



## **AGENDA**

**FOR COUNCIL MEETING TO BE HELD ON**

**22 MAY 2017 AT 6:30 PM**

**IN THE COUNCIL CHAMBER, 12 JAMES STREET, SALISBURY**

### **MEMBERS**

Mayor G Aldridge  
Cr D Proleta (Deputy Mayor)  
Cr D Balaza  
Cr S Bedford  
Cr B Brug  
Cr D Bryant  
Cr C Buchanan  
Cr G Caruso  
Cr L Caruso  
Cr R Cook  
Cr E Gill  
Cr D Pilkington  
Cr S Reardon  
Cr G Reynolds  
Cr S White  
Cr J Woodman  
Cr R Zahra

### **REQUIRED STAFF**

Chief Executive Officer, Mr J Harry  
General Manager Business Excellence, Mr C Mansueto  
General Manager City Development, Mr T Sutcliffe  
General Manager City Infrastructure, Mr M van der Pennen  
General Manager Community Development, Ms P Webb  
Manager Governance, Ms T Norman  
Manager Communications and Customer Relations, Mr M Bennington  
Team Leader Corporate Communications, Mr C Treloar  
Governance Coordinator, Ms J Rowett  
Governance Support Officer, Ms K Boyd

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## **PRAYER**

*Father in heaven*

*We thank you for the wondrous resources of our City, for its people, its environment and its sense of community.*

*We thank you for the opportunity to now deliberate over how best to help our community. Please bless that we will respect one another and that we will all do our best to make decisions that will help our community to grow and prosper.*

*Bless our efforts this day in God's name.*

*Amen.*

## **KAURNA ACKNOWLEDGEMENT**

*The City of Salisbury acknowledges that we are meeting on the traditional Country of the Kurna people of the Adelaide Plains and pays respect to Elders past and present. We recognise and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kurna people living today.*

## **DECLARATION OF OFFICE - LEVELS WARD COUNCILLOR**

Having conducted an election for the vacant position of Councillor in the Levels Ward, Mrs Bev Christerson JP will witness the signing of the Declaration of Office for Mr Beau Brug.

## **APOLOGIES**

Apologies have been received from Cr D Pilkington and Cr R Cook.

## **LEAVE OF ABSENCE**

Leave of absence for this meeting was previously granted to Cr C Buchanan.

## **PUBLIC QUESTION TIME**

## **DEPUTATIONS**

### **DEP1 Elector Representation Review - Persons making written submissions to be heard.**

In accordance with section 12(10) of the *Local Government Act 1999*, the following person, who has made a written submission in the third round of public consultation, has accepted the invitation to appear personally or by representative before the Council and to be heard on their submission.

Mr Lindsay Virgo, St Kilda 5110

## **DEP2 Refusal of Deputation Request**

A request was received from Mr Pas Forgione, SA Poverty Network SA's Co-ordinator for himself and Ms Suzie Newbury to attend the 22/05/2017 Council meeting as a deputation in relation to job seekers in the northern suburbs.

The City of Salisbury's Code of Practice for Meeting Procedures provides the following with respect to a request to appear as a deputation:

### **11. Deputations**

- (1) A person or persons wishing to appear as a deputation at a meeting must deliver (to the principal office of the council) a written request to the council.
- (2) The Chief Executive Officer must transmit a request received under sub-clause (1) to the presiding member.
- (3) The presiding member may refuse to allow the deputation to appear at a meeting.
- (4) The Chief Executive Officer must take reasonable steps to ensure that the person or persons who requested a deputation are informed of the outcome of the request.
- (5) If the presiding member refuses to allow a deputation to appear at a meeting, the presiding member must report the decision to the next meeting of the council or council committee (as the case may be).
- (6) The council or council committee may resolve to allow a deputation to appear, despite a contrary ruling by the presiding member.
- (7) A council may refer the hearing of a deputation to a council committee.

After meeting with Mr Forgione, the Mayor determined to refuse the request to appear on the basis that the Network is seeking Council support regarding an issue which falls outside of Council's jurisdiction.

In accordance with the Code of Practice for Meeting Procedures, Mr Forgione has been informed of the outcome of the request.

## **PRESENTATION OF MINUTES**

Presentation of the Minutes of the Council Meeting held on 24 April 2017.

Presentation of the Minutes of the Confidential Council Meeting held on 24 April 2017.

## **QUESTIONS ON NOTICE**

No Questions on Notice have been received.

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## QUESTIONS WITHOUT NOTICE

### NOTICES OF MOTION

#### **NOM1      Consideration of connector road: Coreena Road and Halba Road, Paralowie**

Cr Graham Reynolds has submitted the following Notice of Motion:

1. That staff report on the options and costs of building a one way connector road, incorporating parallel parking, to link Coreena Road with Halba Road, Paralowie.

### PETITIONS

#### **PET1      Petition Objecting to Proposed Development of 32 Nelson Crescent, Mawson Lakes (361/128/2017/2A)**

##### **Petition Details**

Petition Register Number	105
Date Received	26 April 2017
First Signatory's Name	Peter Bauer
Number of Signatories	10
Nature of Petition	Residents of the Bridges, Mawson Lakes request the Council: <ol style="list-style-type: none"> <li>1. Does not approve the sub-division of 32 Nelson Crescent, Mawson Lakes into two tiny blocks.</li> <li>2. Follows the original encumbrance placed on the block of land of one single dwelling to be built on the block attached to number 30 and not built on the boundary of 34 Nelson Crescent, Mawson Lakes.</li> </ol>

##### **Action**

General Manager Responsible	Terry Sutcliffe
Response	This petition relates to Development Application 361/128/2017/2A, for the construction of two 2 storey dwellings at 32 Nelson Crescent, Mawson Lakes. As a "Category 2" development application it has been subject to public notification and has attracted representations, and will accordingly be determined by the Development Assessment Panel at a future meeting. The concerns raised in the petition will be considered in the assessment of the application by the Panel.

Report to Council Expected	Not required – to be considered through the Development Assessment Panel, and the outcomes of the assessment of the development application will be reported to Council via the Panel minutes.
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### RECOMMENDATION

1. The notice of petition in relation to Development Application 361/128/2017/2A – Application for 2 x Two Storey Dwellings at 32 Nelson Crescent, Mawson Lakes be received, noting that the matters raised in the petition will be considered by Council's Development Assessment Panel in its assessment of the development application.
2. That the lead petitioner be advised of Council's action in relation to the petition.

## **PET2      Petition Objecting to Proposed Parking Restrictions in Springbank Waters, Burton**

### **Petition Details**

Petition Register Number	106
Date Received	8 May 2017
First Signatory's Name	Joanna Lazaridis
Number of Signatories	43
Nature of Petition	Objecting to proposed parking restrictions in Springbank Waters, Burton

### **Action**

General Manager Responsible	Mark van der Pennen
Response	Staff are investigating the issues outlined in the petition relating to proposed parking restrictions in Springbank Waters, Burton and will present a report to the Works and Services Committee next month.
Report to Council Expected	June 2017

### RECOMMENDATION

1. The attached notice of petitions in relation to proposed parking restrictions in Springbank Waters, Burton be received.
2. Council note that staff propose to report to the Works and Services Committee to address the petition in June 2017.

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## COMMITTEE REPORTS

### 1 Policy and Planning Committee Meeting

#### *Chairman - Cr D Pilkington*

Consideration of the minutes of the Policy and Planning Committee Meeting - 15 May 2017 and adoption of recommendations in relation to item numbers:

#### *Administration*

##### **1.0.1 Future Reports for the Policy and Planning Committee**

It is recommended to Council that:

1. The information be received.

#### *Urban Development*

##### **1.3.1 Draft Transport Strategic Action Plan**

It is recommended to Council that:

1. The Draft Transport Strategic Action Plan and Background Technical Papers be noted.
2. That a further report be presented to the June 2017 meeting of the Policy and Planning Committee with a final draft of the Transport Strategic Action Plan for endorsement, incorporating any amendments as resolved by Council.

## 2 Works and Services Committee Meeting

### *Chairman - Cr G Reynolds*

Consideration of the minutes of the Works and Services Committee Meeting - 15 May 2017 and adoption of recommendations in relation to item numbers:

### *Administration*

#### **2.0.1 Future Reports for the Works and Services Committee**

It is recommended to Council that:

1. The information be received.

### *Community Centres and Youth*

#### **2.1.1 Investigation of Costs Associated with Waterslide/Diving Platform Installation at Salisbury Recreation Precinct**

It is recommended to Council that:

1. That the information be received.
2. A decision regarding the installation of the water play feature be deferred pending council consideration of a long term plan for the aquatic facilities.

### *Public Works*

#### **2.6.1 Capital Progress Report - April 2017**

It is recommended to Council that:

1. The information be received.

#### **2.6.2 St Kilda Master Plan - Stage 2**

It is recommended to Council that:

1. This report is received and noted.
2. The draft St Kilda Stage 2 – Marine Recreation Precinct and Mangroves master plan provided as Attachment 1 to this report (Item No. 2.6.2, Works and Services Committee, 15/05/2017) be endorsed.
3. That NIB TRN 23902 St Kilda Master Plan – Stage 2 Implementation be updated to reflect the revised spending detailed in Section 3.3 of Item 2.9.1 Works & Services Committee, 15 May 2017.
4. That respondents to the community engagement process on the Stage 2 Master Plan be advised of the outcomes, including via Council's website.
5. Residents and stakeholders continue to be engaged in relation to the elements in the detailed design phase of the master plan implementation.

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*Confidential Items*

*Refer to CONFIDENTIAL ITEMS section of Council Agenda*

**2.9.1 Land Acquisitions Budget Adjustments**



### 3 Resources and Governance Committee Meeting

#### *Chairman - Cr S Bedford*

Consideration of the minutes of the Resources and Governance Committee Meeting - 15 May 2017 and adoption of recommendations in relation to item numbers:

#### *Administration*

##### **3.0.1 Future Reports for the Resources and Governance Committee**

It is recommended to Council that:

1. The information be received.

#### *Health, Animal Management and By-laws*

##### **3.3.1 Little Para Golf Course - Playing Area Signage**

*Due to a lack of Quorum for this item at the Resources and Governance Committee meeting on 15 May 2017, this item was referred to Council for a decision.*

It is recommended to Council that:

1. That the information be received.
2. Pursuant to the power contained in section 246(3)(e) of the *Local Government Act 1999*, the Council resolves, effective from 30 May 2017, to apply sub-clause 9.25.4 of *By-law No. 4-Local Government Land* (the By-law) to the Local Government land comprising the Little Para Golf Course as detailed in the diagram in Attachment 1 to this report so that the permission of the Council (or its agent) is required to play or practice the game of golf on the land unless a person is a member of the Little Para Golf Course or, has paid the required fee.
3. That, as a playing area for the purposes of sub-clause 9.30 of the By-law, the Council resolves by way of a direction under clause 9.30.3 of the By-law, that the Little Para Golf Course as detailed in the diagram in Attachment 1 to this report must not, without the permission of the Council (or its agent), be used by any person:
  - a. to play or practice the game of golf unless the person is a member of the Little Para Golf Course or, has paid the required fee; or
  - b. to play or practice any other sporting activity.
4. That the Administration undertake all necessary steps to give effect to the Council's resolution under paragraphs 2 and 3 above, including by:
  - a. publishing notice of them in the Government Gazette and in a local newspaper circulating in the Council's area;
  - b. making copies of them available online and within the Councils register of by-laws; and
  - c. erecting signage as appropriate on the land.
5. (If council resolves as per recommendation 2 and 3) that Belgravia staff be trained and appointed as Authorised Officers for the purposes of being able to enforce Sub-clauses 9.25.4 and 9.30 of By-law in respect of the Little Para Golf Course.

