, parking inspectors and development application processing.
 - **Capacity to pay:** Commercial properties have the ability to generate revenue. They also have the ability to claim business expenditure such as rates as a business tax deduction.

Industrial

- **Average Rates:** Decrease from \$6,477 to \$5,647.
- **Differential:** phased reduction from 270% to 200% over 3 years.
- **Cumulative Change:** -\$830 or 12.81% decrease from current.

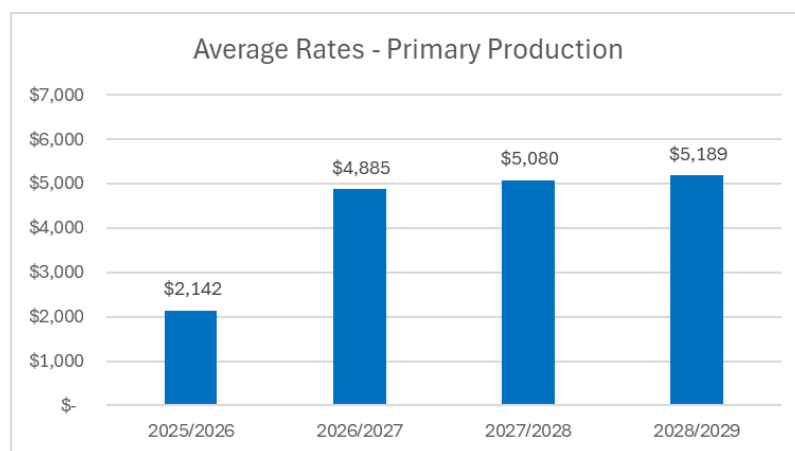


- **Impact:** The proposed changes result in significant savings for 243 industrial properties. These properties currently pay a higher proportion of rates due to their typically larger capital values.
An immediate increase in year two is observed, primarily driven by the reduction in the fixed charge, which is not yet fully offset by the lowered differential rate. The share of total rate revenue from industrial properties is expected to decline from 6% to 5% by 2028/29.
- **Reasoning:** Council recognises the role the industrial sector plays in driving local employment, supporting supply chains, and contributing to the region's economic resilience. The reduction in the industrial differential rate reflects this contribution, whilst also demonstrating an intention to move toward a more equitable rating structure which acknowledges the service demand and infrastructure use attached to industrial activities.
The proposed differential of 200% reflects Council's rationale for maintaining a higher rate than residential, based on the following considerations:
 - **Infrastructure demand:** Industrial properties often generate heavy vehicle traffic and place greater wear on roads, and associated infrastructure, leading to increased maintenance and renewal costs.
 - **Land use intensity:** Industrial activities typically involve larger footprints, higher utility usage, and more complex planning and compliance requirements.
 - **Regulatory oversight:** Industrial properties require more frequent engagement with Council's regulatory services, including environmental health, development approvals, and compliance monitoring.

- **Capacity to pay:** Industrial properties have the ability to generate revenue. They also have the ability to claim business expenditure such as rates as a business tax deduction.

Primary Production

- **Average Rates:** Increase from \$2,142 to \$5,189
- **Differential:** phased increase from 100% to 250% over 2 years
- **Cumulative Change:** +\$3,047 or 142.25% increase from current

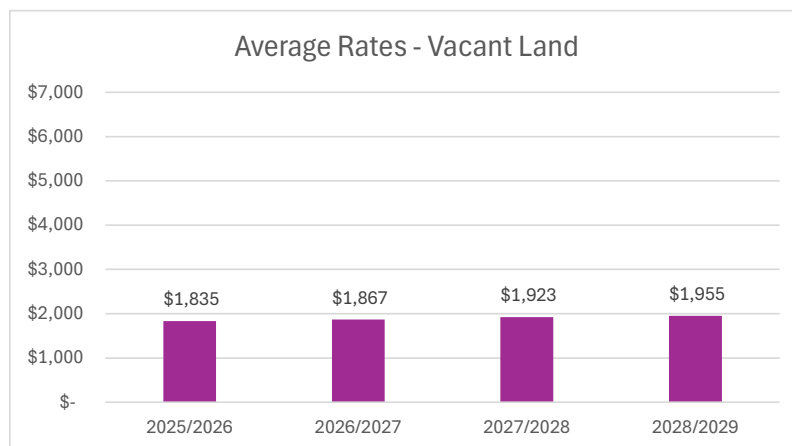


- **Impact:** The proposed change affects 28 properties and results in an immediate uplift in year 1 of 100% followed by another increase of 50% in year 2. The shorter phase implementation of the increased differential is recommended due to the small number of affected properties and the strategic importance of addressing planning inefficiencies and equity in the rating system.
- **Reasoning:** The decision to increase the differential for primary production is based on several strategic and planning considerations:
 - **Strategic alignment:** The uplift supports Council's broader objectives under the City of Mount Gambier 2024–2028 Strategic Plan and aligns with regional planning priorities. It encourages more efficient land use and supports infill development by discouraging underutilisation of land within the city boundary.
 - **Planning and infrastructure impact:** Pockets of undeveloped or underutilised land designated as primary production within the city boundary can create challenges for infrastructure planning, service delivery, and urban connectivity. These areas often interrupt the logical flow of development and require disproportionate investment to service.

- **Regional context:** The City of Mount Gambier is the urban centre, or “Hub”, within a predominantly rural region. Surrounding councils are largely agricultural, and the city serves as the commercial, cultural, and service hub. As such, land designated for primary production within the city boundary is not representative of the broader regional agricultural landscape and should be rated accordingly.
- **Capacity to pay:** Primary production properties within the city boundary often have significant capital value and the potential to generate income comparable to commercial operations. The increased differential reflects this capacity and ensures a fair contribution to the cost of services and infrastructure.

Vacant Land

- **Average Rates:** Increase from \$1,835 to \$1,955.
- **Differential:** remains at 270% over 3 years.
- **Cumulative Change:** +\$120 or 6.5% increase from current.



- **Impact:** No change to the differential rate is proposed for vacant land. The modest increase in average rates is due to adjustments in the fixed charge and proposed changes to differentials for other land use categories. The retention of the higher differential maintains a financial incentive for landowners to develop vacant parcels, supporting Council’s strategic goals around infill development and efficient land use.
- **Reasoning:** Vacant land within the City of Mount Gambier presents unique challenges and opportunities in the context of urban planning, infrastructure provision, and housing availability. Capital values are usually lower for vacant

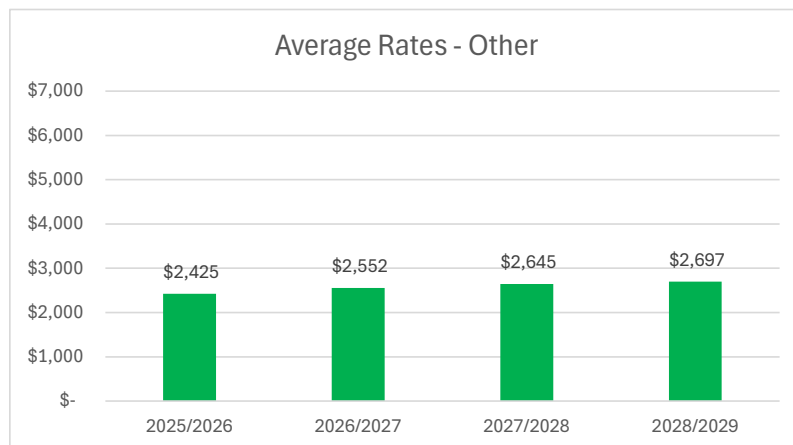
land in comparison to other land use categories. The decision to retain the current differential rate of 270% is based on the following considerations:

- **Encouraging development:** A higher differential for vacant land acts as a disincentive to land banking and promotes timely development. This supports Council's objectives for infill growth and maximising the use of existing infrastructure.
- **Strategic planning alignment:** The City of Mount Gambier is the urban centre within a broader rural region. As the "Hub" for surrounding communities, it plays a critical role in accommodating regional population growth and economic activity. Undeveloped pockets of land within the city boundary can hinder the logical progression of development and disrupt strategic planning outcomes.
- **Infrastructure efficiency:** Vacant land often sits adjacent to serviced areas, yet contributes minimally to the cost of maintaining infrastructure. Retaining a higher differential ensures that these properties contribute fairly while incentivising transition to active land use.

Other

Other is a broad land use category that incorporates anything that does not align within alternative land use categories as listed in this section. It includes for example, social welfare, government, cultural activities, public utilities, recreation.

- **Average Rates:** Increase from \$2,425 to \$2,697.
- **Differential:** remains at 100%.
- **Cumulative Change:** +\$271 or 11.21% increase from current.

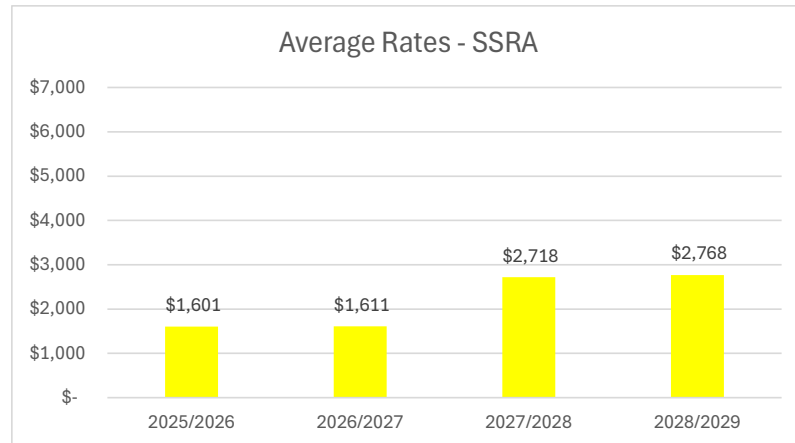


- **Impact:** The proposed changes affect 59 properties classified under the “Other” land use category. These properties will experience a moderate increase in rates over the four-year period, however, are generally advantaged by mandatory and discretionary rebates. Due to the lower number of properties in this land use category, the average impact appears larger than residential, even though both land use categories are subject to the same rate in the dollar (differential) application.
The share of total rate revenue from this category remains stable at approximately 1%, reflecting its relatively small footprint in the overall rating base.
- **Reasoning:** The decision to retain the current differential rate for the “Other” land use category is based on the following considerations:
 - **Diverse land uses:** The “Other” category includes a mix of property types that do not neatly fit into residential, commercial, industrial, or primary production classifications. Many properties within this category also receive benefit of mandatory and discretionary rebates and therefore any uplift in differential will be offset anyway.
 - **Equity and transparency:** Retaining the existing differential ensures that ratepayers in this category are not disproportionately impacted by changes to the rating structure. It also maintains transparency and predictability in Council’s rating approach.
 - **Strategic neutrality:** As this category does not represent a strategic growth area or pose significant planning challenges, no adjustment to the differential is considered necessary at this time.

Short Stay Rental Accommodation (SSRA)

SSRA properties have been separated for illustrative purposes only. It is important to note that SSRA properties are technically classified as commercial using the sub-category commercial-other and therefore must be applied the same rating differential. At present many SSRA properties are classified as residential land use.

- **Average Rates:** Increase from \$1,601 to \$2,768.
- **Differential:** transfer from residential 100% to 200% commercial-other in 2027/28.
- **Cumulative Change:** +\$1,167 or 72.89% increase from current residential rate



- **Impact:** It is estimated that the proposed reclassification will affect 69 pre-identified properties that have previously submitted development applications. The number of affected properties may increase once data mining technical experts are engaged to identify all SSRA properties advertised on web-based platforms. Initial demonstrations with the data mining technical experts suggest up to an additional 51 properties may be affected. The greater the number of properties reclassified from residential to commercial-other will result in reduced impacts to other land use categories.

The impact of this change results in a significant increase in rates. To allow affected ratepayers time to adjust the change will be phased in over two years, with the differential increasing to 200% in 2027/28, aligning with the broader commercial rating strategy.

- **Reasoning:** The reclassification of SSRA properties from residential to commercial is based on the following considerations:
 - **Fairness and equity:** SSRA properties operate as commercial enterprises, generating income and competing with traditional accommodation providers. Applying residential rates creates inequity and undermines the integrity of Council's rating system.
 - **Service demand:** SSRA properties contribute to increased demand on Council services, including waste collection, parking, regulatory oversight, and infrastructure use, similar to other commercial properties.
 - **Strategic alignment:** The change supports Council's broader strategic objectives of addressing housing shortage and accessibility issues identified in the City of Mount Gambier Local Affordable Housing Plan.

- **Data integrity and implementation:** Council plans to engage technical experts to identify SSRA properties using data mining tools. This ensures accurate classification and supports fair application of the rating change. Implementation will be supported by clear communication, policy updates, and engagement with affected property owners.

The modelling is based on current capital valuations and land use classifications, acknowledging that future changes such as new developments, valuation shifts, and inflation may influence outcomes over the years so have been excluded.



Appendices

1. Rating Policy
2. Rate Rebate Policy
3. Short Stay Rental Accommodation Fact Sheet

Appendix 1: Rating Policy

 City of Mount Gambier	R105 RATING POLICY	Version No:	16.0
		Issued:	24 June 2025
		Next Review:	May 2026

1. INTRODUCTION

Councils are required to raise revenue for governance, administration and the delivery of goods and services to the community.

Council's major source of revenue is Rates, derived as a tax on land within the Council area. All ratepayers receive benefits from paying rates, but those benefits are consumed in different quantities and types over the life of the ratepayer.

This document sets out the policy of the City of Mount Gambier ("Council") for setting and collecting rates from its community.

2. PURPOSE

Chapter 10 of the *Local Government Act 1999* ("the Act") prescribes Council's powers to raise rates. The Act provides the framework within which the Council must operate, but also leaves room for the Council to make a range of policy choices. This document includes reference to:

- Compulsory features of the rating system.
- The policy choices that the Council has made on how it imposes and administers the collection of rates.

3. SCOPE

Strategic Focus

In determining a suitable Rating Policy, Council has taken into consideration:

- The Council's Strategic Management Plan
- Council's Long Term Financial Plan
- Council's Annual Business Plan and Budget
- Council's Treasury Management Policy
- Required funding for future Asset Replacement (Infrastructure and Asset Management Plan)
- The current economic climate of our City and its district
- The specific issues faced by our community
- The impact of general rate increases upon our community, either generally or for specific classes of the community.

- Local Government advice from Essential Services Commission of South Australia (ESCOSA)

There will continue to be economic pressures applying to the Council in a number of ways that will have an impact on the Council's budget and as a result will place pressure on rates.

4. POLICY STATEMENT

4.1 Communication of the Policy

Section 123 of the Local Government Act 1999 requires a Council to prepare an Annual Business Plan and Budget. As per Section 123 (2) (d) of the Act, the Annual Business Plan must set out the rates structure and policies for the financial year. A summary of the Annual Business Plan must be included with the first rates notice.

4.2 Method Used to Value Land

Councils may adopt one of two valuation methodologies to value the properties in their areas. They are:

- Capital Value – the value of the land and all the improvements on the land.
- Annual Value – a valuation of the rental potential of the property.

The City of Mount Gambier has decided to continue to use Capital Value as the basis for valuing land within the Council area. The Council considers that this method of valuing land provides the fairest method of distributing the rate burden across all ratepayers because property value is considered a reasonable indicator of income and capital value, which closely approximates the market value of a property and provides the best indicator of overall property value.

4.3 Adoption of Valuation

The City of Mount Gambier will adopt the most recent valuations made by the Valuer-General. If a ratepayer is dissatisfied with the valuation made by the Valuer-General then the ratepayer may object to the valuation referred to in the rate notice by writing served personally or by post on the Valuer-General within 60 days after the date of service of the notice, provided they have not:

- (a) previously received a notice or notices under the *Local Government Act 1999* referring to the valuation and informing them of a 60-day objection period, the objection period is 60 days after service of the first such notice; or

- (b) Previously had an objection to the valuation considered by the Valuer-General.

The Valuer-General may extend the 60-day objection period where it be shown there is reasonable cause to do so by a person entitled to make an objection to a valuation.

Objections can be submitted to the Office of the Valuer-General via:

Online:	www.valuergeneral.sa.gov.au
Email:	OVGObjections@sa.gov.au
Post:	GPO Box 1354, Adelaide 5001
Fax:	08 8115 5709
In Person:	Land Services SA, Level 9, 101 Grenfell Street, Adelaide

4.4 Objection to Valuation

A person may object to a valuation of the Valuer-General by notice in writing, setting out the full and detailed grounds for objection, including any supporting information, and the Valuer-General must consider the objection. If the person then remains dissatisfied with the valuation the person has a right to a review. Applications must be made within 21 days of receipt of the notice of the decision (in relation to the objection) from the Valuer-General. A payment of the prescribed fee for the review to be undertaken together with the review application must be lodged in the State Valuation Office, who will then refer the matter to an independent Valuer. If the person remains dissatisfied with the valuation then they may apply to the South Australian Civil and Administrative Tribunal (SACAT) for a review of the decision.

The address of the Office of the Valuer-General is:

Online: www.valuergeneral.sa.gov.au
Email: OVGObjections@sa.gov.au
Post: GPO Box 1354, Adelaide 5001
Fax: 08 8115 5709
In Person: Land Services SA, Level 9, 101 Grenfell Street, Adelaide

The Council has no role in the valuation review process & the lodgement of an objection does not change the due date for payment of rates.

4.5 Notional Values

Certain properties may be eligible for a notional value under the Valuation of Land Act 1971. This can relate to certain primary production land or where there is State heritage recognition. A notional value is generally less than the capital value and generally results in a reduced rate liability being incurred.

Application by the ratepayer for a notional value must be made to the Office of the Valuer-General.

The address of the Office of the Valuer-General is:

Online:	www.valuergeneral.sa.gov.au
Email:	OVGObjections@sa.gov.au
Post:	GPO Box 1354, Adelaide 5001
Fax:	08 8115 5709
In Person:	Land Services SA, Level 9, 101 Grenfell Street, Adelaide

4.6 Business Impact Statement

Current Economic Environment

Council will consider the impact of rates on all businesses in the Council area, including industry, commercial and primary production sections. In considering the impact, Council will assess the following matters:

- Those elements of Council's Strategic Management Plan relating to business development.
- Relevant economic forecast reports.
- Council's recent development approval trends.
- The operating and capital projects and new programs for the coming year that will principally benefit industry and business development.
- Valuation changes.
- Consumer Price Index (CPI) and Local Government Price Index (LGPI) Movements.

Council recognises the importance of supporting and encouraging a diverse and healthy business sector.

4.7 Council's Revenue Raising Powers

All land within a council area, except for land specifically exempt (e.g. Crown land, Council occupied land and other land prescribed in the Local Government Act – refer Section 147 of the Act), is rateable. The Local Government Act provides for a Council to raise revenue for the broad purposes of the Council through a general rate, which applies to all rateable properties, or through differential general rates, which apply to classes of properties. In addition, Council can raise separate rates, for specific areas of the Council or service rates or charges for specific services. The Council also raises revenue through fees and charges, which are set giving consideration to the cost of the service provided and any equity issues. The list of applicable fees and charges is available at the Mount Gambier Civic Centre, 10 Watson Terrace, Mount Gambier or on our website at www.mountgambier.sa.gov.au. A Goods and Services Tax at a rate determined under the Goods and Services Tax Act 1999 will be charged on those fees not given exemption under the Act.

4.8 Fixed Charge

Council has decided that a component of the total rate will be a fixed charge on every eligible rateable property. ~~The fixed charge affects most ratepayers and must not, in relation to any financial year, raise more than half of total rate revenue (before rebates and remissions).~~

Each year Council declares a fixed charge as part of its rating strategy.

Section 152 of the Act provides for a fixed charge component of rates. Council's reasons for including a fixed charge component are:

- To be able to deliver a range of services to the community, Council must maintain a range of internal support and administrative services. No particular group of ratepayers benefit more than any other group of ratepayers by the provision of the support and administrative services.
- The Council therefore considers it appropriate that all ratepayers contribute equally to the cost of administering Council's activities and services.

The fixed charge will affect all eligible ratepayers and is set to raise less than one half of total rate revenue (before rebates and remissions, in accordance with legislative provisions).

The fixed charge is uniformly paid by each eligible ratepayer, irrespective of capital value, has the effect of limiting the impact changes in valuation have on individual assessments.

Where two or more adjoining properties have the same owner and occupier only one fixed charge is payable by the ratepayer.

Applications for "adjoining properties" must be in writing addressed to Chief Executive Officer (as per 4.25 of this Policy) and will only be considered by Council within the relevant financial year received.

No application will have an effect on past fixed charges levied.

4.9 Differential General Rates

In addition to the use of a Fixed Charge, Council will declare differential general rates in the dollar according to the use of the land. The Local Government Act 1999, allows councils to differentiate rates based on the use of the land, the locality of the land or on the use and locality of the land. Current categories of land use defined by the Local Government (General) Regulations 1999 are:

1. Residential
2. Commercial-Shops
3. Commercial-Office
4. Commercial-Other
5. Industrial-Light
6. Industrial-Other

7. Primary Production
8. Vacant Land
9. Other.

Councils rationale for differential rates is to provide consideration to:

- Capacity to pay;
- Benefits received from Council resources;
- Potential income taxation deductions;
- Materially heavier/lighter use of services by ratepayers/employees/customers/suppliers; and,
- Provide a disincentive to withholding land from development.

4.10 Land Use

Land use is a factor to levy differential rates and is provided by the Office of the Valuer-General.

As part of the valuation process the Office of the Valuer-General applies a land use to each assessment to identify the predominant use of the land. This land use is applied by various taxing authorities. Council generally applies this land use for rating purposes, however under the Act, Council is the relevant authority that determines land use for rating purposes. The rating land use applied by Council must meet the definitions under Development Regulations. As such the local government land use may vary from that used by other taxing authorities.

If a ratepayer is of the opinion that a particular land use has been wrongly attributed to the ratepayer's land by the council for the purpose of levying differential rates, the ratepayer may object to the attribution of that land use.

Your objection must be lodged in writing and directed to Council within 60 days of being notified of the land use.

The Office of the Valuer General provides "Objection to Land Use" fact sheets in an aim to provide assistance in understanding the process to undertake if you are dissatisfied with the land use. Details are available from the Office of the Valuer General online via [FactSheet-LandUseCodes.PDF \(valuergeneral.sa.gov.au\)](#) or by contacting the Office of the Valuer General directly:

Online: www.valuergeneral.sa.gov.au

Post: GPO Box 1354, Adelaide 5001

Fax: 08 8115 5709

In Person: Land Services SA, Level 9, 101 Grenfell Street, Adelaide

Note: Lodgement of an objection does not change the due date for the payment of rates.

4.11 Short Stay Accommodation

From 1 July 2027, A property which is available for short-stay rental accommodation will be deemed as having a predominant land use of Commercial Other if both of the following criteria are met:

- More than 50% of the property is available for short-stay accommodation; and
- The property is available for short-stay accommodation for 182 or more nights in the preceding financial year.

A property with an assigned a Land use of Commercial Other will attract the Category 4 Differential Rate in the dollar in accordance with section 4.9 of this policy.

Properties offering short-stay accommodation will be assessed annually.

If a ratepayer is of the opinion that the land use has been wrongly attributed to the ratepayer's land by the council for the purpose of levying differential rates, the ratepayer may object to the attribution of that land use.

The objection must be lodged in writing and directed to Council within 60 days of being notified of the land use. The objection must include supporting evidence that the property does not meet Council's short-term accommodation criteria.

4.12 Minimum Rate

Council does not use the minimum rate provisions, instead Council uses the combination of fixed charge and valuation based rating.

4.13 Limestone Coast Landscape Levy

From 1 July, 2020 the new *Landscape South Australia Act 2019* replaced the *Natural Resource Management Act 2004*. The Council is in the new Limestone Coast Landscape area and is required under the new Act to make a specified annual contribution to their Regional Landscape Board. As such, Council collects the levy on behalf of the State Government for no gain to Council.

The Council is simply operating as a revenue collector for the Landscape Levy in this regard. It does not retain this revenue nor determine how the revenue is spent.

4.14 Service Charges

In accordance with Section 155 of the Act a Council may impose a service rate on rateable land within its area for a **prescribed service**. A prescribed service is described as treatment or provision of water, collection, treatment or disposal of waste, a television transmission service or any other service prescribed by the regulations for the purposes of this definition.

Council is focused on environmentally sound waste management practices and will impose a Waste Service Charge (WSC) as a tool to become more responsive to waste management related costs and share the costs and benefits within the community.

The WSC will be charged on the basis of the service being available at the property. It will exclude vacant land and primary production where there is no dwelling on the land and will be charged irrespective if the land owner/occupier is using the service or not. The WSC will be for a full financial year i.e. 1st July to 30th June with no pro rata charged applied.

The charge includes:

- a 140L domestic waste bin and weekly collection service
- a 240L recycling bin and fortnightly collection service
- a 240L green waste bin and fortnightly collection service * (bin not included)

Where two or more adjoining properties have the same owner and occupier only one waste service fee is payable by the ratepayer.

Rateable recreational or sporting activities (community groups) will be provided x1 general waste and x1 recycle bin.

A rate rebate will not be available on Waste Service Charge

The provision for Waste Service Collection is not available for properties receiving 100% Council rebate.

4.15 Cost of Living Concessions

Eligible Pensioners, Low Income Earners and Self-Funded Retirees

Pensioners, low income earners or Self-Funded Retirees may be entitled to a State Government cost of living concession. The cost of living concession helps those on low or fixed incomes with their cost of living expenses, whether that be electricity, gas, water bills or council rates.

Eligibility is based on living arrangements as at 1 July each year. Applications for the each financial year can be submitted by contacting the Concession Hotline on 1800 307 758.

Applications are administered by the State Government. Payment of rates must not be withheld pending assessment of an application by the State Government as penalties apply to unpaid rates.

4.16 Payment of Rates

The Council will collect rates quarterly on the dates to be specified on the rates notice, in the following months:

- September
- December
- March
- June.

Rate notices will be issued quarterly however the total outstanding balance of rates may be paid at any time.

Rates may be paid:

- Over the Internet - www.mountgambier.sa.gov.au
- By telephone: using credit card, phone 1300 276 468, 24 hours a day 7 days per week (BPoint Number 1345263)
- By BPay: Use Biller Code 464263
- By direct debit: from savings or cheque account
- By post: P O Box 56, Mount Gambier SA 5290
- In person: at the Council Offices during Council business hours Monday to Friday excluding public holidays
- By Centrepay deductions from social security payments
- Any Australia Post outlet.
- Flexipay

Any ratepayer who may, or is likely to, experience difficulty with meeting the standard instalments and due dates can contact the Council to discuss alternative payment arrangements. Note, fines and interest may still be levied in accordance with the Act.

4.17 Late Payment of Rates

The Local Government Act provides that Councils impose a penalty of 2% on any payment for rates, whether instalment or otherwise, that is received late. A payment that continues to be late is then charged an interest rate, set each year according to a formula in the Act, for each month it continues to be late. Interest charged on late payments is charged on both the amount of the rate arrears and any interest that has previously been imposed. The purpose of this penalty is to act as a genuine deterrent to ratepayers who might otherwise fail to pay their rates on time, to allow councils to recover the administrative cost of following up unpaid rates and to cover any interest cost the Council may incur because it has not received the rates on time.

The City of Mount Gambier imposes late payment penalties strictly in accordance with the Local Government Act. The ability to remit penalties in whole or part is a power vested in Council. At the City of Mount Gambier each case will be considered on its merit based on the information provided.

4.18 Fines on Unpaid Rates

If an instalment of rates is not paid on or before the date on which it falls due—

- (a) the instalment will be regarded as being in arrears; and
- (b) a fine of 2 per cent of the amount of the instalment is payable; and
- (c) on the expiration of each full month from that date, interest at the prescribed percentage of the amount in arrears (including the amount of any previous unpaid fines and including interest from any previous month) accrues.

In respect of unpaid Council rates no fines and/or interest charges will arise where the arrears amount is less than \$40.

4.19 Outstanding Rates

Council will apply prudent debt collection practices in the recovery of outstanding rates in compliance with the Local Government Act 1999 and follow an ongoing assessment of arrears and systematic approach to debt recovery.

In accordance with the provisions of the Local Government Act, where an instalment of Rates is not paid on or before the date on which it falls due, Council will:

- (a) Send a reminder notice to the principal ratepayer with outstanding rate balances advising that payment is overdue;
- (b) Proceedings for collection of outstanding rate balances after that time may be collected by legal process.

The Chief Executive Officer is empowered to exempt this Policy in necessitous circumstances, in accordance with the delegated powers issued pursuant to the provisions of the Local Government Act.

The Chief Executive Officer is empowered to take the necessary action to instigate collection by legal process where principal ratepayers have made no genuine attempt to respond to the requests for payment.

The Chief Executive Officer is authorised to write off outstanding and/or bad debts provided:

- (a) The debt is considered by the Chief Executive Officer to be unrecoverable;
- (b) The outstanding debt is less than \$100.

4.20 Appeals Against Assessments

Pursuant to the provisions of the Local Government Act 1999, Council shall refund any rate amount overpaid as a result of an objection, review or appeal in respect of a valuation.

Council shall not apply or credit any such amount overpaid against future liabilities for rates on the land subject to the rates, unless requested to do so by the ratepayer.

4.21 Debt Recovery

Council has determined that Rate Payments will be applied in accordance with the provisions of Section 183 of the Act.

When Council receives a payment in respect of overdue rates the Council applies the money received in accordance with Section 183 of the Local Government Act, as follows:

- Firstly – to satisfy any costs awarded in connection with court proceedings
- Secondly – to satisfy any interest costs
- Thirdly – in payment of any fines imposed; and
- Fourthly – in payment of rates, in date order of their imposition (starting with the oldest account first).

4.22 Rebate of Rates - Mandatory

The Local Government Act requires councils to rebate the rates payable on some land uses. Specific provisions are made for land used for health services, community services, religious purposes, public cemeteries, the Royal Zoological Society and educational institutions. These rebates vary from 75% to 100% and will be applied upon application and on verification.

Councils Rate Rebate Policy (incorporating Rate Rebate Application) is available from the Council website - www.mountgambier.sa.gov.au.

Rate rebates do not apply to Council Waste Service Charge.

The provision for Waste Service Collection is not available for properties receiving 100% Council rebate.

4.23 Rebate of Rates - Discretionary

The Local Government Act 1999 enables Council (upon application and subject to certain eligibility criteria) to grant discretionary rebates of up to 100% for land used for the purposes of a community benefit and that meet certain legislative and Council Policy criteria.

Council (by Policy) has agreed to grant specific Rate Rebates pursuant to the said Act.

Councils Rate Rebate Policy (incorporating Rate Rebate Application) is available from the Council website - www.mountgambier.sa.gov.au.

Rate Rebates do not apply to Council Waste Service Charge.

4.24 Rate Relief Options

- 4.24.1 Rate relief options apply where an owner/occupier/principal place of residence property with a Category 1 (Residential) Land Use experiences an increase in general rates payable, for the preceding financial year as compare to the general rates payable for the current financial year (excluding any rebates/remissions) and where that increase, in monetary terms, is greater than 15%.

The amount of the rate rebate is the amount of gross rates for the current year over and above the calculation referred to above. I.e. the difference (in monetary terms) between the general rates imposed in the preceding financial year plus 15%. (All calculations referenced herein are gross rates figures. I.e. exclusive of any rebates/remissions/concessions).

The rebate will not apply where:

- (a) Any such increase is due in whole or part to an increase in valuation of the land in the Assessment because of improvements made to it worth more than \$20,000. or
- (b) Any such increase is in whole or part because the zoning or land use category of the land has changed. or
- (c) Any such increase is due in full or part to the use of the land being different for rating purposes on the date the Council declared its general rates for the current financial year than on the date the Council declared its general rates for the preceding financial year. or
- (d) The ownership of the rateable property has changed since 1st July in the preceding financial year i.e. the residential property has changed ownership and the new owners have purchased the residential property at the new current market value. or
- (e) The subject property boundary(s) have been altered in some way e.g. subdivision, boundary alignment etc. i.e. the subject property is not the exact same property, for valuation purposes, as assessed in the previous financial year. or
- (f) Other factors considered relevant by the Chief Executive Officer that do not warrant the granting of the discretionary rate rebate.

The rebate will only apply to:

- (a) A ratepayer in respect of their principal place of residence only, excluding second and subsequent properties and all other non principal place of residence properties.
- (b) The current financial year only then subject to an annual review.

Where an entitlement to a Residential Rate Capping ceases or no longer applies during the course of a financial year, the Council is entitled to recover full rates for the financial year. (Refer Section 4.25)

4.24.2 **Vacant Land**

The vacant land rate in the dollar is set higher than the residential rate in the dollar.

For those owners of vacant land who intend to develop that land, in the short term as their principal place of residence (as opposed to land speculation), may be entitled to a rebate on Council rates.

Applications must be in writing with the maximum rebate calculated so that the rates payable are equivalent to the average residential land use.

4.24.3 **Postponement of Rates - Seniors**

Section 182A of the Act provides for applications to be made to Council for a postponement of the payment of the prescribed proportion of rates for the current or future financial years if:

- (a) the person is a prescribed ratepayer, or is the spouse of a prescribed ratepayer; and
- (b) the rates are payable on land that is the principal place of residence of the prescribed ratepayer; and
- (c) the land is owned by the prescribed ratepayer and his or her spouse and no other person has an interest, as owner in the land.

The Act defines a 'prescribed ratepayer' as a person who holds a current State Seniors Card issued by the State Government; or who has the qualification(s) to hold such a card and has applied for the card but has yet to be issued with the card.

All Postponement Applications will be considered and must comply with the provisions of Section 182A of the Act and Regulation 18 of the Local Government (General) Regulations 2013.

4.25 **Hardship**

Any ratepayer experiencing difficulties in meeting rates payments or experiencing hardship will be able to access payment plans tailored to meet their particular circumstances. All arrangements will be strictly confidential.

4.26 Applications

All applications for rebates, remissions or postponements must be in writing, addressed to the Chief Executive Officer, City of Mount Gambier, P O Box 56, Mount Gambier SA 5290 and include sufficient details to identify the relevant property and support the application.

Application forms are available from Council's website
www.mountgambier.sa.gov.au .

Please refer to Council's *Rate Rebate Policy* for further information.

4.27 Sale of Land for Non-Payment of Rates

The Local Government Act provides that a Council may sell any property where the rates have been in arrears for three years or more. The Council is required to provide the principal ratepayer and the owner (if not the same person) with details of the outstanding amounts and advise the owner of its intention to sell the land if payment of the outstanding amount is not received within one month. The City of Mount Gambier enforces the sale of land for non-payment of rates after 3 years or more in accordance with the provisions of the Act.

4.28 Changes to Assessment Records

All changes to postal address of ratepayer/owner and changes of ownership of a property must be notified promptly to Council in writing.

4.29 Disclaimer

A rate cannot be challenged on the basis of non-compliance with this policy and must be paid in accordance with the required payment provisions.

Where a ratepayer believes that the Council has failed to properly apply this policy it should raise the matter with the Council. In the first instance contact Council's General Manager Council Business Services on (08) 8721 2555 to discuss the matter. If, after this initial contact, a ratepayer is still dissatisfied they should write to the Chief Executive Officer, City of Mount Gambier, P O Box 56, Mount Gambier SA 5290, or email rates@mountgambier.sa.gov.au.

5. REVIEW & EVALUATION

This Policy is scheduled for review by Council annually and will be reviewed as required by any legislative changes which may occur.

6. AVAILABILITY OF POLICY

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

File Reference:	AF18/48
Applicable Legislation:	Local Government Act, 1999 - Chapter 10
Reference: Strategic Plan – Beyond 2015	Goal 5, Strategic Objective 5
Related Policies:	R105 Rating Policy R155 Rates - Rebate Policy and Application Process R130 Rates - General Policy (Amalgamated with R105)
Related Procedures:	Nil
Related Documents:	Nil

DOCUMENT DETAILS

Responsibility:	General Manager Corporate and Regulatory Services
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<u>Document History</u> First Adopted By Council: Reviewed/Amended:	18 th October, 2011 Annually

Appendix 2: Rate Rebate Policy

 <p>City of Mount Gambier</p>	R155 RATE REBATE POLICY	Version No:	15.0
		Issued:	24 June 2025
		Next Review:	May 2027

1. INTRODUCTION

It is the policy of the City of Mount Gambier (the Council) that a rebate of rates in respect of any rateable land in the Council area will be available only when the applicant satisfies the requirements under the Local Government Act 1999 (the Act) and where appropriate, the requirements of this Policy.

2. SCOPE

- 2.1 The Act sets out in Chapter 10, Division 5 (Sections 159 to 166) those provisions applicable to the Council granting a rebate of rates to persons or bodies.
- 2.2 The Council has decided to adopt a Policy to assist it in its decision making functions relative to the operation of the rate rebate provisions contained in the Act.
- 2.3 This Policy is intended to provide guidance to the community as to the grounds upon which a person or body is, or may be entitled to receive a rebate of rates and the matters that the Council will take into account in deciding an application for a rebate.
- 2.4 In accordance with the rebate provisions contained in the Act, this Policy sets out the type of use in respect of land where the Council must grant a rebate of rates and the amount of that rebate and these types of land use where the Council has a discretion to grant a rebate of rates.

3. DEFINITIONS

Act the *Local Government Act 1999* (SA)

Council the elected Council Body

Discretionary Rebate rebates where Council may apply a rebate in accordance with criteria specified in the Act

Mandatory Rebate rebates where Council must grant in accordance with the Act

Rating the overall process of raising revenue by way of levying rates and charges

Rebate/s an amount that a rate or charge may be reduced in accordance with sections 159-166 of the Act

4. PURPOSE

- 4.1 Section 159(3) of the Act provides that the Council may grant a rebate of rates under the Act if it is satisfied that it is appropriate to do so.
- 4.2 The Act provides for a mandatory rebate of rates in specified cases and the amount of that mandatory rebate (see Clause 5 below).
- 4.3 The Act also provides that where the Council must grant a rebate of rates under the Act, and the amount of that rebate is fixed by the Act at less than 100%, the Council **may** increase the amount of the rebate.
- 4.4 The Act provides, at Section 166 for the Council to provide a discretionary rebate of rates in the cases set out in that Section.

