



**MINUTES OF RESOURCES AND GOVERNANCE COMMITTEE MEETING HELD IN
COMMITTEE ROOM 1, 12 JAMES STREET, SALISBURY ON**

18 JANUARY 2016

MEMBERS PRESENT

Cr B Vermeer (Chairman)
Mayor G Aldridge (ex officio)
Cr D Balaza
Cr D Bryant
Cr L Caruso
Cr R Cook (Deputy Chairman)
Cr D Pilkington

STAFF

General Manager City Development, Mr T Sutcliffe
Acting General Manager Business Excellence, Ms L Rattigan
Manager Governance, Ms T Norman
Manager Environmental Health and Safety, Mr J Darzanos

The meeting commenced at 8.25pm.

The Chairman welcomed the members, staff and the gallery to the meeting.

APOLOGIES

Apologies have been received from Cr S Bedford and Cr D Proleta.

LEAVE OF ABSENCE

Nil

PRESENTATION OF MINUTES

Moved Mayor G Aldridge
Seconded Cr R Cook

The Minutes of the Resources and Governance Committee Meeting held on 07 December 2015, be taken and read as confirmed.

CARRIED

REPORTS

Administration

3.0.1 Future Reports for the Resources and Governance Committee

Moved Cr D Balaza
Seconded Cr D Pilkington

1. The information be received.

CARRIED

Health, Animal Management and By-laws

3.3.1 Wood Burning Heaters

Moved Cr D Pilkington
Seconded Cr L Caruso

1. The information be received.

CARRIED

3.3.2 Local Nuisance and Litter Control Bill - Status Report

Moved Cr D Pilkington
Seconded Mayor G Aldridge

1. That the report be received, and a copy of the report be provided to the Local Government Association reflecting Council's commentary on the Local Nuisance and Litter Control Bill 2015.

CARRIED

3.6.1 Annual Review of Delegations

Moved Cr D Pilkington
Seconded Mayor G Aldridge

1. The information be received.
2. That, having conducted its annual review of its Delegations Register in accordance with Section 44(6) of the Local Government Act 1999, the Council:

Revocations

- a. Hereby revokes its previous delegations to the Chief Executive Officer, effective from 18th day of February 2016, of those powers and functions under the following:
 - i. Community Titles Act 1996
 - ii. Development Act 1993 and Development Regulations 1993/2008
 - iii. Dog and Cat Management Act 1995
 - iv. Environment Protection Act 1993 and Environment Protection (Waste management) Policy 1994 OR Environment Protection (Waste to Resources) Policy 2010
 - v. Expiation of Offences Act 1996
 - vi. Fences Act 1975
 - vii. Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005
 - viii. Food Act 2001
 - ix. Freedom of Information Act 1991
 - x. Housing Improvement Act 1940
 - xi. Land and Business (Sale and Conveyancing) Act 1994
 - xii. Liquor Licensing Act 1997
 - xiii. Local Government Act 1934
 - xiv. Local Government Act 1999
 - xv. Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions – Levies) Regulations 2005
 - xvi. Public and Environmental Health Act 1987 and Public and Environmental Health (Waste Control) Regulations 2010 and Public and Environmental Health (Legionella) Regulations 2008

- xvii. Roads (Opening and Closing) Act 1991
 - xviii. Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 1999 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 1999
 - xix. South Australian Public Health Act 2011 along with the South Australian Public Health (Legionella) Regulations 2013 and the South Australian Public Health (Wastewater) Regulations 2013
 - xx. Supported Residential Facilities Act 1992
 - xxi. Unclaimed Goods Act 1987
 - xxii. Work Health and Safety Act 2012
 - xxiii. Safe Drinking Water Act 2011
 - xxiv. Water Industry Act 2012 and Water Industry Regulations 2012
 - xxv. Real Property Act 1886
 - xxvi. Strata Titles Act 1988
 - xxvii. Heavy Vehicle National Law (South Australia) Act 2013
 - xxviii. Burial and Cremation Act 2013 and Burial and Cremation Regulations 2014
- b. Hereby revokes its previous delegations to its Development Assessment Panel under the Development Act 1993 and Development Regulations 2008.

Delegations made under Local Government Act 1999

3. In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following Acts and specified in the Delegations Register are hereby delegated from the 19th day of February 2016 to the person occupying the office of Chief Executive Officer subject to the conditions and or limitations specified within the Delegations Register:
- i. Burial and Cremation Act 2013 and Burial and Cremation Regulations 2014
 - ii. Community Titles Act 1996
 - iii. Dog & Cat Management Act 1995
 - iv. Environment Protection Act 1993
 - v. Expiation of Offences Act 1996
 - vi. Fences Act 1975
 - vii. Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005

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- viii. Freedom of Information Act 1991
 - ix. Heavy Vehicle National Law (South Australia) Act 2013
 - x. Housing Improvement Act 1940
 - xi. Land & Business (Sale & Conveyancing) Act 1994
 - xii. Liquor Licensing Act 1997
 - xiii. Local Government Act 1934
 - xiv. Local Government Act 1999
 - xv. Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions – Levies) Regulations 2005
 - xvi. Real Property Act 1886
 - xvii. Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 1999 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 1999
 - xviii. Roads (Opening and Closing) Act 1991
 - xix. Safe Drinking Water Act 2011
 - xx. South Australian Public Health Act 2011 along with the South Australian Public Health (Legionella) Regulations 2013 and the South Australian Public Health (Wastewater) Regulations 2013
 - xxi. Strata Titles Act 1988
 - xxii. Unclaimed Goods Act 1987
 - xxiii. Water Industry Act 2012 and Water Industry Regulations 2012
 - xxiv. Work Health and Safety Act 2012
4. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 and the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.