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### ***External Relations***

#### **3.4.1 LGA Governance Review Update**

It is recommended to Council that:

1. Information be received.

### ***Corporate Governance***

#### **3.6.1 Review of Elected Members Training and Development Policy**

It is recommended to Council that:

1. The information be received.
2. The Elected Members Training and Development Policy as set out in Attachment 1 to this report (Resources and Governance 3.6.1, 15/05/2017), be endorsed.

#### **3.6.2 Summary Report for Attendance at Training and Development Activity - Cr Gill**

It is recommended to Council that:

1. The information be received.

### ***Other Business***

#### **3.7.1 Provision of IT Loan Equipment**

It is recommended to Council that:

1. That the information be received.
2. That Council endorse Option 1 to maintain the existing provision of IT equipment available to community groups to be utilised in house as part of room hire arrangements available through libraries and community centres.

### ***Confidential Items***

***Refer to CONFIDENTIAL ITEMS section of Council Agenda***

#### **3.8.1 Appointment of the Development Assessment Panel Public Officer**

## 6 Budget and Finance Committee Meeting

### *Chairman - Cr R Zahra*

Consideration of the minutes of the Budget and Finance Committee Meeting - 15 May 2017 and adoption of recommendations in relation to item numbers:

### *Administration*

#### **6.0.1 Future Reports for the Budget and Finance Committee**

It is recommended to Council that:

1. The information be received.

#### **6.0.2 Minutes of the Program Review Sub Committee meeting held on Monday 8 May 2017**

##### **6.0.2-PRSC1 Strategic Development Projects Program Review Update**

It is recommended to Council that:

1. That the update report be noted, and the matters arising from consideration of the report by the Sub-Committee be addressed in the final draft report to the Program Review Sub-Committee in July 2017 on the Strategic Development Projects Program Review.

##### **6.0.2-PRSC2 Future Considerations of Program Review Sub Committee**

It is recommended to Council that:

1. That the information be received.
2. That a further report be brought back prior to the conclusion of the current schedule of Program Reviews that incorporates the committee's feedback on options available to Council to assess ongoing program and service needs.

##### **6.0.2-PRSC3 CEO and Governance Program Review Brief and Background Paper**

It is recommended to Council that:

1. Information be received.
2. The CEO and Governance Program Review Brief and Background Paper as set out in Attachments 1 and 2 to this report (Item No. PRSC3, Program Review Sub Committee, 8 May 2017) be endorsed.

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## *Finance*

### **6.1.1 Council Finance Report - April 2017**

It is recommended to Council that:

1. The information be received.

### **6.1.2 Loan Borrowings 2016/17**

It is recommended to Council that:

1. The information be received.

### **6.1.3 Draft Fees and Charges 2017/18**

It is recommended to Council that:

1. The Fees and Charges as set out in Attachment 1 to this report (Item No. 6.1.3, Budget and Finance Committee, 15/05/2017) be endorsed. Where fees and charges are set by regulation, gazettal notice or other government agency those fees will be applied by Council, with staff authorised to update the 2017/2018 Fees and Charges Booklet accordingly.
2. The Fees and Charges booklet is to be updated for the outcomes of the ATO GST class ruling once finalised by the SA Local Government Financial Managers Group.
3. The Manager Community Health & Wellbeing be delegated authority to vary Positive Ageing Services room hire fees for not for profit organisations where they are working in partnership with Council or have demonstrated limited capacity to pay.
4. The Manager Community Capacity and Learning be delegated authority to vary fees for regular bookings at Twelve25 by existing permanent user groups in accordance with the Memorandum of Understanding with Council.
5. The Manager Community Capacity and Learning be delegated authority to vary Library fees or Twelve25 fees for the purpose of introducing new programs and / or allowing for increases in supply costs.
6. The General Manager City Infrastructure be delegated authority to vary fees by up to \$300 for Salisbury Memorial Park for customers who demonstrate financial hardship but do not qualify for the Centrelink Funeral Assistance Program, and to recover additional costs associated with providing a non-standard product or service.
7. The Manager Governance be delegated authority to waive fees for a single copy of any publicly available document as set out in the Access to Information section of the Fees and Charges document.
8. The Manager Property and Buildings be delegated authority to vary casual hire of park facilities fees and bonds for Council activities, Community events, for not for profit organisations providing benefit to the community, and for the purpose of recovering additional costs associated with event bookings.

9. The Chief Executive Officer be delegated authority to negotiate fees consistent with those endorsed in the Fees and Charges Booklet to facilitate access to services/facilities in circumstances not specified within the Fees and Charges Booklet (for example, extended booking of a Council facility) and to waive or vary the requirement for payment of a fee, charge or bond where Council is providing 'in kind' support to an event or activity or there is a community benefit to be achieved.
10. For ease of administration, staff are authorised to round fees to the nearest 5 cents, where applicable.

### ***Annual Plan and Budget***

#### **6.4.1 Council Solutions 2017/18 Budget**

It is recommended to Council that:

1. The proposed Council Solutions Regional Subsidiary 2017/18 Annual Budget be considered and noted.

#### **6.4.2 Additional Information - New Initiative Bids 2017/18**

It is recommended to Council that:

1. The information be received.
2. That New Initiative Bid STN21461: Strategic Projects Program – Planning Program be reduced to \$120,000, and reference to the Food Park and Salt Fields developments be removed from the bid.
3. That a report on the LAN Esports Tournament evaluation be brought back to Council prior to consideration of future funding at the first quarter budget review.
4. That New Initiative Bid STN23922: Salisbury City Centre Renewal, Church Street extension and technical investigations, confirmation of future year expenditure and scale of project not be funded at this time.

#### **6.4.3 NAWMA 2017/18 Budget, Service Agreement and Business Plan**

It is recommended to Council that:

1. The information be received.
2. The Northern Adelaide Waste Management Authority Annual Budget 2017/18, as set out in Attachment 1 to this report (Item No. 6.4.3, Budget and Finance Committee, 15/05/2017) be endorsed.
3. The Service Agreement between the Northern Adelaide Waste Management Authority and the City of Salisbury (April 2017), as set out in Attachment 2 to this report (Item No. 6.4.3, Budget and Finance Committee, 15/05/2017) be endorsed.
4. The 2017/18 Northern Adelaide Waste Management Authority Business Plan, as set out in Attachment 3 to this report (Item No. 6.4.3, Budget and Finance Committee, 15/05/2017) be endorsed

## Budget Review

### 6.5.1 Third Quarter Budget Review 2016/17

It is recommended to Council that:

1. The budget variances identified in this review and contained in the Budget Variation Summary (Appendix 1, Attachment 1, Item No. 6.5.1, Budget and Finance Committee, 15/05/2017) be endorsed and net operating \$1,087,650 debited to the Sundry Project Fund and net capital \$2,141,880 be credited to the Sundry Project Fund. This will bring the balance to **(\$1,054,230)**.

2. Funds be allocated for the following **non-discretionary** net bids:

#### OPERATING

▪ Storm Damage – Tree Removal, Pruning, Streetscape	\$ 100,000
▪ Supplementary Election – Levels Ward	\$ 35,000

#### CAPITAL

▪ Land Acquisition - Confidential until settled	\$ 22,000
▪ Acquisition Land Salisbury Bowling Club	\$ 50,000
▪ Land Acquisition – Confidential until settled	\$ 145,000
▪ Confidential Item	\$ 2,791,000

**TOTAL** **\$ 3,143,000**

*NB: If parts 1 & 2 of this resolution are moved as recommended this will bring the balance of the Sundry Projects Fund to (\$4,197,230).*

3. Funds be allocated for the following **discretionary** net bids:

#### OPERATING

▪ Polaris Centre Facility Hire Outgoings Adjustment	\$ 25,700
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**TOTAL** **\$ 25,700**

*NB: If parts 1,2 & 3 of this resolution are moved as recommended this will bring the balance of the Sundry Projects Fund to (\$4,222,930).*

4. Council approve the following transfers:
  - a. Transfer \$51,000 capital from Minor Land Acquisitions to fund the completion of an acquisition of land as per Council Resolution 0830/2015 (December 2015), which is to remain confidential until the finalisation of the acquisition process (Also refer to 2. New Bid Proposals - Capital).
  - b. Transfer \$1,140,000 capital expenditure from Diment Road Upgrade to the Road Reseal Program. As per 2016/17 New Initiative Bid TRN13948, Councils' contribution towards the project was contingent on receiving Grant funding towards the project. This funding request was unsuccessful (Resolution 1597/2017 February 2017).
  - c. Transfer \$50,000 contractual services from Civil Minor Capital Works to Footbridge/Culvert/Boardwalk Maintenance contractual services for repairs to Footbridges.

- d. Transfer \$60,000 contractual services from Footpath Maintenance Pavers to Residential Road Verges for additional verge mowing activity to residential units as a result of unseasonal growth.
  - e. Transfer \$93,500 from Parks and Landscape City Growth to various Parks and Landscape contractual services to allow for parks growth in the 2016/17 financial year.
  - f. Transfer \$12,200 from Civil City Growth to Footbridge/Culvert/Boardwalk Maintenance contractual services to allow for growth in the 2016/17 financial year.
  - g. Transfer \$25,000 capital expenditure from PR22308 Walpole Road Upgrade PR21456 to Reserve Upgrade Program for the minor upgrade to Passmore Place Reserve
5. Council approve the following budget timing adjustments, that will result in a decrease in loan borrowings/increase in investments in the 2016/17 financial year and an increase in loan borrowings/decrease in investments in the 2017/18 financial year:
- a. Mawson Lakes Interchange – Pedestrian and Cycle \$2,300,000
  - b. Salisbury Community Hub \$1,500,000
  - c. Para Hills Community Hub \$2,000,000
6. Investments / Borrowings be varied to reflect the bids and transfers endorsed by Council detailed in parts 1 to 6 of this resolution.

***NB: If parts 1 to 6 of this resolution are moved as recommended investments in 2016/17 will decrease by \$1,577,070.***

### ***Rating Matters***

#### **6.6.1 Adelaide and Mount Lofty Ranges Natural Resources Management Board (NRM) Separate Rate**

It is recommended to Council that:

1. The information be received and the resolution for the Natural Resources Management separate rate be prepared for the June 2017 meeting of Council.

#### **6.6.2 Public Awareness - Rate Notice Information**

It is recommended to Council that:

1. That staff coordinate and display timely and relevant public awareness messages on rates notices and envelopes that are informative to our ratepayers, with rate capping being the focus for 2017/18.
2. That a report is presented to Council for consideration and approval where the proposed messaging is related to support or otherwise for a particular matter.