5. MANDATORY REBATES

- 5.1 The Council must grant a rebate in the amount specified in respect of land uses which the Act provides will be granted a rebate.

- 5.2 Rates on the following land will be rebated at **100%**:

- 5.2.1 Health Services

- Land being predominantly used for service delivery or administration by a hospital or health centre incorporated under the *South Australian Health Commission Act 1976*.

- 5.2.2 Religious Purposes

- Land containing a church or other building used for public worship (and any grounds), or land solely used for religious purposes.

- 5.2.3 Public Cemeteries

- Land being used for the purposes of a public cemetery.

- 5.2.4 Royal Zoological Society of SA

- Land (other than land used as domestic premises) owned by, or under the care, control and management of the Royal Zoological Society of South Australia Incorporated.

- 5.3 Rates on the following land will be rebated at **75%**:

- 5.3.1 Community Services

- Land being predominantly used for service delivery or administration (or both) by a community services organisation. A “community services organisation” is defined in the Act as a body that –

- 5.3.1.1 *Is incorporated on a not for profit basis for the benefit of the public; and*

- 5.3.1.2 *Provides community services without charge or for a charge that is below the cost to the body of providing the services; and*

- 5.3.1.3 *Does not restrict its services to persons who are members of the body.*

It is necessary for a community services organisation to satisfy all of the above criteria to be entitled to the mandatory rebate.

The Act further provides that eligibility for a rebate by a community services organisation is subject to it providing one or more of the following community services:

- 5.3.1.4 Emergency accommodation;
- 5.3.1.5 Food or clothing for disadvantaged persons;
- 5.3.1.6 Supported accommodation:
Local Government Act defines as:
 - (a) *Residential care facilities that are approved for Commonwealth funding under the Aged Care Act 1997 (Cwlth); or*
 - (b) *Accommodation for persons with mental health difficulties, intellectual or physical difficulties, or other difficulties, who require support in order to live an independent life; or*
 - (c) *Without limiting paragraph (b), accommodation provided by a community housing provider registered under the Community Housing Providers National Law that is incorporated on a not-for-profit basis for the benefit of the public, other than accommodation provided by such a body:*
 - (i) *that has as a principal object of the body the provision of housing for members of the body; or*
 - (ii) *that is excluded from the ambit of this paragraph by the Minister by notice published in the Gazette;*
- 5.3.1.7 Essential services, or employment support, for persons with mental health disabilities, or with intellectual or physical disabilities;
- 5.3.1.8 Legal services for disadvantaged persons;
- 5.3.1.9 Drug or alcohol rehabilitation services; or
- 5.3.1.10 the conduct of research into, or the provision of community education about, diseases or illnesses, or the provision of palliative care to persons who suffer from diseases or illnesses.
- 5.3.1.11 Disadvantaged person are persons who are disadvantaged by reason of poverty, illness, frailty or mental, intellectual or physical disability.

5.3.2 Educational Purposes

- 5.3.2.1 Land occupied by a government school under a lease or licence and being used for educational purposes; or
- 5.3.2.2 Land occupied by a non-government school registered under The Education and Early Childhood Services (Registration and Standards) Act 2011 and being used for educational purposes; or

- 5.3.2.3 Land being used by a University or University College to provide accommodation and other forms of support for students on a not for profit basis.
- 5.4 Where the Council is satisfied from its own records or from other sources that a person or body meets the necessary criteria for a mandatory 100% or 75% rebate, the Council will grant the rebate of its own initiative. Where the Council's records or other sources do not meet the criteria, it will require the person or body to apply for the rebate in accordance with Clause 10 of this Policy.
- 5.5 Where a person or body is entitled to a rebate of 75% the Council may, pursuant to Section 159(4) of the Act, increase the rebate up to a further 25%. The Council may grant the further 25% rebate upon application or on its own initiative. In either case the Council **will** take into account those matters set out at Clauses 6 of this Policy and **may** take into account any or all of those matters set out at Clause 6 of this Policy.
- 5.6 Where an application is made to the Council for a rebate of up to a further 25% the application will be made in accordance with this Policy and the Council will provide written notice to the applicant of its determination of that application.
- 57 Council has delegated the determination of entitlement to Mandatory Rebates to the Chief Executive Officer.

6. DISCRETIONARY REBATES

- 6.1 The Council may in its absolute discretion grant a rebate of rates or service charges in any of the following cases pursuant to Section 166 of the Act: -
- 6.1(a) *where it is desirable for the purpose of securing the proper development of the area (or a part of the area);*
 - 6.1(b) *where it is desirable for the purpose of assisting or supporting a business in its area;*
 - 6.1.(c) *where it will be conducive to the preservation of buildings or places of historic significance;*
 - 6.1.(d) *where the land is being used for educational purposes;*
 - 6.1(e) *where the land is being used for agricultural, horticultural or floricultural exhibitions;*
 - 6.1(f) *where the land is being used for a hospital or health centre;*
 - 6.1(g) *where the land is being used to provide facilities or services for children or young persons;*
 - 6.1(h) *where the land is being used to provide accommodation for the aged or disabled;*
 - 6.1(i) *where the land is being used for a residential aged care facility that is approved for Commonwealth funding under the Aged Care Act 1997 (Commonwealth) or a day therapy centre;*
 - 6.1(j) *where the land is being used by an organisation which, in the opinion of the Council, provides a benefit or service to the local community;*
 - 6.1(k) *where the rebate relates to common property or land vested in a community corporation under the Community Titles Act 1996 over which the public has a free and unrestricted right of access and enjoyment;*
 - 6.1(l) *where the rebate is considered by the Council to be appropriate to provide relief against what would otherwise amount to a substantial change in rates payable due to:*

- (i) a redistribution of the rates burden within the community arising from a change to the basis or structure of the Council's rates; or*
 - (ii) a change to the basis on which land is valued for the purpose of rating, rapid changes in valuations, or anomalies in valuations.*
- 6.1(m) where the rebate is considered by Council to be appropriate to provide relief in order to avoid a liability to pay a rate or charge that is inconsistent with liabilities that were anticipated in the annual Business Plan or a liability that is unfair or unreasonable;*
- 6.1(n) where the rebate is to give effect to a review of a decision of the Council under Chapter 13 Part 2; and*
- 6.1.(o) where the rebate is contemplated under another provision of this Act.*
- 6.2** *A council must, in deciding whether to grant a rebate of rates or charges under Section 166, subsection (1)(d), (e), (f), (g), (h), (i) or (j), take into account:*
 - (a) The nature and extent of council services provided in respect of the land for which the rebate is sought in comparison to similar services provided elsewhere in its area; and*
 - (b) The community need that is being met by activities carried out on the land for which the rebate is sought; and*
 - (c) The extent to which activities carried out on the land for which the rebate is sought provides assistance or relief to disadvantaged persons; and*
 - (d) May take into account other matters considered relevant by the council.*

The Council may take into account, but not limited to, the following:

- (i) Why there is a need for financial assistance through a rebate;*
- (ii) The level of rebate (percentage and dollar amount) being sought and why it is appropriate;*
- (iii) The extent of financial assistance, if any, being provided to the applicant and/or in respect of the land by Commonwealth or State agencies;*
- (iv) Whether the applicant has made/intends to make applications to another Council;*
- (v) Whether, and if so to what extent, the applicant is or will be providing a service within the Council area;*
- (vi) Whether the applicant is a public sector body, a private not for profit body or a private for profit body;*
- (vii) Whether there are any relevant historical considerations that may be relevant for all or any part of the current Council term;*
- (viii) The desirability of granting a rebate for more than one year in those circumstances identified at Clause 4.2 of this policy;*
- (ix) Consideration of the full financial consequences of the rebate for the Council;*
- (x) The time the application is received;*

- (xi) the availability of any community grant to the person or body making the application;
 - (xii) whether the applicant is in receipt of a community grant; and
 - (xiii) Any other matters, and policies of the Council, which the Council considers relevant.
- 6.3 The Council has an absolute discretion to:
- (a) *Grant a rebate of rates or service charges in the above cases; and*
 - (b) *Determine the amount of any such rebate to a maximum of 100% of the relevant rate.*
- 6.4 A Discretionary rebate of rates or charges provided under subsection 166(1)(a),(b) or (k) may be granted for a period exceeding one year, but not exceeding 10 years.
- 6.5 A Discretionary rebate of rates or charges provided under subsection 166(1) (l) may be granted for a period exceeding one year, but not exceeding three years.
- 6.6 Discretionary rebates granted under this policy will be reviewed in accordance with Section 166(3) (3a) or at the time of reviewing the policy (Section 10).
- 6.7 Persons or bodies that or who seek a discretionary rebate will be required to submit an application form to the Council and provide such information as stipulated on the application form and any other information that the Council may reasonably require.

7. RECREATIONS GROUNDS RATES AND TAXES EXEMPTION ACT 1981

The Recreations Grounds Rates and Taxes Exemption Act 1981 exempts certain land used for sport or recreation in South Australia from rates and taxes. Such land is, therefore, not rateable pursuant to section 147(d) of the Recreation Grounds Rates and Taxes Exemption Act 1981.

To be eligible, certain criteria **must** be met.

- 7.1 the land must be vested in a council; or under the care, control or management of a Council, and the public is entitled to access to the land for the purpose of sport or recreation; **and**
- 7.2 The land vested in trustees or in an association and the public is entitled, in pursuance of rights granted in perpetuity, to access the land for the purpose of sport or recreation; **and**
- 7.3 The land Occupied under a lease, licence or permit granted by a council and used by the occupier for the purposes of sport or recreation; **and**
- 7.4 The whole of the income derived from the land used for the maintenance, repair or improvement of the land.

Enquiries and application for Recreation Grounds Rates and Taxes Exemption should be directed to Council.

8. LIMESTONE COAST LANDSCAPE LEVY

From 1 July, 2020 the new *Landscape South Australia Act 2019* (the Act) replaced the *Natural Resource Management Act 2004*. Local Government continues to play a key role in collection of the Regional Landscape Levy. Councils are required under the Act to make a specified contribution to their Regional Landscape Board. Council recovers this contribution by imposing a separate rate on individual rateable properties in the Council area.

The Council will provide a concession or rebate off the Landscape levy for rateable properties who presently receive a mandatory or discretionary rebate of rates. The level of the Landscape Levy concession will be equivalent (in percentage terms) to the level of rate rebate Council has granted to those same rateable properties.

9. SERVICE CHARGE

In accordance with Section 155 of the Act a Council may impose a service rate on rateable land within its area for a **prescribed service**. A prescribed service is described as treatment or provision of water, collection, treatment or disposal of waste, a television transmission service or any other service prescribed by the regulations for the purposes of this definition.

Council is focused on environmentally sound waste management practices and will impose a Waste Service Charge (WSC) as a tool to become more responsive to waste management related costs and share the costs and benefits within the community.

The WSC will be charged on the basis of the service being available at the property. It will exclude vacant land and primary production where there is no dwelling on the land and will be charged irrespective if the land owner/occupier is using the service.

A rate rebate will not be available on Council Waste Service Charge.

The provision for Waste Service Collection is not available for properties receiving 100% Council rebate.

10. APPLICATIONS

10.1 The Council will inform the community of the provisions for rate rebates under the Act by the inclusion of suitable details in the Council's Business Plan (and on the Draft Annual Business Plan) in accordance with Council's adopted Public Consultation Policy.

10.2 Application forms are available from the Council Office located at The Civic Centre, 10 Watson Terrace, Mount Gambier, telephone 8721 2555 or download from the Council website www.mountgambier.sa.gov.au.

10.3 All persons or bodies that/who want to apply to the Council for a rebate of rates must do so by completing and lodging a Rate Rebate Application on or before 31st March in each year to be considered for a rebate in the new rating year commencing 1st July of each year. The Council reserves the right to refuse to consider applications received after that date. However, applicants which satisfy the criteria for a mandatory 100% rebate will be granted the rebate at any time.

10.4 The Act provides that the Council may grant a rebate of rates or charges on such conditions as the Council considers fit.

- 10.5 The Council may, for proper cause, determine that an entitlement to a rebate of rates under the Act no longer applies.

Where an entitlement to a rebate of rates ceases or no longer applies during the course of a financial year, the Council is entitled to recover rates, or rates at the increased level (as the case may be), proportionate to the remaining part of the financial year.

- 10.6 It is an offence for a person or body to make a false or misleading statement or representation in an application or to provide false or misleading information or evidence in support of an application made (or purporting to be made) under the Act.

The maximum penalty for this offence is \$5,000.

- 10.7 If a person or body has the benefit of a rebate of rates and the grounds on which the rebate has been granted cease to exist, the person or body must immediately inform the Council of that fact and (whether or not the Council is so informed) the entitlement to a rebate ceases. If a person or body fails to do so that person or body is guilty of an offence.

The maximum penalty for this offence is \$5,000.

If an entitlement to a rebate of rates ceases or no longer applies during the course of a financial year, the council is entitled to recover rates, or rates at the increased level (as the case may be), proportionate to the remaining part of the financial year.

- 10.8 The Council will, in writing, advise an applicant for a rebate of its determination of that application within sixty (60) business days of receiving the application or of receiving all information requested by the Council. The advice will state whether the application:

10.8.1 Has been granted and the amount of the rebate; or

10.8.2 Has not been granted and the reason(s) why.

- 10.9 A person or body that is aggrieved by a determination of Council in respect of an application for a rate rebate may seek a review of that determination by writing to the Council in accordance with Council's Internal Review of Decisions Policy.

All applications for rebates, remissions or postponements must be in writing, addressed to the Chief Executive Officer, City of Mount Gambier, 10 Watson Terrace, Mount Gambier SA 5290 or emailed to "rates@mountgambier.sa.gov.au"

11. DELEGATION

- 11.1 The Council has delegated its power, pursuant to Section 44 of the Act, to grant applications for mandatory rebates which meet the requirements of the Act.

- 11.2 The Council has delegated its power to refuse applications for an increase of mandatory rebates to a greater percentage than that provided by the Local Government Act.

- 11.3 The Council has delegated its power, pursuant to Section 44 of the Act, to determine applications for discretionary rebates.

12. RATE RELIEF OPTIONS

12.1 Retirement Villages

For the purpose of providing a rebate to Retirement Villages, particularly upon issues arising from circumstances where the ratepayer(s) claim to provide or maintain infrastructure that might otherwise be maintained by the Council, a rebate does not generally apply. The power to provide a rebate will be exercised as appropriate and in accordance with the Act.

All applications for rebates, remissions or postponements must be in writing, addressed to the Chief Executive Officer, City of Mount Gambier, 10 Watson Terrace, Mount Gambier SA 5290 or emailed to: "rates@mountgambier.sa.gov.au"

13. REVIEW AND EVALUATION

This Policy is scheduled for review by the Council annually. However, the Policy will be reviewed as required by any legislative changes which may occur.

14. AVAILABILITY OF POLICY

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

RATE REBATE APPLICATION

1. DETAILS OF APPLICANT

Organisation Name

Postal Address

..... Postcode

Telephone Email

Please provide details of a contact person for the Applicant

Given Name Surname

Postal Address

..... Postcode

Telephone Email

2. DETAILS OF LAND

Council Assessment Number

Certificate of Title Reference

Address

.....

Owner of Land (if not you)

3. CATEGORIES OF REBATE

Please tick ☒ the category of rebate under which you are seeking a rebate.

3.1 Mandatory - 100%

- ☐ Health Services – Land being predominantly used for service delivery or administration by a hospital or health centre incorporated under the South Australia Health Commission Act 1976 (Section 160 of the Local Government Act 1999);
- ☐ Religious Purposes – Land containing a church or other building used for public worship (and any grounds), or land solely used for religious purposes (Section 162 of the Local Government Act 1999);
- ☐ Public Cemeteries – Land being used for the purposes of a public cemetery (Section 163 of the Local Government Act 1999);
- ☐ Royal Zoological Society of SA – Land (other than land used as domestic premises) owned by, or under the care, control and management of, the Royal Zoological Society of South Australia Incorporated (Section 164 of the Local Government Act 1999).

3.2 Mandatory - 75%

- ☐ 3.2.1 Community Services – Land being predominantly used for service delivery or administration by a community services organisation (Section 161 of the Local Government Act 1999).

To qualify as a Community Service Organisation under the rebate provisions of the Local Government Act 1999 an organisation **MUST MEET ALL THREE** of the following criteria. (See section 'Additional Information' at end of this form).

- (a) is incorporated on a not for profit basis for the benefit of the public;
and

YES ☐ NO ☐

- (b) provides community services without charge or for a charge that is below the cost to the body of providing the services; **and**

YES ☐ NO ☐

- (c) does not restrict its services to persons who are members of the body.

YES ☐ NO ☐

If you have ticked (a), (b) and (c) above which of the following services does your organisation provide from the property specified in this application. If these services apply only to part of your property, please supply additional details. You must answer these below questions in respect of your application.

- ☐ *Emergency accommodation;*
- ☐ *Food or clothing for disadvantaged persons (i.e., persons who are disadvantaged by reason of poverty, illness, frailty, or mental, intellectual or physical disability);*
- ☐ *Supported accommodation - Local Government Act defined as:*
 - (a) Residential care facilities that are approved for Commonwealth funding under the Aged Care Act 1997 (Cwlth); or*
 - (b) Accommodation for persons with mental health difficulties, intellectual or physical difficulties, or other difficulties, who require support in order to live an independent life; or*
 - (c) Without limiting paragraph (b), accommodation provided by a community housing provider registered under the Community Housing Providers National Law that is incorporated on a not-for-profit basis for the benefit of the public, other than accommodation provided by such a body that:*
 - (i) has as a principal object of the body, the provision of housing for members of the body; or*
 - (ii) is excluded from the ambit of this paragraph by the Minister by notice published in the Gazette.*
- ☐ *Essential services, or employment support, for persons with mental health disabilities, or with intellectual or physical disabilities;*
- ☐ *Legal services for disadvantaged persons;*
- ☐ *Drug or alcohol rehabilitation services; and/or*
- ☐ *Research into, or community education about, diseases or illnesses, or palliative care to persons who suffer from diseases or illnesses.*

- ☐ *Disadvantaged person are persons who are disadvantaged by reasons of poverty, illness, frailty, or mental, intellectual or physical disability.*

- ☐ **3.2.2 Educational Purposes** - (Section 165 of the Local Government Act 1999)

Which of the following criteria apply:

- ☐ *Land occupied by a government school under a lease or licence and being used for educational purposes; **or***
- ☐ *Land occupied by a non-government school registered under The Education and Early Childhood Services (Registration and Standards) Act 2011 and being used for educational purposes; **or***
- ☐ *Land being used by a University or University College to provide accommodation and other forms of support for students on a not for profit basis.*

3.3 Discretionary - (Section 166 of the Local Government Act 1999)

The Council may in its discretion grant a rebate of rates or service charges in any of the following cases. Please indicate which of the following is applicable to your application:

- ☐ *The rebate is desirable for the purpose of securing the proper development of the area (or a part of the area);*
- ☐ *The rebate is desirable for the purpose of assisting or supporting a business in its area;*
- ☐ *The rebate will be conducive to the preservation of buildings or places of historic significance;*
- ☐ *The land is being used for educational purposes;*
- ☐ *The land is being used for agricultural, horticultural or floricultural exhibitions;*
- ☐ *The land is being used for a hospital or health centre;*
- ☐ *The land is being used to provide facilities or services for children or young persons;*
- ☐ *The land is being used to provide accommodation for the aged or disabled;*

- ☐ *The land is being used for a residential aged care facility that is approved for Commonwealth funding under the Aged Care Act 1987 (Commonwealth) or a day therapy centre;*
- ☐ *The land is being used by an organisation which, in the opinion of the Council provides a benefit or service to the local community;*
- ☐ *the rebate relates to common property or land vested in a community corporation under the Community Titles Act 1996 over which the public has a free and unrestricted right of access and enjoyment;*
- ☐ *the rebate is appropriate to provide relief against what would otherwise amount to a substantial change in rates payable by a rate payer due to a change in the basis of valuation used for the purposes of rating, rapid changes in valuations, or anomalies in valuations.*

4. AMOUNT OF REBATE

- 4.1 If you are seeking a mandatory rebate under Clause 3.2 of this Application, for which you are entitled to a 75% rebate, are you also applying to the Council to increase that rebate?

YES ☐ NO ☐

Please specify the amount of rebate that you are applying for:
\$ _____

- 4.2 If you are applying for a discretionary rebate under Clause 3.3 of this Application, please specify the rebate amount you are applying for:

\$ _____

Please specify why you (or the organisation you represent) need financial assistance through a rebate and why the amount of rebate you have applied for is appropriate.

.....

.....

.....

.....

.....

5. ADDITIONAL INFORMATION REQUIRED

The Council requires you to attach the following additional information to this Application:

- 5.1 Where you are seeking a rebate under Clause 3.2 of this Application – Community Services:
 - 5.1.1 Evidence that the land is being used for service delivery and/or administration;
 - 5.1.2 A copy of the organisation's Constitution and/or other documentation establishing that it is incorporated on a not-for-profit basis;
 - 5.1.3 A copy of the organisation's latest Annual Report;
 - 5.1.4 Evidence that the organisation provides services free of charge or below cost;
 - 5.1.5 Evidence that the organisation provides services to persons other than its members.
- 5.2 Where you are seeking a rebate in any other case:
 - 5.3.1 Evidence that the land is being used for the purpose for which the rebate is being sought;
 - 5.3.2 Information as to whether, and if so, to what extent you (or the organisation you represent) will be providing a service within the Council area;
 - 5.3.3 Whether you have made or intend to make an application to another council;
 - 5.3.4 The extent of financial assistance (if any) being provided by Commonwealth or State agencies;
 - 5.3.5 Whether you are in receipt of a community grant;
 - 5.3.6 Any other information that you believe is relevant in support of this Application.

6. APPLICATION FORMS

Application forms and all additional information must be submitted to the Council on or before the 31 March annually to be considered for a discretionary Rebate of Rates or a mandatory rebate of 75% in the new rating year commencing 1 July of each year.

The application date does not apply to applicants which satisfy the criteria for a mandatory 100% rebate.

Failure to submit application forms or to provide the additional information required by the Council to assess the application by the due date may result in the Council declining to consider the application.

IMPORTANT INFORMATION

It is an offence for a person or body to make a false or misleading statement or representation in an application or to provide false or misleading information or evidence in support of an application made (or purporting to be made) under the Act. The maximum penalty for this offence is \$5,000, (Section 159 (2) of the Local Government Act 1999).

The Council may grant a rebate of rates or charges on such conditions as the Council considers fit.

If a person or body has the benefit of a rebate of rates and the grounds on which the rebate has been granted cease to exist, the person or body must immediately inform the Council of that fact and (whether or not the Council is so informed) the entitlement to a rebate ceases.

If a person or body fails to notify the Council that person or body is guilty of an offence and liable to a maximum penalty of \$5,000, (Section 159 (7) and (8) of the Local Government Act 1999).

The Council may, for proper cause, determine that an entitlement to a rebate of rates under the Act no longer applies.

Where an entitlement to a rebate of rates ceases or no longer applies during the course of a financial year, the Council is entitled to recover rates, or rates at the increased level (as the case may be), proportionate to the remaining part of the financial year.

I declare that the information I have provide on and attached to this application form is true and correct.

DATED this day of 20

Print Name

Signature

Position Title

File Reference:	AF18/48
Applicable Legislation:	Local Government Act, 1999 Chapter 10, Division 5 (Sections 159 to 166) Recreation Ground Rates and Taxes Exemption Act 1981
Reference: Strategic Plan – Beyond 2015	Goal 5, Strategic Objective 5
Related Policies:	R105 Rating Policy R130 Rates - General Matters (amalgamed with R105)
Related Procedures:	Nil
Related Documents:	Nil

DOCUMENT DETAILS

Responsibility:	General Manager Corporate and Regulatory Services
Version:	15.0
Last revised date:	24 June 2025
Effective date:	24 June 2025
Minute reference:	24 June 2025 - Item No. 4.1 - Resolution SCM 2025/3
Next review date:	May, 2026
<u>Document History</u> First Adopted By Council: Reviewed/Amended:	May 2002 Annually



Appendix 3: Short Stay Rental Accommodation Fact Sheet

What changes are being proposed?

At present residential properties where predominant use of the property is providing short-stay rental accommodation (SSRA) are rated as residential land use.

Commencing 2027-2028 financial year, predominant use SSRA properties will be rated as commercial – other land use.

Why is this change being implemented?

To provide fairness in rating between traditional visitor accommodation providers such as hotels and short-stay rental accommodation providers such as Airbnbs.

Recognising that SSRA properties:

- are available to generate income; and
- can have impact on council services due to increased waste management and infrastructure usage in peak periods.

The impact of SSRAs has been identified as part of the Affordable Housing Plan. A change in rating is one action Council can implement to assist in addressing the housing shortage and accessibility issues.

What defines short-stay rental accommodation?

A property that is advertised for rent as temporary accommodation through online platforms such as, but not limited

to, Airbnb, Stayz and Booking.com for a fee.

Will all properties advertised for rent as temporary accommodation be affected?

Not all properties advertised will be affected.

Where evidence is provided confirming the property is a person's principal place of residence, it will not be affected.

Where the following reasonable criteria are determined, it will be affected:

- more than 50% of the property is available for short-stay rental accommodation; And
- the property is available for short-stay rental accommodation for more than 182 nights in the preceding financial year.

For properties where a separate identifiable portion of the property is advertised, for example a stand alone self contained area or converted shed, the Valuer General will assess the value of each portion of the proportion of the property and rates will be raised for each portion.

How will this change impact rates payable?



Where predominant use of a whole property is classified as short-stay rental

accommodation, the property will be charged at the higher commercial -other land use differential.

For the 2025/2026 year the equivalent rates in the dollar charged would have been:

Land use	Rate in dollar \$
Residential	0.00182106
Commercial – Other	0.00491686

A property with deemed capital value of \$500,000 would have paid fixed and variable rate components:

Fixed Charge \$683.90

Variable Charge (\$500,000 x \$0.00491686) \$2,458.43.

How is a property identified as short-stay rental accommodation (SSRA)?

Third party expert software providers are being utilised which data mine and assess on a daily basis properties advertised for temporary accommodation. They access publicly available information on over 10,000 websites worldwide including (but not limited to) Airbnb, Virbo, Stays, Booking.com, Trip Advisor.

The data is then reviewed and analysed by Council Administration prior to the issuing of rates notices.

How do I know if the data is accurate?

The third party software provider uses a number of mechanisms to substantiate if an advertised listing is live, including checking the availability of the property by testing the booking process. Screenshots and timestamps are taken as evidence.

When will the change occur?

The change in rating will be implemented from 1 July 2027 for properties identified as being predominately available for short-stay rental accommodation during the preceding 12 month period from date that the assessment occurred.

How will property owners be notified?

Identified SSRA property owners will be notified in writing of proposed changes. This will coincide with a period of public consultation to allow feedback to Council on the broader rating review.

Affected ratepayers can provide details supporting their favour or opposition at this time.

Advice of the decision of Council following public consultation to proceed or not will be further notified in writing to identified SSRA property owners.

Can property owners object to land use?

Yes. An objection can be lodged once rates are raised should a ratepayer believe that their property does not meet the criteria for SSRA as set out in the Policy.

Objections must be lodged to Council in writing within 60 days of receiving the first rates notice with sufficient supporting evidence.

What happens if land use changes throughout the 12 months preceding the date of implementation?

Land use is determined for the full rating year and cannot be considered after the 60 day window for an objection until the following financial year.



INFORMATION SHEET - Review of Basis of Rating – proposed changes

Why is Council undertaking a Rating review?

The LGA 1999 allows Councils reasonable flexibility in the way it raises rates. It is better practice to review this from time to time to ensure Council's Rating Strategy remains relevant.

Importantly, this review does not evaluate the level of rates charged, the services provided by the Council or how much revenue from rates is raised. Its focus is to consider if the distribution of rates is equitable across our ratepayers.

What is being proposed?

The City of Mount Gambier is reviewing its rating structure to ensure fairness and equity. Key changes are proposed which will affect how the rate burden is distributed across different land use categories.

Why is this change being proposed?

- Improve fairness and equity in how rates are applied.
- Align rating with land use, service demand, and capacity to pay.
- Support strategic goals such as housing availability, economic development, and infrastructure planning.
- Ensure financial sustainability and transparency.

What are the key proposed changes?

1. Fixed Charge Adjustment

- Reduce the fixed charge from 38% to **34%** of total rate revenue.
- Ensures all ratepayers contribute to shared services while improving equity for lower-value properties.

2. Phased Differential Rating Structure

- Adjust differential rates over **three years or less** for land use categories:
 - **Commercial & Industrial:**
Reduce from 270% to 200%.
 - **Primary Production:**
Increase from 100% to 250%.
 - **Vacant Land:** Maintain at 270%.
 - **Residential & Other:**
Maintain at 100%.

3. Short Stay Rental Accommodation (SSRA)

- Properties used predominantly for SSRA will be rated as **Commercial – Other** from **1 July 2027**.
- Reflects income-generating use and higher service demand.

4. Updated Policies

- Rating and Rate Rebate Policies updated to reflect proposed changes and improve clarity.

5. Support for Shopping Precincts

- Non-rating strategies (e.g. CBD master planning) to support economic revitalisation.

6. Annual Review of Rate Growth

- Rate growth assumptions to be reviewed annually to ensure accurate forecasting and service planning as part of the annual business plan and budget process (separate to this review).

Will my rates change?

Ratepayers will experience varying degrees of change depending on their land use categories. These changes are proposed to be implemented over a 3 year period with the final year of implementation being 2028/29.

On **average** ratepayers will experience the following changes by 2028/29 from the current financial year:

- **Residential:** Modest increase of approx. **\$49** or **3.44%**.
- **Commercial & Industrial:** Decrease of approx. **12–13%**.
- **Primary Production:** Significant increase of approx. **\$3,047** or **142%**.
- **Vacant Land:** Modest increase of approx. **\$120** or **6.5%**.
- **Other:** Modest increase of **\$271** or **11.21%**.
- **SSRA:** Significant Increase of approx. **\$1,167** or **73%** due to reclassification to commercial-other land use.

How do I know if my rates will change in line with the average?

Some ratepayers will experience changes above and some below the average.

If you have major concerns about the impact to your individual assessment, please use the email below to request further information.

The modelling is based on current capital valuations and land use classifications, acknowledging that future changes such as new developments, valuations shifts and inflation may influence outcomes over the years so have been excluded.

This modelling provides comparable assessments against Council's latest known rating data.

How can I have my say?

Council is inviting community feedback on the proposed changes.

- **Public Consultation Period:** Open 27 October (or earlier) until **5pm, 18 November 2025**
- **Public Meeting:** Scheduled for **18 November 2025** (only if submissions to speak are received by **4pm, 13 November 2025**)
- **Council Decision:** Final decision to be made at the **Council Meeting on 16 December 2025**

How to make a submission

- **Online:** Have Your Say Mount Gambier
- **Email:** city@mountgambier.sa.gov.au



INFORMATION SHEET - Short-Stay Rental Accommodation – proposed rating changes

What changes are being proposed?

At present residential properties where predominant use of the property is providing short-stay rental accommodation (SSRA) are rated as residential land use.

Commencing 2027-2028 financial year, predominant use SSRA properties will be rated as commercial – other land use.

Why is this change being implemented?

To provide fairness in rating between traditional visitor accommodation providers such as hotels and short-stay rental accommodation providers such as Airbnbs .

Recognising that SSRA properties:

- are available to generate income; and
- can have impact on council services due to increased waste management and infrastructure usage in peak periods.

The impact of SSRAs has been identified as part of the Affordable Housing Plan. A change in rating is one action Council can implement to assist in addressing the housing shortage and accessibility issues.

What defines short-stay rental accommodation?

A property that is advertised for rent as temporary accommodation through online platforms such as, but not limited to, Airbnb, Stayz and Booking.com for a fee.

Will all properties advertised for rent as temporary accommodation be affected?

Not all properties advertised will be affected.

Where evidence is provided confirming the property is a person's principal place of residence, it will not be affected.

Where the following reasonable criteria are determined, it will be affected:

- more than 50% of the property is available for short-stay rental accommodation; And
- the property is available for short-stay rental accommodation for more than 182 nights in the preceding financial year.

For properties where a separate identifiable portion of the property is advertised, for example a stand alone self contained area or converted shed, the Valuer General will assess the value of each portion of the proportion of the property and rates will be raised for each portion.

How will this change impact rates payable?



Where predominant use of a whole property is classified as short-stay rental accommodation, the property will be charged at the higher commercial -other land use differential.

For the 2025/2026 year the equivalent rates in the dollar charged would have been:

Land use	Rate in dollar \$
Residential	0.00182106
Commercial – Other	0.00491686

A property with deemed capital value of \$500,000 would have paid fixed and variable rate components:

Fixed Charge \$683.90

Variable Charge (\$500,000 x \$0.00491686) \$2,458.43.

How is a property identified as short-stay rental accommodation (SSRA)?

Third party expert software providers are being utilised which data mine and assess on a daily basis properties advertised for temporary accommodation. They access publicly available information on over 10,000 websites worldwide including (but not limited to) Airbnb, Virbo, Stays, Booking.com, Trip Advisor.

The data is then reviewed and analysed by Council Administration prior to the issuing of rates notices.

How do I know if the data is accurate?

The third party software provider uses a number of mechanisms to substantiate if an advertised listing is live, including checking the availability of the property by testing the booking process. Screenshots and timestamps are taken as evidence.

When will the change occur?

The change in rating will be implemented from 1 July 2027 for properties identified as being predominately available for short-stay rental accommodation during the preceding 12 month period from date that the assessment occurred.

How will property owners be notified?

Identified SSRA property owners will be notified in writing of proposed changes. This will coincide with a period of public

consultation to allow feedback to Council on the broader rating review.

Affected ratepayers can provide details supporting their favour or opposition at this time.

Advice of the decision of Council following public consultation to proceed or not will be further notified in writing to identified SSRA property owners.

Can property owners object to land use?

Yes. An objection can be lodged once rates are raised should a ratepayer believe that their property does not meet the criteria for SSRA as set out in the Policy.

Objections must be lodged to Council in writing within 60 days of receiving the first rates notice with sufficient supporting evidence.

What happens if land use changes throughout the 12 months preceding the date of implementation?

Land use is determined for the full rating year and cannot be considered after the 60 day window for an objection until the following financial year.

19.4 CHRISTMAS / NEW YEAR PERIOD AND PRINCIPAL OFFICE CLOSURE 2025

Author: Kate Gilmore, CEO and Mayoral Executive Support

Authoriser: Andrew Aitken, Interim Chief Executive Officer

RECOMMENDATION

1. That Council report titled 'Christmas / New Year Period and Principal Office Closure 2025' as presented on Tuesday 21 October 2025 be noted.
2. That Council's Principal Office be closed from 12:00pm on Wednesday, 24 December 2025 until 9:00am on Monday, 5 January 2026.
3. That notice be given of the periodic Christmas closure period for 2025/2026 to inform the community in accordance with P195 Community Consultation and Engagement Policy.

PURPOSE

To endorse the closure of the Principal Office of Council over the 2025 / 2026 Christmas / New Year period, and consider any relevant associated implications for Ordinary Council meetings.

BACKGROUND / OPTIONS

It is proposed that Council's Principal Office be closed from 12:00pm on Wednesday, 24 December 2025 and re-opened at 9:00am on Monday, 5 January 2026. While usual practice is to re-open the Principal Office on 2 January, that would mean re-opening after the Christmas break on a Friday. Due to where the dates fall this year, it is considered reasonable and therefore recommended to keep the Principal Office closed for an additional day and re-open on the Monday.

Council meetings require lead time to prepare reports and collate agendas for meetings.

With adequate time available for reports and agenda preparation, it has been determined that there is no need to adjust the Council meeting dates as has been done in past years as required. Therefore, the December 2025 and January 2026 Council meetings will proceed as scheduled on:

- 16 December 2025
- 20 January 2026

The City of Mount Gambier supports open, transparent and informed decision-making and encourages appropriate community participation in the affairs of Council.

In considering meeting frequencies, it is important to note that pursuant to section 81(2) of the *Local Government Act 1999*, there must be at least one ordinary Council meeting per month. Other prescribed requirements that apply to Council meetings include:

- If a time and place has not been appointed for the holding of an ordinary meeting during a month, the Chief Executive Officer must appoint the time and place at which the ordinary meeting for the month is to be held.
- Ordinary meetings of a Council may not be held on Sundays, or on public holidays.



- Ordinary meetings of the Council may not be held before 5:00pm unless the Council resolves by a resolution supported unanimously by all Members of the Council.

If Council wished, it could resolve to change the Council meeting dates (for example bringing the December meeting forward by one week and/or moving the January meeting a week later), however, this is not currently recommended within this report.

IMPLICATIONS TO CONSIDER

Legal	With the exception of the requirement to hold at least one Council meeting per month, and to give adequate notice of meeting dates and times, there are no other legal implications associated with the proposals in this report. Council has a obligation to resolve opening and closing times of the Principal Office.
Financial and Budget	Given we are required to hold at least one Council meeting per month, there are no financial or budgetary implications.
Community Consultation and Engagement	Public engagement to advise the community of the closure dates and times is an important corollary to any decision in this realm.
Other Resources	A delay could postpone important discussions and decisions on local issues, affecting service delivery and project timelines. It's important to evaluate the consequences of such delays on governance and operations.

RISK ANALYSIS

The risk identification and categorisation relies on the City of Mount Gambier [Risk Management Policy](#).

Risk	Consequence Rating	Risk Likelihood Rating	Risk Rating	Mitigation
Finance	Insignificant (1)	Rare (1)	Low	N/A
Reputation	Insignificant (1)	Rare (1)	Low	Effectively communicate the closure of the Principal Office to all stakeholders to minimise disruptions during the holiday period.
Legal / Regulatory / Policy	Insignificant (1)	Unlikely (2)	Low	Ensure that the notice regarding the closure of the Principal Office over the Christmas / New Year period is published in line with legislative requirements.
Service Delivery	Insignificant (1)	Unlikely (2)	Low	Use multiple channels for communication to ensure the community are informed on expected delays



				during the office closure.
People	Insignificant (1)	Rare (1)	Low	N/A
Infrastructure	Insignificant (1)	Rare (1)	Low	N/A
Environmental	Insignificant (1)	Rare (1)	Low	N/A

APPLICATION OF STRATEGIC PLAN

This report aligns to the following strategic objectives(s):

Priority 6: Excellence in Leadership and Governance

6.2 Ensure compliance with legislative obligations and apply best-practice governance to strengthen risk management, accountability and transparency, fostering trust within the community.

