

Appointment of Proxy Council Member to Audit and Risk Committee

Tuesday, 23 September 2025
Council

Strategic Alignment - Our Corporation

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Public

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EXECUTIVE SUMMARY

The purpose of this report is to enable Council to appoint a Council Member to the position of proxy member to the Audit and Risk Committee from 10 September 2025 until the conclusion of the Council term in November 2026.

On 11 April 2025, orders in relation to the matter of *Alexander Hyde v Electoral Commissioner of South Australia, Jing Li* were made by the Court of Disputed Returns and consequently, the position of proxy member to the Audit and Risk Committee became vacant.

At its meeting held on 22 April 2025 Council resolved to appoint Councillor Martin as as a proxy member to the Audit and Risk Committee for the period of 23 April 2025 until the first meeting attended by newly sworn in Central Ward Councillors.

RECOMMENDATION
<u>THAT COUNCIL</u> - Notes that the term of appointment for the position of Proxy Council Member to Audit and Risk Committee will be from 24 September 2025 until the conclusion of the Council term in November 2026. - Notes that the method of appointing Council Members to the position of Proxy Council Member to Audit and Risk Committee will be undertaken in accordance with the Code of Practice for Council Meeting Procedures as follows: - The Presiding Member of the Meeting will call for nominations, which must be accepted or declined by the Council Member who is subject of the nomination. - The Chief Executive Officer as Returning Officer is authorised to declare the successful candidate appointed to position of Proxy Council Member to Audit and Risk Committee - In the event of only one nomination to the office, the candidate is appointed to the position of Proxy Council Member to Audit and Risk Committee, announced by the Returning Officer. - In the event of there being more nominations than required, an election by voting ballot of Council Members present will be undertaken. - If the votes for two or more candidates for the relevant position are equal, a revote by ballot between tied candidates will be undertaken. - If the votes for two or more candidates for the position remain equal, lots must be drawn to determine which candidate or candidates will be excluded. - The Chief Executive Officer as Returning Officer is authorised to declare the successful candidate appointed to position of Proxy Council Member to Audit and Risk Committee.

IMPLICATIONS AND FINANCIALS

City of Adelaide 2024-2028 Strategic Plan	Strategic Alignment – Our Corporation Enable effective governance, risk management, accountability and transparency at all times in decision making.
Policy	Not as a result of this report
Consultation	Not as a result of this report
Resource	Not as a result of this report
Risk / Legal / Legislative	Council is required to have an Audit and Risk Committee under section 126 of the <i>Local Government Act 1999</i> (SA). The role of the Audit and Risk Committee is to provide independent assurance and advice to the Council on accounting, financial management, internal controls, risk management and governance matters.
Opportunities	Not as a result of this report
25/26 Budget Allocation	Sitting fees for independent members of the Audit and Risk Committee have been included as part of the 2025/26 budget. A Council Member appointed to the Audit and Risk Committee does not receive a sitting fee for attendance at meetings.
Proposed 26/27 Budget Allocation	Sitting fees for independent members of the Audit and Risk Committee will be considered as part of the 2026/27 budget.
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
25/26 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

DISCUSSION

Background

1. The Audit and Risk Committee (the Committee) has been established under section 126 of the *Local Government Act 1999* (SA) (the Act).
2. The Act outlines the functions of the Committee which include:
 - 2.1. Reviewing annual financial statements to ensure that they present fairly the state of affairs of the council.
 - 2.2. Proposing, and providing information relevant to, a review of the council's strategic management plans or annual business plan.
 - 2.3. Monitoring the responsiveness of the council to recommendations for improvement based on previous audits and risk assessments, including those raised by a council auditor.
 - 2.4. Proposing, and reviewing, the exercise of powers under section 130A.
 - 2.5. Liaising with the council's auditor in accordance with any requirements prescribed by the regulations.
 - 2.6. Reviewing the adequacy of the accounting, internal control, reporting and other financial management systems and practices of the council on a regular basis.
 - 2.7. Providing oversight of planning and scoping of the internal audit work plan.
 - 2.8. Reviewing and evaluating the effectiveness of policies, systems and procedures, established and maintained for the identification, assessment, monitoring, management and review of strategic, financial and operational risks on a regular basis.
 - 2.9. Reviewing any report obtained by the council under section 48 (1).
 - 2.10. Performing any other function determined by the council or prescribed by the regulations.
3. At its meeting of 26 November 2024 Council resolved in part that Council:
 - ‘2. Approves Councillor Elliott to be appointed as a proxy member to the Audit and Risk Committee for the period of 15 December 2024 until the conclusion of the 2022-2026 Council term.’