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*Confidential Items*

*Refer to CONFIDENTIAL ITEMS section of Council Agenda*

- 6.9.1 Minutes of the Confidential Program Review Sub Committee meeting held on Monday 8 May 2017**



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## 7 Sport, Recreation and Grants Committee Meeting

### *Chairman - Cr L Caruso*

Consideration of the minutes of the Sport, Recreation and Grants Committee Meeting - 8 May 2017 and adoption of recommendations in relation to item numbers:

### *Administration*

#### **7.0.1 Future Reports for the Sport, Recreation and Grants Committee**

It is recommended to Council that:

1. The information be received.

### *Community Grants*

#### **7.2.1 Youth Sponsorship - April Applications**

*This item was referred to Council for a decision as it was a **TIED** vote at the Sport, Recreation and Grants Committee meeting held on 8 May 2017.*

It is recommended to Council that:

1. The information be received.
2. The Youth Sponsorship Application to participate in the Mega Courts Indoor Sports International U15 Cricket Tour be received and funding be provided in support of the application at the following level:
  - Representing Australia or the community at an International level overseas at \$960.

#### **7.2.2 Community Grants Program Applications for May 2017**

It is recommended to Council that:

1. The information be received and noted.

#### **7.2.3 07/2017: The Dutch Community (Dutch Social and Welfare Club) Inc.**

It is recommended to Council that:

1. The information be received and noted.

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*Other Business*

**7.3.1 Phoebe Wanganeen Aboriginal and Torres Strait Islander Scholarship Program 2017**

It is recommended to Council that:

1. It is noted that in accordance with the delegated authority set out in the Terms of Reference, the Sports, Recreation and Grants Committee award the 2017 Phoebe Wanganeen Undergraduate Scholarship for three years at \$2000 per annum to Sareena Saunders.

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## GENERAL BUSINESS

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### **C1 Minter Ellison Lawyers - Report on the Investigation of Code of Conduct Complaint 01/2017**

Pursuant to section 83(5) of the *Local Government Act 1999* the Chief Executive Officer has indicated that, if Council so determines, this matter may be considered in confidence under Part 3 of the *Local Government Act 1999* on that grounds that:

1. *Pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*
  - *it relates to information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).*
2. *In weighing up the factors related to disclosure,*
  - *disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations*
  - *will provide Council with the opportunity to consider the detailed report before determinining the confidentiality to apply in future*

*On that basis the public's interest is best served by not disclosing the **Minter Ellison Lawyers - Report on the Investigation of Code of Conduct Complaint 01/2017** item and discussion at this point in time.*
3. *Pursuant to Section 90(2) of the Local Government Act 1999 it is recommended the Council orders that all members of the public, except staff of the City of Salisbury on duty in attendance, be excluded from attendance at the meeting for this Agenda Item.*

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## OTHER BUSINESS

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## REPORTS FROM COUNCIL REPRESENTATIVES

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## CONFIDENTIAL ITEMS

### C2 Northern Connector and Greater Edinburgh Parks - Negotiation Principles

Pursuant to section 83(5) of the *Local Government Act 1999* the Chief Executive Officer has indicated that, if Council so determines, this matter may be considered in confidence under Part 3 of the *Local Government Act 1999* on that grounds that:

1. *Pursuant to Section 90(2) and (3)(b)(i) and (ii) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*
  - *it relates to information the disclosure of which 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*
  - *information the disclosure of which would, on balance, be contrary to the public interest.*
2. *In weighing up the factors related to disclosure,*
  - *disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations*
  - *non-disclosure of this matter to the public would protect Council's commercial position prior to a Council position in relation to the matter being determined.*

*On that basis the public's interest is best served by not disclosing the **Northern Connector and Greater Edinburgh Parks - Negotiation Principles** item and discussion at this point in time.*
3. *Pursuant to Section 90(2) of the Local Government Act 1999 it is recommended the Council orders that all members of the public, except staff of the City of Salisbury on duty in attendance, be excluded from attendance at the meeting for this Agenda Item.*

### C3      **Development Assessment Panel Code of Conduct Complaint - Report from Public Officer**

Pursuant to section 83(5) of the *Local Government Act 1999* the Chief Executive Officer has indicated that, if Council so determines, this matter may be considered in confidence under Part 3 of the *Local Government Act 1999* on that grounds that:

1. *Pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*
  - *it relates to information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).*
2. *In weighing up the factors related to disclosure,*
  - *disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations*
  - *Non disclosure of this item will allow Council to consider detailed information relating to a Code of Conduct complaint matter prior to determining confidentiality to apply.*

*On that basis the public's interest is best served by not disclosing the **Development Assessment Panel Code of Conduct Complaint - Report from Public Officer** item and discussion at this point in time.*
3. *Pursuant to Section 90(2) of the Local Government Act 1999 it is recommended the Council orders that all members of the public, except staff of the City of Salisbury on duty in attendance, be excluded from attendance at the meeting for this Agenda Item.*

### 2.9.1 Land Acquisitions Budget Adjustments

Pursuant to section 83(5) of the *Local Government Act 1999* the Chief Executive Officer has indicated that, if Council so determines, this matter may be considered in confidence under Part 3 of the *Local Government Act 1999* on that grounds that:

1. *Pursuant to Section 90(2) and (3)(f) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*
  - *it relates to 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.*
2. *In weighing up the factors related to disclosure,*
  - *disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations*
  - *Non-disclosure of this item will ensure compliance with existing confidentiality orders (Council Resolutions 0830/2015 and 2118/2010) that remain valid until such time as the execution of all necessary documentation relevant to land acquisitions.*

*On that basis the public's interest is best served by not disclosing the **Land Acquisitions Budget Adjustments** item and discussion at this point in time.*

3. *Pursuant to Section 90(2) of the Local Government Act 1999 it is recommended the Council orders that all members of the public, except staff of the City of Salisbury on duty in attendance, be excluded from attendance at the meeting for this Agenda Item.*

### 3.8.1 Appointment of the Development Assessment Panel Public Officer

Pursuant to section 83(5) of the *Local Government Act 1999* the Chief Executive Officer has indicated that, if Council so determines, this matter may be considered in confidence under Part 3 of the *Local Government Act 1999* on that grounds that:

1. *Pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*
  - *it relates to information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).*
2. *In weighing up the factors related to disclosure,*
  - *disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations*
  - *Non-disclosure of the matter and discussion of this item in confidence would protect information relating to the personal affairs of the person affected and proposed action by Council in considering the individual to whom those personal affairs relate for appointment as Public Officer of the Development Assessment Panel.*

*On that basis the public's interest is best served by not disclosing the **Appointment of the Development Assessment Panel Public Officer** item and discussion at this point in time.*
3. *Pursuant to Section 90(2) of the Local Government Act 1999 it is recommended the Council orders that all members of the public, except staff of the City of Salisbury on duty in attendance, be excluded from attendance at the meeting for this Agenda Item.*

### **6.9.1 Minutes of the Confidential Program Review Sub Committee meeting held on Monday 8 May 2017**

Pursuant to section 83(5) of the *Local Government Act 1999* the Chief Executive Officer has indicated that, if Council so determines, this matter may be considered in confidence under Part 3 of the *Local Government Act 1999* on that grounds that:

1. *Pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*
  - *it relates to information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead).*
2. *In weighing up the factors related to disclosure,*
  - *disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations*
  - *Non disclosure of this matter would enable information that may have implications for resourcing/service levels to be considered in detail prior to a Council position in relation to the matter being determined.*

*On that basis the public's interest is best served by not disclosing the **Minutes of the Confidential Program Review Sub Committee meeting held on Monday 8 May 2017** item and discussion at this point in time.*

3. *Pursuant to Section 90(2) of the Local Government Act 1999 it is recommended the Council orders that all members of the public, except staff of the City of Salisbury on duty in attendance, be excluded from attendance at the meeting for this Agenda Item.*

**CLOSE**



John Harry  
**CHIEF EXECUTIVE OFFICER**





## **MINUTES OF COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, 12 JAMES STREET, SALISBURY ON**

**24 APRIL 2017**

### **MEMBERS PRESENT**

Mayor G Aldridge  
Cr D Proleta (Deputy Mayor)  
Cr D Balaza  
Cr S Bedford (*from 6:32 pm*)  
Cr D Bryant  
Cr G Caruso  
Cr L Caruso  
Cr R Cook  
Cr S Reardon  
Cr G Reynolds  
Cr S White  
Cr R Zahra

### **STAFF**

Acting Chief Executive Officer, Mr C Mansueto  
General Manager City Development, Mr T Sutcliffe  
Acting General Manager City Infrastructure, Ms K Pepe  
Manager Governance, Ms T Norman  
Acting General Manager Community Development, Ms V Haracic  
Team Leader Corporate Communications, Mr C Treloar  
Governance Coordinator, Ms J Rowett  
Governance Support Officer, Ms K Boyd

The meeting commenced at 6:30 pm.

### **OPENING PRAYER AND WELCOME**

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

The Acting Chief Executive Officer read the Opening Prayer.

The Mayor read the Kaurna Acknowledgement.

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## **APOLOGIES**

Apologies were received from Cr E Gill, Cr D Pilkington and Cr J Woodman.

## **LEAVE OF ABSENCE**

Leave of absence for this meeting was previously granted to Cr C Buchanan.

## **PUBLIC QUESTION TIME**

The Mayor advised there were no questions received for Public Question Time.

## **DEPUTATIONS**

No Deputations have been received.

*Cr S Bedford entered the meeting at 6:32 pm.*

## **PRESENTATION OF MINUTES**

Moved Cr R Zahra  
Seconded Cr G Reynolds

The Minutes of the Council Meeting held on 27 March 2017, be taken  
and read as confirmed.

**CARRIED**  
**1688/2017**

Moved Cr S White  
Seconded Cr R Zahra

The Minutes of the Confidential Council Meeting held on 27 March  
2017, be taken and read as confirmed.

**CARRIED**  
**1689/2017**

## QUESTIONS ON NOTICE

### QON1 Consultants Fees

At the 30 January 2017 Council Meeting, Cr D Bryant asked the following question that was taken on notice:

*How much money has Council spent over the past 5 years on individual consultants and what is the breakup of what is spent in each department, specifically on those consultants preparing reports to council, and out of those what percentage are actually enacted on?*

The General Manager Business Excellence, Mr Charles Mansueto has provided the following response:

*Council have spent \$4m over the past four years and 9 months. The top 12 consultants account for 50% of the expenditure and are set out in the table below:*

Consultant	2012/13	2013/14	2014/15	2015/16	2016/17*	TOTAL
Tonkins Consulting Pty Ltd	329,355	149,105	184,840	82,989	53,653	799,941
URPS (Urban & Regional Planning Solutions	61,152	19,060	63,922	33,462	27,537	205,134
Gartner Australia Pty Ltd	36,767	30,000	24,500	30,000	60,667	181,933
Seed Consulting	-	-	40,963	110,243	20,205	171,411
Aqueon Pty Ltd	-	-	-	105,990	8,560	114,550
Wax Design	-	-	27,700	48,860	8,250	84,810
CAMMS	-	78,837	-	-	-	78,837
Marsden Jacob	10,737	14,491	53,384	-	-	78,612
UTS	-	-	72,191	-	-	72,191
Harrison Research	12,500	-	32,950	-	26,250	71,700
CT Management Group	-	-	-	29,850	40,825	70,675
UniSA	-	10,000	9,000	13,670	36,364	69,034
<b>Total</b>	<b>450,511</b>	<b>301,493</b>	<b>509,449</b>	<b>455,064</b>	<b>282,310</b>	<b>1,998,827</b>

\* Note - 2016/17 is year to date to March 2017.