This report contributes to delivery of the following key strategic project(s):

N/A

RELEVANT COUNCIL POLICY

[Community Consultation and Engagement - P195](#)
[s92 Code of Practice for Access to Meetings and Documents](#)

IMPLEMENTATION AND NEXT STEPS

If Council were to resolve differently to the report recommendation to alter any scheduled meetings, such changes will be communicated through Council's ordinary channels.

It is important to note that Council has an obligation to follow the relevant provisions under its P195 Community Consultation and Engagement Policy in accordance with section 45(3) of the *Local Government Act 1999* when significantly changing the ordinary opening hours of the Principal Office. It has been identified that the 'Inform' model is most appropriate (refer extract below) to the circumstances, and so information about the changes to regular opening hours shall be provided to the community via the usual mechanisms.

"Inform - One way communication providing balanced and objective information to assist understanding about something that is going to happen."

CONCLUSION

Considering the sufficient time available for preparing the agenda and reports, even with the closure of Council's Principal Office from 12:00pm on Wednesday, 24 December 2025, to 9:00am on Monday, 5 January 2026, the meeting dates for December 2025 and January 2026 are suggested to remain unchanged.

ATTACHMENTS

Nil



19.5 NOVEMBER COUNCIL MEETING LOCATION CHANGE

Author: Samantha Spears, Executive Administrator Corporate and Regulatory Services
Authoriser: Tracy Tzioutziouklaris, Acting General Manager Corporate and Regulatory Services

RECOMMENDATION

1. That Council report titled 'November Council Meeting Location Change' as presented on Tuesday 21 October 2025 be noted.
2. Endorse the change of venue for the Council meeting scheduled for 18 November 2025, from City Hall to the City of Mount Gambier Library, Multi-Function Room.
3. Note that the change is due to the unavailability of City Hall on the nominated date.
4. Ensure appropriate communication is provided to the public regarding the updated meeting location.

PURPOSE

The purpose of this report is to seek Council's endorsement to change the location of the upcoming Council meeting scheduled for 18 November 2025, from City Hall to City of Mount Gambier Library, Multi-Function Room.

This change is necessary due to the unavailability of City Hall on the nominated date. The proposed alternative venue has been selected to ensure continuity of Council business while maintaining accessibility and community engagement.

BACKGROUND / OPTIONS

Section 81 of the Local Government Act 1999 provides that the Chief Executive Officer must appoint the time and place at which the first ordinary meeting of a council will be held after a general election.

Ordinary meetings of the Council will then be held at times and places appointed by resolution of the Council. Other prescribed requirements that apply to Council meetings include:

- *There must be at least one ordinary meeting in each month*
- *If a time and place has not been appointed for the holding of an ordinary meeting during a month, the Chief Executive Officer must appoint the time and place at which the ordinary meeting for the month is to be held.*
- *Ordinary meetings of a Council may not be held on Sundays, or on public holidays.*
- *Ordinary meetings of the Council may not be held before 5.00 p.m. unless the Council resolves by a resolution supported unanimously by all Members of the Council.*

Section 81 of the *Local Government Act 1999* requires that ordinary meetings of Council be held at a place determined by the Council. The Act provides flexibility for Council to change the location of a meeting, provided that appropriate notice is given and the venue is accessible to the public.

The Council meeting scheduled for 18 November 2025 was originally planned to be held at City Hall. However, City Hall is unavailable due to a prior booking made before the change in location. To ensure continuity of Council business and compliance with legislative requirements, an alternative venue must be identified.

The City of Mount Gambier Library, Multi-Function Room has been assessed as a suitable alternative. It offers adequate space, accessibility, and facilities to support the conduct of a public Council meeting.

CONCLUSION

Due to the unavailability of the City Hall, it is recommended that the Council meeting scheduled for Tuesday 18 November 2025 be relocated to the City of Mount Gambier Library, Multi-Function Room. The venue has been identified as a suitable alternative, meeting the necessary requirements for accessibility, community engagement and operational continuity. Endorsement of this change will ensure the meeting proceeds as scheduled, without disruption to Council business.

ATTACHMENTS

Nil



19.6 PRIVATE SALE OF VEHICLES - JUBILEE HIGHWAY EAST

Author: Brittany Shelton, Manager Governance and Property
Authoriser: Tracy Tzioutziouklaris, Acting General Manager Corporate and Regulatory Services

RECOMMENDATION

1. That Council report titled 'Private Sale of Vehicles - Jubilee Highway East' as presented on Tuesday 21 October 2025 be noted.
2. That Council hereby determine, and authorise the CEO or delegate to do all things necessary, to install, maintain, alter or operate a traffic control device on the portion of Jubilee Highway East, Mount Gambier, in accordance with section 17 of the Road Traffic Act 1961, to establish a timed parking limit of 4 hours at:
 - (a) Prohibited Area Ref No. 3.2.153 - Jubilee Highway East (southern side) from 58.5 metres to 319 metres east of the Penola Road roundabout, to apply between the times of Monday - Sunday, 9.00am until 5.00pm, and
 - (b) Prohibited Area Ref No. 3.2.154 - Jubilee Highway East (northern side) from 83 metres to 549 metres east of the Penola Road roundabout, to apply between the times of Monday - Sunday, 9.00am until 5.00pm.

PURPOSE

To present options for Council's consideration to address the ongoing issue of business use of a portion of road, between the intersection of Penola Road and Hedley Street on Jubilee Highway East, Mount Gambier.

BACKGROUND / OPTIONS

For some time Council has struggled with business activity, most commonly the private sale of vehicles and firewood, on the portion of Jubilee Highway East, between the intersections of Penola Road and Hedley Street (refer map extract below). Council has and continues to receive numerous complaints about safety and amenity of the area as result of such activity, however, has limited enforcement options to materially deter the behaviour directly.



This is because Jubilee Highway, as an arterial road, is under the care and control of the Commissioner of Highways pursuant to the Highways Act 1926 (SA), administered by the Department for Infrastructure and Transport (DIT).

More recently, Council obtained legal advice which explains why there is insufficient evidence to establish any offence arising from the vehicles parked along the side of this road and, therefore, limited ability for the Council to take any enforcement action. The advice is set out in further detail as follows:

Clause 10.2 of the Council's Moveable Signs By-law (the By-law) does not assist in the circumstances, because:

- It applies only in relation to a 'moveable sign' and as that term is defined under the Local Government Act 1999 (the Act), which is effectively, a sign that can be easily moved by an authorised person.
- None of the vehicles generally display a moveable sign on or attached to the outside of the vehicle. A sticker stuck to the inside of a vehicle and/or writing on any window of a vehicle is not a 'moveable sign' that is actionable under the By-law.
- Even if the stickers, writing, or signs on the inside of the vehicles were within the meaning of a 'moveable sign', clause 10.2 of the By-law only applies where the vehicle in question is parked primarily for the purpose of advertising a product for sale. Without more concrete evidence of the reason why the driver has parked the vehicle in the location, this cannot be established.

Unfortunately, there is nothing to suggest that the vehicles appear not to be lawfully parked on the road. There is nothing to suggest that the vehicles are parked specifically for commercial or business purposes (despite the fact that there appears to be a trend or pattern in this particular area, it is not definitive).

If the same person or entity is regularly parking vehicles that are 'for sale' in this location then this might support an assertion that the parking of the vehicles amounts to the unauthorised use of a road for a business purpose contrary to section 222 of the Act. In order for this offence to be made out, the evidence would need to show that the vehicles are parked in connection with a vehicle trading business and it's not simply a case of them being lawfully parked on the road (as any vehicle can be).

If the Council has or is able to obtain evidence to establish an offence under section 222 of the Act in relation to the vehicles offered for sale, then an Authorised Person of the Council can issue an expiation notice for an offence under section 222 of the Act, noting the power to expiate this offence derives from the Expiation of Offences Act 1993 and is not a power an Authorised Person is precluded from exercising under section 211 of the Act in relation to a DIT road (refer extract below).

211—Highways

(1) A council may exercise its powers under this Part in relation to a highway if (and only if)—

(a) the council is acting under an agreement with the relevant authority; or
(b) the council is acting under or in accordance with a notice of the Commissioner of Highways under section 26 of the Highways Act 1926.

(2) In this section— relevant authority means the Commissioner of Highways or other authority that has the care, control and management of the highway.



This is on the assumption that the Commissioner of Highways has not authorised the asserted business purpose occurring on the road (if it has there is no offence to expiate), noting that it is the Commissioner that has the powers of the Council under Part 2 of Chapter 11 of the Act in respect of roads under its care, control and management per section 26(6) of the Highways Act 1926.

The operation of section 222 of the Act is also relevant in relation to the firewood displayed for sale. This is on the basis the use of the road to sell firewood is the use of a road for a business purpose. Accordingly, an offence will arise in relation to the road if this use is not authorised by the Commissioner (similar to private sale of vehicles).

The issue with this course of action (the direct approach) lies in Council being able to definitively prove that a vehicle is parked for a business purpose, and not merely using the road as allowed. The advice received indicates that if tested in Court, this is unlikely to be successful, in circumstances where the Court will generally take a conservative approach to taking pecuniary action without compelling evidence.

Alternate Enforcement Options

Alternatively, it is also open to the Council to consider implementing a parking control strategy on the relevant portion of road, which whilst is not a direct penalty for the problematic behaviour, does effectively operate as a deterrent, indirectly. For example, the introduction of restricted timed or paid parking (or other controls) is a practical way of addressing the issue. Whilst this does not prevent the private sale of vehicles, it does practically limit such activity, in circumstances where it would be onerous to comply with time restrictions for any prolonged period, effectively deterring the behaviour in such a concentrated, high-use area.

Council previously indicated a desire to explore this option further, noting that the ability to install such devices on a DIT road would require approval of the Minister under section 17 of the Road Traffic Act 1961 (refer extract below).

17—Installation etc of traffic control devices—general provision

(1) A road authority may, with the approval of the Minister (or in accordance with a roadworks permit issued under section 20), install, maintain, alter or operate, or cause to be installed, maintained, altered or operated, a traffic control device on, above or near a road.

(2) A road authority may, with the approval of the Minister (or in accordance with a roadworks permit issued under section 20), remove a traffic control device or cause a traffic control device to be removed.

(3) Any authority, body or person may, with the approval of the Minister (or in accordance with a roadworks permit issued under section 20), install, display, alter, operate or remove traffic control devices—

(a) in relation to an area where persons are engaged in work or an area affected by works in progress; or

(b) in relation to a part of a road temporarily closed to traffic under this or any other Act; or

(c) for any temporary purposes.

(4) An approval of the Minister under this section may be issued—

(a) in relation to an authority, body or person of a class determined (from time to time) by the Minister; or

(b) in relation to an authority, body or person on an application under this section.

(5) An application for an approval of the Minister must be made in a manner determined by the Minister (which may differ between applications according to factors determined by the Minister) and be accompanied by a fee fixed by, or calculated in accordance with, the regulations.

- (6) An approval issued by the Minister under this section may—
(a) be subject to such conditions as the Minister thinks fit; and
(b) be varied, suspended or revoked at any time by the Minister (including, without limitation, as a penalty for breach of conditions of the approval or while any alleged breach of conditions is under investigation).*
- (7) Without limiting the circumstances in which the Minister may refuse to issue an approval for the purposes of this section, the Minister may refuse to issue an approval if any person who has been found guilty of an offence against section 21 is to be responsible for installing, displaying, altering, operating or removing traffic control devices pursuant to the approval.*

Consultation with Stakeholders

Council administration has since engaged with DIT, and has been granted the requisite permission under section 17 of the Road Traffic Act 1961 via correspondence dated 6 August 2025 to install traffic control devices along the relevant portion of Jubilee Highway East, Mount Gambier under the condition that Council must bear the costs of installation and maintenance of any infrastructure (signage).

Council further wrote to seven (7) adjoining landowners along the relevant portion of highway on 15 August 2025, proposing a four (4) hour timed parking limit for the area, and seeking any concerns, negative impact or other feedback on the proposal. Only one response was provided prior to the expressed closure date for submissions, with that feedback being in support of the proposal, and hopeful that the time limitation would act as deterrent for the sale of vehicles and firewood.

Other Relevant Considerations

In regard to resourcing, it would be necessary for Council to deploy parking inspectors to this location on a fairly consistent basis, in order to have the desired deterrent effect. Whilst this location specifically is not currently included, parking enforcement generally is already resourced, and there is capacity for the contracted service to be extended, at an immaterial cost to Council.

It is also entirely possible that acknowledging whilst Council receives negative feedback regarding the current situation, that there is a substantial portion of the community who appreciate having the private sale of vehicles or firewood in a centralised, community-accepted location, rather than being dispersed throughout the City of Mount Gambier.

Further, it should be considered whether taking enforcement action in this location specifically may simply shift the issue to an alternate location. When discussing this issue with other metropolitan councils, there have been several instances highlighted where this was the case.

All of the above considerations should be weighed when ultimately reaching a determination as to the appropriate course of action.

Next Steps

Based on the legal advice, approval received from DIT, and no opposition from adjoining landowners, it is proposed that Council proceed with installing traffic control devices on the relevant section of Jubilee Highway East, specifically between the intersections of Penola Road and Hedley Street (on both sides of the highway). It is further recommended that the timed parking specify a limit of four (4) hours, for the period Monday - Sunday, between the hours of 9.00am - 5.00pm. The proposal allows flexibility for functions held by adjoining landowners such as the Commodore on the Park, and the Mount Gambier Bowls Club, who may have functions requiring overflow parking, whilst balancing the need for acting as a deterrent to long-term parking at the location.

It is recommended that a period of communication and education occur with the community, including a Media Release, which explains the changes and when they will come into effect, along with a warning system in the period leading up to the effective enforcement date. An enforcement date of 1 January 2026 is proposed, to allow for the information to be appropriately disseminated within the community.

Traffic Impact Statement

The impact of the proposed resolution will have minimal to no impact on the existing traffic flow, provided the enforcement and signage are adequate in accordance with the **attached** Traffic Impact Statement. It will also improve parking availability and turnover.

CONCLUSION

Based on the above advice, it is recommended that Council implement parking controls (specifically timed parking limits) over the subject portion of Jubilee Highway East, Mount Gambier.

The requisite line marking and signage will be included into the current works plan to give effect to the proposal, and the location added into the existing parking inspectors' rotation.

ATTACHMENTS

1. Traffic Impact Statement [**19.6.1** - 2 pages]
2. Plan - Parking Restrictions - Jubilee Highway East [**19.6.2** - 1 page]



TRAFFIC IMPACT STATEMENT

Installation of 4 Hour Parking Jubilee Highway East (Southern Side)

Part A – Traffic Management


It is the view of the undersigned that the installation of 4 Hour Parking on Jubilee Highway East (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

It is the view of the undersigned that the installation of 4 Hour Parking on Jubilee Highway East (Southern Side) will not be detrimental to traffic management in the area.

 10/09/2025

Abdullah MAHMUD
MANAGER – ENGINEERING DESIGN AND ASSETS

9th SEPTEMBER 2025

TRAFFIC IMPACT STATEMENT

Installation of 4 Hour Parking Jubilee Highway East (Northern Side)

Part A – Traffic Management

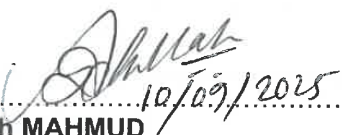
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Part B – Road Safety Effects

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

Conclusion

It is the view of the undersigned that the installation of 4 Hour Parking on Jubilee Highway East (Northern Side) will not be detrimental to traffic management in the area.


.....10/09/2025.....
Abdullah MAHMUD
MANAGER – ENGINEERING DESIGN AND ASSETS

9th SEPTEMBER 2025



LEGEND

4 HOUR PARKING RESTRICTION

PARKING RESTRICTIONS

- INSTALLATION OF 4 HOUR PARKING RESTRICTIONS TO APPLY TO THE FOLLOWING AREAS:
- JUBILEE HIGHWAY EAST (Northern Side) - From 65 metres to 218 metres east of the intersection with Penola Road.
 - JUBILEE HIGHWAY EAST (Southern Side) - From 47 metres to 337 metres east of the intersection with Penola Road.



	Approved by	
	Co-ordinates	
	Height Datum	
	Level Book	
	Drawn by	AT SEP 2025
Designed by	AT SEP 2025	
	CAD ref	
	Survey ref	

CITY OF MOUNT GAMBIER
JUBILEE HIGHWAY EAST
ON-STREET PARKING ALTERATIONS

Sheet No
1 OF 1

19.7 CITY INFRASTRUCTURE QUARTERLY UPDATE - OCTOBER 2025

Author: Karl Manarangi, Manager Operations Infrastructure

Authoriser: Barbara Cernovskis, General Manager City Infrastructure

RECOMMENDATION

1. That Council report titled 'City Infrastructure Quarterly Update - October 2025' as presented on Tuesday 21 October 2025 be noted.

PURPOSE

This report provides a status update of the 2025/2026 capital projects undertaken by the City Infrastructure Portfolio.

BACKGROUND / OPTIONS

The following report provides an overview of our activities and achievements in the past quarter, focusing on our commitment to enhancing and maintaining our city's infrastructure, facilities and open space assets.

Efforts this quarter have been focused on:

- Progression of Council's Capital Works Program
- Ensuring our parks are vibrant and welcoming
- Improving the visual amenity of our street trees
- Making sure our buildings are safe and well maintained

The report itself is broken down into the following areas:

- Civil Construction and Maintenance
- Parks and Gardens
- Building and Asset Maintenance
- Status Report for the Capital Works Program (attached)



CIVIL CONSTRUCTION AND MAINTENANCE

Reginald Street Road Reconstruction - In Progress

- Removal and reconstruction of kerb and channel.
- Pavement reconstruction.



Chute Street Road Reconstruction - *under construction*

- Stage 1 - kerb and channel reconstruction
- Stage 2 - road reconstruction
- Water mains alterations
- APA Gas alterations
- Bitumen Seal - in progress (awaiting conditions)



Winfield Court - Retainer Wall Reconstruction - *under construction*

- Road pavement construction
- Kerb and channel replacement



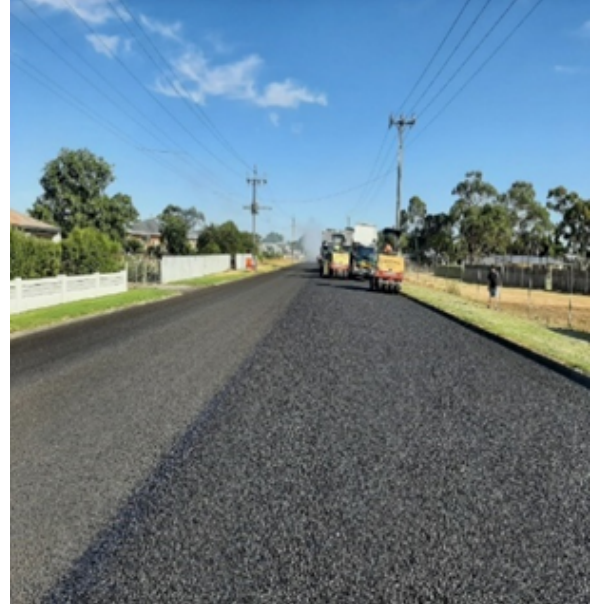
Asphalt Intersection / Road and Cul-de-sac Program - *in progress*

- Profiling and asphalt pavement construction 2025/2026
- 19,085m² to be completed (approximately 2,136 tonnes of asphalt over 8 locations)



Whilst contractors are undertaking the road reseal program 2025/2026, the Construction and Maintenance team has commenced the road patching and reinstatements.

- Boundary roads - reseal program (to commence October - November 2025)
- Annual reseal program commences February 2026



PARKS AND GARDENS

Tree Works

Tree maintenance has continued to progress across both street landscapes and public reserves. Historically, Council's approach in this area was largely reactive, however a shift towards proactive management is now underway and aimed at reducing risk within the Urban Forest. This strategic change has already shown positive outcomes, including a noticeable reduction in customer service requests, which in turn has enabled the Parks and Gardens team to better manage and schedule its expanding workload. While some maintenance tasks are minor, they have significantly enhanced the visual appeal of road verges and reserves,



as reflected in positive feedback received from several community members. The following examples highlight the scope and impact of these works.

Commercial Street West



Wireless Road East



Civic Centre Carpark



Beds, Roundabouts and Walkways

Parks and Gardens staff have continued to maintain garden beds, roundabouts, walkways, and previously neglected areas, significantly improving the overall presentation of public spaces. These areas are now managed through routine inspections, vegetation control, surface repairs and debris removal to ensure they remain safe, functional and visually appealing. The renewed focus on consistent upkeep has not only enhanced the aesthetic value of these spaces but also contributed to a more welcoming and well-maintained urban environment.

Derwent Court Walkway (before)



Derwent Court Walkway (after)



Jubilee Highway Roundabouts

The roundabouts along Jubilee Highway were left in a poor condition following the completion of highway upgrade works. In response, Council's Parks and Gardens Coordinator collaborated with the Department of Infrastructure & Transport and Gambier Earth Movers to reinstate these areas to a significantly higher standard of finish. This partnership has resulted in a marked improvement in the presentation of the roundabouts to reflect what was in place prior to the works.

Jubilee Highway West and Suttontown Road (before)



Jubilee Highway West and Suttontown Road (after)



Reserves

Public reserves are essential components of urban landscapes, offering environmental, recreational, and aesthetic benefits to the community. Well maintained reserves contribute to the health and wellbeing of residents, support biodiversity and enhance the visual appeal

of public spaces. A recent example is the Pioneer Park vegetation beds, which were previously in a state of disrepair. The Parks and Gardens team has invested time and effort into restoring and revegetating the area, resulting in a noticeable improvement in its presentation and overall amenity.

Pioneer Park (before)



Pioneer Park (after)



Weed Removal Project undertaken by Burrandies - Grassroot Grants

Burrandies was engaged by the Council under the 2023/2024 Grassroots Grants funding to undertake weed removal on the Keegan Drive slope. The project deadline was extended to 30 June 2025 due to:

- Limited availability of skilled local contractors for steep-slope weed removal.



- Securing Indigenous participation within the original timeframe.
- A culturally sensitive approach adopted noting work underway to develop a cultural heritage management plan for the Crater Lakes precinct.

This extension ensures the project aligns with best practices and cultural heritage requirements.

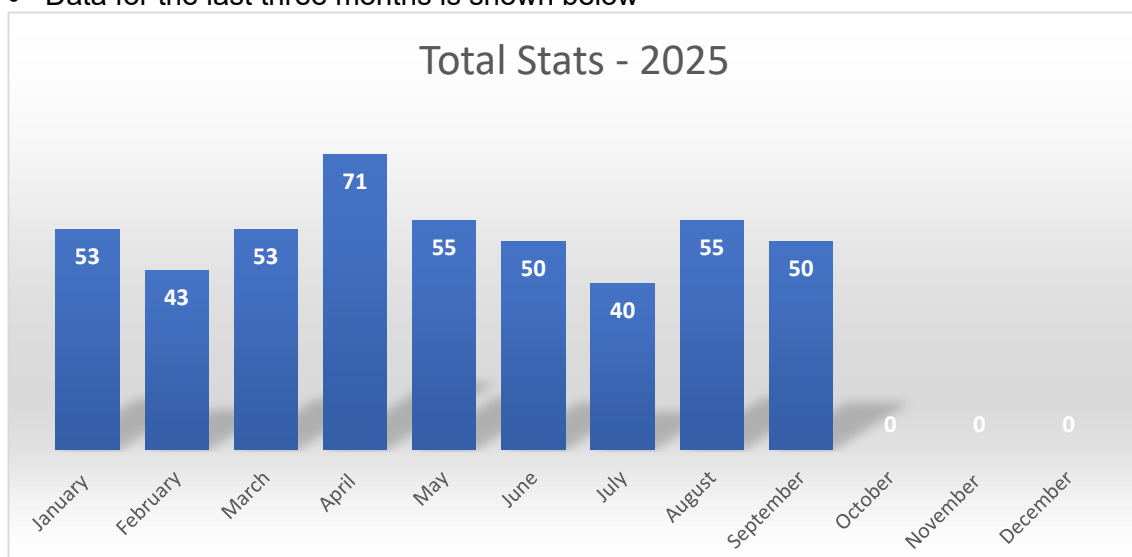
Photos taken during the weed removal works at Keegan Drive slope



BUILDING AND ASSET MAINTENANCE

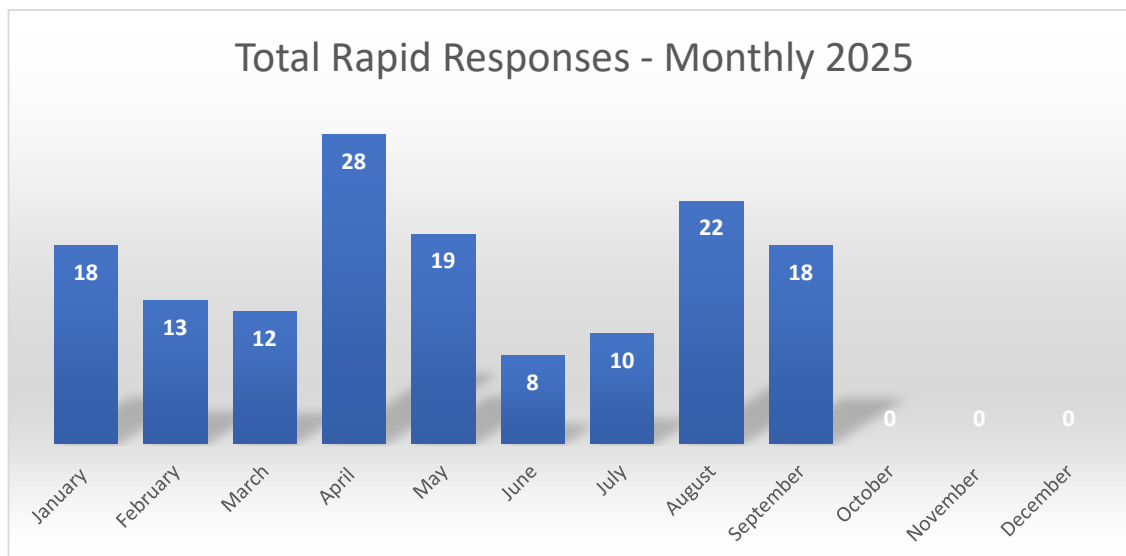
Statistics for CRMs Issued

- Data for the last three months is shown below



Statistics for Rapid Responses Issued

- Data for the last three months is shown below.



CCTV Cameras

Council is actively working in close collaboration with SAPOL and local contractors to plan and install new CCTV across key locations. As part of this initiative, Cast in Blue has recently had two CCTV cameras installed and positioned to provide comprehensive oversight of the site. These installations are part of a broader effort to enhance public safety, deter vandalism and support asset protection in high traffic or high value areas.

Frew Park Upgrade

As part of the comprehensive upgrade works at Frew Park, the Building and Asset Maintenance team played a pivotal role in enhancing the infrastructure. This included refurbishment of the public toilet facilities, which now feature ladies, unisex and accessible toilets, ensuring inclusive and improved amenity for all park visitors.

In addition, the upgraded facilities now include a dedicated change room and shower area to support the needs of the local cricket club, enhancing usability for sporting events and training sessions. The team also oversaw the replacement and improvement of perimeter fencing, contributing to increased safety, better site definition and a more welcoming environment for the community.

Refurbished Frew Park Public Toilets



Ladies Toilets - Cubicle and Unisex



Unisex Toilets and Showers



Pressure Cleaning

Public Toilets

Over the past three months, the following public toilets were deep cleaned:

- Umpherston Sinkhole
- Commerce Arcade
- Cave Gardens
- Hasting Cunningham Reserve
- James Street

Cave Garden Accessible (before)



Cave Garden Accessible (after)



Commerce Arcade Urinal (before)



Commerce Arcade Urinal (after)



Additional Areas

The trailer-mounted pressure cleaning machine was used to clean public arcades, footpaths, and outdoor seating areas. Pressure cleaning enhances safety by removing dirt, grime and algae, preventing slips and falls, while improving the city's aesthetics.

Recent areas cleaned include:

Wulanda Shade Sail



Cave Garden walls/ramp

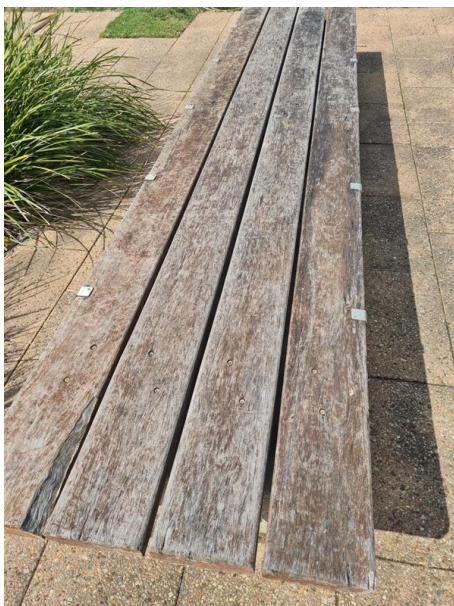


Street Furniture

Railway Lands - Seating

The Street Tidy team has been actively working through the seating and outdoor furniture at the Railway Lands, focusing on cleaning, maintenance and minor repairs to improve the overall presentation and usability of the space. These efforts are helping to ensure that benches, tables, and other fixtures remain safe, comfortable and inviting for visitors.

This ongoing work is part of Council's commitment to maintaining high standards across public spaces, supporting both community enjoyment and asset longevity.



Public Safety Improvements

It was identified that the timber decking near the event storage shed at the Railway Lands posed a slip hazard for internal staff and contractors accessing the area, particularly during wet conditions.

After assessing the risk, the Building and Asset Maintenance team conducted research into suitable surface treatments and materials. The outcome was to install nonslip steel sheeting over the existing timber decking, as shown below.



Vandalism and Rapid Responses

The Building and Asset Maintenance team is responsible for managing a wide range of rapid response tasks, including addressing vandalism and damage reported across Council assets. Whether it is broken fixtures, graffiti or urgent repairs to public infrastructure, the team responds to assess, prioritise, and resolve issues to maintain safety, functionality, and presentation.

Their proactive approach ensures that community spaces remain clean, secure and welcoming, while also minimising disruption to public use and services. This work is often carried out in coordination with other departments and contractors to ensure timely and effective outcomes.



James Street Toilet - Broken lid and soap dispenser



James Street - Syringe Removal



IMPLICATIONS TO CONSIDER

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

RISK ANALYSIS

The risk identification and categorisation relies on the City of Mount Gambier [Risk Management Policy](#).

Risk	Consequence Rating	Risk Likelihood Rating	Risk Rating	Mitigation
Finance - Impact on Council to deliver projects within Budget	Moderate (3)	Possible (3)	Moderate	<ul style="list-style-type: none"> - Regular monthly financial reviews. - Quarterly budget review reports to Council. - Contingency funding for unexpected costs.
Reputation - Impact on Council to deliver projects on time	Moderate (3)	Possible (3)	Moderate	<ul style="list-style-type: none"> - Provide regular updates to the community on project progress. - Establish a communication plan for delays or issues.
Legal / Regulatory / Policy - Changes in legislation impacting project approvals	Moderate (3)	Unlikely (2)	Moderate	Monitor legislative changes and engage with policymakers.
Service Delivery - Impact on Council to deliver projects on time	Moderate (3)	Possible (3)	Moderate	<ul style="list-style-type: none"> - Contract management with clear KPIs. - Regular reporting and progress meetings with contractors.
People - Staff shortages or turnover impacting project delivery	Moderate (3)	Likely (4)	High	<ul style="list-style-type: none"> - Implement staff retention strategies. - Develop a succession plan for key roles.



Infrastructure - Damage to existing infrastructure during construction	Moderate (3)	Possible (3)	Moderate	- Conduct pre-construction surveys. - Implement protective measures for existing infrastructure.
Environmental - Environmental damage from construction activities	Moderate (3)	Possible (3)	Moderate	- Conduct environmental impact assessments. - Implement erosion and sediment control measures.

APPLICATION OF STRATEGIC PLAN

This report aligns to the following strategic objectives(s):

- 3.1 Work with partners to increase active and diverse transport measures so drivers, cyclists and pedestrians can safely and easily move within the city.
- 3.13 Improve the quality and safety of, and access to, our active open space facilities, including our sporting and recreation reserves.

This report contributes to delivery of the following key strategic project(s):

Priority 6: Excellence in Leadership and Governance

Deliver business systems and infrastructure improvements that support us to deliver our services more efficiently and effectively to the community.

RELEVANT COUNCIL POLICY

N/A

IMPLEMENTATION AND NEXT STEPS

N/A

CONCLUSION

This report is provided for Elected Members information.

ATTACHMENTS

- 1. Status Report Capital Works Program 2025 2026 [19.7.1 - 5 pages]



STATUS REPORT FOR CAPITAL WORKS PROGRAM 2025-2026

Asset Class	Program	Work Order No.	Description	Status	Notes
Building					
	Air Conditioning Program	76912	Town Hall / Riddoch - Air Conditioning Renewal	Not Started	
	Blue Lake Sports Park	76893	Dog Park Fence	Completed	
	Bus Shelters	76804	Bus Shelter Relocation - Ferrers St to Sturt St	In Progress	
		76913	Bus Shelter - New	Not Started	
	Carinya Gardens	76799	Crematorium & Chapel Renewal	In Progress	
		76802	She-Oak Garden Irrigation System	In Progress	
		76914	Concrete Mowing Strips 2025/26	Not Started	
	Caroline Landfill	76816	Perimeter Litter Fencing	In Progress	
		76819	Vehicle Wash Bay	Not Started	
	Cave Garden	76962	Lighting Renewal	Not Started	
	Civic Centre	76763	Lift Replacement 5	In Progress	
		76792	Roof Replacement - Stage 1	Not Started	
	Crater Lakes	76367	Blue Lake - Solar Lighting Renewal	Not Started	
		76915	BBQ Renewal x 2	Not Started	
		76916	Lookout Decking Renewal	Not Started	
		76963	LED Lighting Renewal	In Progress	Tender Closed
	Depot	76548	Automatic Gates	Completed	
		76793	Wash Bay	In Progress	
		76961	Laser Light Roof Sheeting Replacement	In Progress	
	Engelbrecht Cave	76956	Roof Replacement	In Progress	
	Frew Park	76364	Public Toilet Replacement (LRCI Phase 4a)	Completed	
		76795	Picket Fence Replacement (LRCI Phase 4a)	Completed	

	Library	76958	Mains Water Replacement	In Progress	
		76959	Carpet Renewal	In Progress	
		76960	Children's Cave Refurbishment	Not Started	
	Playgrounds	76206	Railway Lands - Playground Upgrade	In Progress	Design Only
		76965	Renewal - Project 1 TBA	Not Started	
		76966	Renewal - Project 2 TBA	Not Started	
	Public Amenities	76967	Refurbishment - James St	In Progress	
	Railway Lands	76964	LED Lighting Renewal	Not Started	
	Reserves General	76968	AF Sutton Memorial Park - Pergola Renewal	In Progress	
	Sustainability Initiatives	76791	2024/25 Program - RACC Lighting Upgrade	TBC	
		76957	2025/26 Program	TBC	
	Waste Transfer Station	76954	Awning Extension	In Progress	
		76955	Recovery Shed Wash bay	Not Started	
	Wulanda				
		76814	CCTV	Completed	
		76890	Courts AV Upgrade	In Progress	
		76953	Capital Renewal 2025/26	In Progress	
Information Technology					
	Miscellaneous	76576	Caroline Landfill Wifi	In Progress	
Other					
	Trees	76591	Crater Lakes Bushfire Rehabilitation	In Progress	
	Waste Bins	76360	Mobile Garbage Bins	In Progress	
Plant					
	Garbage Trucks	76772	Alias 58 - Garbage Truck Replacement	Completed	
		76903	Alias 30 - Garbage Truck	In Progress	
		76904	Alias NEW - Garbage Truck	In Progress	
	Loaders	76905	Alias 40 - Loader	Not Started	
	Minor Plant	76970	Defibrillators (AED) x 16	Completed	24 Installed
		76906	Minor Plant 2025/26	In Progress	
	Mowers	76907	Alias 79 - Mower Replacement	In Progress	

		76908	Alias 74 - Mower Replacement	In Progress	
	Staff Vehicles	76320	Alias 127 - Mayoral Vehicle Replacement	Deferred	Till 2026/2027
		76909	Alias 106 - Mitsubishi Triton 4WD Utility Replacement	In Progress	
		76918	Alias 113 - Nissan Navara 4WD Utility Replacement	In Progress	
		76919	Alias 119 – Ford Ute 4WD	In Progress	
		76920	Alias 123 - CEO Vehicle Replacement	Not Started	
		76921	Alias 128 - General Use 1 Replacement	In Progress	
		76922	Alias 129 - General Use 2 Replacement	In Progress	
	Sundry	76773	Alias 41 - Landfill Compactor Replacement	Completed	
		76854	Alias 293 - Mower Trailer Replacement	In Progress	
		76859	Alias New - Caroline Cell Cover Tarping System	In Progress	
		76928	Alias 62 - Street Sweeper Replacement	In Progress	
		76929	Alias 75 - Quadbike Replacement	Not Started	RFQ
		76930	Alias 96 - Graffiti Steam Cleaner Replacement	Not Started	
		76931	Alias NEW - Cleaning Van	Completed	
		76932	Depot - Workshop Gantry Replacement	Not Started	
	Tractors	76923	Alias 57 - Tractor Replacement	Not Started	
	Trucks	76782	Alias 4 - Crew Cab Tip Truck Replacement	Completed	
		76783	Alias 29 - Large Tip Truck Replacement	In Progress	
		76924	Alias 27 - Crew Cab Tip Truck Replacement	In Progress	
	Other	76925	Alias 10 - 2WD Utility Replacement	In Progress	
		76926	Alias 17 - 2WD Utility Replacement	In Progress	
		76927	Alias 20 - 2WD Utility Replacement	In Progress	
Roads Infrastructure					
	Asphalt Deep Lift	76941	Avey Road (Railway Line to Commercial StW) - Road Reconstruction	In Progress	
		76943	Wehl Street North (Eglinton Tce to Agnes St) - Road Reconstruction 2025/26	Not Started	
	Asphalt Overlay	76944	Asphalt Overlay Program 2025/26	Not Started	

	Boundary Roads Program	76945	Boundary Roads Program 2025/26	Not Started	
	Carparks	76826	Resurfacing - Chute St Engelbrecht Cave	In Progress	
		76938	Resurfacing - Percy / Alexander St Carpark	Not Started	
	Drainage Program	76840	Frew Park New System (LRCI Phase 4a)	Completed	
		76880	Ironstone Crt Connection from Bellevalle Crt	Not Started	
		76950	Renewal 2025/26 - Project TBA	In Progress	
	Footpath	76593	CBD Accessibility Audit Priorities	In Progress	Jens Hotel Footpath Extension
		76838	Design - Shared Path Masterplan	Completed	
		76935	Fairlie Street (Jubilee Hwy to Carapook St) - New Concrete Footpath	Not Started	
		76936	Shared Path - Rail Trail to O'Leary Rd	Not Started	
		76937	Lake Tce East (Pick Ave to Hosking Ave) - New Concrete Footpath	Not Started	
		76939	Footpath Reseal Program 2025/26	In Progress	
	Kerb & Channel	76940	Kerb & Channel Renewal - Bond Street	Not Started	
	Retaining Walls	76823	R26 Renewal - Ski Ramp Road Carpark	Not Started	
		76885	R46 Renewal - Winfield Court	In Progress	
	Road Reconstruction Program	76846	Chute Street (Ehret St to Victoria Tce)	In Progress	
		76847	Ramsay Avenue (Jubilee Hwy to Ralston Rd)	Not Started	
		76896	Bertha Street (Webb St to William St)	In Progress	
		76897	Fairlie Street (Jubilee Hwy East to Carapook St)	Not Started	
		76898	Reginald Street (Gwendoline St to Walter St)	In Progress	
	Road Reseal Program	76902	Road Reseal Program 2025/26	Not Started	
	Roads to Recovery	76862	Truman Street (MacKenzie St to Bond St)	Completed	
		76899	Lake Terrace East (Blume Tce to Finch St)	Not Started	
		76900	Wireless Road West (Matthew Flinders Way to Honan St)	Not Started	
	Special Local Roads	76901	Davison Drive (Bay Rd to Elliot Dr)	Not Started	
	Traffic Control	76949	Renewal 2025/26 - Project	In Progress	

Waste Management					
	Caroline Landfill	76817	Leachate Management System	Not Started	
	Cell Construction	76933	Cell 4B Construction (Stage 1 - Design)	In Progress	

19.8 2025/2026 STATE BICYCLE FUND GRANT FUNDING

Author: Aaron Izzard, Environmental Sustainability Business Partner

Authoriser: Barbara Cernovskis, General Manager City Infrastructure

RECOMMENDATION

1. That Council report titled '2025/2026 State Bicycle Fund Grant Funding' as presented on Tuesday 21 October 2025 be noted.
2. That the Mayor and the Chief Executive Officer be authorised to sign and affix the common seal to execute the Funding Deed under State Bicycle Fund - Mount Gambier Shared Path Loop (Stage 1)

PURPOSE

The purpose of this report is to accept the funding offer of \$187,000 from the 2025-2026 State Bicycle Fund - for the purpose of constructing the first stage of the Shared Path Loop.