Court of Disputed Returns Outcome

4. On 11 April 2025, in the matter of *Alexander Hyde v Electoral Commissioner of South Australia, Jing Li*, the Court of Disputed Returns made orders resulting in Councillor Elliott being removed from the office of Councillor of the Central Ward of the City of Adelaide.
5. At its meeting held on 22 April 2025, Council resolved to appoint Councillor Martin as a proxy member to the Audit and Risk Committee for the period of 23 April 2025 until the first meeting attended by newly sworn in Central Ward Councillors.
6. This report seeks to appoint a proxy member to the Committee.

Membership, Role and Meeting Schedule

7. The Committee meets at least six times per year with a membership of six comprising the Lord Mayor (ex-officio), one Councillor, and four external independent members in addition to a proxy member (Council Member).
8. Councillor Giles is the appointed Council Member for the Committee for the remainder of the Council term
9. The Committee's role is to report to Council and provide appropriate advice and recommendations on matters relevant to its Terms of Reference to facilitate informed decision making.
10. The Committee will continue to provide oversight on the approach taken by the Council and management to address risk, financial governance and legal compliance responsibilities in the areas of:
 - 10.1. Financial reporting
 - 10.2. Internal Controls and Risk Management Systems
 - 10.3. Management Plans and Business Plans
 - 10.4. Internal Audit
 - 10.5. External Audit

- 10.6. Other functions as required.
11. The [Audit and Risk Committee Terms of Reference and Meeting Procedures](#) assist the Committee, Council, and the community in understanding the Committee's role and responsibilities.
12. The Committee has the following meeting dates set:
- 12.1. Wednesday 24 September 2025, starting at 9.00am
 - 12.2. Friday 14 November 2025, starting at 9.00am
 - 12.3. Friday 13 February 2026, starting at 9.00am.
13. The 2026-2027 meeting schedule will be considered at the 13 February 2026 meeting.

Process for nomination and appointment

14. In accordance with section 51 (8) of the *Local Government Act 1999 (SA)* and the Code of Practice for Council Meeting Procedures (Ballot Process):
- 14.1. The Presiding Member of the Meeting will call for nominations, which must be accepted or declined by the Council Member who is subject of the nomination.
 - 14.2. The Chief Executive Officer as Returning Officer is authorised to declare the successful candidate appointed to position of Proxy Council Member to Audit and Risk Committee
 - 14.3. In the event of only one nomination to the office, the candidate is appointed to the position of Proxy Council Member to Audit and Risk Committee, announced by the Returning Officer.
 - 14.4. In the event of there being more nominations than required, an election by voting ballot of Council Members present will be undertaken.
 - 14.5. If the votes for two or more candidates for the relevant position are equal, a revote by ballot between tied candidates will be undertaken.
 - 14.6. If the votes for two or more candidates for the position remain equal, lots must be drawn to determine which candidate or candidates will be excluded.
 - 14.7. The Chief Executive Officer as Returning Officer is authorised to declare the successful candidate appointed to position of Proxy Council Member to Audit and Risk Committee.

DATA AND SUPPORTING INFORMATION

Link 1 – Audit and Risk Committee Terms of Reference and Meeting Procedures

ATTACHMENTS

Nil

- END OF REPORT -