Delegations made under Development Act 1993

5. In exercise of the powers contained in Sections 20 and 34(23) of the Development Act 1993, the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the Delegations Register (Delegations Register, pages 32 – 141) are hereby delegated this 19th day of February 2016 to the person occupying the office of Chief Executive Officer, subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation.
6. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.
7. In exercise of the powers contained in Sections 20 and 34(23) of the Development Act 1993 the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the Delegations Register (Delegations Register, pages 1 - 3) are hereby delegated to the Council's Development Assessment Panel, subject to any conditions specified herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.

Delegations Made under Food Act 2001

8. In exercise of the powers contained in Section 91 of the Food Act 2001, the powers and functions under the Food Act 2001 contained in the Delegations Register (Delegations Register, pages 376 – 382) are hereby delegated from the 19th day of February 2016 to the person occupying the office of Chief Executive Officer ("the head of the enforcement agency" for the purposes of the Food Act 2001), subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Food Act 2001.
9. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Food Act 2001.

Delegations under Supported Residential Facilities Act 1992

10. In exercise of the power contained in Section 9 of the Supported Residential Facilities Act 1992, the powers and functions under the Supported Facilities Act 1992 and Supported Residential Facilities Regulations 2009 contained in the Delegations Register (Delegations Register, pages 434 – 446) are hereby delegated this 19th day of February 2016 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Supported Residential Facilities Act 1992.
11. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Supported Residential Facilities Act 1992.

Authorisations and Sub-delegation under the Road Traffic Act 1961

12. In accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for transport and Infrastructure (the ‘instrument’) the Council authorises the following persons pursuant to Clause A.7 of the Instrument to endorse Traffic Impact Statements for the purposes of Clause A of the Instrument provided that such persons shall take into account the matters specified in Clause A.7 of the Instrument in respect of Traffic Impact Statements.
 - i. Patrick Trimboli, Senior Traffic Engineer
 - ii. Dameon Roy, Manager Technical Services
 - iii. Tony Calandro, Senior Traffic Engineer
13. In accordance with Clause A.7 of the Instrument, the Council is of the opinion that the following persons are experienced traffic engineering practitioners for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the Instrument:
 - i. Patrick Trimboli, Senior Traffic Engineer
 - ii. Dameon Roy, Manager Technical Services
 - iii. Tony Calandro, Senior Traffic Engineer

14. In exercise of the power contained in, and in accordance with, Clause G.1 of the Instrument, the power contained in Section 33(1) of the Road Traffic Act 1961 and delegated to the Council pursuant to Clause G of the Instrument and contained in the Delegations Register (Delegations Register, page 478) is hereby sub-delegated this 19th day of February 2016 to the person occupying the office of Chief Executive Officer of the Council subject to:
 - a. The conditions contained in the Instrument; and
 - b. Any conditions contained in this Resolution or in the Instrument of Sub-delegation; and
 - c. The creation of a separate instrument in writing reflecting such sub-delegation under the Instrument and this Resolution.

15. In accordance with Clause E.2 of the Instrument, the Council is of the opinion that the following persons have an appropriate level of knowledge and expertise in the preparation of traffic management plans:
 - i. Patrick Trimboli, Senior Traffic Engineer
 - ii. Dameon Roy, Manager, Technical Services
 - iii. Tony Calandro, Senior Traffic Engineer

Delegations under Safe Drinking Water Act 2011 (of enforcement agency)

16. In exercise of the power contained in Section 43 of the Safe Drinking Water Act 2011 the powers and functions of the Council as a relevant authority under the Safe Drinking Water Act 2011 contained in the Delegations Register (Delegations Register, pages 394 – 399) are hereby delegated this 19th day of February 2016 to the person occupying the office of Chief Executive officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of delegation under the Safe Drinking Water Act 2011.

17. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of delegation under the Safe Drinking Water Act 2011.

CARRIED

3.6.2 Review of Representation of the City of Salisbury by Elected Members Policy

Moved Cr D Bryant
Seconded Mayor G Aldridge

1. The Information be received.
2. The Representation of the City of Salisbury by Elected Members Policy as set out in Attachment 1 to this report (Resources and Governance 3.6.2, 16/11/2015), be endorsed.

With leave of the meeting and consent of the seconder Cr D Bryant
VARIED the MOTION as follows:

1. The Information be received.
2. The Representation of the City of Salisbury by Elected Members Policy as set out in Attachment 1 to this report (Resources and Governance 3.6.2, 16/11/2015), subject to the following amendment:
 3. *In the circumstances where **the event occurs outside of the City of Salisbury**, or there is limited time available to confirm an alternative attendee, every effort will be made to contact members in accordance with the order of precedence. Where it is not possible to confirm an attendee from the order of precedence, guidance will be sought from the Mayor or Deputy Mayor as to who should be asked to attend the event/function.*

be endorsed.

CARRIED

OTHER BUSINESS

Nil

The meeting closed at 8.55pm.

CHAIRMAN.....

DATE.....