BACKGROUND / OPTIONS

The Shared Path Masterplan was adopted at the April 2024 Council meeting. This document outlines the roll out of shared path infrastructure within the municipality over the next ten years. One of the elements highlighted in the plan is a 'shared path loop'. This is a shared path that would run from the Rail Trail in the west, along the northern part of town, through to the east. Specifically, it will commence at the Rail Trail in the west, run along the easement south of Springview Estate, then along O'Leary Road, Wireless Road and Attamurra Road back down to the shared path on Jubilee Highway, which connects back to the Rail Trail. Detailed engineering design of the shared path loop has been completed.

This funding from the State Government via the 2025-2026 State Bicycle Fund will cover 50% of the cost of constructing the first stage of the shared path loop - along the easement south of Springview Estate. The remaining 50% is in Council's 2025/2026 budget.

IMPLICATIONS TO CONSIDER

Legal	The funding deed is a standard deed used by the State Government.
Financial and Budget	The project is in the 2025/2026 budget.
Community Consultation and Engagement	Extensive consultation was undertaken during the development of the Shared Path Masterplan.
Other Resources	N/A

RISK ANALYSIS

The risk identification and categorisation relies on the City of Mount Gambier [Risk Management Policy](#).

Risk	Consequence Rating	Risk Likelihood Rating	Risk Rating	Mitigation
Finance - Funds not available	Insignificant (1)	Rare (1)	Low	Ensure all requirements of the deed are completed.
Legal / Regulatory / Policy - Deed	Insignificant (1)	Rare (1)	Low	Clearly understand and



requirements not met.				complete all requirements of the deed.
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APPLICATION OF STRATEGIC PLAN

This report aligns to the following strategic objectives(s):

Priority 1: Environment and Liveability

- 1.2 Effectively manage recreational activities to prevent environmental impacts to our key natural areas.
- 1.8 Strengthen the city's connection to nature by enhancing green corridors with native vegetation and creating pathway linkages that connect urban areas to key natural assets, acknowledging the critical role these assets play in our visitor economy and the city's vibrancy.

Priority 3: Infrastructure and Services

- 3.1 Work with partners to increase active and diverse transport measures so drivers, cyclists and pedestrians can safely and easily move within the city.
- 3.2 Increase the use of green modes of transport and encourage an active lifestyle by developing accessible and well planned path networks.
- 3.3 We will advocate with key stakeholders to attract investment in the development of a safe, inclusive and integrated transport network that enhances connectivity within and beyond our city, ensuring it is equivalent to the infrastructure provided in the State's metropolitan areas.

This report contributes to delivery of the following key strategic project(s):

Priority 3: Infrastructure and Services

Shape the urban form of our city through that application of strategic urban design and place making principles.

Progression and the implementation of the priorities and actions in the Shared Path Master Plan.

RELEVANT COUNCIL POLICY

[Footways and Crossovers - F175](#)

IMPLEMENTATION AND NEXT STEPS

The project has been budgeted for in the 2025/2026 budget. This grant funding will enable additional length of shared path to be constructed, possibly extending up O'Leary Road, and thus enabling a quicker roll out of the shared path loop.

It is anticipated that subsequent stages of the shared path loop will be funded in future budgets. Council staff will continue to seek additional grant funding from the State and Federal governments for future stages.

CONCLUSION

The shared path along the Rail Trail has been very well received by the local community. This project continues the roll out of this infrastructure, enabling residents to cycle safely separate from traffic and live more healthy lifestyles whilst reducing their impact on the environment.



It is recommended to accept the grant funding offer and approve the common seal to be applied to the funding deed.

ATTACHMENTS

Nil



19.9 RESPECTFUL COMMUNITY INTERACTIONS PROJECT

Author: Brittany Shelton, Manager Governance and Property
Authoriser: Tracy Tzioutziouklaris, Acting General Manager Corporate and Regulatory Services

RECOMMENDATION

1. That Council report titled 'Respectful Community Interactions Project' as presented on Tuesday 21 October 2025 be noted.
2. That the amended Unreasonable Conduct Policy be adopted as presented.
3. That the Chief Executive Officer or their delegate explore funding options available, and the possibility of a State based sector-wide approach led by the Local Government Association of South Australia (LGA).

PURPOSE

To present to Council the contextual research and high-level project scope for the Respectful Community Interactions Project for consideration, and to adopt the amended Unreasonable Conduct Policy.

BACKGROUND / OPTIONS

Background / Overview

There has been an increasing trend in the local government sector in South Australia, as well as nationally and internationally, which indicates a breakdown in civic relationships between Council and community, resulting in a dysfunctional relationship at best and a hostile climate for staff and Members at worst. Some of the indicators of this decline include: a decrease in meaningful or positive engagement with Council, increase in disillusion of even hostility in the public realm (including social media), increase in the Sovereign Citizens movement, increase in Unreasonable Conduct incidents for staff and Members. This in turn results in an increase in regulatory and compliance activity, which has an overall impact on resources.

Whilst there is a myriad of social theories which aim to explore and explain this trend, the unfortunate resulting impact is that increasingly staff do not feel safe (both physically and psychologically) in their job and in the community more broadly as a result of their job. The flow on impact of this is increased difficulty in attraction and retention of both staff and Members, at a time where this challenge is already critical in regional areas. Conversely, the community also suffer as a result of such breakdown in the civic relationship, which often results in voices unheard, priorities or expectations for services and strategic vision misaligned and increased frustration.

At the ordinary meeting of 15 July 2025, Cr Jason Virgo presented a Motion on Notice which contemplated steps that other councils have taken in addressing this issue, and proposing a project which take steps towards ensuring that Council meets its obligations around psycho-social health and wellbeing of its staff and Members, and improves civic relationships and positive engagement with the community.

RESOLUTION OCM 2025/174

Moved: Cr Jason Virgo

Seconded: Cr Josh Lynagh

- 1. That the motion from Cr Jason Virgo as presented on 15 July 2025 be noted;*
- 2. That Council:*

- (a) Notes an increasing trend across the local government sector of aggression, intimidation, and verbal abuse directed toward Councils staff and Councillors during the course of their duties;*
- (b) Acknowledges the proactive steps taken by other South Australian Councils, including the City of West Torrens through its "It Reflects on You" campaign to promote respectful community interactions and protect staff wellbeing;*
- (c) Requests the Chief Executive Officer prepare a report for Council's consideration, which explores: Potential communication and engagement strategies to promote respectful community interactions towards Council staff and elected members; The feasibility and implications of developing a localised awareness campaign, with reference to West Torrens' "It Reflects on You" initiative; Resource and budget considerations; Any legislative or policy implications under the Local Government Act 1999 (SA) and the Council and CEO's Work Health and Safety obligations; The application of Council's Unreasonable Conduct Policy to these matters;*
- (d) Requests that the report be presented to Council no later than the October 2025 Council meeting.*

Project Proposal

Council administration has established a project team of key staff to address the resolution, "Respectful Community Interactions".

The project is intended to be conducted in two phases, the first which will focus on internal changes and support for staff and Members, and the second which will focus on an external influence, improving our relationship with the community, and also improving understanding on the impact of hostile and aggressive behaviour (both directly and indirectly) targeting Council staff and Members, and promoting respectful behaviour in dealings with Council.

The project has been informed by research into other similar initiatives, such as the City of West Torrens "It Reflects on You" campaign, the SA Government "Keep Your Hands Off Our Ambos" campaign, and Moorabool Shire Council "It's OK to Walk Away" campaign.

It is proposed that the project be conducted within a 12-month period, to allow for enough engagement 'touch-points' to be effective, whilst ensuring finalisation and impact assessment conducted in advance of commencing Caretaker Period in September 2026.

However, it is important to acknowledge that this is a significant and culturally embedded, systemic issue, which requires learning on both sides in order to make meaningful change, and Council must be mindful of ensuring activities align to the overarching goal.

Whilst unpacking this issue, what caused or is causing it, and what is hoped to be achieved out of this project, a simple goal seemed to crystallise: Council and the community both feel heard, valued and respected – a healthy, constructive civic relationship.

Many of the work streams which have been identified in getting us closer to that goal are not finite in their timeframe, for example to provide staff with the training and tools to feel confident in undertaking their roles, and to develop engagement mechanisms which work for both the community and Council, to ensure frustrations do not escalate to the point of poor behaviour. These are changes that will need to be embedded and will not cease at the conclusion of this project timeline, but rather pave the way for our 'new normal'.

It was also specifically contemplated how important keeping a 'holistic view' of the issue will be to successful delivery – clearly identifying, defining and articulating expectations, both in the positive and negative (rather than becoming overly focused only on the negative) and co-designing a way forward which is mutually beneficial.

Context – Community Perspective

Before attempting to address some of the symptoms of the issue, it is imperative to understand some of the causes. The LGA have released their 2025 community survey results, which provide an insight into the perceptions of local government and awareness of council services.

It's necessary to consider, particularly in the process of better understanding what our community might be seeking from Local Government, and how regional areas differ from metropolitan. A few key observations arising from that feedback include:

- Sentiment across responses suggests that while most people want their councils to "get the basics right," there's also a meaningful appetite for councils to take more proactive roles in areas like sustainability, transparency, and long-term planning.
- Confidence with councils is significantly lower in regional areas, especially around communication and responsiveness.
- Regional residents were also notably more likely to express dissatisfaction, particularly around communication (43% vs 23%), leadership (35% vs 20%), and responsiveness (42% metro vs 24% regional). These findings highlight a confidence gap that councils in regional areas may need to address, including understanding the reasons behind these statistics.
- Council websites are widely used, but consultation participation remains low - only 19% of respondents had participated in a council consultation or meeting in the past 12 months.
- Transparency and two-way communication are key to helping residents feel informed - to be more informed about council decision-making, residents most commonly called for clearer transparency on decisions (29%), more proactive communication (19%), and greater opportunities to have their say through consultation or voting (19%).
- Council impact is strongly linked to perceived quality of life - just over two in five (41%) believe their local council contributes either 'a great deal' or 'quite a bit' to quality of life in their area. Perceptions vary significantly by location, with metro residents (45%) more likely than regional residents (26%) to report high council impact.
- Traffic management is a priority for improving quality of life in regional areas - for regional residents, road network and traffic management, and jobs and local economy stand out as the top priorities for improvement - rated high in importance but low in satisfaction.
- Regional satisfaction falls behind metro, with older residents and ratepayers more likely to be dissatisfied - overall satisfaction with local councils sits at 55% across the state. However, metro residents report significantly higher satisfaction (60%) compared to regional residents (38%).

Psycho-Social Wellbeing Survey – Staff Perspective

As part of the research into the current state of Council relationship with the community, an element specifically contemplating staff's experience in their daily interactions was included in the recent psycho-social wellbeing survey. Whilst the psycho-social survey was a State-wide initiative in light of the recent changes to Work Health and Safety obligations, the additional element relating to community relationships was included to inform this project specifically. Those trend analysis of those results are included below.

The survey was voluntary, and sixty (60) employees completed the survey, representing a mixture of both inside and outside staff.

Some high-level themes arising from the survey results indicated:



- The level of concern amongst employees around negative community interactions was not as high as we expected,
- Employees were more concerned about in-person interactions rather than online and social media behaviour, with an emphasis being made on staff's ability to control or feel safe during incidents,
- Employees held a belief that drug and alcohol fuelled behaviour, poor mental health and anti-social behaviour trends had more impact on their wellbeing at work than social media,
- Of those participating in the survey, 98% of employees knew about the Employee Assistance Program and how to access it,
- Outdoor employees were clear on support available and the process for managing negative interactions with community during the course of their role,
- Inside staff indicated they were not as clear on supports available or process for managing negative interactions with the community, possibly due to higher turnover in customer facing roles (when compared to the ordinarily higher tenure for outdoor employees).

Employees had the following suggestions for measures they considered would be effective in improving staff wellbeing:

- Signage at customer facing sites promoting respectful behaviour when interacting with staff,
- Additional and overt use of CCTV at points of contact,
- Using de-identification tools such as generic (team) emails and/or not using last names,
- De-escalation and conflict resolution training,
- Reminders for staff not to follow certain social media sites when inflammatory material is known to be regularly published,
- Humanising positions and the work Council staff do (i.e. helping the community to understand that staff are real people who live in our community too, and their negative behaviour has an impact).

Positively, the Manager Performance and Capability reviewed exit interview data during the recent history of the organisation and negative interactions with community was not listed as a reason for staff leaving Council.

One additional element which came through in the staff survey was the need for specific consideration of physical building alterations to support safety of staff at all sites (rather than just in the Civic Centre). Whilst this won't be explored as part of this project, it will be flagged in future asset management plans.

IMPLICATIONS TO CONSIDER

Legal	<p>Council is unique in their requirement to deliver services to the community, and provide a degree of accessibility / availability to the community. To that end, it is important to ensure that the Unreasonable Conduct Policy is not misused.</p> <p>However, Council also has an obligation to ensure that expenditure of public resources is done efficiently, and it is important that unreasonable behaviour by customers (community) does not unreasonable waste resources where no material benefit is achieved for the broader community.</p> <p>Further, Council as a PCBU (Person Conducting a Business or Undertaking) has a responsibility for the safety and wellbeing of its Members, staff, contractors and volunteers in the course of</p>
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	undertaking their role with Council. This does not only include their physical safety, but the psycho-social wellbeing as well.
Financial and Budget	This project is in addition to the strategic work plan which was endorsed as part of the Annual Business Plan and Budget and will require additional resourcing to ensure it is successful. Various resourcing components will be required, such as one-off investment including consultants, advertising materials, casual staff support and ongoing investment such as training, community education and asset safety upgrades. Specific resourcing options will be considered to off-set the net impact, including external funding available, capacity / dual-purpose of existing budget lines and collaboration in a sector-wide approach.
Community Consultation and Engagement	A comprehensive community engagement strategy will be required which is not contemplated as part of the within report. This will be a key focus of the project and therefore will be presented to Council by way of standalone report at a future date.
Other Resources	This project represents a significant strategic project on a compressed timeline. There will be a substantial impact on capacity of teams with high impact workstream identified as part of this project (including People and Capability, Economy Strategy & Engagement, and Media & Communications). It is anticipated these teams will require short-term additional support in order to off-set the acute increase in workload during times of peak delivery.

RISK ANALYSIS

The risk identification and categorisation relies on the City of Mount Gambier [Risk Management Policy](#).

Risk	Consequence Rating	Risk Likelihood Rating	Risk Rating	Mitigation
Finance - The project is not appropriately scoped and budgeted, resulting in project run-over	Insignificant (1)	Likely (4)	Moderate	Appropriate scoping of project including specific resourcing considerations for delivery in the current financial year, referred to Budget Review One process
Reputation – The project further erodes the civic relationship with the community	Minor (2)	Possible (3)	Moderate	Holistic contemplation of best practice relationship building, informed by subject matter experts to ensure project is constructive, rather than detrimental to culture
Legal / Regulatory / Policy – Inappropriate use of the Unreasonable Conduct Policy	Minor (2)	Possible (3)	Moderate	Approach informed by the NSW Ombudsman (in conjunction with



exposes Council to litigation				all State Ombudsman's) and formalised in a Policy position which clearly articulates natural justice principles
Service Delivery - Unplanned projects diluting resources away from strategic projects and business as usual services	Insignificant (1)	Possible (3)	Low	Staff resourcing contemplated as part of project scope, including consultant options, multi-purpose project work (existing workstreams) and support for highly impacted teams
People - Frustration or back-lash resulting from the project exposes our staff to increased unreasonable conduct incidents	Moderate (3)	Likely (4)	High	The project has been informed by subject matter experts in civic relationship building, to minimise this risk, but is also phased to ensure staff receive resilience / de-escalation training prior to the external / public elements of the project commence
Infrastructure - N/A	Choose an item.	Choose an item.	Choose an item.	N/A
Environmental - N/A	Choose an item.	Choose an item.	Choose an item.	N/A

APPLICATION OF STRATEGIC PLAN

This report aligns to the following strategic objectives(s):

Priority 6: Excellence in Leadership and Governance

6.13 Foster meaningful community engagement in Council's planning, projects and key decision-making processes by actively listening to and incorporating community perspectives, ensuring their voice is integral to our operations and outcomes.

This report contributes to delivery of the following key strategic project(s):

Priority 6: Excellence in Leadership and Governance

Continue to deliver improvements that enhance a 'Safety First' culture in accordance with our Work, Health Safety and Wellbeing Strategy.

Update Council's Community Consultation and Engagement Policy to align with Local Government Association South Australia and Local Government Act Reforms.

Develop and implement a community feedback mechanism to inform Council's service delivery with results regularly reported back to the community.



RELEVANT COUNCIL POLICY

[Unreasonable Conduct](#)

IMPLEMENTATION AND NEXT STEPS

Scope / Deliverables

The project has identified several key workstreams, which will operate / influence each other, and contribute towards the overarching project goal:

- Staff survey and analysis – to inform staff supports,
- Review of Unreasonable Conduct Policy and supporting implementation / rollout - to ensure that Council's expectations are clearly articulated, and that staff and Members feel confident in enforcing expectations,
- Training – exploration of providers to deliver general resilience training for staff and Members, as well as specifically developed training based on the project scope (campaign),
- Media campaign – promotional / educational media to humanise staff and Members, promoting respectful interactions even during times of frustration and also improving awareness of what Council's role is in various issues,
- Relationship building – training for staff, ELT, and Members on strategies and tactics for developing trust with the community,
- Real-time feedback on service delivery – explore options such as rating system in emails via QR code or other simple and timely feedback options for the community,
- Contemporary Community Engagement Charter and strategy – focusing on internal tools and systems to support engagement that builds ongoing relationships with community (co-design model) in ways that meet both party's needs.

Targets / Objectives

Another important consideration is targets and objectives for success. The below are some specific objectives that will assist us along the journey, and at the conclusion of the project, to know if Council have been successful / having an impact:

- Staff feel more confident coming to work and in their roles, and feeling equipped to deal with incidents if they do occur,
- The community are clear on the expectations of their interactions with Council, both directly and indirectly, and are able to adhere to those expectations,
- The community have accessible options available to them to engage meaningfully with Council to have their voice heard,
- Members and ELT are confident that they have taken all steps reasonably practical to meet their obligations under relevant WHS legislation,
- Council has commenced rebuilding build positive civic relationships with the community, engaging in two-way communication, resulting in less CRM's left unresolved, and less complaints overall,
- Resource efficiencies are improved, as a result of less time spent on regulatory and compliance issues arising from unreasonable behaviour management, complaints process, Freedom of Information and Internal Review of Council Decisions,
- The community have a clear understanding of Council's role in various matters and have realistic expectations as to their scope of influence,
- Increased alignment between Council's plans and the communities' priorities, evidenced by higher satisfaction rates for major projects and services.

Resourcing

This project is significant, and has potential to have broad impact on both the organisation and the community. Members identified early that the workstreams required to effectively conduct a successful project, alongside other existing key strategic projects and business as usual services, are likely to require specific resourcing in order to be as successful as possible.

Early scoping and quotes identifying requisite consultants, materials, and staff resourcing have indicated that overt resourcing will be required to implement various stages of the project, allocated towards:

- Training,
- Subject matter experts / consultants,
- Development of materials,
- Staffing support for teams responsible for particular workstreams.

Various options to minimise the required allocation have been specifically contemplated (i.e. utilising existing budget allocations, available funding via Local Government Risk Services as appropriate, and the like). Resourcing will be referred to Budget Review One (BR1).

Relevant Considerations

Local government elections are scheduled for November 2026, pending any legislative reform envisaged to amend that (which are unlikely), meaning that Caretaker period will commence from September 2026 accordingly. The overt portion of this project has been projected to be finalised prior to that time, in order to take into consideration the principles not to 'bind' an incoming council' noting that the project is significant in both resourcing, but also profile of Council.

The project goal is focused on achieving long-term relationship building, imbedding of norms, and a shift in culture. Whilst the external 'campaign' element of the project is time-bound, it is important to remember that the aim is to make a cultural shift, and engage in continuous learning and improvement, not conducting a 'set and forget' campaign.

Given this issue is not unique to City of Mount Gambier, becoming more prevalent in all tiers of government, but also poignantly in the local government sector, it is worthwhile considering whether early engagement with the Local Government Association of South Australia (LGA) is worthwhile, to gauge the potential impact / alignment of the project and also whether a sector-wide approach may be appropriate.

It is also noted that the motion is phrased in terms to investigate and assess feasibility, which allows Council flexibility in terms of timing, elements to pursue etc. Members may contemplate whether this project is timely, weighing all relevant factors.

Unreasonable Conduct Policy

As part of a foundational step, the **attached** reviewed and amended Unreasonable Conduct Policy (the Policy) is presented to Council for adoption.

The Policy articulates that Council is committed to being accessible and responsive to all customers who approach our office for assistance, service and/or with a complaint. At the same time it acknowledges that our success in responding to customer enquiries depends on:

- our ability to do our work and perform our functions in the most effective and efficient ways possible,



- the health, safety and security of our staff, and
- our ability to allocate our resources fairly across all the requests we receive.

When customers behave unreasonably in their dealings with Council, their conduct can significantly affect our ability to successfully respond. As a result, the Council has determined to take proactive and decisive action to manage any customer conduct that negatively and unreasonably affects us and will support our staff to do the same in accordance with the Policy.

The key changes to the Policy include:

1. Broadening the scope of the Policy to include elected members, staff, contractors and volunteers (rather than simply staff) into its application,
2. Including provision that indirect behaviour (behaviour which meets the criteria under this Policy which is demonstrated in the broader community) can be considered in a trend or pattern of behaviour by an individual or group, and
3. More clearly articulating how this Policy can be used to capture incidents, in order to monitor behaviour, and where required implement strategies to mitigate as needed.


CONCLUSION

The above scoping is only an early indication of the various considerations and elements which may be included into such a project. Given the City of Mount Gambier is not the only Council in SA (or even tier of government) to be experiencing this issue, it is considered appropriate to contact the Local Government Association of South Australia (LGA) to discuss potential for support of a sector-wide approach.

ATTACHMENTS

1. DRAFT - Council Policy - Unreasonable Conduct - October 2025 [**19.9.1** - 36 pages]



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1. INTRODUCTION

1.1 Statement of support

The City of Mount Gambier (Council) is committed to being accessible and responsive to all customers who approach our office for assistance, service and/or with a complaint. At the same time the success of our office in responding to customer enquiries depends on:

- our ability to do our work and perform our functions in the most effective and efficient ways possible,
- the health, safety and security of our staff, and
- our ability to allocate our resources fairly across all the requests we receive.

When customers behave unreasonably in their dealings with Council, their conduct can significantly affect our ability to successfully respond. As a result, the Council ~~City of Mount Gambier~~ will take proactive and decisive action to manage any customer conduct that negatively and unreasonably affects us and will support our staff to do the same in accordance with this policy.

All ~~Council City of Mount Gambier members~~, staff contractors and volunteers are authorised and expected to implement the strategies provided in this policy.


An overview of the background and research which informed the development of this Policy is available at APPENDIX A for further information and insight.

2. OBJECTIVES

2.1 Policy aims

This policy has been developed to assist all staff members to better manage unreasonable customer conduct ('UCC'). Its aim is to ensure that all staff:

- Feel confident and supported in taking action to manage UCC.
- Act fairly, consistently, honestly and appropriately when responding to UCC.
- Are aware of their roles and responsibilities in relation to the management of UCC and how this policy will be used.
- Understand the types of circumstances when it may be appropriate to manage UCC using one or more of the following mechanisms:
- Are aware of and understand the strategies provided in the Managing Unreasonable Complainant Conduct Practice Manual (2nd edition) ('practice manual') including the strategies to change or restrict customer access to our services.
- Have knowledge of alternative dispute resolution strategies to deal with conflicts involving unreasonable behaviours toward members of our organisation.

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- Have access to legal instruments such as trespass laws/legislation/Intervention Orders to prevent individuals from coming onto our premises and orders to protect specific staff members from any actual or apprehended personal violence, intimidation or stalking.
- Have a clear understanding of the criteria that will be considered before we decide to change or restrict a customer's access to our services.
- Are aware of the processes that will be followed to record and report UCC incidents as well as the procedures for consulting and notifying customers about any proposed actions or decisions to change or restrict their access to our services.
- Are familiar with the procedures for reviewing decisions made under this policy, including specific timeframes for review.

3. SCOPE

This policy applies to all unreasonable customer conduct by members of the community, whether directly or indirectly, in relation to services delivered by Council. The Policy covers interactions with elected members, staff, contractors and volunteers of Council.

4. DEFINING UNREASONABLE CUSTOMER CONDUCT

4.1 Unreasonable customer conduct

Most customers act reasonably and responsibly in their interactions with us, even when they are experiencing high levels of distress, frustration and anger about their matters of concern.


However in a very small number of cases some customers behave in ways that are inappropriate and unacceptable – despite our best efforts to help them. They can be aggressive, verbally abusive, highly emotional and threatening towards our staff. They can threaten harm and violence, bombard our offices with unnecessary and excessive phone calls and emails, make inappropriate demands on our time and our resources and refuse to accept our decisions, recommendations and reasoning in relation to their matters of concern.

When customers behave in these ways we consider their conduct to be 'unreasonable'.

Unreasonable customer conduct ('UCC') is any behaviour by a current or former customer which, because of its nature or frequency raises substantial health, safety, resource or equity issues for our organisation, our staff, other service users and customers or the customer themselves.

UCC can be divided into five categories of conduct:

- Unreasonable persistence
- Unreasonable demands
- Unreasonable lack of cooperation
- Unreasonable arguments
- Unreasonable behaviours

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4.2 Unreasonable persistence

Unreasonable persistence is continued, incessant and unrelenting conduct by a customer that has a disproportionate and unreasonable impact on our organisation, staff, services, time and/or resources. Some examples of unreasonably persistent behaviour include:

- An unwillingness or inability to accept reasonable and logical explanations including final decisions that have been comprehensively considered and dealt with.
- Persistently demanding a review simply because it is available and without arguing or presenting a case for one.
- Pursuing and exhausting all available review options when it is not warranted and refusing to accept further action cannot or will not be taken on their matters of concern.
- Reframing a request in an effort to get it taken up again.
- Bombarding our staff/organisation with phone calls, visits, letters, emails (including cc'd correspondence) after repeatedly being asked not to do so.
- Contacting different people within our organisation and/or externally to get a different outcome or more sympathetic response to their matter – internal and external forum shopping.

For more examples of unreasonable persistence see pages 39 – 43 of the practice manual.

4.3 Unreasonable demands

Unreasonable demands are any demands (express or implied) that are made by a customer that have a disproportionate and unreasonable impact on our organisation, staff, services, time and/or resources. Some examples of unreasonable demands include:


- Issuing instructions and making demands about how we have/should handle their matter, the priority it was/should be given, or the outcome that was/should be achieved.
- Insisting on talking to a senior manager, General Manager or Chief Executive Officer personally when it is not appropriate or warranted.
- Emotional blackmail and manipulation with the intention to guilt trip, intimidate, harass, shame, seduce or portray themselves as being victimised – when this is not the case.
- Insisting on outcomes that are not possible or appropriate in the circumstances - e.g. for someone to be sacked or prosecuted, an apology and/or compensation when no reasonable basis for expecting this.
- Demanding services that are of a nature or scale that we cannot provide when this has been explained to them repeatedly.

For more examples of unreasonable demands see pages 50 – 54 of the practice manual.

4.4 Unreasonable lack of cooperation

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Unreasonable lack of cooperation is an unwillingness and/or inability by a customer to cooperate with our organisation, staff, or systems and processes that results in a disproportionate and unreasonable use of our services, time and/or resources. Some examples of unreasonable lack of cooperation include:

- Sending a constant stream of comprehensive and/or disorganised information without clearly defining any issues of concern or explaining how they relate to the core issues being dealt with – only where the customer is clearly capable of doing this.
- Providing little or no detail when raising a matter of concern or presenting information in ‘drips and drabs’.
- Refusing to follow or accept our instructions, suggestions, or advice without a clear or justifiable reason for doing so.
- Arguing frequently and/or with extreme intensity that a particular solution is the correct one in the face of valid contrary arguments and explanations.
- Displaying unhelpful behaviour – such as withholding information, acting dishonestly, misquoting others, and so forth.

For more examples of unreasonable lack of cooperation see pages 64 – 65 of the practice manual.

4.5 Unreasonable arguments

Unreasonable arguments include any arguments that are not based in reason or logic, that are incomprehensible, false or inflammatory, trivial or delirious and that disproportionately and unreasonably impact upon our organisation, staff, services, time, and/or resources. Arguments are unreasonable when they:


- fail to follow a logical sequence
- are not supported by any evidence and/or are based on conspiracy theories
- lead a customer to reject all other valid and contrary arguments
- are trivial when compared to the amount of time, resources and attention that the customer demands
- are false, inflammatory or defamatory.

For more examples of unreasonable arguments see pages 69 – 71 of the practice manual.

4.6 Unreasonable behaviour

Unreasonable behaviour is conduct that is unreasonable in all circumstances – regardless of how stressed, angry or frustrated that a customer is – because it unreasonably compromises the health, safety and security of our staff, other service users or the customer themselves. Some examples of unreasonable behaviours include:

- Acts of aggression, verbal abuse, derogatory, racist, or grossly defamatory remarks

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- Harassment, intimidation or physical violence.
- Rude, confronting and threatening correspondence.
- Threats of harm to self or third parties, threats with a weapon or threats to damage property including bomb threats.
- Persistent derogatory comment shared in public forums, including online media, regarding the Council, Council services or staff, without factual basis.
- Stalking (in person or online).
- Emotional manipulation.

For more examples of unreasonable persistence see pages 77 – 85 of the practice manual.

All staff should note that the City of Mount Gambier has a zero tolerance policy towards any harm, abuse or threats directed towards them. Any conduct of this kind will be dealt with under this policy, in accordance with our duty of care and occupational health and safety responsibilities, and will be reported to SA Police.

5. ROLES AND RESPONSIBILITIES

5.1 All members, staff, contractors and volunteers¹

All staff are responsible for familiarising themselves with this policy as well as the *Individual Rights and Mutual Responsibilities of the Parties* in **Appendix BA**.

Staff are encouraged to explain the contents of this document to customers who engage in UCC or exhibit the early warning signs for UCC. See pages 16 - 18 of the practice manual.

Staff are also encouraged and authorised to use the strategies and scripts provided in Part 65 of the practice manual to manage UCC, in particular:

- Strategies and script ideas for managing unreasonable persistence: pages 39 – 48.
- Strategies and script ideas for managing unreasonable demands: pages 50 – 63.
- Strategies and script ideas for managing unreasonable lack of cooperation: pages 64 – 68.
- Strategies and script ideas for managing unreasonable arguments: 69 – 76.
- Strategies and script ideas for managing unreasonable behaviours: pages 77 – 88.

However, it must be emphasised that any strategies that effectively change or restrict a customer's access to our services must be considered at the General Manager level or higher as provided in this policy.

Staff are also responsible for recording and reporting all UCC incidents they experience or witness (as appropriate) into the adopted case management database within 24 hours of the incident occurring.

¹ Any reference to 'staff' in this policy is also intended to include members, contractors and volunteers

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Staff are also to report relevant UCC incidents to the relevant Manager using the UCC Sample UCC Incident Form in Appendix B (available at AF/25/324-01). The types of incidents to be reported to a Manager for immediate consideration will be identified in the implementation of this policy.

5.2 General Managers

The relevant General Manager, in consultation with relevant staff, has the responsibility and authority to change or restrict a customer's access to our services in the circumstances identified in this policy. When doing so they will take into account the criteria in Part 87.2 below, (adapted into a UCC Sample Checklist for General Managers (available at AF/25/324-01), checklist in Appendix C) and will aim to impose any service changes/restrictions in the least restrictive ways possible. Their aim, when taking such actions will not be to punish the customer, but rather to manage the impacts of their conduct.

When applying this policy the General Manager will also aim to keep at least one open line of communication with a customer. However, it is recognised that in extreme situations all forms of contact may need to be restricted for some time to ensure the health and safety and security of our staff and/or third parties.

The General Manager is also responsible for recording, monitoring and reviewing all cases where this policy is applied to ensure consistency, transparency and accountability for the application of this policy. They will also manage and keep a file record of all cases where this policy is applied.

5.3 Managers

All Managers are responsible for supporting staff to apply the strategies in this policy, as well as those in the practice manual. Managers are also responsible for ensuring compliance with the procedures identified in this policy and ensuring that all staff members are trained to deal with UCC – including on induction.

Following a UCC and/or stressful interaction with a customer Managers are responsible for providing affected staff members with the opportunity to debrief and vent their concerns either formally or informally. Managers will also ensure that staff are provided with proper support and assistance including medical and/or police assistance and support through programs such as Employee Assistance Program (EAPS), if necessary.

Depending on the circumstances Managers may also be responsible for arranging other forms of support for staff which are detailed in Part 132 of this policy.

5.4 Recording and reporting

All incidents of unreasonable customer conduct should be reported to the relevant Manager, to determine whether further action is required under this policy, and recorded using the UCC Incident Form (available at AF/25/324-01). All incidents and the management of same must be recorded in the CM9 container AF/25/324, to allow for tracking and monitoring of repeated behaviour.

Where staff have experienced psychological or physical harm as a result of an incident, as separate report should be recorded in Council's WHS software SkyTrust, and any relevant WHS Principles and Procedures followed, including notification of people leaders and seeking necessary treatment or support.

6. RESPONDING TO AND MANAGING UCC

6.1 Changing or restricting a customer's access to our services

UCC incidents will generally be managed by limiting or adapting the ways that we interact with and/or deliver services to customers by restricting:

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Who they have contact with – e.g. limiting a customer to a sole contact person/staff member in our organisation.

What they can raise with us – e.g. restricting the subject matter of communications that we will consider and respond to.

When they can have contact – e.g. limiting a customer's contact with our organisation to a particular time, day, or length of time, or curbing the frequency of their contact with us.

Where they can make contact – e.g. limiting the locations where we will conduct face-to-face interviews to secured facilities or areas of the office.

How they can make contact – e.g. limiting or modifying the forms of contact that the customer can have with us. This can include modifying or limiting face-to-face interviews, telephone and written communications, prohibiting access to our premises, contact through a representative only, taking no further action or terminating our services altogether.

When using the restrictions provided in this section we recognise that discretion will need to be used to adapt them to suit a customer's personal circumstances, level of competency, literacy skills, etc. In this regard, we also recognise that more than one strategy may need to be used in individual cases to ensure their appropriateness and efficacy.