*The next highest 30 consultants account for a further \$1m of expenditure over the corresponding period with an average expenditure of \$7k per annum.*

*Consulting expenditure by Department is as follows:*

Consulting Services by Department	2012/13	2013/14	2014/15	2015/16	2016/17*	Total
Business Excellence	231,501	167,788	191,969	242,753	292,507	1,126,518
City Development	229,392	141,828	197,827	314,519	127,584	1,011,150
Community Development	55,430	77,988	51,500	61,000	12,650	258,567
City Infrastructure	432,583	236,564	145,434	196,087	84,782	1,095,450
Chief Executive Office	30,425	114,568	184,488	72,752	118,138	520,370
<b>Total</b>	<b>979,330</b>	<b>738,736</b>	<b>771,218</b>	<b>887,111</b>	<b>635,660</b>	<b>4,012,055</b>

\* Note - 2016/17 is year to date to March 2017.

*We do not have the systems in place to readily identify what proportion of consultant expenditure relates to “consultants preparing reports to Council”, however, in relation to completion of action against Council resolutions as at 31 March 2017 there were 42 resolutions still requiring action from the current Council term (out of a total of 1687 resolutions)*

## **QON2 Development Assessment Panel Appeals**

Cr Shiralee Reardon asked the following questions at the 27 March 2017 Council Meeting:

1. *how many of the DAP application decisions have been appealed over the last three years?*
2. *how much of the ratepayers' money has been spent over the last three financial years on defending these appealed DAP decisions?*

General Manager City Development, Terry Sutcliffe has provided the following response:

*The Development Assessment Panel is the delegated authority for development applications that are subject to representations where representors wish to be heard, and consequently often deals with the more complex and contentious applications. Inherently these applications are more contested and therefore the decisions of the Panel are under greater scrutiny.*

*The Development Assessment Panel has determined 53 development applications in the last three years. There have been five (5) appeals against decisions of the Development Assessment Panel in this period with only one of these matters proceeding to a full hearing before the Environment, Resources and Development Court (and in that instance, subsequently to the Supreme Court). The legal costs for these appeals over this period has been \$62,914.93. This excludes the most recent pending third party appeal against the proposed mosque at Bridge Road, Pooraka that is still to be considered by the court.*

## **QON3 Mawson Lakes Car Parking Fund**

Cr David Bryant submitted the following Questions on Notice:

1. *How much money has been collected from businesses in Mawson Lakes as required by the current Mawson Lakes Car Parking Fund?*
2. *When was the Mawson Lakes Parking Fund first introduced and who have funds been collected from?*
3. *What is the current balance of the Mawson Lakes Parking Fund and how much interest has been accrued from the fund?*
4. *Have any of the funds collected for the Mawson Lakes Parking Fund been used on any projects since its introduction?*
5. *If the funds collected by the Mawson Lakes Parking Fund cannot be used for the purposes of providing parking facilities will the money collected be refunded to the persons/corporations it was collected from?*

General Manager Business Excellence, Charles Mansueto has provided the following response:

- *How much money has been collected from businesses in Mawson Lakes as required by the current Mawson Lakes Car Parking Fund?*
- *What is the current balance of the Mawson Lakes Parking Fund and how much interest has been accrued from the fund?*

As at 31 March 2017 a total of \$224,011 in the reserve relates to Developer Contributions, being contributions received of \$175,000 and interest applied of \$49,000 and \$141,185 relating to amounts collected from the Separate Rate which interest of \$19,000 In total, funds in the Reserve as at 31 March is \$365,196.

- *When was the Mawson Lakes Parking Fund first introduced and who have funds been collected from?*

There are two components to the Mawson Lakes Car Parking Reserve, being Developer Contributions and the amounts that have been collected from the Separate Rate.

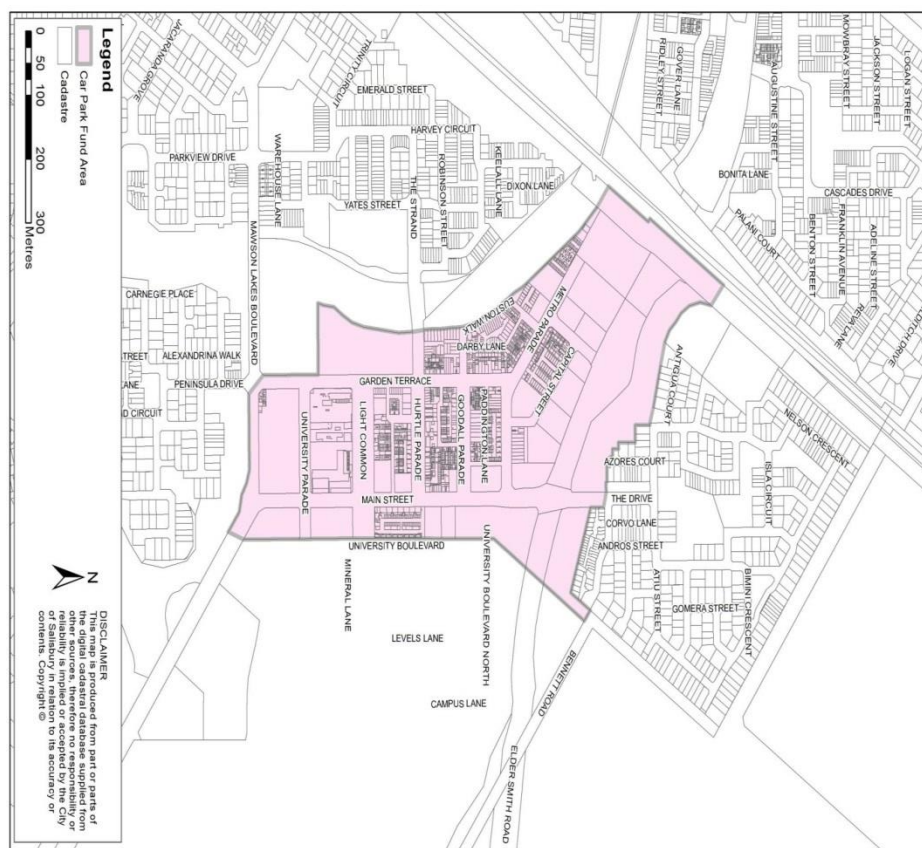
- The Mawson Lakes Car Parking Fund was established under the *Development Act 1993* in 2004 and the first contribution received was on 7 October 2008.
- The Separate Rate was established in 2001 under the *Local Government Act 1999* and first levied in the 2008/09 Financial Year, but was abolished from the 2016/17 Financial Year.

Developer Contributions as follows:

<b>Payer Details</b>	<b>Date</b>	<b>Development</b>	<b>Amount</b>
Boatdeck Café	07/10/2008	Boatdeck Café Outdoor Dining	\$ 520.00
Boatdeck Café	05/11/2008	Boatdeck Café Outdoor Dining	\$ 520.00
Boatdeck Café	15/12/2008	Boatdeck Café Outdoor Dining	\$ 2,080.00
Darshanas Restaurant	30/04/2010	Outdoor Dining	\$ 2,800.00
Boatdeck Café	Various	Boatdeck Café Outdoor Dining	\$ 7,800.00
CSCL Investments	27/09/2010	361/1165/10/mb	\$ 44,000.00
Yousseff Karam Carpark Levy	Various	Outdoor Dining	\$ 4,680.00
Metro Parade Investments	05/10/2010		\$ 11,000.00
Corporate Property Services	04/11/2010	N/A	\$ 11,000.00
A&S Constructions	19/01/2011		\$ 105,000.00
Vanstar Pty Ltd	06/04/2011	261/438/2011/mb	\$ 7,700.00

Payer Details	Date	Development	Amount
2010/11 Yousseff Karam Levies paid	Various	Boatdeck Café Outdoor Dining	\$ 2,600.00
Burger Club Annual Carpark	27/07/2011	Outdoor Dining	\$ 6,000.00
Le Minh Thai & Oanh Kim Nguyen Family Trust	03/11/2011	361/1722/2011/1B	\$ 11,000.00
A&S Constructions	27/03/2012		-\$ 52,500.00
Dr James Leyden	18/04/2013	Carparking Contribution	\$ 10,454.55
<b>Total Contributions</b>			<b>\$ 174,654.55</b>

In relation to Separate Rate contributions, all businesses in the Mawson Central Area, as shown in the following map, have made a contribution to the fund.



- *Have any of the funds collected for the Mawson Lakes Parking Fund been used on any projects since its introduction?*
- *If the funds collected by the Mawson Lakes Parking Fund cannot be used for the purposes of providing parking facilities will the money collected be refunded to the persons/corporations it was collected from?*

The funds received from the developer contributions and the separate rate have not been used to fund any projects since their introduction.

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In accordance with the *Development Act 1993*, the funds contained within the car parking fund may be applied by the council for any of the following purposes (and for no other purpose):

- to provide car parking facilities within the designated area; or
- to provide funds for (or towards) the maintenance, operation or improvement of car parking facilities within the designated area; or
- to provide funds for (or towards) the establishment, maintenance or improvement of transport facilities within the area of the council with a view to reducing the need or demand for car parking facilities within the designated area.

In regards to the funds collected by the separate rate, Council resolved at the March 2016 meeting that:

*Mawson Central Car Parking Separate Rate funds collected for the period up to and concluding 30 June 2016, and any accumulated interest, be applied to the ongoing purpose of maintaining, renewing and developing Carparking facilities within the area defined as the Mawson Central Area (for the purpose of application of the Mawson Central Car Parking Separate Rate)*

As such the funds collected can only be utilised for the purposes of providing car parking facilities within the Mawson Central Area.

## QUESTIONS WITHOUT NOTICE

Nil

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## NOTICES OF MOTION

### **NOM1 Feasibility for Multi Level Park and Ride Facility, Mawson Lakes**

*Cr D Bryant sought leave of the meeting to speak for a second time and leave was granted.*

Moved Cr D Bryant

Seconded Cr D Balaza

1. That Council write to the Premier, the Treasurer and the Minister for Urban Development, the Hon Stephen Mullighan MP, seeking a commitment to work with the City of Salisbury to investigate the feasibility of building a multi-level park and ride facility at the Mawson Lakes Interchange Precinct as referenced within the State Government 2017/18 budget information to release pressure on the local businesses and community and road networks.

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

1. That Council write to the Premier, the Treasurer, the Minister for Urban Development, the Hon Stephen Mullighan MP and the Opposition seeking a commitment to work with the City of Salisbury to investigate the feasibility of building a multi-level park and ride facility at the Mawson Lakes Interchange Precinct as referenced within the State Government 2017/18 budget information to release pressure on the local businesses and community and road networks.