6.2 Who – limiting the customer to a sole contact point

Where a customer tries to forum shop internally within our organisation, changes their issues of concern repeatedly, reframes their concerns, or raises an excessive number of concerns it may be appropriate to restrict their access to a single staff member (a sole contact point) who will exclusively manage their concern(s) and interactions with our office. This may ensure they are dealt with consistently and may minimise the chances for misunderstandings, contradictions and manipulation.


To avoid staff 'burn out' the sole contact officer's supervisor will provide them with regular support and guidance – as needed. Also, the General Manager will review the arrangement every six months to ensure that the officer is managing/coping with the arrangement.

Customers who are restricted to a sole contact person will however be given the contact details of one additional staff member who they can contact if their primary contact is unavailable – e.g. they go on leave or are otherwise unavailable for an extended period of time.

6.3 What – restricting the subject matter of communications that we will consider

Where customers repeatedly send written communications, letters, emails, or online forms that raise trivial or insignificant issues, contain inappropriate or abusive content or relate to a concern/issue that has already been comprehensively considered and/or reviewed (at least once) by our office, we may restrict the issues/subject matter the customer can raise with us/we will respond to. For example, we may:

- Refuse to respond to correspondence that raises an issue that has already been dealt with comprehensively, that raises a trivial issue, or is not supported by clear/any evidence. The customer will be advised that future correspondence of this kind will be read and filed without acknowledgement unless we decide that we need to pursue it further in which case, we may do so on our 'own motion'.
- Restrict the customer to one concern/issue per month. Any attempts to circumvent this restriction, for example by raising multiple concerns/issues in the one letter may result in modifications or further restrictions being placed on their access.
- Return correspondence to the customer and require them to remove any inappropriate content before we will agree to consider its contents. A copy of the inappropriate

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correspondence will also be made and kept for our records to identify repeat/further UCC incidents.

6.4 When – limiting when and how a customer can contact us


If a customer's telephone, written or face-to-face contact with our organisation places an unreasonable demand on our time or resources because it is overly lengthy (e.g. disorganised and voluminous correspondence) or affects the health safety and security of our staff because it involves behaviour that is persistently rude, threatening, abusive or aggressive, we may limit when and/or how the customer can interact with us. This may include:

- Limiting their telephone calls or face-to-face interviews to a particular time of the day or days of the week.
- Limiting the length or duration of telephone calls, written correspondence or face-to-face interviews. For example:
 - Telephone calls may be limited to 10 minutes at a time and will be politely terminated at the end of that time period.
 - Lengthy written communications may be restricted to a maximum of 3 typed or written pages, single sided, font size 12 or it will be sent back to the customer to be organised and summarised – This option is only appropriate in cases where the customer is capable of summarising the information and refuses to do so.
 - Limiting face-to-face interviews to a maximum of 30 minutes.
- Limiting the frequency of their telephone calls, written correspondence or face-to-face interviews. Depending on the nature of the service(s) provided we may limit:
 - Telephone calls to [1] every month.
 - Written communications to [1] every month.
 - Face-to-face interviews to [1] every month.
- For irrelevant, overly lengthy, disorganised or frequent written correspondence we may also:
 - Require the customer to clearly identify how the information or supporting materials they have sent to us relate to the central issues identified in their matter of concern.
 - Restrict the frequency with which customer can send emails or other written communications to our office.
 - Restrict a customer to sending emails to a particular email account (e.g. city@mountgambier.sa.gov.au) or block their email access altogether and require that any further correspondence be sent through Australia Post only.

Writing only restrictions

When a customer is restricted to 'writing only' they may be restricted to written communications through:

- Australia Post only
- Email only to a specific staff email or city general office email account
- Fax only to a specific fax number
- Some other relevant form of written contact, where applicable.

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If a customer's contact is restricted to 'writing only', the General Manager will clearly identify the specific means that the customer can use to contact our office (e.g. Australia Post only). Also if it is not suitable for a customer to enter our premises to hand deliver their written communication, this must be communicated to them as well.

Any communications that are received by our office in a manner that contravenes a 'write only' restriction will either be returned to the customer or read and filed without acknowledgement.

6.5 Where – limiting face-to-face interviews to secure areas

If a customer is violent or overtly aggressive, unreasonably disruptive, threatening or demanding or makes frequent unannounced visits to our premises, we may consider restricting our face-to-face contact with them.

These restrictions may include:

- Restricting access to particular secured premises or areas of the office – such as a customer service, board/meeting room or other secured area/facility.
- Restricting their ability to attend our premises to specified times of the day and/or days of the week only – for example, when additional security is available or to times/days that are less busy.
- Allowing them to attend our office on an 'appointment only' basis and only with specified staff. Note – during these meetings staff should always seek support and assistance of a colleague for added safety and security.
- Banning the customer from attending our premises altogether and allowing some other form of contact – e.g. 'writing only' or 'telephone only' contact.

Contact through a representative only

In cases where we cannot completely restrict our contact with a customer and their conduct is particularly difficult to manage, we may also restrict their contact to contact through a support person or representative only. The support person may be nominated by the customer but must be approved by the General Manager.


When assessing a representative/support persons suitability, the General Manager should consider factors like: the nominated representative/support person's competency and literacy skills, demeanour/behaviour and relationship with the customer. If the General Manager determines that the representative/support person may exacerbate the situation with the customer the customer will be asked to nominate another person or we may assist them in this regard.

6.6 Completely terminating a customer's access to our services

In rare cases, and as a last resort when all other strategies have been considered and/or attempted, the General Manager and the Chief Executive Officer may decide that it is necessary for our organisation to completely restrict a customer's contact/access to our services.

A decision to have no further contact with a customer will only be made if it appears that the customer is unlikely to modify their conduct and/or their conduct poses a significant risk for our staff or other parties because it involves one or more of the following types of conduct:

- Acts of aggression, verbal and/or physical abuse, threats of harm, harassment, intimidation, stalking, assault.
- Damage to property while on our premises.

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- Threats with a weapon or common office items that can be used to harm another person or themselves.
- Physically preventing a staff member from moving around freely either within their office or during an off-site visit – e.g. entrapping them in their home.
- Conduct that is otherwise unlawful.

In these cases the customer will be sent a letter notifying them that their access has been restricted as outlined in Part ~~8~~⁷.4 below.

Such instances will also be reported to SA Police.

A customer's access to our services and our premises may also be restricted (directly or indirectly) using the le-g-al mechanisms such as trespass laws/legislation or le-g-al/intervention orders to protect members of our staff from personal violence, intimidation or stalking by a customer.

For more information, about the types of circumstances where le-g-al mechanisms may be used to deal with UCC, please contact SA Police.~~see:~~

~~Unauthorised entry onto agency premises — applying the provisions of the Enclosed Lands Protection Act 1901 (NSW)~~

~~Orders to address violence, threats, intimidation and / or stalking by complainants.~~

7. ALTERNATIVE DISPUTE RESOLUTION

7.1 Using alternative dispute resolution strategies to manage conflicts with customers

If the General Manager and Chief Executive Officer determine that we cannot terminate our services to a customer in a particular case or that we/our staff bear some responsibility for causing or exacerbating their conduct, they may consider using alternative dispute resolution strategies ('ADR') such as mediation and conciliation to resolve the conflict with the customer and attempt to rebuild our relationship with them.

If ADR is considered to be an appropriate option in a particular case, the ADR will be conducted by an independent third party to ensure transparency and impartiality.


However, we recognise that in UCC situations, ADR may not be an appropriate or effective strategy particularly if the customer is uncooperative or resistant to compromise. Therefore, each case will be assessed on its own facts to determine the appropriateness of this approach.

8. PROCEDURE TO BE FOLLOWED WHEN CHANGING OR RESTRICTING A CUSTOMER'S ACCESS TO OUR SERVICES

8.1 Consulting with relevant staff

When the relevant Manager receives a UCC incident form from a staff member they will contact the staff member to discuss the incident. They will discuss:

- The circumstances that gave rise to the UCC/incident.
- The impact of the customer's conduct on our organisation, relevant staff, our time, resources, etc.
- The customer's responsiveness to the staff member's warnings/requests to stop the behaviour.

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- The actions the staff member has taken to manage the customer's conduct, if any.
- The suggestions made by relevant staff on ways that the situation could be managed.

8.2 Criteria to be considered

Following a consultation with relevant staff the relevant Manager will search the adopted case management system for information about the customer's prior conduct and history with our organisation. They will also consider the following criteria:

- Whether the conduct in question involved overt emotion, anger, aggression, violence or assault (which is unacceptable in all circumstances).
- Whether the complainant's case has merit.
- The likelihood that the complainant will modify their unreasonable conduct if they are given a formal warning about their conduct.
- Whether changing or restricting access to our services will be effective in managing the complainant's behaviour.
- Whether changing or restricting access to our services will affect the complainant's ability to meet their obligations, such as reporting obligations.
- Whether changing or restricting access to our services will have an undue impact on the customer's welfare, livelihood or dependents etc.
- Whether (where known) the customer's personal circumstances have contributed to the behaviour? For example, the customer is a vulnerable person who is under significant stress as a result of one or more of the following:
 - homelessness
 - physical disability
 - illiteracy or other language or communication barrier
 - mental or other illness
 - personal crises
 - substance or alcohol abuse.
- Whether the customer's response/conduct in the circumstances was moderately disproportionate, grossly disproportionate or not at all disproportionate.
- Whether there any statutory provisions that would limit the types of limitations that can be put on the customer's contact/access to our services.

Once the Manager has considered these factors they will decide on the appropriate course of action. They may suggest formal or informal options for dealing with the customer's conduct which may include one or more of the strategies provided in the practice manual and this policy.

See [UCC Appendix C – Sample Checklist for General Managers \(available at AF/25/324-01\)](#) when deciding to modify or restrict a customer's access.

8.3 Providing a warning letter

Unless a customer's conduct poses a substantial risk to the health and safety of staff or other third parties requiring immediate action to amend or restrict access to Council services, the relevant Manager will provide them with a written warning about their conduct in the first instance.

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The warning letter will:

- Specify the date, time and location of the UCC incident.
- Explain why the customer's conduct/ UCC incident is problematic.
- List the types of access changes and/or restrictions that may be imposed if the behaviour continues. (Note: not every possible restriction should be listed only those that are most relevant).
- Provide clear and full reasons for the warning being given
- Include an attachment of the organisation's ground rules and / or briefly state the standard of behaviour that is expected of the customer. See **Appendix BA**.
- Provide the name and contact details of the staff member who they can contact about the letter.
- Be signed by the Manager or preferably the General Manager/Chief Executive Officer.

Where a contact address for the customer is not known a warning letter may be served to the customer when they next attend a Council office.

See UCC Appendix D—Sample Warning Letter (available at AF/25/324-01).

8.4 Providing a notification letter

If a customer's conduct continues after they have been given a written warning or in extreme cases of overt aggression, violence, assault or other unlawful/unacceptable conduct the General Manager or Chief Executive Officer has the discretion to send a notification letter immediately restricting the customer's access to our services (without prior written warning).

This notification letter will:

- Specify the date, time and location of the UCC incident(s).
- Explain why the customer's conduct/UCC incident(s) is problematic.
- Identify the change and/or restriction that will be imposed and what it means for the customer.
- Provide clear and full reasons for this restriction.
- Specify the duration of the change or restriction imposed, which will not exceed 12 months.
- Indicate a time period for review.
- Provide the name and contact details of the senior officer who they can contact about the letter and/or request a review of the decision.
- Be signed by the General Manager or Chief Executive Officer.

See UCC Appendix E—Sample Letter Notifying Customers of a Decision to Change or Restrict their Access to our Services (available at AF/25/324-01).

8.5 Notifying relevant staff about access changes/restrictions

The General Manager will notify relevant staff about any decisions to change or restrict a customer's access to our services, in particular reception and security staff in cases where a customer is prohibited from entering our premises.

The General Manager will also update the adopted case management system with a record outlining the nature of the restrictions imposed and their duration.

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8.6 Continued monitoring/oversight responsibilities

Once a customer has been issued with a warning letter or notification letter the General Manager will review the complainant's record/restriction every 3 months, on request by a staff member, or following any further incidents of UCC that involve the particular customer to ensure that they are complying with the restrictions/the arrangement is working.

If the General Manager determines that the restrictions have been ineffective in managing the customer's conduct or are otherwise inappropriate, they may decide to either modify the restrictions, impose further restrictions or terminate the customer's access to our services altogether.

9. APPEALING A DECISION TO CHANGE OR RESTRICT ACCESS TO OUR SERVICES

9.1 Right of appeal

Customers are entitled to one appeal of a decision to change/restrict their access to our services.

This review will be undertaken by a senior staff member who was not involved in the original decision to change or restrict the customer's access. This staff member will consider the customer's arguments along with all relevant records regarding the customer's past conduct. They will advise the customer of the outcome of their appeal by letter which must be signed off by the Chief Executive Officer. The staff member will then refer any materials/records relating to the appeal to the Manager Organisational Development to be kept in the appropriate file.

If a customer continues to be dissatisfied after the appeal process, they may seek an external review from an oversight agency such as the Ombudsman. The Ombudsman may accept the review (in accordance with its administrative jurisdiction) to ensure that we have acted fairly, reasonably and consistently and have observed the principles of good administrative practice including, procedural fairness.

10. NON-COMPLIANCE WITH A CHANGE OR RESTRICTION ON ACCESS TO OUR SERVICES

10.1 Recording and reporting incidents of non-compliance

All staff members are responsible for recording and reporting incidents of non-compliance by customers. This should be recorded in a file note in the adopted case management system and a copy forwarded to the General Manager who will decide whether any action needs to be taken to modify or further restrict the complainant's access to our services.


11. PERIODIC REVIEWS OF ALL CASES WHERE THIS POLICY IS APPLIED

11.1 Period for review

All UCC cases where this policy is applied will be reviewed every 3 months or 6 months (depending on the nature of the service provided) and not more than 12 months after the service change or restriction was initially imposed or continued/upheld.

11.2 Notifying the customer of an upcoming review

The General Manager will invite all relevant customers to participate in the review process unless they determine that this invitation will provoke a negative response from the customer (ie further UCC). The invitation will be given, and the review will be conducted in accordance with the customer's access restrictions (e.g. if contact has been restricted to writing only then the invitation to participate will be done in writing).

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See ~~UCC Appendix F~~—Sample ~~L~~etter ~~N~~otifying a ~~C~~ustomer of an ~~U~~ppcoming ~~R~~eview (available at AF/25/324-01).

11.3 Criteria to be considered during a review

When conducting a review the General Manager will consider:

- Whether the customer has had any contact with the organisation during the restriction period.
- The customer's conduct during the restriction period.
- Any information/arguments put forward by the customer for review.
- Any other information that may be relevant in the circumstances.

The General Manager may also consult any staff members who have had contact with the customer during the restriction period.

Note – Sometimes a customer may not have a reason to contact our office during their restriction period. As a result, a review decision that is based primarily on the fact that the customer has not contacted our organisation during their restriction period (apparent compliance with our restriction) may not be an accurate representation of their level of compliance/reformed behaviour. This should be taken into consideration, in relevant situations.

See ~~Appendix G~~—~~UCC~~ Sample ~~C~~hecklist for ~~R~~eviewing an ~~A~~ccess ~~C~~hange/~~R~~estriction (available at AF/25/324-01).

11.4 Notifying a customer of the outcome of a review

The General Manager will notify the customer of the outcome of their review using the appropriate/relevant method of communication as well as a written letter explaining the outcome, as applicable. The review letter will:

- Briefly explain the review process.
- Identify the factors that have been taken into account during the review.
- Explain the decision/outcome of the review and the reasons for it.

If the outcome of the review is to maintain or modify the restriction the review letter will **also**:

- Indicate the nature of the new or continued restriction.
- State the duration of the new restriction period.
- Provide the name and contact details of the relevant Manager who the customer can contact to discuss the letter.
- Be signed by the General Manager or Chief Executive Officer.


See ~~UCC Appendix H~~—Sample ~~L~~etter ~~A~~dvising the ~~C~~ustomer of the ~~O~~utcome of a ~~R~~eview (available at AF/25/324-01).

11.5 Recording the outcome of a review and notifying relevant staff

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Like all other decisions made under this policy, the General Manager is responsible for keeping a record of the outcome of the review, updating the adopted case management system and notifying all relevant staff of the outcome of the review including if the restriction has been withdrawn.

See Parts 54.2 and 87.5 above.

12 MANAGING STAFF STRESS

12.1 Staff reactions to stressful situations

Dealing with customers who are demanding, abusive, aggressive or violent can be extremely stressful and at times distressing or even frightening for all our staff – both experienced and inexperienced. It is perfectly normal to get upset or experience stress when dealing with difficult situations.

As an organisation, we have a responsibility to support staff members who experience stress as a result of situations arising at work and we will do our best to provide staff with debriefing and counselling opportunities, when needed. However, to do this we also need help of all City of Mount Gambier staff to identify stressful incidents and situations.

As a result, all staff have a responsibility to notify relevant supervisors/senior managers of UCC incidents and any stressful incidents that they believe require management involvement.

12.2 Debriefing

Debriefing means talking things through following a difficult or stressful incident. It is an important way of 'off-loading' or dealing with stress. Many staff members naturally do this with colleagues after a difficult telephone call, but debriefing can also be done with a supervisor or senior manager or as a team following a significant incident. We encourage all staff to engage in an appropriate level of debriefing, when necessary.

Staff may also access an external professional service on a needs basis. All staff can access the Employee Assistance Program – a free, confidential counselling service.

Further information on service providers and contact details to make an appointment are available on the staff Intranet and notice boards.

13 OTHER REMEDIES

13.1 Compensation for injury


Any staff member who suffers injury as a result of aggressive behaviour from customers is entitled to make a workers' compensation claim. Human Resources will assist wherever possible in processing claims. If you are the victim of an assault, they may also be able to apply to the Victim's Compensation Tribunal for compensation.

13.2 Compensation for damage to clothing or personal affects

Where damage is suffered to clothing or personal effects as a result of aggression by a customer, compensation or replacement may be sought.

13.3 Legal assistance

If a staff member is physically attacked, or is a victim of employment generated harassment and the police do not lay charges, the Chief Executive Officer will consider providing reasonable legal assistance if the staff members wishes to take civil action.

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13.4 Threats outside the office or outside working hours

Where threats are directed at a particular staff member and it appears those threats may be carried out outside normal working hours or outside the office, the staff member will receive the support of the office. Requests for such assistance should be made to the General Manager or Chief Executive Officer.

13.5 Escorts home

When a staff member fears for their safety following a threat from a customer, another staff member may accompany them home or the office can meet the cost of the staff member going home in a taxi. Ask the relevant Manager for more information.

13.6 Telephone threats on home numbers

If a staff member or their family have been harassed by telephone at their home and they believe it is connected with their employment they may apply to have the office meet the cost of having their telephone number changed and/or made silent. The staff member should also contact their telephone carrier, as they may provide an interception/monitoring service.

If assistance is approved, the City of Mount Gambier will meet the cost incurred for a period up to 12 months. Once approval is given, the staff member is responsible for making the necessary arrangements and will be reimbursed after producing a paid account.

Applications for reimbursement must be approved by the Chief Executive Officer.

13.7 Other security measures

If other security measures are necessary, the office will give consideration to providing all reasonable support to ensure the safety and welfare of the staff member.

14. TRAINING AND AWARENESS

The City of Mount Gambier is committed to ensuring that all staff are aware of and know how to use this policy. All staff who deal with customers in the course of their work will also receive appropriate training and information on using this policy and on managing UCC on a regular basis in particular, on induction.

15. OMBUDSMAN MAY REQUEST COPIES OF OUR RECORDS

The City of Mount Gambier will keep records of all cases where this policy is applied, including a record of the total number of cases where it is used every year.

This data may be requested by the Ombudsman to conduct an overall audit and review in accordance with its administrative functions and/or to inform its work on UCC.

16. REVIEW & EVALUATION


Council will review this Policy once during every Council term, or upon significant legislative change as required. The Council may, at any time by resolution, alter, or substitute, or revoke this Policy.

~~This Policy is scheduled for review by Council in November 2022; however, will be reviewed as required by any legislative changes which may occur.~~

~~All staff may forward any suggestions they have in relation to this policy to the Manager Organisational Development, who along with the Management Team will review it biennially (every 2 years).~~

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17. AVAILABILITY OF POLICY

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

Copies will also be provided to interested members of the community upon request, and upon payment of a fee in accordance with Council's Schedule of Fees and Charges.

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File Reference:	AF18/48
Applicable Legislation:	Local Government Act 1999 Workplace Health and Safety Act 2012 (SA) Workplace Health and Safety Regulations 2021 (SA)
Reference: Strategic Plan 202 40 -202 8 ⁴	Our People Our Commitment <u>Excellence in Leadership and Governance</u>
Related Policies:	Request for Service and Complaint Policy - C200
Related Procedures:	Occupational Health and Safety Principles Administrative Procedure – Acknowledging and Responding to Customer Feedback and Request for Service Administrative Procedure – Employee Assistance Program
Related Documents:	<u>Managing Unreasonable Complainant Conduct Practice Manual - 2nd Edition</u>

DOCUMENT DETAILS

Responsibility:	<u>General Manager</u> <u>Corporate and Regulatory Services</u> Organisational Development
Version:	2 ⁴ .0
Last revised date:	15 December, 2020 <u>September 2025</u>
Effective date:	15 December, 2020 <u>16 September 2025</u>
Minute reference:	15 December, 2020-16 September 2025 Council, Item 46.4X – Resolution 2020/384X
Next review date:	December 202 7 ³
<u>Document History</u>	


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First Adopted By Council:	15 December, 2020
Reviewed/Amended:	16 September 2025

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APPENDIX A

Background

In 2006 the Australasian Parliamentary Ombudsman began a collaborative project on Managing Unreasonable Complainant Conduct ('UCC'). The focus of this project has been to develop clear and practical strategies to help organisations and their staff manage their interactions with complainants whose conduct is identified as unreasonable.

One of the key principles and messages underlying the Ombudsman project has been the idea that to effectively manage UCC organisations need to recognise that dealing with it is a core part of complainant handling work. As such UCC must be treated as a priority and given adequate resources, including being supported by clear policies and procedures.

Accordingly, since the publication of the first edition of the Ombudsman *Managing Unreasonable Complainant Conduct Practice Manual* in 2009 a number of public organisations have taken steps to develop policies and procedures to assist and support their staff in this regard. While this appears to have led to a general improvement in how UCC is managed, Ombudsman offices across Australasia have observed significant variations in the level of detail and contents of these policies, as well as a general lack of formal procedures to support them.


For example, we have found some policies do not adequately define the roles or responsibilities of frontline officers and senior managers to take action in relation to UCC. They do not distinguish between the strategies that frontline officers are authorised to use and those that must be considered and acted on at a senior management level – e.g. those that seek to change or restrict a complainant's ability to access their services. Other policies do not provide/are not supported by any procedures for recording or reporting UCC incidents and do not provide guidance on the type of criteria that should be considered when restricting a complainant's access to services. They also fail to identify any systems or processes for reviewing such restrictions and do not include strategies on how staff can deal with complainants who do not comply with these types of restrictions.

As a result, as Stage 2 of the UCC project has progressed, the Parliamentary Ombudsman have identified a number of situations where unclear and/or informal policies and procedures have led to a range of administrative problems and inconsistencies in how UCC is managed. See for example: *Commonwealth Ombudsman, Unreasonable customer conduct and 'write only' policy*.¹

Purpose

The model policy has been developed to clarify the Ombudsman policy recommendations in relation to the management of UCC. It attempts to provide a robust, standardised and consistent model policy and procedure that organisations can use to inform and support their policy development processes. We recommend that all organisations – whether they are in the process of developing a UCC policy and procedure or already have an existing one(s) – take time to review this document to ensure their policies and procedures are fair and consistent, and compliant with Ombudsman's suggested approach.

At the same time it should be noted that this document is only a guide. Each organisation will need to decide how best to implement the information contained in it to suit their own circumstances and existing organisational systems and protocols.

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1 Commonwealth Ombudsman 2010, *Department of Human Services, Child Support Agency, Unreasonable customer conduct and 'write only' policy*, Report no 14/2010, Canberra.

Important points and caveats

Policy and procedure to be in writing

To ensure transparency, accountability, fairness and consistency in the management of UCC, it is essential for an organisation to have a written UCC policy and procedure(s) for its staff. A written policy and procedures will ensure that staff are aware of their roles and responsibilities and have clear guidance and authority to deal with UCC on a daily basis. A written policy and procedure will also provide a reference point for all complainants whose conduct is managed in accordance with it, as well as review bodies, courts or tribunals that may subsequently be tasked with reviewing their application.


Contents of a UCC policy

A robust and comprehensive UCC policy should include the following basic features:

- Clear guidance about the authority vested in frontline staff and senior management to respond to and manage UCC, including taking action to restrict a complainant's access to services.
- An explanation of the types of circumstances where it might be appropriate to change or restrict a complainant's access to services and the procedures that should be followed when doing so.
- A range of possible service restrictions (not just 'write only' restrictions) that staff can use to manage UCC.
- Guidance about the types of factors that should be taken into account when deciding to change or restrict a complainant's access to services.
- Procedures for communicating with complainants about decisions to change or restrict their access, including the use of template letters.
- A centralised system for recording and reporting details of complainants with service restrictions to assist with ongoing management and review of these cases.
- A standardised process for reviewing decisions to change or restrict access – including fixed time periods and criteria for review, and a presumption that any restriction will be lifted unless there is a clear need for it to continue.

In addition, national organisations and/or those with multiple offices should standardise their UCC policies to ensure overall consistency in how UCC is dealt with in each office. This is particularly important for managing situations where complainants attempt to forum shop from one office to the next or have legitimate reasons for having contact with more than one office – e.g. Centrelink.

See Part 32.1 – policy and procedure.

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Avoiding misuses and overuses of UCC policies

Organisations also need to take steps to ensure that their UCC policies are applied cautiously and sparingly. The Ombudsman's approach and UCC policies, in general, should never be seen as a quick solution for dealing with complainants who are angry or frustrated or who are viewed as being annoying or a nuisance. They are intended to be applied in cases where UCC is in fact an issue – that is in cases where a complainant's conduct raises the types of safety, resource and equity issues identified in the [Managing Unreasonable Complainant Conduct Practice Manual \(2nd edition\)](#) and supporting documents. For most organisations these cases are likely to be very few in number.

Organisations should also take steps to ensure their UCC policies are applied in the least restrictive ways possible. They should never be applied in ways that go beyond what is appropriate and necessary to manage a complainant's conduct and must always be proportionate to the complainant's personal circumstances. The aim when applying such policies should not be to punish the complainant but rather to manage the impacts of their conduct.

For example, it would be inappropriate for an organisation to restrict a complainant's access to 'writing only' if that complainant is not proficient in English, is illiterate or vision impaired. It would be equally inappropriate to impose access restrictions in ways that would limit a complainant's ability to exercise a right that has been provided to them by statute.

To guard against misuses or overuses of UCC policies, we strongly suggest that all organisations should implement effective systems for:

Recording and reporting all UCC incidents – this includes ensuring that their staff are well trained in appropriate and consistent record keeping practices and ensuring they have in place a centralised case management system where UCC incidents can be easily recorded and accessed.

A good case management system – that is capable of delivering timely and accurate information about complainants and their complaints – is essential for the proper management of UCC, particularly if a complainant's ability to interact with the organisation has been modified or restricted as a result of their behaviour. It can facilitate the sharing and dissemination of information among staff and ensure consistency in the approaches taken.

A well implemented case management system is:

- easily accessible and searchable
- capable of being easily updated with contemporaneous information
- contains information and documentation relating to all complaints and complainants
- includes a system of alerts and notifications that promptly alert staff to any access changes or restrictions along with contextual information (in summary form) of the nature and reasons for those restrictions
- includes a tracking system for monitoring incidents of UCC and their progress.
- Also, staff need to be clearly advised about whom, within the organisation, they should report UCC incidents to, as well as the proper procedure(s) for doing so.

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Tracking and monitoring all uses of their policies – one staff member [e.g. a *nominated senior manager*] should be responsible for tracking and monitoring all uses of their UCC policy to ensure that it is being applied consistently, appropriately and effectively and that UCC cases are reviewed at appropriate intervals.

Reviewing all cases where their policies are used – all uses of their UCC policies should be reviewed at regular intervals to ensure that they continue to be necessary, appropriate and effective in the circumstances.

See Parts 54, 87.6, 109, and 119 of the attached Policy.

Handling complaints in ways that will not trigger or exacerbate UCC

Organisations must acknowledge that sometimes they and their staff get it wrong and can, in fact, trigger or exacerbate UCC. Mistakes can be made, complaints/cases can be mishandled, processes and procedures can be overly complex or unresponsive to the needs of certain complainants, and delays may occur. In these circumstances, and in any circumstance where an organisation contributes to a complainant's unreasonable conduct, they should immediately rectify the problem – including providing the complainant with an apology. For further advice on making apologies, see: Apologies – A practical guide, NSW Ombudsman, March 2009).

If remediation does not work and the organisation's relationship with the complainant breaks down, it may be necessary to organise alternative dispute resolution approaches – such as conciliation – to resolve the issue and rebuild the relationship with the complainant to the extent possible.

See Part 76 of the attached Policy.

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APPENDIX BA

Individual Rights and Mutual Responsibilities of Parties

In order for the City of Mount Gambier to ensure that all complaints are dealt with fairly, efficiently and effectively and that occupational health and safety standards and duty of care obligations are adhered to, the following rights and responsibilities must be observed and respected by all of the parties involved in relation to unreasonable conduct.

Individual rights

Customers have the right:


- to raise concerns and to express their opinions in ways that are reasonable, lawful and appropriate
- to a fair and impartial assessment and, where appropriate, investigation of their concerns based on the merits of the case
- to a fair hearing
- to be informed in at least general terms about the actions taken and outcome of their concerns
- to be given reasons that explain decisions affecting them
- to be treated with courtesy and respect
- to communicate valid concerns and views without fear of reprisal or other unreasonable response.

Staff have the right:

- to determine whether, and if so how, concerns will be dealt with
- to finalise matters on the basis of outcomes they consider to be satisfactory in the circumstances
- to expect honesty, cooperation and reasonable assistance from customers
- to expect honesty, cooperation and reasonable assistance from organisations and people within jurisdiction who are the subject of a customer concerns
- to be treated with courtesy and respect
- to a safe and healthy working environment
- to modify, curtail or decline service (if appropriate) in response to unacceptable behaviour by a customer.

Subjects of customer concerns have the right:

- to a fair and impartial assessment and, where appropriate, investigation of the allegations made against them
- to be treated with courtesy and respect by staff of the City of Mount Gambier
- to be informed (at an appropriate time) about the substance of the allegations made against them that are being investigated
- to be informed about the substance of any proposed adverse comment or decision
- to be given a reasonable opportunity to put their case during the course of any investigation and before any final decision is made
- to be told the outcome of any investigation into allegations about their conduct, including the reasons for any decision or recommendation that may be detrimental to them.

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Mutual responsibilities

Customers are responsible for:

- clearly identifying to the best of their ability their issues of concern, or asking for help from the staff of the City of Mount Gambier to assist them in doing so
- providing to the best of their ability the City of Mount Gambier with all the relevant information available to them at the time of raising concerns
- being honest in all communications with the City of Mount Gambier
- informing the City of Mount Gambier of any other action they have taken in relation to their concerns
- cooperating with the staff who are assigned to assess/ investigate/resolve/determine or otherwise deal with their concerns
- treating staff of the City of Mount Gambier with courtesy and respect.


If customers do not meet their responsibilities, the City of Mount Gambier may consider placing limitations or conditions on their ability to communicate with staff or access certain services.

The City of Mount Gambier has a zero tolerance policy in relation to any harm, abuse or threats directed towards its staff. Any conduct of this kind may result in a refusal to take any further action on a concern or to have further dealings with the customer. In certain cases legal action may also be considered.

Staff are responsible for:

- providing reasonable assistance to customers who need help to raise their concerns and, where appropriate, during the investigation process
- dealing with all concerns, customers and people or organisations the subject of concern professionally, fairly and impartially
- giving customers or their advocates a reasonable opportunity to explain their concerns, subject to the circumstances of the case and the conduct of the customer
- giving people or organisations the subject of concern a reasonable opportunity to put their case during the course of any investigation and before any final decision is made
- informing people or organisations the subject of investigation, at an appropriate time, about the substance of the allegations made against them and the substance of any proposed adverse comment or decision that they may need to answer or address
- keeping customers informed of the actions taken and the outcome of their concerns
- giving customers reasons that are clear and appropriate to their circumstances and adequately explaining the basis of any decisions that affect them
- treating customers and any people the subject of concerns with courtesy and respect at all times and in all circumstances
- taking all reasonable and practical steps to ensure that customers are not subjected to any detrimental action in reprisal for raising their concerns
- giving adequate warning of the consequences of unacceptable behaviour.

If the City of Mount Gambier or its staff fail to comply with these responsibilities, customers may further raise their concern with the Chief Executive Officer or the SA Ombudsman.

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Subjects of customer concerns are responsible for:


- cooperating with the staff of the City of Mount Gambier who are assigned to handle the concerns, particularly where they are exercising a lawful power in relation to a person or body within their jurisdiction
- providing all relevant information in their possession to the City of Mount Gambier or its authorised staff when required to do so by a properly authorised direction or notice
- being honest in all communications with City of Mount Gambier and its staff
- treating the staff of the City of Mount Gambier with courtesy and respect at all times and in all circumstances
- refraining from taking any detrimental action against the customer in reprisal for them raising concerns

If subjects of a customer concern fail to comply with these responsibilities, action may be taken under relevant laws and/or codes of conduct.

The City of Mount Gambier is responsible for:

- having an appropriate and effective request for service and complaint handling system in place for receiving, assessing, handling, recording and reviewing requests for service and complaints
- ensuring that all customer concerns are dealt with professionally, fairly and impartially
- ensuring that staff treat all parties to a customer concern with courtesy and respect
- ensuring that the assessment and any inquiry into the investigation of a concern is based on sound reasoning and logically probative information and evidence
- finalising matters of concern on the basis of outcomes that the organisation, or its responsible staff, consider to be satisfactory in the circumstances
- implementing reasonable and appropriate policies/procedures/practices to ensure that customers are not subjected to any detrimental action in reprisal for raising their concerns
- giving adequate consideration to any privacy implications that may arise in the handling of customer concerns and the conduct of investigations.

If the City of Mount Gambier fails to comply with these responsibilities, customers may complain to the Chief Executive Officer or the SA Ombudsman.

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Appendix B

~~Sample UCC incident form This form should only be completed if you encounter unreasonable customer conduct and consider that steps may need to be taken to change or restrict a customer's access to services provide by our organisation.~~

~~You must complete this form and send it electronically or by hand to the General Manager within 24 hours of a UCC incident. They will decide on the necessary and appropriate course of action for responding to and managing the customer's conduct.~~

~~Date: _____ Case officer's name: _____~~

~~Name of customer: _____ Customer's case file number: _____~~


~~Details of the customer's conduct/incident including whether emergency services were contacted:~~

~~Why do you consider this conduct to be unreasonable? For example — has it occurred before/repeatedly, caused significant disruptions to our organisation, has or could raise significant health and safety issues for our staff or other persons.~~

~~What action, if any, have you taken to deal with/manage the customer's conduct? For example — warning the customer 'verbally' about their conduct, other/previous attempts to manage the behaviour etc.~~

~~What do you think should be done to effectively manage the customer's conduct? Note — the final decision on the appropriate course of action will be made by the General Manager.~~

~~Is there any other information that might be relevant to this case? If necessary, attach any supporting documentation.~~

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Appendix C

~~Sample checklist for the General Manager to consider when deciding to modify or restrict a customer's access~~

- ☐ ~~I have received a signed and completed incident form from the case officer(s) involved (attach copy).~~
- ☐ ~~I have spoken with relevant case officer(s) to obtain further information, as needed.~~
- ☐ ~~I have reviewed the customer's record and all the relevant information in it.~~
- ☐ ~~I have referred to and considered Part 87.2 Criteria to be considered which includes an assessment of the following:~~
- ☐ ~~The merits of the customers case~~

- ☐ ~~The customer's circumstances~~

- ☐ ~~Jurisdictional issues~~

- ☐ ~~Proportionality~~

- ☐ ~~Organisational or case officer responsibility~~

- ☐ ~~Responsiveness, including previous conduct~~


- ☐ ~~Case officer's personal boundaries~~

- ☐ ~~Conduct that is unreasonable in all circumstances (assault, threats of harm etc.)~~

- ☐ ~~Along with the case officer concerned and any other relevant officers, I have considered all reasonable options for managing the customer's conduct, including those that do not involve~~

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~~restricting their access to our services.~~


~~☐ The customer has been warned about their conduct in writing, and the letter has been signed by the Manager, General Manager or Chief Executive Officer.~~

~~☐ The customer has been advised in writing of our decision to restrict their access to our organisation, and the letter has been signed by the Chief Executive Officer.~~

~~☐ I have made a record of my assessment and decision about the customer's conduct and all relevant staff members have been notified of my decision.~~

~~☐ An electronic alert has been created in the adopted case management system that notifies any staff dealing with this customer of the nature of the conduct that caused us to be concerned, the nature of the restriction that has been placed on their access, its duration, how they are to deal with the customer (including who they should direct any communications from the customer to).~~

Date: _____ Signature: _____

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Appendix D

Sample warning letter

[To be signed by the CEO or General Manager]

Our reference: [reference]

Contact: [case officer]

Telephone: [number]

[Date]

[Name of customer]

[Address of customer]

Dear [name of customer]

Your contact with the City of Mount Gambier

You recently had [state the form of contact — e.g. telephone, written or face to face] with staff at my office on [date]. [During/In that telephone call/appointment/letter.] I understand that you [explain the nature of the conduct that has caused the organisation to be concerned].

We consider this type of behaviour to be inappropriate and it must stop. If you continue to behave in this way or in any other way that my staff consider to be unreasonable, we will impose restrictions on your contact with our office. This may involve restricting your contact to [apply the relevant option(s)]:

- ☐ 'Writing only' — this means that we will only accept communications from you in writing, delivered by Australia Post [if online or other written communications are preferred then explain].
- ☐ 'Telephone contact only' — this means that you will only be able to contact us by telephone on a specified time and day of the week.
- ☐ 'Face to face contact only' — this means that your contact will be limited to scheduled face-to-face meetings with a specified member of our staff.


Or any other restriction that we consider to be appropriate in the circumstances.

I have attached a copy of a document called [Individual rights and mutual responsibilities of the parties] for your reference. We expect everyone who deals with this office to act in the ways described in this document.

If you have any questions about this letter, contact [provide name and phone number of the General Manager].

Yours sincerely,

Manager / General Manager / Chief Executive Officer

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Appendix E

~~Sample letter notifying a customer of a decision to change or restrict their access to our services
[To be signed by the CEO or General Manager]~~

~~Our reference: [reference]
Contact: [case officer]
Telephone: [number]~~

~~[Date]~~

~~[Name of customer]
[Address of customer]~~

~~Dear [name of customer]~~

~~Decision to restrict your contact with the City of Mount Gambier~~

~~It has come to my attention that you [describe the nature of the unreasonable conduct and its impact — e.g. if the customer has been sending emails to several members of my staff on a daily basis...]~~

~~I understand that my staff have previously told you that we consider this conduct to be unreasonable and unwarranted.~~

~~I also wrote to you on [date] and asked you to stop this behaviour. In that letter I advised you that if your behaviour continued, we would restrict your contact with my organisation. At the time I also attached a copy of our [Individual rights and mutual responsibilities of the parties] which outlines your responsibilities as a customer.~~

~~Because your behaviour has continued, I now consider it necessary to impose certain restrictions on your future contact with my organisation. I therefore give you notice that from [date], and with the exception(s) detailed below, my organisation will only accept communication from you [identify permissible form of contact, if any].~~

What this means

~~This means that you are only to contact our organisation using [describe the restriction in further details]. Any communications that do not comply with this restriction will be [describe what will happen — e.g. phone calls will be terminated immediately or emails/written communications will be read and filed without acknowledgment, emails will be blocked or deleted, no interviews will be granted, etc].~~

~~[Note: the customer should be clearly informed how they can contact the organisation and how the organisation will contact them].~~

Your existing concerns (if applicable)

~~This organisation currently has one file open in your name. This relates to [state the subject of concern and describe concern]. This file is being handled by [name of officer and position title]. While you are able to contact [name of officer] [state nature of contact — e.g. by email] about this specific matter, all other contact with my organisation, including any future concerns, must be [state restriction — e.g. in writing through Australia Post] [provide contact details — e.g. address of organisation where post can be sent].~~

Review of this decision

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~~My decision to restrict your contact with this organisation is effective immediately and will last for [3 months/6 months/12 months]. At that time we will review your restriction and decide if it should be maintained, amended or withdrawn.~~

~~I take these steps with the greatest reluctance, but [state reason for restriction—e.g. the equity and safety of other customers and my staff], leaves me no alternative.~~

~~If you have any questions about this letter, you can contact [provide name and phone number of the General Manager].~~

~~Yours sincerely,~~

~~Chief Executive Officer / General Manager~~

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Appendix F

~~Sample letter notifying a customer of an upcoming review
[To be signed by the CEO or General Manager]~~

~~Our reference: [reference]
Contact: [case officer]
Telephone: [number]~~

~~[Date]~~

~~[Name of customer]
[Address of customer]~~

~~Dear [name of customer]~~

~~Upcoming review of the decision to restrict your contact with [name of organisation]~~

~~It has now been [3 months/6 months/12 months] since restrictions were [imposed/upheld] on your contact with our office. As advised in our letter dated [date], we are now reviewing our decision to ascertain whether the restrictions should be maintained, amended or withdrawn.~~

~~We consider it important to give you an opportunity to participate in the review process, so we are therefore inviting you to [apply the relevant option(s)]:~~

- ~~☐ make submissions in writing through Australia Post [include contact person's name and address]~~
- ~~☐ schedule a face-to-face interview with [include name of staff member and provide instructions on how they should go about scheduling the appointment — e.g. calling though the reception line on (08) 8207 2555]~~
- ~~☐ schedule a telephone interview with [include name of staff member and provide instructions on how they should go about scheduling the appointment — e.g. calling though the reception line on (08) 8207 2555]~~


~~In your letter, you should include information that would be relevant to our review. This includes information about [.....]/During the interview which will not last more than 30 minutes, we will discuss whether:~~

- ~~☐ you have complied with the current contact restrictions~~
- ~~☐ the current contact restrictions should be removed~~
- ~~☐ the current contact restrictions should be amended to better suit your personal circumstances~~
- ~~☐ the current contact restrictions should be maintained~~
- ~~☐ any other information that is relevant to our decision.~~

~~We must receive your letter by [time and date]/you should confirm your interview with [name of case officer] by [time and date]. If we do not receive it/hear from you by this date, we will assume that you do not wish to participate in this review and will undertake the review based on the information that we have available to us.~~

~~Once the review is completed, we will contact you again by letter notifying you of our decision. If you have any questions about this letter, you can contact [provide name and phone number of the nominated senior manager].~~

~~Yours sincerely,
Chief Executive Officer / General Manager~~


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Appendix G

Sample checklist for reviewing a decision regarding an access change/restriction

- ☐ The customer has been sent a letter notifying them of the review.
- ☐ The customer will/will not participate in the review.
- ☐ the customer has/has not scheduled a face to face interview
- ☐ the customer has/has not made written submissions
- ☐ the customer has/has not scheduled a telephone interview
- ☐ I have reviewed all the information in the adopted case management system from the last 12 months [or relevant period of the restriction] about the customer's:
 - ☐ contact with the office (explain form of contact)
 - _____
 - _____
 - ☐ conduct during that contact (explain if conduct reasonable or unreasonable)
 - _____
 - _____
- ☐ I have spoken with the case officers who have had contact with the customer during the last 12 months about the customer's conduct during that period.
- ☐ I have considered the arguments/statements made by the customer, including the impact of the restrictions on them (explain customer's position, including if their circumstances have changed etc.) Note: if the customer is arguing that their circumstances have changed, they should be required to submit evidence to support this claim.
 - _____
 - _____
 - _____
- ☐ I have considered whether there are other more reasonable/suitable options for managing the customer's conduct, including those that do not involve restricting their access to our services (list all that apply).
 - _____
 - _____
 - _____
- ☐ I consider that the restriction should be (explain):
 - maintained — e.g. because conduct has continued, is likely to continue, is disproportionate
 - removed — e.g. because the customer has complied with the restrictions etc.
 - amended — e.g. because the customer's circumstances have changed and the current restriction is no longer appropriate.
 - _____
 - _____
 - _____
- ☐ I have discussed my decision with other relevant officers
- ☐ The customer has been advised in writing of my decision to maintain/remove/ amend the restriction and this letter has been signed by the CEO.
- ☐ The adopted case management system has been updated to reflect my decision.

Date: _____ Signature: _____

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Appendix H

~~Sample letter advising the customer of the outcome of a review
[To be signed by the CEO or General Manager]~~

~~Our reference: [reference]
Contact: [case officer]
Telephone: [number]~~

~~[Date]~~

~~[Name of customer]
[Address of customer]~~

~~Dear [name of customer]~~

~~Review of your contact with the City of Mount Gambier~~

~~I am writing about a review that was undertaken by my organisation on [date] concerning your contact with this office. I understand that you [participated/did not participate] in that review.~~

Process of review

~~During the review you were given an opportunity to [explain in general terms how the review what undertaken].~~

Considerations

~~After your [interview/reading your submissions], we considered the concerns and suggestions raised in your [interview/letter, etc.], particularly your concerns about [include information that would be relevant—e.g. the customer said their circumstances had changed]. We also reviewed our records of your conduct and contact with our office over the last 12 months. Our records showed that [provide summary of relevant information—e.g. Our records show that you have continued to send emails to our office, sometimes up to four times a day, throughout the period of your restriction].~~

~~[apply if relevant]: These communications were in direct violation of your restriction which limited your contact with our office to [state nature restriction] [explain what the purpose of the restriction was, if appropriate, and the impact of their conduct].~~

~~[apply if relevant]: Our records show that you have complied with the restrictions that were imposed on your contact with our organisation.~~

Decision

~~[apply if relevant]: Due to [explain reasoning for the decision—e.g. the number of emails that you have sent to our organisation in the last 12 months and] I consider it necessary to maintain the restrictions on your contact with our office for a further 12 months, effective immediately.~~

~~[apply if relevant]: Due to [explain reasoning for the decision I consider it necessary to amend the restrictions on your access to better suit your personal circumstances [explain, including providing clear instructions on how the customer is to contact us and how we will contact them]. The new restrictions will be effective immediately and will last for 12 months. If your circumstances change again during this period, you may [explain how the complainant can notify of the change].~~

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~~[apply if relevant]: Due to [explain reasoning for the decision] I consider it appropriate to remove the restrictions that have been placed on your access with our organisation, effective immediately. You may contact our organisation using any of our normal servicing options.~~

~~If you have any questions about this letter, you can contact [provide name and phone number of the General Manager].~~

~~Yours sincerely~~

~~Chief Executive Officer / General Manager~~

19.10 BY-LAW REVIEW

Author: Brittany Shelton, Manager Governance and Property
Authoriser: Tracy Tzioutziouklaris, Acting General Manager Corporate and Regulatory Services

RECOMMENDATION

1. That Council report titled 'By-Law Review' as presented on Tuesday 21 October 2025 be noted.
2. That having due regard to the requirements under Chapter 12, Part 1 of the Local Government Act 1999 (the Act), the Council hereby endorse the proposed By-Law applications at Appendix A by resolution under section 246(3) for community consultation in accordance with the Community Consultation and Engagement Policy - P195 and section 249 of the Act.

PURPOSE

To present the proposed By-Law applications by resolution under section 246(3) for community consultation endorsement in accordance with the Community Consultation and Engagement Policy - P195 and section 249 of the Local Government Act 1999 (the Act).

BACKGROUND / OPTIONS

One of the avenues Council has available to regulate activity within our area is by the adoption of By-Laws. Section 246 of the Act conveys councils with the power to adopt By-Laws which establishes which activities are permitted, which activities require permission (or are conditional) and which activities are prohibited within their council area/s. By-Laws are used, along with a range of other compliance and enforcement mechanisms, to ensure that residents and visitors of our Council can enjoy a clean, safe and enjoyable city.

By-Laws must be reviewed once in every seven (7) years, with the last review occurring in 2017 / 2018. Council's current By-Laws will expire on 1 January 2026, and therefore this report formally progresses the current review process. The review includes consideration of changes in relevant legislation, changes in the compliance requirements or activities of council and issues of particular significance to the community which may be reasonably regulated by a By-Law.

There are prescriptive requirements for the form, content and review process for By-Laws. Importantly, By-Laws cannot encroach onto subject matter which is already covered by Federal or State legislation. Council undertook a competitive request for quote process in September 2024, and appointed Kelledy Jones Lawyers (KJL) to facilitate the review process and ensure all legislative requirements were met, to achieve legal and operational By-Laws.

Adoption of By-Laws

By-Laws operate in a two-part system. The first part being the By-Law document itself, which contains the necessary power for Council to regulate a certain activity (e.g. gives Council the power to set 'dog on leash' areas). The second part is how Council resolves to apply that regulation (e.g. dogs must be 'on leash' at Blue Lake Sports Park and the Railway Lands). Council cannot resolve to apply a regulation to an activity which is not provided for in the By-Law documents themselves, however they will not necessarily apply a regulation to all activities which are included.

To this end, Council conducted its review process (and its community consultation) in a two-phased approach, aligned to the operation of the By-Laws. Earlier this year, Council sought community feedback of its five (5) existing By-Laws, as well as one (1) newly proposed By-Law.

The following amended and new By-Laws were adopted by a majority of members, in the presence of not less than two-thirds, at the ordinary meeting of July 2025:

- By-Law No. 1 Permits and Penalties
- By-Law No 2. Local Government Land
- By-Law No 3. Roads
- By-Law No. 4 Moveable Signs
- By-Law No. 5 Dogs
- By-Law No. 6 Cats – NEW

The proposed By-Laws are largely based on the Council's existing By-Laws, however several amendments have been made, including to address legislative reform occurring since the existing By-Laws were adopted. The amendments have been drafted by KJL, having taken into account feedback from Members, Executive Leadership Team (ELT), Managers and key staff.

Members attended information and briefing sessions in February and June 2025, where an overview of the process was provided by KJL, and facilitated preliminary discussions around what changes were proposed, as well as to consider the consultation outcomes arising from the phase one (1) consultation.

Resolutions to Apply Specific By-Law Provisions

We are now commencing the second phase of the By-Law Review, which considers the specific application of certain provisions. It is important to note that not all provisions require a specific application, some operate to apply a provision to a specific area or time, some operate to provide a specific prohibition or condition on activity. The power to make such application by resolution arises from section 246(3) of the Act.

246—Power to make by-laws

(3) Subject to this or another Act, a by-law made by a council may—

(a) operate subject to specified conditions; and

(b) refer to or incorporate, wholly or partially and with or without modification, a code, standard or other document prepared or published by an authority or body, either as in force at the time the by-law is made or as in force from time to time; and

(c) be of general or limited application, and provide for exemptions; and

(d) make different provision according to the persons, things or circumstances to which it is expressed to apply; and

(e) provide that the by-law, or a provision of a by-law, applies only within a part or parts of the area as the council may determine from time to time; and

(f) provide that a matter or thing is to be determined, dispensed with, regulated or prohibited according to the discretion of the council, a specified person, authority or body, or a person holding a specified office; and

(g) fix a minimum as well as a maximum penalty for any breach of a by-law, or a maximum penalty only, or a general maximum penalty applicable to several by-laws, provided that the maximum penalty so fixed does not exceed \$1 250, and in the case of a continuing offence fix a further penalty not exceeding \$50 for every day on which the offence or breach of the by-law continues; and

(h) in a case of a by-law relating to the driving, parking or standing of vehicles—



- (i) impose, modify or restrict any evidentiary burden on a party to proceedings for an offence against the by-law, or provide for other matters in respect of evidence or the proof of any matter; and
- (ii) fix entrance fees or parking fees; and
- (iii) provide that the owner and the driver of a vehicle driven, parked or standing in contravention of the by-law are each guilty of an offence and liable to the relevant penalty.
- (4) If a code, standard or other document is adopted under subsection (3)(b) as it is in force from time to time, an alteration to the code, standard or other document will not take effect for the purposes of the by-law before a day on which notice of that alteration is published by the council in the Gazette and in a newspaper circulating in the area of the council.
- (4a) If a council makes a determination under subsection (3)(e), the council must ensure that notice of the determination is published in the Gazette and in a newspaper circulating in the area of the council.
- (5) Expiation fees may be fixed for alleged offences against by-laws by—
- (a) by-laws; or
- (b) the council, but an expiation fee fixed by the council cannot exceed 25 per cent of the maximum fine for the offence to which it relates.

The proposed applications are attached at **Appendix A**, and include provisions under:

- By-Law No. 2 Local Government Land,
- By-Law No. 5 Dogs, and
- By-Law No. 6 Cats.

For the most part, the proposed applications seek to preserve the status quo. However, given the new Cats By-Law has no precedent, the applications have been largely based on community consultation feedback, as well as based on sector standards, and pragmatic considerations which seek to balance the community impact, with achieving the most effective result.

It is also relevant to note that as a result of the Statutes Amendment (Local Government Review) Act 2021, changes to the maximum penalty for breaches of By-Law conditions prescribed by section 246(3)(g) of the Act will increase the maximum penalty from \$750 to \$1,250. The By-Law No. 1 Permits and Penalties has been drafted to reflect this. The effect of the change in penalty is that the expiation fee for offences under Council By-Laws will automatically increase from \$187.50 to \$312.50, noting that the Council may, however, otherwise resolve that a lesser expiation fee will apply where it sees fit to do so. No proposal to resolve a lesser amount has been included in the above proposed applications.

IMPLICATIONS TO CONSIDER

Legal	By-Laws are, in effect, legislation set by Local Government Agencies (Councils) which apply to their Council area. Chapter 12, Part 1 of the <i>Local Government Act 1999</i> (the Act) is extremely prescriptive as to the content, form and review process requirements for By-Laws, such to appropriately recognise the degree of power the ability to adopt By-Laws represents. In the event any of the legislative requirements are not robustly met, the Council may run the risk of adopting ultra vires By-Laws, which are ultimately unenforceable and expose Council to potential litigation.
Financial and Budget	A budget allocation of \$10,000 has been made, informed by a comprehensive quote and scope of works process, which accounts for professional fees, publication requirements, consultation costs etc.
Community Consultation and Engagement	Council is required to undertake community consultation, as well as referral to specified agencies, in accordance with section 249 of the



	Act prior to adopting By-Laws. A robust, two-phase community consultation has been planned to address the requirements under both Council's Community Consultation and Engagement Policy, and the Act.
Other Resources	N/A

RISK ANALYSIS

The risk identification and categorisation relies on the City of Mount Gambier [Risk Management Policy](#).

Risk	Consequence Rating	Risk Likelihood Rating	Risk Rating	Mitigation
Finance - Council is exposed to litigation as a result of ultra vires By-Law enforcement activities	Minor (2)	Rare (1)	Low	By-Law Review Project Plan to consider Council's By-Law activities holistically, budget allocation for this process to account for external consultants / engagement requirements.
Reputation – Ultra vires enforcement activity, or failure to educate and consult the community, erodes trust in Council as a local government authority	Moderate (3)	Possible (3)	Moderate	Robust and considered community engagement strategy, with key stakeholders, broader community and internally. Input from key subject-matter experts as required.
Legal / Regulatory / Policy - Council is exposed to litigation as a result of ultra vires By-Law enforcement activities	Major (4)	Rare (1)	Moderate	By-Law Review Project Plan with oversight from project team / lead, engagement of subject matter experts as required (e.g. legal, DCMB, DIT etc). Allocation of appropriate amount of internal resourcing to reflect complexity of project / interconnected workstreams.
Service Delivery - Business continuity is impacted as a result of inefficient or ineffective By-Law administration and enforcement	Minor (2)	Rare (1)	Low	Robust and considered community engagement strategy, with key stakeholders, broader community and internally.



				Allocation of appropriate amount of internal resourcing to reflect complexity of project / interconnected workstreams.
People – Burden on resourcing as a result of inefficient or ineffective By-Law administration and enforcement	Minor (2)	Unlikely (2)	Low	Allocation of appropriate amount of internal resourcing to reflect complexity of project / interconnected workstreams, engagement of subject matter experts as required (e.g. legal, DCMB, DIT etc). Cat bylaw will ultimately result in resourcing impacts to be determined.
Infrastructure - Damage or loss to infrastructure as a result of inefficient or ineffective By-Law administration and enforcement	Minor (2)	Rare (1)	Low	Allocation of appropriate amount of internal resourcing to reflect complexity of project / interconnected workstreams, engagement of subject matter experts as required (e.g. legal, DCMB, DIT etc), budget allocation for this process to account for external consultants / engagement requirements.
Environmental - Damage to natural environment as a result of inefficient or ineffective By-Law administration and enforcement	Moderate (3)	Rare (1)	Low	Engagement of subject matter experts as required (e.g. legal, DCMB, DIT etc), strategic planning to inform desired outcomes / enforcement activities for natural environments.

APPLICATION OF STRATEGIC PLAN

This report aligns to the following strategic objectives(s):

Priority 6: Excellence in Leadership and Governance

6.1 Ensure Elected Council Members are meeting their civic obligations and making informed, strategic decisions in the best interests of the community.



- 6.2 Ensure compliance with legislative obligations and apply best-practice governance to strengthen risk management, accountability and transparency, fostering trust within the community.
- 6.3 Ensure decisions and activities of Council are communicated in a timely, clear and proactive manner.

This report contributes to delivery of the following key strategic project(s):

Priority 3: Infrastructure and Services

Review and implement renewed by-laws which respond to community needs by 2025.

RELEVANT COUNCIL POLICY

[Community Consultation and Engagement - P195](#)

IMPLEMENTATION AND NEXT STEPS

Community Consultation

Section 249(1) of the Act prescribed that if it is proposed that a council make a by-law, the council must, at least 21 days before resolving to make the by-law, ensure that copies of the proposed by-law (and any code, standard or other document proposed to be applied or incorporated by the by-law) are made available to the public in accordance with section 132(1).

The By-Law review consultation will be (and has been) conducted in two (2) phases, aligned to how the By-Laws operate in practice:

1. Feedback on the By-Law documents themselves – during this phase we sought feedback on the **powers** contained in By-Law documents, and
2. Feedback on the **application** of the By-Law documents within Council's area.

A public consultation strategy, compliant with the requirements of section 249 of the Act and Council's Community Consultation and Engagement Policy P195, was undertaken for phase one (1) and is proposed for phase (2), including the following elements.

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

The community consultation strategy includes the following elements:

- Information available and submissions received via the dedicated Have Your Say page,
- Media release to local news publications,
- Social media posts / campaign,
- Documents available for review at Principal Office,
- Consultation open for a minimum of 21 days,
- Submissions to be considered at a subsequent Council meeting and taken into account when making a determination as to final By-Law resolutions.

Community consultation will be open for the period Wednesday 22 October until Wednesday 12 November 2025, with a briefing session schedule later in November to review results prior to presenting back to Council in December for decision.

By-Law Requirements

There are other relevant requirements which should be noted in considering the application of By-Law provisions:

1. Revocation, or lapsing, of a By-Law does not in and of itself revoke a resolution making a specific application under that By-Law in accordance with section 253(1) of the Act. The effect of this is that a former resolution may survive a By-Law review, so long as the new By-Law has a similar power giving rise to the resolution (i.e. if both the superseded and the new Dogs By-Law both permit for Council to set dog-prohibited areas, any dog-prohibited areas previously resolved by Council can survive the transition to the new By-Law).
2. A Register of both By-Laws and any code, standard or application to specific area as resolved by Council must be published on Council's website in accordance with section 252(2) of the Act.

The relevance of the above two provisions is that, whilst Council is not required to "re-make" all of the applicable resolutions to apply certain By-Law provisions, it is much simpler and clearer for community to access a Register, which includes all By-Laws and all resolutions, commencing from the commencement date of the By-Laws, in this instance 1 January 2026. Therefore, all application resolutions are intended to be presented to Council to be "re-made". This does not, however, mean that any additions, variations or revocations of those resolutions cannot be made throughout the seven-year life of the By-Laws. This will be relevant when contemplating the phased roll-out model for the new Cats By-Law.

Phased Rollout Model:

Council has already considered and discussed several options in-terms of a phased rollout of the Cats By-Law, the final model of which is set out below:

- By-Law commences operation on 1 January 2026.
- Registration is free for the first 6 months, and then a fee which is equal to half of dog registrations commencing from 1 July 2026.
- A grace period for enforcement of the nuisance provision of 12 months will be provided, during which time Council will conduct an education campaign, and encourages the community to report nuisance offences to allow collection of relevant data (to inform resourcing) prior to commencing enforcement activity.
- Council will review the first 12 months of operation prior to considering whether containment provisions are appropriate, and consults with the community prior to implementing any such provisions. For clarity, at this stage there is no proposal to commence containment provisions.

This model is envisaged to be achieved as part of the current processes.

CONCLUSION

Following consultation, a briefing session has been scheduled to give more in-depth consideration of submissions, received, prior to a consultation summary report, along with all feedback received being presented to Council in December to make any recommended changes.

Council will then be required to determine (by way of resolution) the application of certain clauses. The resolutions specify which clauses apply to certain areas or situations, for example dog on-leash or off-leash areas.

ATTACHMENTS

1. By-Law Consultation Phase 2 - Reference Document [**19.10.1** - 4 pages]





By-Law Consultation Phase 2 – Proposed Application of Provisions

By-Law Provision	Proposed Application	What does this do?
By-Law No. 2 Local Government Land		
7.2 Entry to Land – Englebrecht Cave	Council will continue to charge entry fees to the land within the fence line surrounding Englebrecht Cave, in accordance with Council's Fees & Charges schedule, available on Council's website.	Whilst the reserve itself is free to access, there is a fee to be taken on a guided tour / have access to the cave. The application of this provision creates a suitable framework for this to continue.
9.11 Boat Ramps – Valley Lake / Ketla Malpi	Council will continue to allow a general permission to launch and retrieve vessels from the designated boat ramp at the Valley Lake / Ketla Malpi.	This ensures that boat / vessel launching can only be made via the boat ramp at Valley Lake / Ketla Malpi (not from any of the surrounding foreshore). The application of this provision creates a suitable framework for this to continue.
9.14 Burials and Memorials	Any person wishing to erect a memorial on Council land must make an application in accordance with Council's Memorials Policy, available on Council's website. No burial, internment or spreading of ashes is permitted on Council land outside of the designated cemetery at Carinya Gardens Cemetery.	This ensures that no burials, internment or spreading of ashes are occurring on Council land outside of the cemetery, and memorials are compliant with the policy conditions (relating to location, construction etc).
9.15 Camping and Tents	Restricts camping on Council land to only be permitted at designated caravan parks or camping areas, and specifically the Blue Lake Holiday Park.	This ensures that there is no camping occurring on Council land without permission. Council land is land which owned by Council, and does not include privately owned land. The Blue Lake Holiday Park is the only designated caravan park or camping area in Mount Gambier which operates on Council land, hence is specifically named.



By-Law Consultation Phase 2 – Proposed Application of Provisions

9.20 Encroachments	A person must not construct a fixture or asset on Council land (or road reserve) without Council permission (i.e. this provision covers fencing, ramps, stairs, permanent garden beds etc).	The application of this provision ensures that fixtures or assets can not be added on Council land without permission. This provides a framework to ensure Council permission is sought, and Council can directly influence, any construction of a fixture or asset on Council land.
9.26 Games and Sport	Restricts the game of golf to be played only at designated golf courses on Council land, and specifically Blue Lake Golf Club.	This ensures that the game of golf is not played on Council land outside of designated courses (noting there are both safety and destruction of property implications). This provision applies to Council owned land only and does not include privately owned land. It also does not apply to variations to the sport, such as disc golf. The application of this provision specifically names Blue Lake Golf Club as this is the only designated golf course on Council land. The Mount Gambier Golf Club is on privately owned land.
9.28 Model Aircraft, Boats and Cars	A person must not fly or operate a drone without Council permission, and subject to all applicable CASA regulations.	This ensures that where drones are flown, it is on the condition that CASA regulations, privacy laws and intellectual property laws are complied with. This also ensures Council has a framework to assess, monitor and manage the use of drones within the city.



By-Law Consultation Phase 2 – Proposed Application of Provisions

By-Law No. 5 Dogs		
8. Dog Exercise Areas	<p>Council will maintain the current dog off leash areas:</p> <ul style="list-style-type: none"> • Corriedale Park, • Hastings Cunningham Reserve, • Northumberland Reserve (behind the Blue Lake/Warwar), • Frew Park, • Don McDonnell Reserve, • Blue Lake Sports Park (excluding sporting fields and ovals), • Botanic Park, and • Marist Park. 	<p>These are areas where owners can allow dogs off-leash, so long as they have effective control via voice command.</p> <p>A map of these areas can be found here</p>
9. Dog On-Leash Areas	<p>Whilst owners must ensure they have effective control of their dogs always, Council specifically requires dogs to remain on-leash in the following areas:</p> <ul style="list-style-type: none"> • Mount Gambier Rail Trail, • Englebrecht Cave, • Vansittart Park, • Lady Nelson Reserve, • Valley Lake / Ketla Malpi, • Olympic Park, • Cave Gardens / Thugi, and • Umpherston Sinkhole / Balumbul. 	<p>These are areas where dogs must be kept on-leash at all times, even if the owner is confident that would have effective control with voice command.</p> <p>A map of these areas can be found here</p>
10. Dog Prohibited Areas	<p>Dogs are prohibited from playing surfaces at Blue Lake Sports Park and all playgrounds with the City of Mount Gambier.</p>	<p>Dogs are not permitted to be within these areas at any time.</p> <p>A map of these areas can be found here</p>
Note: dog access and conditions to tenanted sites are at the sole discretion of the lease holder.		



By-Law Consultation Phase 2 – Proposed Application of Provisions

By-Law No. 6 Cats			
7.1 Limits on Cat Numbers	<p>The number of cats per household is currently set at two (2) cats, commencing from 1 January 2026. However, it is important to note that the cat limit only applies to cats born after the commencement date, and households who require exemptions to this provision are permitted to apply to Council to have more than two (2) cats.</p> <p>Following consultation feedback at Phase One (1), Council also proposes to provide a general exemption to a class of persons, being all residents of the City of Mount Gambier, to have three (3) cats per household under the exemption at provision 11.1.</p>	<p>This means that all households are permitted to have three (3) cats.</p> <p>For households with more than three (3) cats as at 1 January 2026, this simply means they will not be permitted to bring home any new cats until after they have dropped below the household limit, or if they have applied and been granted an exemption to have more cats by Council.</p>	
10. Registration of Cats	<p>Council will commence a registration scheme for cats, the same as is the case for dogs, via DACO – Dogs and Cats Online.</p> <p>This will mean that, from 1 January 2026, all cats must be registered after three months of age or within 14 days of taking ownership. Registration will be free for a period of six (6) months, from 1 January – 30 June 2026, and then from 1 July 2026 cat registration fees are proposed to be as follows:</p>	<p>This means that all cat owners will have to register their cats by 14 January 2026. This initial registration will be free, however from the next financial year commencing on 1 July 2026 cat registration will cost:</p>	
		Standard Cat – microchipped and desexed (50% fee for concession card holders)	\$21.25
		Non-Standard Cat	\$42.50
		Standard Cat – microchipped and desexed (50% fee for concession card holders)	\$21.25
	Non-Standard Cat	\$42.50	

19.11 PERIODIC REVIEW OF CONFIDENTIAL ITEMS - OCTOBER 2025

Author: Brittany Shelton, Manager Governance and Property

Authoriser: Tracy Tzioutziouklaris, Acting General Manager Corporate and Regulatory Services

RECOMMENDATION

1. That Council report titled 'Periodic Review of Confidential Items - October 2025' as presented on Tuesday 21 October 2025 be noted.
2. That the following Confidential Orders as specified in Attachment 1, having been reviewed by Council, be amended to alter their duration and release conditions:
 - Nil
3. That the following Confidential Orders as specified in Attachment 1, having been reviewed by Council, be released as soon as practicable following the Council meeting on 21 October 2025:

Date	Item	Release Trigger
21/07/2020	Item 27.1 property management – expiry of agreement – report no. AR20/44292	until 5 years after the expiry and non-renewal of arrangements with the current tenants
17/10/2023	Item 23.2 unsolicited proposal - property third party proposal – report no. AR23/68865	until further order of Council after the proposal contained in the report has been settled or abandoned, with the exception of any information that is prohibited from being withheld under s91(8) being disclosed being released upon the matter being settled, or any part of the information determined by the Chief Executive Officer to be released under delegation
20/02/2024	Item 23.2 question with notice - unsolicited proposal - property third party proposal – report no. AR24/6186	until 2 years after the 3rd party proposal has been settled or abandoned, with the exception of any information that is prohibited from being withheld under s91(8) being disclosed being released upon any arrangements being fully executed by both parties, or any part of the information determined by the Chief Executive Officer to be released under delegation
20/08/2024	Item 23.1 update on unsolicited proposal - property third party – report no. AR24/17886	until further order of Council after the proposal contained in the report has been settled or abandoned, with the exception of any information that is prohibited from being withheld under s91(8) being disclosed being released upon the matter being settled, or any part of the information determined by the Chief Executive Officer to be released under delegation



	21/01/2025	Item 22.2 unsolicited proposal - property third party	until further order of Council after the proposal contained in the report has been settled or abandoned with the exception of any information that is prohibited from being withheld under s91(8) being disclosed being released upon the matter being settled, or any part of the information determined by the Chief Executive Officer to be released under delegation
5. That all Confidential Orders as specified in Attachment 1, excluding those amended or released in resolutions (2) or (3) above, having been reviewed by Council, remain in operation on the grounds and durations/release conditions as specified.			

PURPOSE

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

BACKGROUND / OPTIONS

Parts 3-5 of Chapter 6 of the Act provide for public access to Council and Committee meetings and establishes the confidentiality framework by which Council may restrict public access to Council meetings and associated reports, attachments and minutes/resolutions in accordance with sections 90-92 of the Act. This framework is also set out in Council's s92 Code of Practice for Access to Meetings and Documents.

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

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

Further, Section 91(9) provides that:

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

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

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

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



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

IMPLICATIONS TO CONSIDER

Legal	<p>Council and council committee meetings are open to the public and attendance by the public is facilitated through notification of meeting details. In some instances, a council (or the council committee) may form the view that it is necessary in the broader community interest to exclude the public from the discussion (and, if necessary, decision) of a particular matter. The public will only be excluded when it is considered proper and necessary i.e. the need for confidentiality outweighs the principle of open decision making.</p> <p>The appropriate balance of the various legal tensions is paramount to ensure that Council complies with a range of legal requirements, including copyright, intellectual property and competitive neutrality principles, as well meeting the transparency of decision-making expectations of a local government agency.</p>
Financial and Budget	N/A
Community Consultation and Engagement	<p>A Register of Confidential Items, including weblinks to released items, is published on the Council website, including the grounds, duration and release conditions for items that remain subject to the operation of a Confidentiality Order.</p> <p>The Register of Confidential Items can be accessed here.</p> <p>If Council resolve to amend the confidentiality order under sections 91(7) and 91(9) of the Act, the new order will be implemented immediately and the Register updated accordingly.</p>
Other Resources	N/A

RISK ANALYSIS

The risk identification and categorisation relies on the City of Mount Gambier [Risk Management Policy](#).

Risk	Consequence Rating	Risk Likelihood Rating	Risk Rating	Mitigation
Finance Council fails to appropriately utilise confidential provisions, resulting in litigation exposure	Moderate (3)	Rare (1)	Low	Appropriate application of s90 confidentiality provisions as required.
Reputation Council is unclear or inconsistent with its appropriate use of confidentiality provisions, eroding public trust	Major (4)	Unlikely (2)	Moderate	Adhering to best practice expectations to ensure open and accountable decision-making, building professional relationships with local media,



				specific media protocols for high-interest or controversial topics. Ensuring reviews are undertaken and reporting in public agenda.
Legal / Regulatory / Policy Council inappropriately applies confidentiality provisions, or fails to conduct an annual review of orders, resulting in breach of legislative requirements	Major (4)	Rare (1)	Moderate	Appropriate application of s90 confidentiality provisions as required. Regular review of confidentiality items. Register of confidential items available.
Service Delivery N/A	Minor (2)	Rare (1)	Low	Appropriate application of s90 confidentiality provisions as required.
People N/A	Minor (2)	Rare (1)	Low	Appropriate application of s90 confidentiality provisions as required.
Infrastructure N/A	Minor (2)	Rare (1)	Low	Appropriate application of s90 confidentiality provisions as required.
Environmental N/A	Minor (2)	Rare (1)	Low	Appropriate application of s90 confidentiality provisions as required.

APPLICATION OF STRATEGIC PLAN

This report aligns to the following strategic objectives(s):

Priority 4: Economic and Business Growth

4.4 Collaborate with partners to enhance the maturity of local businesses, supporting innovation and product development while effectively promoting new offerings to drive sustainable economic growth and market competitiveness.

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

This report contributes to delivery of the following key strategic project(s):



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

RELEVANT COUNCIL POLICY

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

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

IMPLEMENTATION AND NEXT STEPS

Section 90(9) provides that any Confidentiality Order that operates for a period exceeding 12 months must be reviewed at least once in every year. Council last reviewed Confidentiality Orders in March 2025, including those made by Council up until October 2024.

This report presents for review the Confidential Orders contained within the attached table (**Attachment 1**) as previously made by Council up to September 2025 that remain operational and warrant review in accordance with Section 90(9) of the Act.

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

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

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

This report recommends that the Confidential Orders contained in Attachment 1 remain in operation until the specified release date / duration or criteria, if any, have been met and for each to be reviewed at least once in every year in accordance with Section 90(9) of the Act, with the exception of the following items, which are recommended for release.