**CARRIED**  
**1690/2017**



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## PETITIONS

### PET1      **Petition in Relation to Mawson Lakes Parking Issues**

*Cr L Caruso left the meeting at 06:47 pm.*

Moved Cr S White

Seconded Cr G Reynolds

1. The attached notice of petitions in relation to parking issues being experienced at Mawson Lakes be received.
2. The concerns regarding car parking be considered as part of Council's consideration of the recommendations in item 1.3.1 in the 18/04/2017 Policy and Planning Committee minutes.
3. Note that the concerns regarding local traffic management and parking controls have been referred to the Traffic Management Team with City Infrastructure for consideration and investigation.
4. The petition be referred to the Department of Planning, Transport and Infrastructure, Renewal SA, the Minister for Transport, and Local MP for the seat of Port Adelaide, Hon Susan Close MP regarding traffic safety concerns on Elder Smith Road and the provision of additional parking at Mawson Interchange.

**CARRIED**  
**1691/2017**

## COMMITTEE REPORTS

### 1      **Policy and Planning Committee Meeting**

Minutes of the Policy and Planning Committee Meeting held on 18 April 2017 were considered by Council.

#### *Administration*

#### **1.0.1      Future Reports for the Policy and Planning Committee**

Moved Cr R Cook

Seconded Cr G Reynolds

1. The information be received.

**CARRIED**  
**1692/2017**

#### *Community Development*

#### **1.1.1      Update on Smoking Bans at Outdoor Recreation Venues**

Moved Cr R Zahra

Seconded Cr R Cook

1. The information is received and noted.

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**CARRIED**  
**1693/2017**

**1.1.2 Minutes of the Youth Council Sub Committee meeting held on Tuesday 11 April 2017**

**1.1.2-YC1 Youth Council Project Teams update**

Moved Cr S White  
Seconded Cr R Zahra

1. Information be received and noted.

**CARRIED**  
**1694/2017**

**1.1.2-YC2 Youth Action Plan - Status Update April 2017**

Moved Cr S White  
Seconded Cr R Zahra

1. That the information be received.

**CARRIED**  
**1695/2017**

### **1.1.2-YC3 Twelve25 Salisbury Youth Enterprise Centre - April Update**

Moved Cr S White  
Seconded Cr R Zahra

1. That the information be received and noted.

**CARRIED  
1696/2017**

### **1.1.2 OB1-YC Youth Council Sponsorship – Gareth Bailey**

Moved Cr S White  
Seconded Cr R Zahra

1. That the City of Salisbury Youth Council not provide sponsorship for attendance at the UN Youth Australia national Conference taking place 5-11 July 2017 but an invitation be extended to submit an application for sponsorship by the Youth Sponsorship Program administered by the Sports, Recreation and Grants Committee.

**CARRIED  
1697/2017**

*Cr L Caruso returned to the meeting at 06:49 pm.*

### **1.1.3 Minutes of the Strategic and International Partnerships Sub Committee meeting held on Tuesday 11 April 2017**

#### **1.1.3-SIPSC1 Background Briefing Sister City Relationships**

Moved Cr G Reynolds  
Seconded Cr R Cook

1. That this report be received and noted.
2. That Guidelines and a Policy to inform the assessment of future Sister City relationship requests be developed.

**CARRIED  
1698/2017**

### **1.1.3-SIPSC2 City of Linyi Update**

Moved Cr G Reynolds

Seconded Cr R Cook

1. That the information be received.
2. That the City of Salisbury not participate in the State Government delegation to China in May 2017.
3. That a further report be provided to the Strategic and International Partnerships Sub-Committee in relation to the potential for a council-led delegation to China to provide exposure for local businesses and progress the civic relationship with Linyi.

**CARRIED  
1699/2017**

### **1.1.3-SIPSC3 Request for Sister City Relationship from the City of San Agustin, El Salvador**

Moved Cr G Reynolds

Seconded Cr R Cook

1. That the request from the City of Jiquilisco for a Sister City relationship with the City of Salisbury be received.
2. That the offer of the formation of a Sister City relationship with the City of Jiquilisco be declined.

**CARRIED  
1700/2017**

### **1.1.3-SIPSC4 Mobara Delegation Visit October 2016**

Moved Cr G Reynolds

Seconded Cr R Cook

1. That the information be received and noted.

**CARRIED  
1701/2017**

### **1.1.3 OB1-SIPSC China Action Plan to be a Standing Item on the Agenda**

Moved Cr G Reynolds

Seconded Cr R Cook

1. That the China Action Plan be a standing item on the Strategic and International Partnerships Sub Committee agenda in order to provide status updates.

**CARRIED  
1702/2017**

**1.3.1 Salisbury, Mawson Lakes and Ingle Farm Car Parking Review**

*Cr Balaza declared a perceived conflict of interest on the basis of being a member of the Salisbury Business Association Committee. Cr Balaza managed the conflict by remaining in the meeting and not voting on the item.*

*Cr D Bryant declared a perceived conflict of interest on the basis of owning a business in Mawson Lakes. Cr Bryant managed the conflict by remaining in the meeting and voting in the best interest of the community.*

Moved Cr S White

Seconded Cr R Cook

1. The Council endorse the following actions:
  - a. Salisbury City Centre Study Area:
    - (a) Use fund monies to contribute to:
      - (i) Parking management initiatives:
        1. Investigation of the demand for, costs and practicality of after-hours security escorts for business owners and staff in the study area to their vehicles, particularly long stay parking areas, to improve real and perceived safety of parking areas.
        2. Investigation of loading zone parking controls locations and times to assist traders.
        3. Investigation of on street parking times and controls with a view to increasing parking turnover.
        4. Investigate use of new technologies to assist in parking utilisation and enforcement, including remote monitoring of parking controls and electronic and app-based wayfinding information.
        5. Produce an information package for land owners and developers on the Parking Fund and its objectives, identified uses, future program, contribution amount and reasons for contributions, and reasons for parking control in the Salisbury City Centre.

- 
- (b) Advocate and work with State Government and DPTI to improve the use of the Interchange south car park through potential shared parking with business customers, controlled vehicle access and egress, electronic monitoring, improved lighting, and pedestrian crossing treatments at the railway and road crossing to improve connectivity with the station.
  - (c) Investigate and further analyse the financial and practical implications of reducing the car park contribution rate.
  - (d) Retain the current exemption from car park contribution for small business with a further review in two years.
  - (e) Remove obsolete references on Certificate of Titles of Council carparks at Judd Street and Sexton Street property titles.
  - (f) Communicate with the Salisbury Business Association and key businesses on the endorsed recommendations of Council.
- b. Mawson Lakes Study Area:
- (a) Use fund monies to contribute to:
    - (i) Investigation, design and construction of additional car park spaces at Euston Walk or other appropriate location within Mawson Lakes.
    - (ii) Subject to a further Council report a trial of electronic parking controls in Euston Walk and Metro Parade to assist in utilisation and turnover of parking spaces adjacent the Mawson Lakes interchange.
    - (iii) Parking management initiatives:
      1. Investigation of disabled parking spaces provision opportunities and loading zone parking controls locations and times to assist traders.
      2. Review parking time controls in Euston Walk and Metro Parade to assist in parking utilisation and turnover.
      3. Investigate use of new technologies to assist in parking utilisation and enforcement including remote monitoring of parking controls and electronic and app-based wayfinding information.

4. Review parking for medical business patients in the Mawson Centre area when construction of the proposed Aldi store proceeds.
- (b) Advocate with DPTI and Renewal SA to improve the Interchange carparking provision, including deck parking incorporating retail, residential and commercial uses, as part of the State Government's obligations under the Mawson Lakes Project Completion Arrangements Deed.
- (c) Extinguish Mawson Lakes Car Park Fund, with the funds balance to be utilised for eligible projects and actions outlined in part (a) above.
- (d) Confirm with UniSA the acceptability of the public use of paid parking areas under its control subject to its conditions.
- (e) Communication with key Mawson Lakes businesses and UniSA on the endorsed recommendations of Council.
- c. Ingle Farm Study Area:
  - (a) The Ingle Farm Car Park Fund be extinguished.
2. That a prioritisation and implementation plan be prepared in relation to the actions arising from and endorsed by Council from the Salisbury, Mawson Lakes and Ingle Farm Carparking Review Discussion Paper.

**CARRIED  
1703/2017**

*The majority of members present voted IN FAVOUR of the MOTION.*

*Cr D Bryant voted IN FAVOUR of the MOTION.*

*Cr Balaza DID NOT VOTE on the MOTION.*

### **1.3.2 Privately Funded Development Plan Amendments Policy Review**

Moved Cr R Zahra

Seconded Cr G Reynolds

1. That the report be received and no changes be made to the Privately Funded Development Plan Amendment Policy.
2. That a review of the Privately Funded Development Plan Amendment Policy be conducted when relevant details of the Planning Reforms under the Planning, Development and Infrastructure Act are known.

**CARRIED  
1704/2017**

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## 2 Works and Services Committee Meeting

Minutes of the Works and Services Committee Meeting held on 18 April 2017 were considered by Council.

### *Administration*

#### **2.0.1 Future Reports for the Works and Services Committee**

Moved Cr S Reardon

Seconded Cr R Cook

1. The information be received.

**CARRIED  
1705/2017**

### *Property*

#### **2.5.1 New Lease Agreements for Existing Telecommunication Providers at Reg Groth Reserve, Parafield Gardens, Strowan Park, Paralowie and Barndioota Drainage Reserve, Salisbury Plains.**

Moved Cr R Zahra

Seconded Cr G Reynolds

1. The information in this report be received.
2. Staff be authorised to commence public consultation in relation to the proposed new leases for existing monopole antennas and mobile base stations at Reg Groth Reserve, Parafield Gardens as outlined in red and marked "P" and "S" on the attached plan (Attachment 1, Item No. 2.5.1, Works and Services Committee, 18/04/2017), described as Lot 606 in Deposited Plan 20894 contained within Certificate Title Volume 6134 Folio 960.
3. Staff be authorised to commence public consultation in relation to the proposed new leases for existing monopole antennas and mobile base stations at Strowan Park, Paralowie as outlined in red and marked "P" and "S" on the attached plan (Attachment 2, Item No. 2.5.1, Works and Services Committee, 18/04/2017), described as Lot 84 in File Plan 113568 contained within Certificate Title Volume 6129 Folio 352.
4. Staff be authorised to commence public consultation in relation to the proposed new leases for existing monopole antennas and mobile base stations at Barndioota Drainage Reserve, Salisbury Plains as outlined in red and marked "P" and "S" on the attached plan (Attachment 3, Item No. 2.5.1, Works and Services Committee, 18/04/2017), described as Lot 43 File Plan 114259 contained within Certificate Title Volume 6134 Folio 980.
5. If no objections to the new leases at Reg Groth Reserve,



Parafield Gardens are received by the conclusion of the public consultation period, the Manager Property and Building Services be authorised to prepare a lease agreement pursuant to Section 202 of the *Local Government Act 1999* over portions of the reserve as indicated on the attached plan (Attachment 1, Item No. 2.5.1, Works and Services Committee, 18/04/2017) between the City of Salisbury and applicants under the following conditions:

- For a period of 20 years.
  - For a rental fee of \$16,000 (net) plus GST for Telstra and \$10,300 (net) plus GST for Vodafone.
  - Both applicants to cover Council's legal costs incurred in the negotiations of the lease agreements and all costs in relation to Council's public consultation.
6. If no objections to the new leases at Strowan Park, Paralowie are received by the conclusion of the public consultation period, the Manager Property and Building Services be authorised to prepare a lease agreement pursuant to Section 202 of the *Local Government Act 1999* over portions of the reserve as indicated on the attached plan (Attachment 2, Item No. 2.5.1, Works and Services Committee, 18/04/2017) between the City of Salisbury and applicants under the following conditions:
- For a period of 20 years
  - For a rental fee of \$16,000 (net) plus GST for Telstra and \$12,000 (net) plus GST for Vodafone.
  - Both applicants to cover Council's legal costs incurred in the negotiations of the lease agreements and all costs in relation to Council's public consultation.
7. If no objections to the new leases at Barndioota Drainage Reserve, Salisbury Plains are received by the conclusion of the public consultation period, the Manager Property and Building Services be authorised to prepare a lease agreement pursuant to Section 202 of the *Local Government Act 1999* over portions of the reserve as indicated on the attached plan (Attachment 3, Item No. 2.5.1, Works and Services Committee, 18/04/2017) between the City of Salisbury and applicants under the following conditions:
- For a period of 20 years.
  - For a rental fee of \$16,000 (net) plus GST for Telstra and \$10,000 (net) plus GST for Optus.
  - Both applicants to cover Council's legal costs incurred in the negotiations of the lease agreements and all costs in relation to Council's public consultation.

**CARRIED**  
**1706/2017**

### **2.5.2 Future Use of Leased Area - Ingle Farm Recreation Centre**

Moved Cr G Reynolds

Seconded Cr R Cook

1. This information in this report be received.
2. Council staff undertake a public registration of interest process to lease portion of the Ingle Farm Recreation Centre as marked "T2" on the attached plan "Area Leased by Curves" (Attachment 2, Item No. 2.5.2 Works and Services Committee 18/4/2017) for a term of five years with an option to renew for a further five years. Advertisements to be placed in the Advertiser, SA Tender, Council's website and mail out to Leisure and Fitness businesses registered with Recreation SA.
3. A further report be presented to Council on the outcome of the public registration of interest process and recommendations for Council's consideration.

**CARRIED  
1707/2017**

### **2.5.3 Minutes of the Strategic Property Development Sub Committee meeting held on Tuesday 11 April 2017**

#### **2.5.3-SPDSC1 Tranche 1 Status Update Report**

Moved Cr R Zahra

Seconded Cr L Caruso

1. That the report be received and the update on the status of the Tranche 1 program be noted.

**CARRIED  
1708/2017**

#### **2.5.3-SPDSC2 Update on the Investigation of Alternative School Development Location - Shepherdson Road, Parafield Gardens**

Moved Cr R Zahra

Seconded Cr L Caruso

1. That the report be noted and that no further action be taken in relation to investigating an alternative location for the school development approved for 92 Shepherdson Road, Parafield Gardens.

**CARRIED  
1709/2017**

#### **2.5.3-SPDSC3 Tranche 2 - Program Update**

Moved Cr R Zahra  
Seconded Cr L Caruso

1. That the report be received and the update on the project delivery status for Boardwalk at Greentree, Walpole Road Stage 3, Walpole Road Upgrade and balance Tranche 2 projects be noted, with a further report and recommendations for next steps in relation to the Lake Windemere, Hoyle Green and Shoalhaven projects to be provided in June 2017.
2. That the variances between the revised Tranche 2 project revenues and the Council Endorsed Budget Review 1 - 2016/17 including carry forward funds, reflecting the multi-year project delivery timeline be endorsed and recommended as a non-discretionary budget review income gain at the 2016/17 Budget Review 3, as follows:

20969 Walpole Road Stage 3 – Boardwalk at  
Greentree  
Authority Rebate Revenue \$270,000  
Net Proceeds (excl. Land Cost) - \$6,435,800

**CARRIED**  
**1710/2017**

### ***Public Works***

#### **2.6.1 Capital Progress Report - March 2017**

Moved Cr R Zahra  
Seconded Cr S Reardon

1. A 2016/17 Third Quarter Budget Review Bid be submitted to reflect the unsuccessful grant funding associated with PR17205 Watercourse Management Works Program that decreases the income and expenditure budget by \$200k.
2. Transfer \$25k from PR22468 Fencing of Play Spaces Program to PR23459 Byron Bay/Fairbanks Drive Traffic Management & Reserve Upgrade for the installation of new reserve fencing.

**CARRIED**  
**1711/2017**

### 2.6.2 St Kilda Master Plan - Stage 2

*Cr R Cook declared a perceived conflict of interest on the basis of owning a business in St Kilda. Cr Cook left the meeting at 6:53pm.*

*Cr D Balaza declared a perceived conflict of interest on the basis of his employment. Cr Balaza managed the conflict by remaining in the meeting and not voting on the item.*

Moved Cr G Caruso

Seconded Cr R Zahra

1. This report is received and noted.
2. That staff report back with a view to revising the Master Plan reflecting the change in priority for St Kilda Boat Ramp to priority one and the RV friendly parking area to priority two, and a change to the budget scheduling for the start of planning and design works in the 2018/2019 financial year instead of 2017/2018 financial year.

**CARRIED**  
**1712/2017**

*The majority of members present voted IN FAVOUR of the MOTION.*

*Cr D Balaza DID NOT VOTE on the MOTION.*

*Cr R Cook returned to the meeting at 06:55 pm.*

### **Confidential Items**

**Refer to CONFIDENTIAL ITEMS section of Council Minutes**

#### **2.9.1 Request for Extension of Confidentiality Order: Update on Emerald Green (Ryans Rd) Contracts**

#### **2.9.2 Football Federation SA Proposal to Sublet the Burton Park Community Recreation Facility to Salisbury United Soccer Club.**

#### **2.9.3 Minutes of the Confidential Strategic Property Development Sub Committee meeting held on Tuesday 11 April 2017**

### **3 Resources and Governance Committee Meeting**

Minutes of the Resources and Governance Committee Meeting held on 18 April 2017 were considered by Council.

## ***Administration***

### **3.0.1 Future Reports for the Resources and Governance Committee**

Moved Cr L Caruso  
Seconded Cr G Reynolds

1. The information be received.

**CARRIED  
1713/2017**

## ***Corporate Governance***

### **3.6.1 Review of Elected Members Records Management Policy**

Moved Cr L Caruso  
Seconded Cr R Cook

1. The Information be received.
2. The Elected Members Records Management Policy as set out in Attachment 1 to this report (Item No. 3.6.1, Resources and Governance Committee, 18/04/2017), be endorsed.

**CARRIED  
1714/2017**

### **3.6.2 Variations to Delegations**

Moved Cr L Caruso  
Seconded Cr R Zahra

1. Having conducted a review of Delegations in accordance with Section 44(6) of the *Local Government Act 1999*, the Council hereby revokes its previous delegations to the Chief Executive Officer, effective from 1 May 2017 of those powers and functions under the following:
  - 1.1 *Development Regulations 2008*
    - Regulations 9A(1), 15(7a), 15(7b), 15(11) and 15(12)
  - 1.2 *Freedom of Information Act 1993*
    - Sections 25(3), 26(3), 27(3), 28(3), 36(2), 39, 40(1) and 41(1).
2. In exercise of the powers contained in Section 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 proposed Instrument of Delegation forming an attachment to this report (Attachment

2, Item No. 3.6.2, Resources and Governance Committee, 18/04/2017) are hereby delegated from 2 May 2017 to the person occupying the office of Chief Executive Officer, subject to the conditions and / or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Development Act 1993* and *Development Regulations 2008*.

2.1 *Development Regulations 2008*

- Regulations 32(2)(5), 47A(1), 8A(1)(a), 8A(1)(b), 8B(1), 9A(1), 15(7b), 15(7a), 15(7b)(b)(iii), 15(11) and 15(12).

3. In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the following Act contained in the proposed Instrument of Delegation forming an attachment to this report (Attachment 3, Item No. 3.6.2, Resources and Governance Committee, 18/04/2017), are hereby delegated from 2 May 2017 to the person occupying the office of Chief Executive Officer, subject to the conditions and / or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the *Freedom of Information Act 1993*.

3.1 *Freedom of Information Act 1993*

- Sections 25(3), 26(3), 27(3), 28(3), 36(2), 39, 40(1) and 41(1).

4. 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 in the conditions and/or limitations specified in the Delegations Register.

**CARRIED  
1715/2017**

### **3.6.3 Feedback Sought on Proposal to Amend the Local Government (Elections) Act 1999**

Moved Cr R Zahra  
Seconded Cr R Cook

1. The information be received.
2. That the LGA be advised that Council does not support the main proposal requiring the Electoral Commissioner to mail out information about candidates elected unopposed but rather supports the option whereby the LGA obtains the profile data for candidates elected unopposed from the Electoral Commissioner and publishes it on the Candidates Website along with other candidates' data.

**CARRIED  
1716/2017**

### **3.6.4 Feedback Sought on Proposed Change to the Voting Method in Local Government Elections**

Moved Cr R Zahra  
Seconded Cr S Bedford

1. The information be received.
2. That the LGA be advised that Council does not support a change to the 'optional preferential voting' method in Local Government Elections.

**LOST**

Moved Cr L Caruso  
Seconded Cr D Balaza

1. The information be received.
2. That the LGA be advised that Council does support a change to the 'optional preferential voting' method in Local Government Elections.

**CARRIED  
1717/2017**

### **3.6.5 Summary Reports for Attendance at Training and Development Activities - Cr Bryant and Cr White**

Moved Cr L Caruso  
Seconded Cr G Caruso

1. The information be received.

**CARRIED  
1718/2017**

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### **3.6.6 Review of Vandalism and Graffiti Reward Program Policy**

Moved Cr R Cook

Seconded Cr G Caruso

1. The Information be received.
2. The Vandalism and Graffiti Reward Program Policy as set out in Attachment 1 to this report (Item No. 3.6.6, Resources and Governance Committee, 18/04/2017), be endorsed.

**CARRIED  
1719/2017**

### **3.6.7 Review of Club Fee Policy**

Moved Cr G Caruso

Seconded Cr R Zahra

1. The Information be received.
2. The Club Fee Policy as set out in Attachment 1 to this report (Item No. 3.6.7, Resources and Governance, 18/04/2017), be endorsed.

**CARRIED  
1720/2017**

*Cr G Caruso left the meeting at 07:14 pm.*

### **3.6.8 Review of Plaques and Memorials Policy**

Moved Cr D Balaza

Seconded Cr S Reardon

1. The Information be received.
2. The Plaques and Memorials Policy as set out in Attachment 1 to this report (Item No. 3.6.8, Resources and Governance Committee, 18/04/2017), be endorsed, subject to the retention of the definition of sculpture in Section E of the policy.