Date	Item	Release Trigger
21/07/2020	Item 27.1 property management – expiry of agreement – report no. AR20/44292	until 5 years after the expiry and non-renewal of arrangements with the current tenants



17/10/2023	Item 23.2 unsolicited proposal - property third party proposal – report no. AR23/68865	until further order of Council after the proposal contained in the report has been settled or abandoned, with the exception of any information that is prohibited from being withheld under s91(8) being disclosed being released upon the matter being settled, or any part of the information determined by the Chief Executive Officer to be released under delegation
20/02/2024	Item 23.2 question with notice - unsolicited proposal - property third party proposal – report no. AR24/6186	until 2 years after the 3rd party proposal has been settled or abandoned, with the exception of any information that is prohibited from being withheld under s91(8) being disclosed being released upon any arrangements being fully executed by both parties, or any part of the information determined by the Chief Executive Officer to be released under delegation
20/08/2024	Item 23.1 update on unsolicited proposal - property third party – report no. AR24/17886	until further order of Council after the proposal contained in the report has been settled or abandoned, with the exception of any information that is prohibited from being withheld under s91(8) being disclosed being released upon the matter being settled, or any part of the information determined by the Chief Executive Officer to be released under delegation
21/01/2025	Item 22.2 unsolicited proposal - property third party	until further order of Council after the proposal contained in the report has been settled or abandoned with the exception of any information that is prohibited from being withheld under s91(8) being disclosed being released upon the matter being settled, or any part of the information determined by the Chief Executive Officer to be released under delegation

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

ATTACHMENTS

1. Attachment - Outstanding Confidential Items - Confidential Items Review - October 2025 [19.11.1 - 7 pages]



City of Mount Gambier Ordinary Council Meeting Agenda

21 October 2025

Council Meeting Date	Source Meeting	Subject	S90(3) Reference	Element to be kept Confidential	Duration, Circumstances or Review	Current / Expired	Comments
16/09/2025	Council	ITEM 22.2 OUTSTANDING CONFIDENTIAL COUNCIL ACTION ITEMS - SEPTEMBER 2025	(g)	report, attachments, resolution/s and minutes	until such time as each outstanding action detailed in the report has been released from confidence respectively, and that the order be reviewed every 12 months	Current	Contains information of a confidential nature to which Council owes a duty of confidence
16/09/2025	Council	ITEM 22.1 UPDATE ON LEGAL MATTER	(f), (g), (h) and (i)	report, attachments, resolution/s and minutes	until further ordered by Council or released in part or full by the Chief Executive Officer under delegation, to be reviewed annually	Current	Contains legal advice and information subject to current litigation
19/08/2025	Council	ITEM 22.1 PERCY STREET UNSOLICITED PROPOSAL	(b), (d) & (g)	report, attachments, resolution/s and minutes	until the latter of two years after the expiry of an agreement entered into in relation to the matter, or two years after the proposal has been abandoned, and Council has been released from its duty of confidence	Current	Contains commercial information that could confer advantage on a 3rd party and to which Council owes a duty of confidence
15/07/2025	Council	ITEM 22.3 OUTSTANDING COUNCIL ACTION ITEMS - JUNE 2025	(g)	report, attachments, resolution/s and minutes	until such time as each outstanding action detailed in the report has been released from confidence respectively, and that the order be reviewed every 12 months	Current	Contains information of a confidential nature to which Council owes a duty of confidence
15/07/2025	Council	ITEM 22.2 APPOINTMENT OF INTERIM CEO	(a) & (g)	report, attachments, resolution/s and minutes	until 12 months after the initial appointment term and any renewal term of the respective interim Chief Executive Officers has elapsed	Current	Contains personal of a confidential nature and to which Council owes a duty of confidence
15/07/2025	Council	ITEM 22.1 RECEIVAL AND DISPOSAL OF ORGANIC WASTE	(b)	report, attachments, resolution/s and minutes	until 12 months after the execution of a contract, or abandonment of the proposal	Current	Contains information about tenders which have not yet met release conditions
				the name of the successful proponent and value of the contract	to be disclosed upon execution	Current	Contains information about tenders which have not yet met release conditions
17/06/2025	Council	ITEM 22.1 CHIEF EXECUTIVE OFFICER RECRUITMENT - APPOINTMENT OF RECRUITMENT CONSULTANT	(b) & (k)	report, attachments, resolution/s and minutes	until 2 years after execution of a contract	Current	Relates to personal information associated with the employment conditions of the Chief Executive Officer to which Council owes a duty of confidence
20/05/2025	Council	ITEM 22.2 VANSITTART PARK - FACILITY PLANNING AND PARTNERSHIP	(d) & (k)	attachments	the attachments including the relevant architect's fee proposal to remain confidential until 12 months after the completion of the construction stage of the project	Current	Contains information about tenders which have not yet met release conditions
20/05/2025	Council	ITEM 22.1 SUPPLY AND DELIVERY OF ROAD CONSTRUCTION AGGREGATES	(b) & (k)	report, attachments, resolution/s and minutes	until 12 months after the execution of the contract	Current	Contains information about tenders which have not yet met release conditions
15/04/2025	Council	ITEM 22.5 WULANDA RECREATION AND CONVENTION CENTRE - PROJECT UPDATE	(b), (d), (g) & (h)	report, attachments, resolution/s and minutes	until the latter of two years after the satisfactory resolution of any outstanding commercial contractual dispute, or two years after the conclusion of any legal proceedings, and Council has been released from its duty of confidence	Current	Contains commercial information subject to legal advice
15/04/2025	Council	ITEM 22.4 WULANDA RECREATION AND CONVENTION CENTRE - CONTRACTUAL MATTERS	(b), (d) & (g)	report, attachments, resolution/s and minutes	until a further order of Council to release	Current	Contains commercial information that could confer advantage on a 3rd party to which Council owes a duty of confidence
15/04/2025	Council	ITEM 22.3 ELECTRICITY SUPPLY CONTRACT - LARGE AND UNMETERED SUPPLY	(b)	report, attachments, resolution/s and minutes	until two years after a contract has been executed for the relevant supply, and Council has been released from its duty of confidence	Current	Contains information about tenders which have not yet met release conditions
18/03/2025	Council	ITEM 22.6 OUTSTANDING COUNCIL ACTION ITEMS - MARCH 2025	(g)	report, attachments, resolution/s and minutes	until such time as each outstanding action detailed in the report has been released from confidence respectively, and that the order be reviewed every 12 months	Current	Contains information of a confidential nature to which Council owes a duty of confidence
18/03/2025	Council	ITEM 22.5 DISCRETIONARY RATE REBATE	(a) (d) (g)	report, attachments, resolution/s and minutes	until the latter of: two years after the conclusion of any rebate agreement period (in its entirety including any subsequent determination by Council for future rebates), or two years after the proposal has been abandoned, and Council has been released from its duty of confidence	Current	Contains information of a confidential nature to which Council owes a duty of confidence
18/03/2025	Council	ITEM 22.4 BUSINESS SYSTEMS CONTRACT	(d)	report, attachments, resolution/s and minutes	until the latter of: two years after entering into a contractual arrangement, or the proposal has been abandoned and Council has been released from its duty of confidence, and the order be reviewed every 12 months	Current	Contains information about tenders which have not yet met release conditions
18/03/2025	Council	ITEM 22.3 WULANDA RECREATION AND CONVENTION CENTRE - PROJECT UPDATE	(b) (d) (g) & (h)	report, attachments, resolution/s and minutes	until the latter of two years after the satisfactory resolution of any outstanding commercial contractual dispute, or two years after the conclusion of any legal proceedings, and Council has been released from its duty of confidence	Current	Contains commercial information subject to legal advice
18/03/2025	Council	ITEM 22.2 SUPPLY AND DELIVERY OF BULK FUEL	(k)	report, attachments, resolution/s and minutes	until 12 months after the execution of the contract	Current	Contains information about tenders which have not yet met release conditions
18/03/2025	Council	ITEM 22.1 LIMESTONE COAST LOCAL GOVERNMENT ASSOCIATION (LCLGA) UPDATE	(a) (j)	report, attachments, resolution/s and minutes	until the Limestone Coast Local Government Association or their agent has expressly released Council from its obligation to keep this matter confidential	Current	Contains information of a confidential nature to which Council owes a duty of confidence
18/02/2025	Council	ITEM 22.1 WULANDA RECREATION AND CONVENTION CENTRE - PROJECT UPDATE	(b), (d), (g) & (h)	report, attachments	until the latter of two years after the satisfactory resolution of any outstanding commercial contractual dispute, or two years after the conclusion of any legal proceedings, and Council has been released from its duty of confidence	Current	Contains commercial information subject to legal advice
18/02/2025	CEO Performance Review Committee	ITEM 21.1 REMUNERATION TRIBUNAL REVIEW 2024	(a) & (g)	report, attachments, resolutions/s and minutes	until until 2 years after the initial appointment term and any renewal term of the Chief Executive Officer, Sarah Philpott has lapsed, to be reviewed at least once in every 12 month period, with the exception of the relevant salary register details which are to be updated within 28 days of any change in remuneration	Current	Relates to personal information associated with the employment conditions of the Chief Executive Officer to which Council owes a duty of confidence
21/01/2025	Council	ITEM 22.3 SALE OF LAND FOR NON PAYMENT OF RATES	(a)	report, attachments, resolution/s and minutes	until the latter of: 12 months after outstanding rates having been paid in full or 12 months after the matter being settled to Council's satisfaction and that this order be reviewed every 12 months	Current	Contains information concerning personal affairs of a confidential nature to which Council owes a duty of confidence

Council Meeting Date	Source Meeting	Subject	S90(3) Reference	Element to be kept Confidential	Duration, Circumstances or Review	Current / Expired	Comments
21/01/2025	Council	ITEM 22.2 UNSOLICITED PROPOSAL - PROPERTY THIRD PARTY	(d)	report, attachments, resolution/s and minutes	until further order of Council after the proposal contained in the report has been settled or abandoned with the exception of any information that is prohibited from being withheld under s91(8) being disclosed being released upon the matter being settled, or any part of the information determined by the Chief Executive Officer to be released under delegation	Current	Recommended for release - refer to report
21/01/2025	Council	ITEM 22.1 LIMESTONE COAST LOCAL GOVERNMENT ASSOCIATION (LCLGA) BOARD RECOMMENDATIONS	(a) (j)	report, attachments, resolution/s and minutes	until the Limestone Coast Local Government Association or their agent has expressly released Council from its obligation to keep this matter confidential	Current	Contains information of a confidential nature to which Council owes a duty of confidence
17/12/2024	Council	ITEM 22.3 WULANDA RECREATION AND CONVENTION CENTRE - PROJECT UPDATE	(b) (d) (g) & (h)	report, attachments, resolution/s and minutes	until the latter of two years after the satisfactory resolution of any outstanding commercial contractual dispute, or two years after the conclusion of any legal proceedings, and Council has been released from its duty of confidence	Current	Contains commercial information subject to legal advice
17/12/2024	Council	ITEM 22.2 TENDER - ROADS RECONSTRUCTION TENDER - RAMSAY AVENUE, SHEPHERDSON ROAD AND ANTHONY STREET	(k)	report, attachments, resolution/s and minutes	12 months after the execution of the contract	Current	Contains information about tenders which have not yet met release conditions
17/12/2024	Council	ITEM 22.1 ELECTRICITY CONTRACT	(d)	report, attachments, resolution/s and minutes	until 12 months after a contract has been executed for the relevant supply	Current	Contains information about tenders which have not yet met release conditions
19/11/2024	Council	ITEM 22.3 WULANDA RECREATION AND CONVENTION CENTRE - PROJECT UPDATE	(b) (d) & (g)	report, attachments, resolution/s and minutes	until 2 years after the resolution of the commercial, contractual and legal matters outlined within this report	Current	Contains commercial information subject to legal advice
19/11/2024	Council	ITEM 22.2 AF24/218 TENDER - PROCUREMENT - SUPPLY AND DELIVERY OF LANDFILL COMPACTOR (UNIT 41)	(k)	report, attachments, resolution/s and minutes	until 12 months after the execution of a contract	Current	Contains information about tenders which have not yet met release conditions
19/11/2024	Council	ITEM 22.1 CRATER LAKES UNSOLICITED PROPOSAL	(b) (d) & (g)	report, attachments, resolution/s and minutes	until the latter of: two years after the expiry of an agreement entered into in relation to the matter, or two years after the proposal has been abandoned, and Council has been released from its duty of confidence	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
15/10/2024	Council	ITEM 22.2 WULANDA RECREATION AND CONVENTION CENTRE	(b) (d) (g) & (h)	report, attachments, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information subject to legal advice
15/10/2024	Council	ITEM 22.1 CRATER LAKES UNSOLICITED PROPOSAL	(b) (d) and (g)	report, attachments, resolution/s and minutes	until the latter of : two years after the expiry of an agreement entered into in relation to the matter, or two years after the proposal has been abandoned, and Council has been released from its duty of confidence	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
17/09/2024	Council	ITEM 22.4 WULANDA RECREATION AND CONVENTION CENTRE - PROJECT UPDATE	(b) (d) (g) & (h)	report, attachments, resolution/s and minutes	until 12 months after the completion of the project	Current	Contains commercial information subject to legal advice
17/09/2024	Council	ITEM 22.3 DISCRETIONARY RATE REBATE	(d) and (i)	report, attachments, resolution/s and minutes	until the arrangements between the proponent and Government authority have been made public	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
17/09/2024	Council	ITEM 22.2 DELEGATION TO AWARD ELECTRICITY CONTRACT	(b)	report, attachments, resolution/s and minutes	until a contract has been executed for the relevant supply	Current	Contains commercial information that could confer advantage on a 3rd party
20/08/2024	Council	23.3 WULANDA RECREATION AND CONVENTION CENTRE - PROJECT UPDATE – REPORT NO. AR24/56252	(b) (d) (g) and (h)	report, attachments, resolution/s and minutes	until 12 months after completion of the project.	Current	Contains commercial information subject to legal advice
20/08/2024	Council	23.1 UPDATE ON UNSOLICITED PROPOSAL – PROPERTY THIRD PARTY – REPORT NO. AR24/17886	(a) (b) & (d)	report, attachments, resolution/s and minutes	until further order of Council after the proposal contained in the report has been settled or abandoned with the exception of any information that is prohibited from being withheld under s91(8) being disclosed being released upon the matter being settled, or any part of the information determined by the Chief Executive Officer to be released under delegation.	Current	Recommended for release - refer to report
20/08/2024	Audit Committee	22.2 LEGAL/LITIGATION COST/LIABILITY (RISK) EXPOSURE – REPORT NO. AR24/43578	(a) (b) (d) (f) (g) (h) & (i)	report, attachments, resolution/s and minutes	until further ordered by Council or released in part or full by the Chief Executive Officer under delegation, to be reviewed annually.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council and contains legal advice
20/08/2024	Chief Executive Officer Performance Review Committee	22.1 INDEPENDENT REVIEW OF CHIEF EXECUTIVE OFFICER AND REMUNERATION REVIEW 2024 – REPORT NO. AR24/50717	(a) & (g)	resolution/s and minutes	until 2 years after the initial appointment term and any renewal term of the Chief Executive Officer, Sarah Philpott has lapsed, to be reviewed at least once in every 12 month period.	Current	Relates to personal information associated with the employment conditions of the Chief Executive Officer
16/07/2024	Council	23.1 UPDATE - MITCHELL STREET TREES – REPORT NO. AR24/39130	(a) (g) (h) & (i)	reports & attachments	With the covering report AR24/39130 and attachments (1, 2, 3 and 4) be retained in confidence and reviewed annually in accordance with the Local Government Act 1999.	Current	Contains legal advice
16/07/2024	Council	22.2 CHIEF EXECUTIVE OFFICER - 12 MONTH PERFORMANCE UPDATE – REPORT NO. AR24/33762	(a)	reports, attachments, resolution/s and minutes	until 2 years after the initial appointment term and any renewal term of the Chief Executive Officer, Sarah Philpott has elapsed.	Current	Relates to personal information associated with the employment conditions of the Chief Executive Officer
18/06/2024	Council	Item 23.3 LATE ITEM - UPDATE ON LEGAL MATTER – REPORT NO. AR24/42920	(f) (g) and (i)	reports, attachments, resolution/s and minutes	until further ordered by Council or released in part or full by the Chief Executive Officer under delegation, to be reviewed annually.	Current	Contains legal advice
18/06/2024	Council	Item 23.2 VISITOR SERVICING MODEL - UPDATE – REPORT NO. AR24/31997	(b) & (d)	reports, attachments, resolution/s and minutes	until such time that the Umpherston Kiosk and Souvenirs lease has expired including any subsequent actions that might arise in association with these activities, with relevant resolutions to be released to affected parties as considered necessary by the Chief Executive Officer in order to give effect to the proposals contained in the report, and other resolutions to be released publicly as determined appropriate by the Chief Executive Officer as the activities in the report are implemented.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
18/06/2024	Council	Item 23.1 AF24/171 TENDER - PROCUREMENT - SUPPLY AND DELIVERY OF PREMIXED CONCRETE – REPORT NO. AR24/40482	(k)	reports, attachments, resolution/s and minutes	until 12 months after the completion of the tender works,	Current	Contains information about tenders which have not yet met release conditions
21/05/2024	Council	Item 23.3 – AF24/8 TENDER - PROCUREMENT - ANNUAL MAINTENANCE OF AIR CONDITIONING PLANT AND EQUIPMENT – REPORT NO. AR24/32482	(k)	reports, attachments, resolution/s and minutes	until 12 months after the completion of the tender works,	Current	Contains information about tenders which have not yet met release conditions
21/05/2024	Council	Item 23.2 - AF24/16 TENDER - PROCUREMENT - SUPPLY, DELIVERY AND PLACEMENT OF ASPHALT – REPORT NO. AR24/31855	(k)	reports, attachments, resolution/s and minutes	until 12 months after the completion of the tender works,	Current	Contains information about tenders which have not yet met release conditions
21/05/2024	Council	Item 23.1 - AF24/15 TENDER - PROCUREMENT - SUPPLY AND PLACEMENT OF BITUMEN – REPORT NO. AR24/31841	(a) and (k)	report, attachments, resolution/s and minutes	until 12 months after the completion of the tender works	Current	Contains information about tenders which have not yet met release conditions
21/05/2024	Chief Executive Officer Performance Review Committee	Item 22.2 - INDEPENDENT SPECIALIST SUPPORT SELECTION – REPORT NO. AR24/24508	(b) and (d)	report, attachments, resolution/s and minutes	until 2 years have elapsed	Current	Relates to personal information associated with the employment conditions of the Chief Executive Officer

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16/04/2024	Council	Item 23.2 - QUESTION WITH NOTICE - REGIONAL WASTE – REPORT NO. AR24/24863	(b) (d) and (g)	report, attachments, resolution/s and minutes	until further order of Council or as determined for release under delegation by the Chief Executive Officer.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
19/03/2024	Council	Item 23.7 - STATUS REPORT - WULANDA RECREATION AND CONVENTION CENTRE – REPORT NO. AR24/16660	(b)(d) and (g)	report, attachments, resolution/s and minutes	until 12 months after completion of the project.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
19/03/2024	Council	Item 23.2 - Crater Lakes Unsolicited Proposal Report No. AR24/19114	(b) (d) and (g)	report, attachments, resolution/s and minutes	until the latter of: two years after the expiry of an agreement entered into in relation to the matter, or two years after the proposal has been abandoned, and Council has been released from its duty of confidence.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
19/03/2024	Council	Item 23.1 - VISITOR SERVICING MODEL – REPORT NO. AR24/18981	(b) and (d)	report, attachments, resolution/s and minutes	until each of the matters in the report, attachments, recommendations and resolutions has been fully implemented and settled including any subsequent actions that might arise in association with these activities, with relevant resolutions to be released to affected parties as considered necessary by the Chief Executive Officer in order to give effect to the proposals contained in the report, and other resolutions to be released publicly as determined appropriate by the Chief Executive Officer as the activities in the report are implemented.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
20/02/2024	Council	Item 23.2 - QUESTION WITH NOTICE - UNSOLICITED PROPOSAL - PROPERTY THIRD PARTY PROPOSAL – REPORT NO. AR24/6186	(a), (b) and (d)	report, attachments, resolution/s and minutes	until 2 years after the 3rd party proposal has been settled or abandoned, with the exception of any information that is prohibited from being withheld under s91(8) being disclosed being released upon any arrangements being fully executed by both parties, or any part of the information determined by the Chief Executive Officer to be released under delegation	Current	Recommended for release - refer to report
20/02/2024	Council	Item 23.1 - QUESTION WITH NOTICE - CRATER LAKES UNSOLICITED PROPOSAL – REPORT NO. AR24/6182	(b), (d), and (g)	report, attachments, resolution/s and minutes	until two years after the expiry of an agreement entered into in relation to the matter or two years after the proposal has been abandoned and Council has been released from its duty of confidence, whichever is the later.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
23/01/2024	Council	ITEM 23.2 AUDIT AND RISK COMMITTEE - INDEPENDENT MEMBER APPOINTMENT - REPORT NO. AR24/1084	(a)	attachment/s	to be reviewed annually	Current	Contains information concerning personal affairs of a confidential nature
23/01/2024	Council	ITEM 23.1 RAA EV CHARGING STATION PROJECT – REPORT NO. AR24/26360	(b), (d) and (g)	report, attachments and minutes	until 36 months have elapsed since the proponents last dealings with Council on the proposal, or 12 months after an agreement and any renewal or extended term has expired and not been renewed, whichever is the later, with the resolutions to be released upon the execution by all parties of an agreement and a joint public announcement having been made on the proposal	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
12/12/2023	Council	ITEM 23.2 af23/431 TENDER - PROCUREMENT - RECONSTRUCTION OF FOUR ROAD SEGMENTS - REPORT NO. AR23/84680	(k)	report, attachments, resolution/s and minutes	until 12 months after the completion of the tender works,		Contains information about tenders which have not yet met release conditions
12/12/2023	Council	ITEM 23.1 RIDDIOCH ARTS AND CULTURAL TRUST - BOARD MEMBER APPOINTMENT - REPORT NO. AR23/83171	(a)	attachments	until further order of Council	Current	Contains information concerning personal affairs of a confidential nature
21/11/2023	Council	ITEM 23.7 QUESTION WITH NOTICE - WULANDA RECREATION AND CONVENTION CENTRE - STRATEGIC STATUS UPDATE – REPORT NO. AR23/78853	(b)	report, attachments, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
21/11/2023	Council	ITEM 23.6 AF23/254 TENDER - PROCUREMENT - TENDER FOR CIVIC CENTRE LIFT UPGRADE – REPORT NO. AR23/79137	(k)	report, attachments, resolution/s and minutes	until 12 months after the completion of the tender works	Current	Contains information about tenders which have not yet met release conditions
21/11/2023	Council	ITEM 23.5 CRATER LAKES UNSOLICITED PROPOSAL – REPORT NO. AR23/78247	(b), (d) and (g)	report, attachments, resolution/s and minutes	until two years after the expiry of an agreement entered into in relation to the matter or two years after the proposal has been abandoned and Council has been released from its duty of confidence, whichever is the later.	Current	Contains commercial information of a commercial nature which could prejudice or benefit a third party or Council
21/11/2023	Council	ITEM 23.4 UPDATE ON TELSTRA CO-INVESTMENT PROPOSAL FOR MOBILE BLACKSPOTS – REPORT NO. AR23/76480	(b), (d), (g) and (j)	report, attachments, resolution/s and minutes	until an appropriate agreement has been executed releasing Council from its duty of confidence or Telstra provide express permission to release the information, whichever is the earlier.	Current	Contains commercial information of a commercial nature which could prejudice or benefit a third party or Council
17/10/2023	Council	ITEM 23.2 UNSOLICITED PROPOSAL - PROPERTY THIRD PARTY PROPOSAL - REPORT NO. AR23/68865	(a), (b) and (d)	report, attachments, resolution/s and minutes	until further order of Council after the proposal contained in the report has been settled or abandoned, with the exception of any information that is prohibited from being withheld under s91(8) being disclosed being released upon the matter being settled, or any part of the information determined by the Chief Executive Officer to be released under delegation.	Current	Recommended for release - refer to report
17/10/2023	Council	ITEM 23.1 UPDATE ON LEGAL MATTER - REPORT NO. AR23/68588	(f), (g), (h) and (i)	report, attachments, resolution/s and minutes	until further ordered by Council or released in part or full by the Chief Executive Officer under delegation, to be reviewed annually.	Current	relates to legal advice
19/09/2023	Council	ITEM 23.2 CONTRACTED CLEANING SERVICES – REPORT NO. AR23/63952	(b) and (i)	report, attachments, resolution/s and minutes	until further Order at least two (2) years after any activities associated with the subject matter described in Report No. AR23/63952 have been finalised.	Current	Contains commercial information that could confer advantage on a 3rd party
19/09/2023	Council	ITEM 23.1 CRATER LAKES UNSOLICITED PROPOSAL – REPORT NO. AR23/61873	(b), (d) and (g)	report, attachments, resolution/s and minutes	until two years after the expiry of an agreement entered into in relation to the matter or two years after the proposal has been abandoned and Council has been released from its duty of confidence, whichever is the later.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
15/08/2023	Audit Committee	ITEM 22.2 PHRIENDLY PHISHING REPORT – REPORT NO. AR23/36674	(e)	report, attachments, resolution/s and minutes	until further order of Council	Current	relates to personal and commercial information of a confidential nature which could prejudice or benefit a 3rd party
18/07/2023	Chief Executive Officer Performance Review Committee	ITEM 22.2 INDEPENDENT REVIEW OF CHIEF EXECUTIVE OFFICER AND REMUNERATION REVIEW - REPORT NO. AR23/34047	(a) and (g)	report, attachments, resolution/s and minutes	until 2 years after the initial appointment term and any renewal term of the Chief Executive Officer, Sarah Philpott has lapsed, to be reviewed at least once in every 12 month period	Current	Relates to personal information associated with the employment conditions of the Chief Executive Officer
20/06/2023	Council	ITEM 23.2 UNSOLICITED PROPOSAL - TENISON WOODS COLLEGE – REPORT NO. AR23/32053	(b)	report, attachments, resolution/s and minutes	until an agreement has been executed with the proponent	Current	Contains commercial information that could confer advantage on a 3rd party
20/06/2023	Council	ITEM 23.1 RAA EV CHARGING STATION PROJECT – REPORT NO. AR23/30191	(b), (d) and (g)	report, attachments, resolution/s and minutes	until 36 months have elapsed since the proponents last dealings with Council on the proposal, or 12 months after an agreement and any renewal or extended term has expired and not been renewed, whichever is the later	Current	Contains commercial information that could confer advantage on a 3rd party
16/05/2023	Council	ITEM 23.2 AF23/54 TENDER - PROCUREMENT - TENDER FOR CONSTRUCTION OF CAROLINE CELL 4A – REPORT NO. AR23/27593	(k)	report, attachments, resolution/s and minutes	until 12 months after the completion of the tender works,	Current	Contains commercial information that could confer advantage on a 3rd party

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16/05/2023	Council	ITEM - 23.1 TELSTRA CO-INVESTMENT PROPOSAL FOR MOBILE BLACKSPOTS – REPORT NO. AR23/28946	(b), (d), (g) and (i)	report, attachments,	until an appropriate agreement has been executed releasing Council from its duty of confidence or Telstra provide express permission to release the information, whichever is the earlier	Current	Contains commercial information that could confer advantage on a 3rd party
16/05/2023	Chief Executive Officer Performance Review Committee	ITEM 22.2 REQUEST FOR QUOTES - INDEPENDENT SPECIALIST SUPPORT - REPORT NO. AR23/22334	(a), (b), (d) and (k)	report, attachments, resolution/s and minutes	until 2 years after the term and any renewal term of employment of Sarah Philpott as Chief Executive Officer has ended	Current	Relates to personal information associated with the employment conditions of the Chief Executive Officer
18/04/2023	Council	ITEM 23.5 MITCHELL STREET TREES - ESTIMATED COSTS FOR STEM INJECTIONS/REMOVAL – REPORT NO. AR23/15854	(b), (d), (g), (h) and (i)	report, attachments	the covering report AR23/15854 and legal advice (Attachment 1) be retained in confidence and reviewed annually in accordance with the Local Government Act 1999.	Current	Contains legal advice and 3rd party information for which a duty of confidence exists
18/04/2023	Council	ITEM 23.3 UPDATE ON LEGAL MATTER – REPORT NO. AR23/21104	(g), (h), (i) and (j)	report, attachments, resolution/s and minutes	until further Order of Council, to be reviewed at least once in every year	Current	Contains legal advice
21/03/2023	Council	ITEM - 23.1 LIBRARY CAFE - EXPRESSIONS OF INTEREST – REPORT NO. AR23/15719	(b)	report, attachments, resolution/s and minutes	until 6 years have elapsed, or 1 year after the expiry of an operating arrangement entered into in association with this Expression of Interest process, whichever is the later	Current	Contains commercial information that could confer advantage on a 3rd party
21/02/2023	Council	ITEM 23.2 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #25 - AS AT 07/02/2023 – REPORT NO. AR23/9397	(b), (d), (g) and (h)	report, attachments, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
21/02/2023	Council	ITEM 23.1 SECTION 270 INTERNAL REVIEW - MITCHELL STREET TREES - LEGAL ADVICE – REPORT NO. AR23/10258	(g) and (h)	report and attachments	be retained in confidence and reviewed annually in accordance with the Local Government Act 1999	Current	Contains legal advice and 3rd party information for which a duty of confidence exists
				legal advice (Attachment 2)	until further Order of Council to release pending further review of associated matters by Council	Current	Contains legal advice
13/12/2022	Council	ITEM 23.3 SECTION 270 - INTERNAL REVIEW – REPORT NO. AR22/77592	(g) and (h)	Internal Review Report (Attachment 1)	the Chief Executive Officer expressly authorised to release the Internal Review Report in a redacted form with only such information that is considered to not fall within the scope of the grounds in s90(3)(g) of the Local Government Act 1999	Current	Contains 3rd party information for which a duty of confidence exists
13/12/2022	Council	ITEM 23.1 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #23 & #24 - AS AT 06/12/2022 – REPORT NO. AR22/83941	(b), (d), (g) and (h)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
18/10/2022	Council	ITEM 25.1 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #22 - AS AT 04/10/2022 – REPORT NO. AR22/68454	(b), (d), (g) and (h)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
20/09/2022	Council	ITEM 25.1 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #21 - AS AT 06/09/2022 – REPORT NO. AR22/61993	(b), (d), (g) and (h)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
23/08/2022	Special Council Meeting	ITEM 4.2 WULANDA RECREATION AND CONVENTION CENTRE - CONTRACTUAL AND FINANCIAL MATTERS – REPORT NO. AR22/56817	(b) and (d)	report, attachments, discussion, resolution/s and minutes	until further order of Council, or determination by the Chief Executive Officer to release, in part or full	Current	Contains commercial information that could confer advantage on a 3rd party
23/08/2022	Special Council Meeting	ITEM 4.1 WULANDA RECREATION AND CONVENTION CENTRE - OPERATIONAL MATTERS – REPORT NO. AR22/56796	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until the provider of the information has released Council from its duty of confidence	Current	Contains commercial information that could confer advantage on a 3rd party
16/08/2022	Council	ITEM 25.5 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #20 - AS AT 02/08/2022 – REPORT NO. AR22/52001	(b), (d), (g) and (h)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
19/07/2022	Council	ITEM 26.3 TENDER - SUPPLY CONTRACTS FOR CITY INFRASTRUCTURE WORKS – REPORT NO. AR22/46711	(b), (d) and (k)	report, attachments, discussion, resolution/s and minutes	until 12 months after the completion of the contract works	Current	Contains commercial information that could confer advantage on a 3rd party
19/07/2022	Council	ITEM 26.1 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #19 - AS AT 05/07/2022 – REPORT NO. AR22/46752	(b), (d), (g) and (h)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
19/07/2022	Chief Executive Officer Performance Review Committee	ITEM 25.2 INDEPENDENT REVIEW OF CHIEF EXECUTIVE OFFICER AND REMUNERATION REVIEW – REPORT NO. AR22/43771	(a) and (g)	report, attachments, discussion, resolution/s and minutes	until 2 years after the initial appointment term and any renewal term of the Chief Executive Officer, Sarah Philpott has lapsed, to be reviewed at least once in every 12 month period.	Current	relates to personal information associated with the employment conditions of the Chief Executive Officer
21/06/2022	Council	ITEM 26.3 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #18 - AS AT 07/06/2022 – REPORT NO. AR22/38086	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
17/05/2022	Council	ITEM 26.1 - PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #17 - AS AT 10/05/2022 – REPORT NO. AR22/30401	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
17/05/2022	Chief Executive Officer Performance Review Committee	ITEM 25.3 - PERFORMANCE REVIEW DOCUMENTATION PRESENTATION - REPORT NO. AR22/30546	(a)	report, attachments, discussion, resolution/s and minutes	until 2 years after the initial appointment term and any renewal term of the Chief Executive Officer, Sarah Philpott has elapsed	Current	relates to personal information associated with the employment conditions of the Chief Executive Officer
17/05/2022	Chief Executive Officer Performance Review Committee	ITEM 25.2 - CHIEF EXECUTIVE OFFICER - 12 MONTH PERFORMANCE UPDATE - REPORT NO. AR22/28319	(a)	report, attachments, discussion, resolution/s and minutes	until 2 years after the initial appointment term and any renewal term of the Chief Executive Officer, Sarah Philpott has elapsed	Current	relates to personal information associated with the employment conditions of the Chief Executive Officer
19/04/2022	Council	ITEM 26.2 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #16 - AS AT 05/04/2022 –REPORT NO. AR22/24271	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
19/04/2022	Council	ITEM 26.1 REQUEST FOR INTERNAL REVIEW OF COUNCIL DECISION – REPORT NO. AR22/21802	(h)	report	following the matter to which the internal review request relates having been settled	Current	includes confidential information and legal advice relating to actual or proposed litigation
				attachments, discussion and minutes	until further order of the Council	Current	
15/03/2022	Council	ITEM 26.1 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #15 - AS AT 07/03/2022 – REPORT NO. AR22/16061	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
15/02/2022	Council	ITEM 26.4 AUDIT AND RISK COMMITTEE APPOINTMENT OF INDEPENDENT MEMBERS – REPORT NO. AR22/8463	(a)	attachments	be kept confidential and that confidentiality be reviewed annually	Current	Contains 3rd parties information of a confidential nature
15/02/2022	Council	ITEM 26.3 CRATER LAKES PROJECT PROPOSAL – REPORT NO. AR22/8597	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until two years after the expiry of an agreement entered into in relation to the matter or two years after the proposal has been abandoned and Council has been released from its duty of confidence, whichever is the later	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council

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15/02/2022	Council	ITEM 26.2 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #14 - AS AT 01/02/2022 – REPORT NO. AR22/7779	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
14/12/2021	Council	ITEM 26.3 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #13 - AS AT 07/12/2021 – REPORT NO. AR21/79587	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
16/11/2021	Council	ITEM 26.3 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #12 - AS AT 02/11/2021 – REPORT NO. AR21/71837	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
16/11/2021	Audit Committee	ITEM 25.5 CITY OF MOUNT GAMBIER - IT ENTITY CONTROLS REVIEW 2020/21 - REPORT NO. AR21/71285	(b), (e) and (g)	report, attachments, discussion, resolution/s and minutes	until the matters contained in the report have been satisfactorily addressed	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
19/10/2021	Council	ITEM 26.1 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #11 - AS AT 05/10/2021 – REPORT NO. AR21/64848	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
19/10/2021	People and Place Committee	ITEM 25.2 MOUNT GAMBIER HEALTH PRESENTATION – REPORT NO. AR21/62736	(g) and (i)	report, attachments, discussion, resolution/s and minutes	until Council has been released from its duty of confidence by the provider of the information	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
21/09/2021	Council	ITEM 27.7 CHIEF EXECUTIVE OFFICER EMPLOYMENT AGREEMENT VARIATION (SUPERANNUATION) – REPORT NO. AR21/57924	(a)	report, attachments, discussion, resolution/s and minutes	until 2 years after the contract of employment of Mrs Sarah Philpott has expired and not been renewed or extended,	Current	relates to personal information associated with the employment conditions of the Chief Executive Officer
21/09/2021	Council	ITEM 27.6 WASTE AND MATERIALS RECYCLING OPTIONS – REPORT NO. AR21/59399	(a), (b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until further Order of Council or determined for release under delegation by the Chief Executive Officer	Current	relates to personal and commercial information of a confidential nature which could prejudice or benefit a 3rd party
21/09/2021	Council	ITEM 27.5 VALLEY LAKE ALGAL CONTROL – REPORT NO. AR21/47621	(k)	report, attachments, discussion, resolution/s and minutes	until 2 years after completion of the project.	Current	Contains information to tenders that have not yet been met
21/09/2021	Council	ITEM 27.4 SITE STRATEGIC LAND USE ASSESSMENT – REPORT NO. AR21/52780	(b), (d), (g) and (j)	report, attachments, discussion, resolution/s and minutes	until further order of Council or determination by the Chief Executive Officer to release in part or full	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
21/09/2021	Council	ITEM 27.1 LEGAL ADVICE – REPORT NO. AR21/58597	(g), (h), (i) and (j)	report, attachments, discussion, resolution/s and minutes	until further Order of Council, to be reviewed at least once in every year	Current	includes confidential information and legal advice relating to actual proposed litigation
21/09/2021	Wulanda Recreation and Convention Centre Committee	ITEM 26.7 WULANDA RECREATION AND CONVENTION CENTRE - MANAGEMENT AND OPERATION OF MOUNT GAMBIER COMMUNITY AND RECREATION HUB UPDATE - REPORT NO. AR21/57503	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until a further order of Council to release	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
21/09/2021	Wulanda Recreation and Convention Centre Committee	ITEM 26.6 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT #10 - As at 07/09/2021 - REPORT NO. AR21/57494	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
21/09/2021	Economic & Environment Committee	ITEM 26.2 COMMUNITY HEALTH INFORMATION - REPORT NO. AR21/51525	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until a further Order is made by Council, to be reviewed at least once every 12 months	Current	Contains commercial information that could confer advantage on a 3rd party
17/08/2021	Wulanda Recreation and Convention Centre Committee	Item 26.2 Project Control Group (PCG) Progress Report #9 - As at 03/08/2021	(b), (d) and (g)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project.	Current	Contains commercial information that could confer advantage on a 3rd party
20/07/2021	Wulanda Recreation and Convention Centre Committee	ITEM 27.3 Design Services - Construction and Defects Liability Period	(b), (d), (g) and (h)	report, attachments, discussion, resolution/s and minutes	until services under a contract associated with the matter have been completed	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
20/07/2021	Wulanda Recreation and Convention Centre Committee	ITEM 27.2 Project Control Group (PCG) Progress Report #8 - As at 06/07/2021	(b) and (d)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information that could confer advantage on a 3rd party
20/07/2021	Council	ITEM 28.4 TENDER AF21/209 SUPPLY AND DELIVERY OF PREMIXED CONCRETE – REPORT NO. AR21/43214	(k)	report, attachments, discussion, resolution/s and minutes	until 5 years after the expiry and non-renewal of contract.	Current	Contains information relating to tenders that have not yet been let
20/07/2021	Council	ITEM 28.3 COVID-19 TOURISM TENANCIES – REPORT NO. AR21/41157	(a), (b) and (d)	report, attachments, discussion, resolution/s and minutes	until 1 year after each listed tourism tenants current arrangements have expired or been replaced, or 1 year after the end of the COVID19 health emergency, whichever is the later.	Current	relates to personal and commercial information of a confidential nature which could prejudice or benefit a 3rd party
20/07/2021	Council	ITEM 28.1 LEGAL ADVICE - REPORT NO. AR21/39325	(g), (h), (i) and (j)	report, attachments, discussion, resolution/s and minutes	until further Order of Council, to be reviewed at least once in every year	Current	includes confidential information and legal advice relating to actual proposed litigation
15/06/2021	Wulanda Recreation and Convention Centre Committee	ITEM 27.4 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT - AS AT 01/06/2021 – REPORT NO. AR21/32471	(b) & (d)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
15/06/2021	Wulanda Recreation and Convention Centre Committee	ITEM 27.5 REQUEST FOR EXPRESSIONS OF INTEREST - AF20/515 MANAGEMENT AND OPERATION OF MOUNT GAMBIER COMMUNITY AND RECREATION HUB – REPORT NO. AR21/34712		Report, attachments and discussion	until a further order of Council to release.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
18/05/2021	Wulanda Recreation and Convention Centre Committee	ITEM 27.5 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT - AS AT 02/05/2021 – REPORT NO. AR21/26211	(b) & (d)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project.	Current	Contains commercial information that could confer advantage on a 3rd party
20/04/2021	Council	ITEM 28.1 COUNTRY ARTS SA - SIR ROBERT HELPMANN THEATRE MASTER PLAN – REPORT NO. AR21/21895	(b), (d), (g) & (j)	report, attachments, discussion, resolution/s and minutes	until the proposal has been fully executed or 12 months after Council has abandoned any actions in relation to the proposal, whichever is the earlier.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
20/04/2021	Wulanda Recreation and Convention Centre Committee	ITEM 27.8 WULANDA RECREATION AND CONVENTION CENTRE - STAGE 3 COMMUNITY REFERENCE GROUP - MEMBERSHIP RECOMMENDATIONS – REPORT NO. AR21/16985	(a)	report, attachments, discussion, resolution/s and minutes	until a further order to be reviewed each year with the names of appointed members to be released following endorsement.	Current	relates to personal information of a confidential nature
20/04/2021	Wulanda Recreation and Convention Centre Committee	ITEM 27.7 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT - AS AT 05/04/2021 – REPORT NO. AR21/20559	(b) & (d)	report, attachments, discussion, resolution/s and minutes	until 12 months after completion of the project.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
23/03/2021	Council	ITEM 4.1 WULANDA RECREATION AND CONVENTION CENTRE FUNDING – REPORT NO. AR21/17395	(b), (d) & (k)	attachments	that the item be reviewed 12 months after successful completion of the Badge construction contract for the Wulanda Recreation and Convention Centre.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party
16/03/2021	Council	ITEM 28.2 WULANDA RECREATION AND CONVENTION CENTRE - STAGE 3 - COMMUNITY REFERENCE GROUP - MEMBER SELECTION – REPORT NO. AR21/14861	(a)	report, attachments, discussion, resolution/s and minutes	until a further order to be reviewed each year	Current	relates to personal and commercial information of a confidential nature which could prejudice or benefit a 3rd party
16/03/2021	Wulanda Recreation and Convention Centre Committee	ITEM 27.2 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT - AS AT 01/03/2021 - REPORT NO. AR21/11450	(b), (d) & (k)	report, attachments, discussion, resolution/s and minutes	that the item be reviewed 12 months after successful completion of the Badge construction contract for the Wulanda Recreation and Convention Centre.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party
11/03/2021	Special Council (adjourned to 16/03/2021)	ITEM 4.1 CHIEF EXECUTIVE OFFICER - CONTRACT OF EMPLOYMENT – REPORT NO. AR21/15086	(a) & (g)	report, attachments, discussion, resolution/s and minutes	until further order of Council, to be reviewed at least once in every 12 month period,	Current	relates to personal information associated with the employment conditions of the Chief Executive Officer