**CARRIED  
1721/2017**

*Cr G Caruso returned to the meeting at 07:16 pm.*

### **3.6.9 Review of Community Recreation Facilities Sponsorship Policy**

Moved Cr R Zahra

Seconded Cr L Caruso

1. The Information be received.
2. The Community Recreation Facilities Sponsorship Policy as set out in Attachment 1 to this report (Item No. 3.6.9, Resources and Governance Committee, 18/04/2017), be endorsed.

**CARRIED  
1722/2017**



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**3.6.10 Review of Community Recreation Facilities Signage Policy**

Moved Cr L Caruso  
Seconded Cr G Caruso

1. The Information be received.
2. The Community Recreation Facilities Signage Policy as set out in Attachment 1 to this report (Item No. 3.6.10, Resources and Governance Committee, 18/04/2017), be endorsed.

**CARRIED**  
**1723/2017**

**3.6.11 Review of Walkway Closures Policy**

Moved Cr R Zahra  
Seconded Cr L Caruso

1. The Information be received.
2. The Walkway Closures Policy as set out in Attachment 1 to this report (Item No. 3.6.11, Resources and Governance Committee, 18/04/2017), be endorsed.

**CARRIED**  
**1724/2017**

**3.6.12 Review of Community Club Financial Guarantee Policy**

Moved Cr R Cook  
Seconded Cr R Zahra

1. The Information be received.
2. The Community Club Financial Guarantee Policy as set out in Attachment 1 to this report (Item No. 3.6.12, Resources and Governance Committee, 18/04/2017), be endorsed.

**CARRIED**  
**1725/2017**

**3.6.13 Review of Enforcement Policy**

Moved Cr R Zahra  
Seconded Cr G Reynolds

1. The Information be received.
2. The Enforcement Policy as set out in Attachment 1 to this report (Item No. 3.6.13, Resources and Governance Committee, 18/04/2017), be endorsed.

**CARRIED**  
**1726/2017**

### **3.6.14 Review of Sub-Licence Approval Policy**

Moved Cr R Zahra

Seconded Cr R Cook

1. The Information be received.
2. The Sub-Licence Approval Policy as set out in Attachment 1 to this report (Item No. 3.6.14, Resources and Governance Committee, 18/04/2017), be endorsed.

**CARRIED**  
**1727/2017**

### **3.6.15 Review of Surplus Community Land Policy**

Moved Cr R Zahra

Seconded Cr L Caruso

1. The Information be received.
2. The Surplus Community Land Policy as set out in Attachment 1 to this report (Item No. 3.6.15, Resources and Governance Committee, 18/04/2017), be endorsed.

**CARRIED**  
**1728/2017**

### **3.6.16 Review of Outdoor Facility Hire Policy**

Moved Cr R Cook

Seconded Cr R Zahra

1. The Information be received.
2. The Outdoor Facility Hire Policy as set out in Attachment 1 to this report (Item No. 3.6.16, Resources and Governance Committee, 18/04/2017), be endorsed.

**CARRIED**  
**1729/2017**

### **3.6.17 Review of Private Parking Areas Act - Private Parking Agreements Policy**

Moved Cr R Cook

Seconded Cr S Reardon

1. The Information be received.
2. The Private Parking Areas Act - Private Parking Agreements Policy as set out in Attachment 1 to this report (Item No. 3.6.17, Resources and Governance Committee, 18/04/2017), be endorsed.

**CARRIED**  
**1730/2017**

### 3.6.18 LGA Membership Subscription Formula Consultation

Moved Cr G Caruso  
Seconded Cr R Cook

1. Information is received
2. That a submission is made to the Local Government Association noting support for:
  - a. An equal flat component for each member designed to collect at least 20% of overall subscriptions;
  - b. The 40% population and 60% revenue (three-year average) split for the balance of subscriptions should be maintained;
  - c. The three times capped subscription limit should be eliminated and replaced with a model which involves a declining block rate for set increments in population and revenue.

**CARRIED**  
**1731/2017**

### 3.6.19 Voting Advice to Council Delegate for the Local Government Association Ordinary General Meeting - 21 April 2017

Moved Cr R Cook  
Seconded Cr R Zahra

1. Council direct its voting delegate (Mayor Gillian Aldridge or Deputy Mayor Donna Proleta as proxy) to vote for the Local Government Association Ordinary General Meeting recommendations as set out in the attachment to this report (Resources and Governance, 18 April 2017, Item 3.6.19).

**CARRIED**  
**1732/2017**

### 3.6.20 Review of Liquor Licences Policy

*Cr S Bedford declared a perceived conflict of interest on the basis of his employment. Cr Bedford managed the conflict by remaining in the meeting and not voting on the item.*

*Cr L Caruso declared an actual conflict of interest on the basis of holding a Liquor Licence. Cr L Caruso left the meeting at 7:23 pm.*

Moved Cr D Bryant  
Seconded Cr D Proleta

1. The Information be received.
2. The Liquor Licences Policy as set out in Attachment 1 to this report (Item No. 3.6.20, Resources and Governance Committee, 18/04/2017), be endorsed.

**CARRIED**  
**1733/2017**

*The majority of members present voted IN FAVOUR of the MOTION.*

*Cr S Bedford DID NOT VOTE on the MOTION.*

*Cr L Caruso returned to the meeting at 7:24 pm.*

### **3.6.21 Nominations Sought for the South Australian Public Health Council**

#### **Further Information Item 3.6.21FI – Nominations Sought for the South Australian Public Health Council**

Moved Cr L Caruso

Seconded Cr D Bryant

1. The information be received.

Cr D Bryant withdrew his seconding of the motion.

The MOTION LAPSED for WANT OF A SECONDER.

*Cr D Balaza declared a material conflict of interest on the basis of being nominated for the position. Cr D Balaza left the meeting at 07:24 pm.*

Moved Cr D Proleta

Seconded Cr R Cook

1. Cr D Balaza be nominated as a Local Government Member on the South Australian Public Health Council.

**CARRIED  
1734/2017**

*Cr D Balaza returned to the meeting at 07:25 pm.*

### ***Other Business***

#### **OB1-R&G Signage to Improve Dog Management at St Kilda**

Moved Cr R Zahra

Seconded Cr R Cook

1. That staff investigate signage options to improve dog management at St Kilda and provide a report to Council for consideration.

**CARRIED  
1735/2017**

## **4 Audit Committee Meeting**

Minutes of the Audit Committee Meeting held on 11 April 2017 were considered by Council.

### ***Administration***

#### **4.0.1 Future Reports for the Audit Committee of Council**

Moved Cr G Caruso

Seconded Cr G Reynolds

1. The information be received.

**CARRIED**  
**1736/2017**

### ***Reports***

#### **4.2.1 Payroll Audit, Final Report**

Moved Cr G Caruso  
Seconded Cr S White

1. That the information be received.

**CARRIED**  
**1737/2017**

#### **4.2.2 Draft 2017/18 Annual Plan and Budget**

Moved Cr G Caruso  
Seconded Cr R Zahra

1. The information be received

**CARRIED**  
**1738/2017**

#### **4.2.3 Audit Committee Work Program for 2017**

Moved Cr D Bryant  
Seconded Cr G Caruso

1. The information be received.

**CARRIED**  
**1739/2017**

#### **4.2.4 Internal Audit Plan**

Moved Cr D Bryant  
Seconded Cr R Zahra

1. The information be received.

**CARRIED**  
**1740/2017**

#### **4.2.5 Update on Risk Management and Internal Controls Activities for the 2016/17 financial year and outstanding actions from Internal Audits**

Moved Cr R Zahra  
Seconded Cr D Bryant

1. The information be received.

**CARRIED**  
**1741/2017**

## 5 Development Assessment Panel Meeting

A meeting of the Development Assessment Panel took place on 28 March 2017. The minutes were distributed to all members for information.

### 6 Budget and Finance Committee Meeting

Minutes of the Budget and Finance Committee Meeting held on 18 April 2017 were considered by Council.

#### *Administration*

##### **6.0.1 Future Reports for the Budget and Finance Committee**

Moved Cr R Cook

Seconded Cr R Zahra

1. The information be received.

**CARRIED  
1742/2017**

#### *Financial Sustainability*

##### **6.2.1 Financial Indicators**

Moved Cr R Zahra

Seconded Cr G Caruso

1. The Operating Ranges for Financial Sustainability Indicators be set as follows
  - a. Operating Surplus Ratio: between 0.5% and 5%
  - b. Net Financial Liabilities Ratio: less than 40%
  - c. Asset Sustainability Ratio: between 90% and 110%
2. The Operating Ranges for Financial Sustainability Indicators be reviewed as part of considering future Long Term Financial Plan updates.

**CARRIED  
1743/2017**

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## ***Annual Plan and Budget***

### **6.4.1 Belgravia Business Plans – 2017/18**

*Cr L Caruso declared an actual conflict of interest on the basis of owning a golf course mentioned in the report. Cr L Caruso left the meeting at 07:40 pm.*

Moved Cr G Caruso

Seconded Cr R Zahra

1. The 2017/18 Business Plans for the:

- Gardens Recreation Centre,
- Ingle Farm Recreation Centre,
- Salisbury Recreation Precinct and;
- Little Para Golf Course

as set out in Attachments 1, 2,3 and 4 to this report (Item No. 6.4.1, Budget and Finance Committee, 18/04/2017) be approved.

2. The proposed 2017/18 Fees and Charges for the Recreation Facilities managed by Belgravia Leisure, as set out in Attachment 5 be approved.

**CARRIED**  
**1744/2017**

*Cr L Caruso returned to the meeting at 07:41 pm.*

#### 6.4.2 New Initiative Bids 2017/18

*Cr R Cook declared a perceived conflict of interest on the basis of owning a business in St Kilda. Cr Cook left the meeting at 7:41 pm.*

*Cr L Caruso declared an actual conflict of interest on the basis of owning a golf course in the area. Cr L Caruso left the meeting at 07:42 pm.*

*Cr D Balaza declared a perceived conflict of interest on the basis of his employment. Cr Balaza managed the conflict by remaining in the meeting and not voting on the item.*

Moved Cr R Zahra

Seconded Cr G Reynolds

1. The four year Capital New Initiatives (including Strategic Property), with 2017/18 totalling \$49,838,765 net expenditure, be endorsed for inclusion in the Draft 2017/18 Annual Plan and Budget, noting the removal of PSR 23934: Allen Green Reserve Upgrade.
2. The four year IT New Initiatives, with 2017/18 totalling \$35,000 net expenditure, be endorsed for inclusion in the 2017/18 Draft Annual Plan and Budget.
3. The four year Plant, Furniture and Equipment New Initiatives, with 2017/18 totalling \$3,043,200 net expenditure, be endorsed for inclusion in the 2017/18 Draft Annual Plan and Budget.
4. The four year Operating New Initiatives, with 2017/18 totalling \$2,246,400 net expenditure, be endorsed for inclusion in the 2017/18 Draft Annual Plan and Budget.
5. That reports be presented to Council, prior to adoption of the Final 2017/18 Budget in June 2017 in relation to:
  - STN 21461: Strategic Projects Program – Planning Program, the implications of removing funding for Salt Fields and Food Park
  - STN 23922: Salisbury City Centre Renewal, Church Street Extension and Technical Investigations, confirmation of future year expenditure and scale of project
  - TRR 21412: Kerb Ramp Construction/Upgrade Program, details of prioritization of current program including incorporation of streets currently without ramps
  - Youth at Risk Program, options for continuation of existing program.