City of Mount Gambier Ordinary Council Meeting Agenda

21 October 2025

Council Meeting Date	Source Meeting	Subject	S90(3) Reference	Element to be kept Confidential	Duration, Circumstances or Review	Current / Expired	Comments
3/03/2021	Chief Executive Officer Selection Panel	ITEM 5.2 CHIEF EXECUTIVE OFFICER RECRUITMENT - REPORT NO. AR21/11473	(a), (b), (d) & (g)	report, attachments, discussion, resolution/s and minutes	until further order of Council, to be reviewed at least once in every 12 month period,	Current	relates to personal information associated with the employment conditions of the Chief Executive Officer
3/03/2021	Chief Executive Officer Selection Panel	ITEM 5.1 UPDATE ON THE CHIEF EXECUTIVE OFFICER SELECTION PROCESS – REPORT NO. AR21/12144	(a), (b), (d) & (g)	report, attachments, discussion, resolution/s and minutes	until further order of Council, to be reviewed at least once in every 12 month period	Current	relates to personal information associated with the employment conditions of the Chief Executive Officer
16/02/2021	Wulanda Recreation and Convention Centre Committee	ITEM 27.2 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT - AS AT 01/02/2021 – REPORT NO. AR21/6521	(b), (d) & (k)	report, attachments, discussion, resolution/s and minutes	that the item be reviewed 12 months after successful completion of the Badge construction contract for the Wulanda Recreation and Convention Centre.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party
20/01/2021	Chief Executive Officer Selection Panel	ITEM 5.1 CHIEF EXECUTIVE OFFICER RECRUITMENT – REPORT NO. AR21/3669	(a), (b), (d) & (g)	report, attachments, discussion, resolution/s and minutes	until further order of Council, to be reviewed at least once in every 12 month period.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
19/01/2021	Council	28 NOTICE OF MOTION - INDEPENDENT CONSULTANT MEMBER OF CHIEF EXECUTIVE OFFICER SELECTION PANEL – REPORT NO. AR21/1800	(a), (b) & (d)	report, attachments, discussion, resolution/s and minutes	until 5 years have elapsed.	Current	relates to personal and commercial information of a confidential nature which could prejudice or benefit a 3rd party
19/01/2021	Council	ITEM 28.1 MOUNT GAMBIER PRIVATE HOSPITAL - FEASIBILITY STUDY STAGES 4-6 – REPORT NO. AR21/1334	(d) & (g)	report, attachments, discussion, resolution/s and minutes	until Council has been released from its duty of confidence, to be reviewed at least once in every 12 months.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
22/12/2020	Chief Executive Officer Selection Panel	ITEM 4.1 REVIEW OF INFORMATION PROVIDED BY RECRUITMENT CONSULTANTS, MORTON PHILIPS – REPORT NO. AR20/85494	(a), (b), (d) & (g)	report, attachments, discussion, resolution/s and minutes	until further order of Council, to be reviewed at least once in every 12 month period.	Current	Contains personal and commercial information of a confidential nature which could prejudice or benefit a 3rd party
15/12/2020	Council	Item 28.1 NOTICE OF MOTION - REQUEST FOR INFORMATION - COMMUNITY AND RECREATION HUB – REPORT NO. AR20/82569	(h)	report, attachments, discussion, resolution/s and minutes	until further ordered by Council, to be reviewed at least once in every year.	Current	relates to legal advice
15/12/2020	Regional Sport and Recreation Centre Committee	Item 27.2 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT - AS AT 29/11/2020 – REPORT NO. AR20/80910	(b), (d), (k)	report, attachments, discussion, resolution/s and minutes	be reviewed 12 months after successful completion of the contract.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party
17/11/2020	Regional Sport and Recreation Centre Committee	Item 27.4 MOUNT GAMBIER COMMUNITY AND RECREATION HUB PROJECT BUDGET – REPORT NO. AR20/73063	(b) & (d)	report, attachments, discussion and minutes	Item be reviewed 12 months after successful completion of the contract	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party
17/11/2020	Regional Sport and Recreation Centre Committee	Item 27.5 PROJECT CONTROL GROUP (PCG) PROGRESS REPORT - AS AT 02/11/2020 – REPORT NO. AR20/73679	(b) & (d)	report, attachments, discussion, resolution/s and minutes	Item be reviewed 12 months after successful completion of the contract.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party
15/09/2020	Economic & Environment Committee	Item 26.3 VIABILITY OF ESTABLISHING MATERIAL RECOVERY FACILITIES IN THE LIMESTONE COAST REGION – REPORT NO. AR20/57874	(a), (b), (d), (g) & (j)	report, attachments, discussion, resolution/s and minutes	until two years have elapsed since the enactment of the proposal(s) contained within the report and attachments, or a further order has been made by Council to release, to be reviewed at least once in every year.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party, including information provided on a confidential basis by a public authority or official creating a duty of confidence
15/09/2020	Economic & Environment Committee	Item 26.2 MOUNT GAMBIER PRIVATE HOSPITAL FEASIBILITY STUDY – REPORT NO. AR20/56996	(b), (d), & (g)	report, attachments, discussion, resolution/s and minutes	until a further order is made by Council, to be reviewed at least once every 12 months	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party, provided on a confidential basis creating a duty of confidence
21/07/2020	Council	Item 27.1 PROPERTY MANAGEMENT - EXPIRY OF AGREEMENT – REPORT NO. AR20/44292	(a), (b), (d) & (j)	Report, attachments, discussion and minutes	until 5 years after the expiry and non-renewal of arrangements with the current tenant	Current	Recommended for release - refer to report
1/07/2020	Special Council	Item 4.1 COMMUNITY AND RECREATION HUB PROCUREMENT – REPORT NO. AR20/39192	(b) & (k)	Report, attachments and discussion	until further order and will be reviewed at least annually in accordance with the Local Government Act 1999.	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party or Council
19/05/2020	Council	Item 27.1 PROPOSAL FROM MOUNT GAMBIER PRIVATE HOSPITAL – REPORT NO. AR20/30776	(d)	Report, attachments, discussion and resolution/s and minutes	until Council has been released from its duty of confidence by the party who provided the information	Current	Contains commercial information of a confidential nature which could prejudice or benefit a 3rd party
17/03/2020	Deputation	Item 26.2 PRESENTATION BY BEACH ENERGY – REPORT NO. AR20/8188	(d)	Report, attachments, discussion and resolution/s and minutes	until After operational plans are released by Beach Energy.	Current	Contains commercial information that could prejudice the person who supplied it or confer advantage on a 3rd party
18/02/2020	Council	Item 26.2 RIDDOCH ART GALLERY CRATE LOADER - REPORT NO. AR19/62327	(d) & (g)	Report Attachment (only)	be retained in confidence, to be released only where permission has been granted by the intellectual property holder.	Current	Contains commercial information that could confer advantage on a 3rd party
18/02/2020	Council	Item 26.1 BOOKMARK CAFÉ - EXPRESSION OF INTEREST - REPORT NO. AR20/3205	(a), (b), (d) & (g)	Report, attachments, discussion and resolution/s and minutes	until 6 years have elapsed, or 1 year after the expiry of an operating arrangement entered into in association with this Expression of Interest process, whichever is the later. To be reviewed once in every year in accordance with s91(9).	Current	Contains commercial information that could confer advantage on a 3rd party
7-Mar-19	Special Council Meeting	Item 2.1 'Discussion with QEPT on the WellPlayed Report, the QEPT's response to that report and their proposed sub-leasing arrangements-	(b), (c) & (g)	Discussion and resolution (b)	Until: arrangements for the golf course has been resolved to the satisfaction of all current and potential future parties; and, Council has been released from its duty of confidence by the party that provided the information.	Current	Contains 3rd parties confidential information
7-Mar-19	Special Council Meeting	Item 2.2 'QEPT WellPlayed Report and Documentation'- Report No. AR19/10346	(b), (c) & (g)	Discussion, and Attachments	Until: arrangements for the golf course has been resolved to the satisfaction of all current and potential future parties; and, Council has been released from its duty of confidence by the party that provided the information	Current	Contains 3rd parties confidential information
7-Mar-19	Special Council Meeting	Item 2.3 Documents Relating to the Management of the Crater Lakes Area - Report No. AR19/10304	(b), (c) & (g)	Discussion and Attachments 1, 2 & 8	Until: the matter of lease arrangements for the golf course has been resolved to the satisfaction of all current and potential future parties; and, Council has been released from its duty of confidence by the party that provided the information (Attachments 1, 2 & 8)	Current	Contains 3rd parties confidential information
21-Aug-18	Operational Standing Committee	Item 17.2 Mount Gambier Aquatic Centre 2018-19 Business Plan - Report No. AR18/30233	(g)	All details	Until permission is obtained from Innovative Leisure Management as per 18.2 of the Management Agreement.	Current	Contains operators commercial in-confidence information
17-Apr-18	Strategic Standing Committee	Item 17.2 Surplus Government Property Notice - Report No. AR18/12667	(j)	All Details	Until: A public announcement has been made by the State Government on the intended manner in which the property matter is to be dealt.	Current	Contains information provided in-confidence by a government agency
21-Nov-17	Council	Item 17.5 Report No. AR17/47214 – Surplus Government Property Notice	(b)	All details	Until: A public announcement has been made by the State Government on the intended manner in which the property matter is to be dealt.	Current	Contains information provided in-confidence by a government agency
18-Apr-17	Council	COUNCIL ITEM 1 - CEO REPORT ON CONFIDENTIAL MATTERS - Ref. AF11/1894	(g)	All details (including report, tabled attachment, discussion and resolution)	Ongoing; To be reviewed at least once in every year	Current	Relates to a matter the disclosure of which would breach state legislation

Council Meeting Date	Source Meeting	Subject	S90(3) Reference	Element to be kept Confidential	Duration, Circumstances or Review	Current / Expired	Comments
31-Jan-17	Council (Special)	ALLEGATIONS REGARDING MAYOR ANDREW LEE TO BE REFERRED TO ICAC – Ref. AF13/275	(g)	All	Ongoing – to be reviewed annually	Current	Relates to a matter the disclosure of which would breach state legislation
18-Aug-15	Operational Services Committee	PROPERTY MANAGEMENT – Railway Lands - Expression of Interest - Management of Community Markets	(b)	All details	Until a contractual arrangement has been entered into with a respondent(s), to be reviewed in 12 months in accordance with S91(9)	Current	Contains 3rd party business proposal
18-Aug-15	Operational Services Committee	PROPERTY MANAGEMENT – Railway Lands - Expression of Interest - Occupation and Use of Old Railway Station Building	(b)	All details	Until a contractual arrangement has been entered into with a respondent(s), to be reviewed in 12 months in accordance with S91(9)	Current	Contains 3rd party business proposal
15/04/2014	City of Mount Gambier Junior Sports Fund Assistance Committee	11. GOVERNANCE – Committees – City of Mount Gambier Junior Sports Assistance Fund (Section 41) - Minutes of Meeting held 2nd April, 2014 – Ref. AF11/725	(a)	All information, details concerning the personal, financial circumstances and identity of each nominee	On-going, to be reviewed annually in accordance with the provisions of the Local Government Act	current	The name of the Member Organisation(s) of the successful recipient(s) and the amount allocated to each Member organisation only be released.
17/12/2013	City of Mount Gambier Junior Sports Fund Assistance Committee	COMMERCIAL CLUB INC. - Donation to exceptional junior sportsperson	(a)	All information, details concerning the personal circumstances and identity of each nominee	On-going, to be reviewed annually in accordance with the provisions of the Local Government Act	Current	The name of successful awardee, that persons Member Organisation and the essential achievement(s) of the awardee only be released.
17/12/2013	City of Mount Gambier Junior Sports Fund Assistance Committee	ROTARY CLUB OF MOUNT GAMBIER LAKES - Donations to Financially Disadvantaged Junior Sportspersons	(a)	All information, details concerning the personal, financial circumstances and identity of each nominee	On-going, to be reviewed annually in accordance with the provisions of the Local Government Act	Current	The name of the Member Organisation(s) and the amount allocated to each Member Organisation only to be released.
18/06/2013	Corporate and Community Services	SOCIAL, CULTURAL AND COMMUNITY SERVICES - Committees - City of Mount Gambier Junior Sports Assistance Fund (Section 41) Committee - Minutes of Meeting held 22nd May, 2013 – Ref. AF11/725	(a)	Retain all information concerning the personal and financial affairs and identity of donation recipients. All other information to be released.	On-going	Current	All information concerning the personal and financial affairs and identity of donation recipients kept confidential All other information released

20 MOTIONS WITH NOTICE

Nil

21 URGENT MOTIONS WITHOUT NOTICE

22 NEW CONFIDENTIAL ITEMS

Nil

22.1 SUPPLY AND DELIVERY OF TWO (2) X GARBAGE COMPACTORS AND ONE (1) STREET SWEEPER

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 Supply and Delivery of Two (2) x Garbage Compactors and One (1) Street Sweeper.

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

- (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
- (k) tenders for the supply of goods, 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 the information to be discussed in this item relates to a contract between Council and the preferred tenderers.

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 Supply and Delivery of Two (2) x Garbage Compactors and One (1) Street Sweeper and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:
 - (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and



- (ii) would, on balance, be contrary to the public interest.
 - (k) tenders for the supply of goods, the provision of services or the carrying out of works
- be kept confidential and not available for public inspection until 12 months after the issuing of the purchase order, with the name of the successful tenderer and the tender value to be disclosed upon acceptance of order and payment of invoice.
2. Further that Council delegates the power to review, revoke, but not extend the confidential order to the Chief Executive Officer in accordance with the provisions of Section 91(9)(c) of the Local Government Act 1999.



22.2 ADVOCACY PRIORITIES

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 Advocacy Priorities.

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

- (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
- (j) information the disclosure of which -
 - (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
 - (ii) would, on balance, be contrary to the public interest.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances to preserve Council's ability to present this document to the State Government and key stakeholders prior to a media release on the subject, ensuring Council's ability to negotiate the most advantageous position 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 Advocacy Priorities and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:

- (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
- (j) information the disclosure of which -
 - (i) would divulge information provided on a confidential basis by or to a Minister of the Crown, or another public authority or official (not being an employee of the council, or a person engaged by the council); and
 - (ii) would, on balance, be contrary to the public interest.

be kept confidential and not available for public inspection until such time that the Council has presented the document to the State Government and key stakeholders, and a media release publicly announcing the document has been made.



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| <p>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.</p> |
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23 MEETING CLOSE

24 ATTACHMENT - PREVIOUS COUNCIL MINUTES





MINUTES

Ordinary Council Meeting

Tuesday 16 September 2025



Minutes of the City of Mount Gambier Ordinary Council Meeting held at:

Time: 6:00 pm

Date: Tuesday 16 September 2025

Location: City Hall
Cave Gardens/Thugi, Mount Gambier

PRESENT: Mayor Lynette Martin (OAM)
Cr Max Bruins
Cr Paul Jenner
Cr Mark Lovett
Cr Josh Lynagh
Cr Sonya Meziniec
Cr Frank Morello
Cr Jason Virgo

OFFICERS IN ATTENDANCE:	Interim Chief Executive Officer	- Mr A Aitken
	General Manager City Infrastructure	- Ms B Cernovskis
	General Manager Corporate and Regulatory Services	- Mrs J Fetherstonhaugh
	General Manager People, Place and Liveability	- Mr C White
	Manager Governance and Property	- Ms B Shelton
	Manager Economy, Strategy and Engagement	- Mrs B Shearing
	Media and Communications Coordinator	- Ms S McLean
	Manager Engineering, Design and Assets	- Mr A Mahmud
	Team Leader Community Events	- Mrs X Keding
	Community Events Officer	- Ms L Golubic
	Executive Administrator	- Ms S Wilson
	Executive Administrator	- Miss T Chant

1 ACKNOWLEDGEMENT OF COUNTRY

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

2 CONDUCT OF THE GALLERY

MEMBERS OF THE GALLERY ARE REMINDED THAT THEY MUST NOT BEHAVE IN A DISORDERLY MANNER OR CAUSE AN INTERRUPTION TO THE MEETING. WHILST AUDIO RECORDING OF COUNCIL AND COMMITTEE MEETINGS IS PERMITTED, PHOTOGRAPHING, FILMING AND TELEVISIONING ARE PROHIBITED UNLESS EXPRESS PRIOR PERMISSION IS GRANTED BY THE PRESIDING MEMBER. WE ASK THAT YOU PLEASE PLACE YOUR PHONES ON SILENT. SHOULD AN EMERGENCY OCCUR AT ANY STAGE, PLEASE FOLLOW THE DIRECTION OF COUNCIL STAFF TO VACATE THE BUILDING.

3 APOLOGIES

Nil

4 LEAVE OF ABSENCE

Nil



5 CONFIRMATION OF COUNCIL MINUTES

5.1 CONFIRMATION OF COUNCIL MINUTES

RESOLUTION OCM 2025/204

Moved: Cr Sonya Meziniec

Seconded: Cr Frank Morello

That the minutes of the Ordinary Council Meeting held on 19 August 2025 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

6 MAYORAL REPORT

6.1 MAYORAL REPORT - SEPTEMBER 2025

- Meeting with Charlotte Edmunds, LCLGA
- Meeting with Charlotte Varcoe, The Border Watch
- Confidential Elected Member Briefing – CEO Selection Panel
- LCLGA Mayor's Catch-up (virtual)
- LCLGA Special Board Meeting (virtual)
- Fortnightly Meetings with Media and Communications Co-ordinator
- Internal Meeting – Draft Land Management – Tenancy and Occupation Policy
- The Advertiser Bush Summit (Wulanda Recreation and Convention Centre)
- LGA Board of Directors Special Meeting and Workshop (virtual)
- Weekly Meetings with CEO
- ABC Adelaide Live Interview - Troy Bell resignation and decision not to call a by-election
- Elected Member Briefing - Introductory Meeting with RDALC CEO - Lauren Oxlade
- Confidential Elected Member Briefing – Update – Lambert Living
- Elected Member Briefing – Grants and Sponsorship Program
- Meeting with Michel Arman BRM Advisory - LGA COP 31 Business Case (virtual)
- Radio interview with ABC Regional Drive's Narelle Graham - decision not to call a by-election
- LCLGA Mayor's Catch-up (virtual)
- Elected Member Briefing – Rating Review
- Elected Member Briefing – Advocacy Plan
- Lifeline SE Out of the Shadows Event - World Suicide Prevention Day (Railway Lands)
- Mayors Christmas Appeal Committee Meeting
- Tony Pasin MP - Big Aussie BBQ
- LCLHN – Tour of Cancer Facility at Mount Gambier Hospital
- RUOK? Day Event
- Meeting with Kelly-Anne Saffin – Cross Border Commissioner
- Adelaide 36er's Game (Wulanda Recreation and Convention Centre)
- LGR&DS Advisory Committee Meeting (virtual)
- Tenison Woods College – School Group chambers tours and Mayoral presentation (x4)
- LGA Preferential Voting Webinar



RESOLUTION OCM 2025/205

Moved: Cr Max Bruins

Seconded: Cr Jason Virgo

That the Mayoral Report be received.

CARRIED

7 REPORTS FROM COUNCILLORS

7.1 REPORTS FROM COUNCILLORS

Cr Josh Lynagh	BeArtiful Space and Place Exhibition opening, Mount Gambier Science Fair, Adelaide 36ers vs NBL1 South Select.
Cr Paul Jenner	The Advertiser Bush Summit - Wulanda.
Cr Sonya Mezinac	The Advertiser Bush Summit, Opening of Space and Place Exhibition, Exhibition opening Two Girls from Amoonguna and Thumbprints Memories, Meeting Christmas Parade Advisory Committee, Out of the Shadows Breakfast for World Suicide Prevention Day, RUOK Road Show, Limestone Coast Symphony Orchestra.
Cr Frank Morello	Briefing - Grants and Sponsorship Program, CEO Selection Panel.

RESOLUTION OCM 2025/206

Moved: Cr Frank Morello

Seconded: Cr Max Bruins

That the reports made by Councillors be received.

CARRIED

8 QUESTIONS WITH NOTICE

Nil

9 QUESTIONS WITHOUT NOTICE

Nil

10 PETITIONS

Nil



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11 DEPUTATIONS

Nil

12 NOTICE OF MOTION TO REVOKE OR AMEND

Nil

13 ELECTED MEMBERS INFORMATION BRIEFING SESSIONS

RESOLUTION OCM 2025/208

Moved: Cr Jason Virgo

Seconded: Cr Sonya Mezinec

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

CARRIED

14 ELECTED MEMBERS TRAINING AND DEVELOPMENT

Nil

15 AUDIT AND RISK COMMITTEE

Nil

16 CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW COMMITTEE

Nil

17 JUNIOR SPORTS ASSISTANCE FUND COMMITTEE

Nil

18 BUILDING FIRE SAFETY COMMITTEE

Nil



19 COUNCIL REPORTS

19.1 2025/2026 GRANTS AND SPONSORSHIP PROGRAM - ROUND ONE

Pursuant to Section 74 of the Local Government Act 1999, Cr Jason Virgo disclosed a general conflict of interest in Item 19.1.

In accordance with Section 75B Cr Virgo informed the meeting:

Nature of Interest:

A work colleague is an applicant on behalf of the RSL Club for the Anzac Day Memorial Services and Parade.

Intention to Participate:

Noting the general conflict of interest publicly.

Reason for Participating:

The action that I am taking is sufficient to address and deal with my conflict adequately by noting this.

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 Virgo remained in the meeting for Item 19.1.

Pursuant to Section 74 of the Local Government Act 1999, Cr Mark Lovett disclosed a general conflict of interest in Item 19.1.

In accordance with Section 75B Cr Lovett informed the meeting:

Nature of Interest:

My son plays basketball in that association.

Intention to Participate:

Declare a general conflict and will participate and vote.

Reason for Participating:

I will participate on this item as well as vote. Although there is a general conflict of interest I have no personal benefit from these grants.

In accordance with Section 75B of the Local Government Act 1999 Cr Lovett remained in the meeting for Item 19.1.



RESOLUTION OCM 2025/209

Moved: Cr Paul Jenner

Seconded: Cr Mark Lovett

1. That Council report titled '2025/2026 Grants and Sponsorship Program – Round One' as presented on Tuesday 16 September 2025 be noted.
2. That Council acknowledges the endorsed process undertaken by the assessment panel, including the evaluation criteria and methodology and endorses \$135,650 cash plus \$37,546.80 in kind be distributed for Round One of the 2025/2026 Grants and Sponsorship Program.
3. That, in addition to the above-noted awards, Council further allocates the following from remaining Grants and Sponsorship Program funds:
 - i. South East Automobile Club: Legends of the Lake Hill Climb - \$5,000 (cash)
 - ii. Australian International Pedal Prix Inc – Pedal Prix - \$3,000 (cash)
 - iii. Lakes Rotary Club of Mount Gambier - Blue Lake Fun Run - \$2,000 (cash)
 - iv. Limestone Coast Festivals & Events Inc – Fantasy Medieval Fair - \$5,000 (cash)
4. That Council allocates \$90,000 from the 2025/2026 Capacity Building Fund to be wholly available and expendable for Round Two of the 2025/2026 Grants and Sponsorship Program and quick response grants. This will enhance the funding that remains available following the above-noted Round One allocations and the award of quick response grants to date in this financial year.
5. That an Elected Member Briefing be held to discuss the Grants and Sponsorship Program, and that any revisions to Council's currently-adopted policy and procedure for administering the Program be referred to an Ordinary Meeting of Council prior to 2026/2027 financial year.
6. All applicants be notified accordingly, advising that the provision and acquittal of these grant funds will be subject to:
 - (a) all necessary land holder and development approvals being obtained; and
 - (b) all works being completed in accordance with all relevant legislative and compliance standards.
7. That Council commend the work of the assessment panel in formulating recommendations that will support a broad range of important community activities under Round One of the 2025/2026 Grants and Sponsorship Program.

CARRIED

Having participated in the meeting for Item 19.1 Cr Virgo voted in favour the motion.

Having participated in the meeting for Item 19.1 Cr Lovett voted in favour of the motion.



19.2 FOOTPATH ALTERATION FOR ACCESSIBLE ENTRY AT 13 JAMES STREET

RESOLUTION OCM 2025/210

Moved: Cr Jason Virgo

Seconded: Cr Mark Lovett

1. That Council report titled 'Footpath Alteration for Accessible Entry at 13 James Street' as presented on Tuesday 16 September 2025 be noted.
2. That Council endorses the proposed alteration of a public footpath at 13 James Street, Mount Gambier for the purpose of providing accessible entry to a private building.
3. That the property owner bear all associated costs for the proposed alteration works.

CARRIED

19.3 REQUEST FOR INTERNAL REVIEW OF COUNCIL DECISION

RESOLUTION OCM 2025/211

Moved: Cr Jason Virgo

Seconded: Cr Max Bruins

1. That Council report titled 'Request for Internal Review of Council Decision' as presented on Tuesday 16 September 2025 be noted.
2. That Council, having considered the within requests for internal review of council decisions in accordance with section 270 of the Local Government Act 1999 and Council's Internal Review of Council's Decisions Policy C290 determines that, having considered the merits of both Requests #2 and #3, no further action shall be taken.
3. That the Applicant be advised in writing of the outcome, including the reasons for the determination, with reference to the relevant provisions of section 270 of the Local Government Act 1999 and Council's Internal Review of Council's Decisions Policy - C290.

CARRIED



19.4 INTERNAL REVIEW OF COUNCIL DECISIONS, REQUESTS FOR SERVICE AND COMPLAINTS

RESOLUTION OCM 2025/212

Moved: Cr Sonya Meziniec

Seconded: Cr Mark Lovett

1. That Council report titled 'Internal Review of Council Decisions, Requests for Service and Complaints' as presented on Tuesday 16 September 2025 be noted.
2. That the Chief Executive Officer or delegate be authorised to include the contents of this report in the Annual Report for 2024/2025, including the prescribed information in accordance with section 270(8) of the Local Government Act 1999.

CARRIED

19.5 OUTSTANDING COUNCIL ACTION ITEMS - SEPTEMBER 2025

RESOLUTION OCM 2025/213

Moved: Cr Max Bruins

Seconded: Cr Jason Virgo

1. That Council report titled 'Outstanding Council Action Items - September 2025' as presented on Tuesday 16 September 2025 be noted.

CARRIED

20 MOTIONS WITH NOTICE

20.1 MOTION WITH NOTICE - AMBULANCES, THE MOUNT GAMBIER HOSPITAL AND HEALTHCARE

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

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

Nature of Interest:

I am the Presiding Member of the Mount Gambier and Districts Health Advisory Council which relates to health and the hospital.

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.

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Reason for Participating:

The action I am taking is sufficient to address my conflict of interest adequately by not moving or seconding 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 Lynagh remained in the meeting for Item 20.1.

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

In accordance with Section 75B Cr Jenner informed the meeting:

Nature of Interest:

My wife Caroline Jenner works for Country Health Connect.

Intention to Participate:

I will participate in the debate.

Reason for Participating:

My common interest in GPs, Ambulances and Healthcare in the hospital is the same as the community as a whole.

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

RESOLUTION OCM 2025/214

Moved: Cr Paul Jenner

Seconded: Cr Mark Lovett

1. That the motion from Cr Paul Jenner as presented on Tuesday 16 September 2025 be noted.
2. That Council collaborate with the State government in advocating to the Federal government that investment in urgent care and primary health services in Mount Gambier is required to ensure equitable and timely access to healthcare for the community.
3. That, pursuant to the above, Council identify its community healthcare priorities for inclusion in its forthcoming Advocacy Plan.
4. That Council write to the Limestone Coast Local Health Network to establish the numbers of 'Delayed Transfers' at the Mount Gambier hospital, with numbers over the past 3 years.

CARRIED

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

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

21 URGENT MOTIONS WITHOUT NOTICE

21.1 APPOINTMENT TO THE GROUP TRAINING EMPLOYMENT BOARD OF DIRECTORS

Pursuant to Section 75 of the Local Government Act 1999, Cr Paul Jenner disclosed a material conflict of interest in Item 21.1.

In accordance with Section 75B Cr Jenner informed the meeting:

Nature of Interest:

I am a City Councillor and wish to nominate for the directors role and receive some gifts and a dinner at Christmas time for the role.

In accordance with Section 75C of the Local Government Act 1999 Cr Jenner left the meeting at 6:41pm.

RESOLUTION OCM 2025/215

Moved: Cr Max Bruins

Seconded: Cr Mark Lovett

1. That Council report titled 'Appointment to the Group Training Employment Board of Directors' as presented on 16 September 2025 be noted.
2. That Council elects to nominate a representative to the Group Training Employment Board of Directors at the October 2025 Annual General Meeting.
3. That Council nominates Cr Paul Jenner to the Group Training Employment Board of Directors position.

CARRIED

Cr Jenner returned to the meeting at 6:43pm.



22 NEW CONFIDENTIAL ITEMS

22.1 UPDATE ON LEGAL MATTER

RESOLUTION OCM 2025/216

Moved: Cr Max Bruins

Seconded: Cr Sonya Meziniec

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except the Mayor, Councillors and A Aitken, B Cernovskis, J Fetherstonhaugh, C White, B Shelton, S McLean, B Shearing, A Mahmud, S Wilson and T Chant be excluded from attendance at the meeting for the receipt and consideration in confidence of Update on Legal Matter.

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

- | | |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (f) | information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial. |
| (g) | matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty. |
| (h) | legal advice. |
| (i) | information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council. |

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information to be considered relates to litigation that has commenced and has been provided to Council on a strictly confidential basis.

CARRIED

RESOLUTION OCM 2025/218

Moved: Cr Max Bruins

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 Update on Legal Matter and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:

(f)	information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial.
(g)	matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.
(h)	legal advice.
(i)	information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council.

2. be kept confidential and not available for public inspection until further ordered by Council or released in part or full by the Chief Executive Officer under delegation, to be reviewed annually.

3. 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

22.2 OUTSTANDING CONFIDENTIAL COUNCIL ACTION ITEMS - SEPTEMBER 2025

RESOLUTION OCM 2025/219

Moved: Cr Josh Lynagh
Seconded: Cr Frank Morello

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the Local Government Act 1999 the Council orders that all members of the public, except the Mayor, Councillors and A Aitken, B Cernovskis, J Fetherstonhaugh, C White, B Shelton, S McLean, B Shearing, A Mahmud, S Wilson and T Chant be excluded from attendance at the meeting for the receipt and consideration in confidence of Outstanding Confidential Council Action Items - September 2025.

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

- (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances where all outstanding actions included in the within report are confidential in their own right, being subject to their own respective confidential orders, and Council has a duty to maintain that confidentiality.

CARRIED

RESOLUTION OCM 2025/221

Moved: Cr Mark Lovett

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 Outstanding Confidential Council Action Items - September 2025 and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:

(g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.

2. be kept confidential and not available for public inspection until such time as each outstanding action detailed in the report has been released from confidence respectively, and that the order be reviewed every 12 months.
3. 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 MEETING CLOSE

The meeting closed at 6:46pm.

The minutes of this meeting confirmed at the Ordinary Council Meeting held on 21 October 2025.

.....
MAYOR





MINUTES

Special Council Meeting Tuesday 23 September 2025



Minutes of the City of Mount Gambier Special Council Meeting held at:

Time: 4:55 pm

Date: Tuesday 23 September 2025

Location: Level 1, Conference Room - Civic Centre
10 Watson Terrace, Mount Gambier

PRESENT: Mayor Lynette Martin (OAM)
Cr Max Bruins
Cr Paul Jenner
Cr Mark Lovett
Cr Josh Lynagh
Cr Sonya Meziniec
Cr Frank Morello
Cr Jason Virgo

OFFICERS IN ATTENDANCE: General Manager Corporate and Regulatory Services - Mrs J Fetherstonhaugh

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 COUNCIL REPORTS

Nil

5 CONFIDENTIAL ITEMS

5.1 CHIEF EXECUTIVE OFFICER RECRUITMENT

RESOLUTION SCM 2025/6

Moved: Cr Max Bruins

Seconded: Cr Frank Morello

CONSIDERATION FOR EXCLUSION OF THE PUBLIC

Pursuant to section 90(2) of the *Local Government Act 1999* the Council orders that all members of the public, except the Mayor, Councillors and General Manager Corporate and Regulatory Services, Mrs Jane Fetherstonhaugh be excluded from attendance at the meeting for the receipt and consideration in confidence of Chief Executive Officer Recruitment.

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

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).
- (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
- (d) Commercial information of a confidential nature (not being a trade secret) the disclosure of which -
 - (i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
 - (ii) would, on balance, be contrary to the public interest.
- (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information to be discussed includes information concerning the personal employment affairs of applicants for the position of Chief Executive Officer provided on a confidential basis and thus creating a duty of confidence on the Committee and Council.

Further, the subject matter also includes information regarding the selection process, the disclosure of which could reasonably be considered could confer an advantage on third parties or applicant(s) to the Chief Executive Officer position.

CARRIED

RESOLUTION SCM 2025/8

Moved: Cr Jason Virgo
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 Chief Executive Officer Recruitment and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:
 - information the disclosure of which would involve the unreasonable disclosure of
 - (a) information concerning the personal affairs of any person (living or dead).
 - (b) information the disclosure of which -
 - (i) could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and
 - (ii) would, on balance, be contrary to the public interest.
 - (d) Commercial information of a confidential nature (not being a trade secret) the disclosure of which -

	(i) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
	(ii) would, on balance, be contrary to the public interest.
(g)	matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.
be kept confidential and not available for public inspection until further order of Council, to be reviewed at least once in every 12 month period.	
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 <i>Local Government Act 1999</i> .
CARRIED	

6 MEETING CLOSE

The meeting closed at 4.56pm.

The minutes of this meeting confirmed at the Ordinary Council Meeting held on 21 October 2025.

.....
MAYOR





MINUTES

Special Council Meeting Tuesday 30 September 2025



Minutes of the City of Mount Gambier Special Council Meeting held at:

Time: 4:30 pm

Date: Tuesday 30 September 2025

Location: Level 1 Conference Room - Civic Centre
10 Watson Terrace, Mount Gambier

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 COUNCIL REPORTS

Nil

5 CONFIDENTIAL ITEMS

5.1 CHIEF EXECUTIVE OFFICER CONTRACT OF EMPLOYMENT

RESOLUTION SCM 2025/9

Moved: Cr Frank Morello
Seconded: Cr Mark Lovett

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 Chief Executive Officer Contract of Employment.

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

- (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).
- (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.

The Council is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the information to be discussed includes information concerning the personal employment affairs of applicants for the position of Chief Executive Officer provided on a confidential basis and thus creating a duty of confidence on the Committee and Council.

CARRIED

RESOLUTION SCM 2025/11

Moved: Cr Mark Lovett

Seconded: Cr Josh Lynagh

CONSIDERATION FOR KEEPING ITEMS CONFIDENTIAL

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the report Chief Executive Officer Contract of Employment and its attachments, resolution/s and minutes arising from the report, having been considered by the Council in confidence under:
 - (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).
 - (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty.be kept confidential and not available for public inspection until further order of Council, to be reviewed at least once in every 12 month period.
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

6 MEETING CLOSE

The meeting closed at 4:41 pm.

The minutes of this meeting confirmed at the Ordinary Council Meeting held on 21 October 2025.

.....
MAYOR