**CARRIED  
1745/2017**

*The majority of members present voted IN FAVOUR of the MOTION.*

*Cr D Balaza DID NOT VOTE on the MOTION.*

*Cr R Cook returned to the meeting at 07:43 pm.*

*Cr L Caruso returned to the meeting at 07:43 pm.*



**6.4.3 Budget Status Update**

Moved Cr R Zahra  
Seconded Cr S Reardon

1. Information be received.
2. Operating New Initiative Bid NAN23923 Urban Policy Staffing be included in the 2017/18 Budget as a Non-Discretionary bid.

**CARRIED**  
**1746/2017**

**6.4.4 Rating Strategy 2017/18**

*Cr G Reynolds left the meeting at 07:44 pm.*

*Cr G Reynolds returned to the meeting at 07:46 pm.*

Moved Cr R Zahra  
Seconded Cr S White

1. Information be received.
2. The rate increase based on a 3.0% average increase, including the minimum, be endorsed as the basis for setting rates in 2017/18 and included in the Draft Annual Plan & Budget for public consultation.
3. The current general rate capping policy (as set out in section 3.6 of this report, Item No. 6.4.4, Budget and Finance Committee, 18/04/2017) remains unchanged for 2017/18.
4. The application of the currently endorsed Life Style Village Rate Capping, which provides an automatic rate cap of 10% to be applied until the rating period ending 30 June 2018.

**CARRIED**  
**1747/2017**

**6.4.5 Higher Value Property Review**

Moved Cr G Caruso  
Seconded Cr R Zahra

1. The Higher Property Value Rate Remission for 2017/18 for residential properties be set on the following basis:

Tier	Value Range	Rate Adjustment
1	0 - \$490,000	0
2	\$490,000 - \$595,000	15%
3	\$595,000 +	35%

**CARRIED**  
**1748/2017**

#### **6.4.6 Draft 2017/18 Annual Plan and Budget**

Moved Cr R Zahra

Seconded Cr G Reynolds

1. Information be received.
2. Draft 2017/18 Annual Plan and Budget be endorsed for the purposes of Public Consultation, subject to further editing and formatting improvements without changing the substantive nature of the document, and changes required to reflect decisions of Council made at Budget and Finance Meeting 18 April 2017 and Council 24 April 2017.

**CARRIED  
1749/2017**

#### **6.4.7 2017-18 New Initiative Bid Variance with Endorsed Asset Management Plans**

Moved Cr G Reynolds

Seconded Cr R Zahra

1. The Strategic Asset Management Plans endorsed in 2015 be updated to reflect changes outlined in this report and attachments, and these revised figures be used as the basis of future Asset Sustainability Ratio calculations for the 2017/18 financial year.
2. Staff be authorised to adjust the Asset Management Plans for any further changes to New Initiative Bids for the 2017/18 Annual Budget.

**CARRIED  
1750/2017**

#### **6.4.8 St Kilda Tramway Museum Assistance Request**

Moved Cr S Reardon

Seconded Cr D Proleta

1. Council provide sponsorship for the St Kilda Tramway Museum for three years from 2017/18 to 2019/20 at \$5,100 per annum escalated each year by CPI.

**CARRIED  
1751/2017**

## ***Rating Matters***

### **6.6.1 Rates Arrears Comparison**

Moved Cr R Zahra

Seconded Cr G Reynolds

1. Information be received.

**CARRIED**  
**1752/2017**

### **6.6.2 Public Awareness Campaign - Rate Capping**

*Cr G Reynolds declared a perceived conflict of interest on the basis of being a member of the Liberal Party. Cr Reynolds managed the conflict by remaining in the meeting and voting on the item.*

*Cr D Bryant declared a perceived conflict of interest on the basis of being a member of the Liberal Party of South Australia. Cr D Bryant left the meeting at 07:54 pm.*

*Cr S White declared a perceived conflict on the basis of being a member of the Liberal Party. Cr White managed the conflict by remaining in the meeting and not voting on the item.*

*Cr L Caruso left the meeting at 08:05 pm.*

*Cr L Caruso returned to the meeting at 08:06 pm.*

Moved Cr R Cook

Seconded Cr S Reardon

1. The information be received.
2. The unanimous decision from South Australian councils at the 2016 Local Government Association Ordinary General Meeting to reject rate capping and continue to oppose rate capping in any form be noted.
3. Support of and participation in the Local Government Association's public awareness campaign, including placing material in quarterly rates notices, be endorsed on the basis that as currently described there is no specific contribution required from the City of Salisbury to support the campaign. In the event that a financial contribution is sought by the LGA a further evaluation of the support to be provided will be undertaken by Council.
4. It be noted that the LGA will continue to work with all Members of Parliament and political parties to ensure rate capping is not imposed on South Australian communities.

**CARRIED**  
**1753/2017**

*The majority of members present voted IN FAVOUR of the MOTION.*

*Cr G Reynolds voted AGAINST the MOTION.*

*Cr S White DID NOT VOTE on the MOTION.*

*Cr D Bryant returned to the meeting at 08:11 pm.*

## ***Other Business***

### **6.8.1 Project Budget Delegations**

Moved Cr R Zahra

Seconded Cr S Bedford

1. A Financial Delegation (the Project Budget Delegation) continue to be provided to the relevant General Manager to increase an approved budget of an individual capital project in the financial year provided that the program (Information Technology, Transportation, Property and Buildings, Drainage and Waterways, Parks and Streetscapes, Plant, Furniture and Equipment, Water Business Unit, Strategic Projects and Strategic Property) and sub-classification (new, renewal) will not exceed budget, and that there is no change in project scope as a result.
2. The Project Budget Delegation limit continue to be set at \$15,000 per individual capital project with a budget up to \$150,000 in each financial year, and 10% of the project value for projects with budgets greater than \$150,000 in each financial year.
3. In any quarter when the Project Budget Delegation is exercised a separate standalone report continue to be presented to the Budget and Finance Committee at the end of that quarter with details also to be reported in the Quarterly Budget Review.
4. The Project Budget Delegation be reviewed during the 2018/19 Budget process.

**CARRIED  
1754/2017**

## **7 Sport, Recreation and Grants Committee Meeting**

Minutes of the Sport, Recreation and Grants Committee Meeting held on 10 April 2017 were considered by Council.

### ***Administration***

#### **7.0.1 Future Reports for the Sport, Recreation and Grants Committee**

Moved Cr L Caruso

Seconded Cr R Cook

1. The information be received.

**CARRIED  
1755/2017**

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***Community Grants***

**7.2.1 Youth Sponsorship - March Applications**

Moved Cr R Cook

Seconded Cr R Zahra

1. The information be received.

**CARRIED  
1756/2017**

### 7.2.2 Review of Youth Sponsorship Funding and Allocation Cap and Youth Sponsorship Policy

Moved Cr R Zahra

Seconded Cr R Cook

1. The information be received.
2. Youth Sponsorship funding levels be set as follows:
  - \$125 for SA
  - \$250 for national
  - \$500 for international events held in Australia
  - \$1000 for international events held outside Australia
3. The Application and Guidelines be updated to –
  - a. **Delete** the following clause:  
*In addition, applications not classified above, for representation outside of the state and supported at the local organisational level, for young people who have excelled in their particular activity may be given consideration. Funding will be considered on merit and at the discretion of the Sport, Recreation and Grants Committee.*
  - b. Include Acquittal process
  - c. Specify that funding is only available once at each level per person, per 12 month period.
4. The Youth Sponsorship Policy be updated to reflect endorsed changes.

**CARRIED**  
**1757/2017**

### 7.2.2FM Further Motion – Youth Sponsorship Team Eligibility Criteria

Moved Cr R Zahra

Seconded Cr G Caruso

1. Staff report back in relation to criteria to be applied for team eligibility in place of the current rate cap for Youth Sponsorship.

**CARRIED**  
**1758/2017**

### **7.2.3 Community Grants Program Applications for April 2017**

Moved Cr R Cook  
Seconded Cr L Caruso

1. The information be received and noted.

**CARRIED**  
**1759/2017**

### **7.2.4 06/2017: Not Bad Misunderstood Inc. - Community Grants Program Application**

Moved Cr R Cook  
Seconded Cr R Zahra

1. The information be received and noted.

**CARRIED**  
**1760/2017**

### **7.2.5 Ingle Farm Amateur Soccer Club Minor Capital Works Grant Application**

Moved Cr L Caruso  
Seconded Cr S Reardon

1. The report be received.
2. It be noted that, in accordance with delegated powers set out in the endorsed Terms of Reference, the Sport, Recreation and Grants Committee assessed and allocated funding from the 2016/17 Minor Capital Works Grant budget as follows:
  - The Ingle Farm Amateur Soccer Club: an amount up to \$30,000 be allocated for the installation of a storage shed as set out in the grant application.
  - Any additional costs, including the security mesh and contingency to be funded by the Ingle Farm Amateur Soccer Club.

**CARRIED**  
**1761/2017**

#### **7.2.6 Para Hills Knights Soccer Club Minor Capital Works Grant Application**

Moved Cr S Reardon

Seconded Cr D Bryant

1. The report be received.
2. It be noted that, in accordance with delegated powers set out in the endorsed Terms of Reference, the Sport, Recreation and Grants Committee assessed and allocated funding from the 2016/17 Minor Capital Works Grant budget as follows:
  - The Para Hills Knights Soccer Club: an amount up to \$30,000 be allocated for the upgrade of kitchen facilities as set out in the grant application.

**CARRIED  
1762/2017**

### **8 CEO Review Committee Meeting**

Minutes of the CEO Review Committee Meeting held on 10 April 2017 were considered by Council.

#### ***Administration***

#### **8.0.1 CEO Key Performance Indicators Update**

Moved Cr L Caruso

Seconded Cr R Zahra

1. Information be received.
2. Progress towards achievement of the endorsed 2016/2017 Key Performance Indicators be noted and endorsed.

**CARRIED  
1763/2017**

#### **8.0.2 CEO Annual Performance Review Process - 2016/2017**

Moved Cr G Caruso

Seconded Cr R Cook

1. The Performance Appraisal Survey be distributed to Elected Members on 16 May 2017, to be completed by 30 May 2017.
2. The results of the CEO Performance Appraisal Survey and the final CEO Key Performance Indicators Report be presented to the CEO Review Committee in July 2017, at which time the Committee determine the overall rating for the CEO Personal Evaluation System for 2016/2017.



3. The Hender Consulting Remuneration Advice Report be provided to the CEO Review Committee in July 2017, at which time the CEO Review Committee may determine, in accordance with the delegated authority it holds, any amendments to the CEO's employment arrangements and incentive payments as provided for within the contract of employment.

**CARRIED**  
**1764/2017**

## **GENERAL BUSINESS**

### **GB1 Australia Day Council of South Australia - Election of Board Members**

*Cr D Balaza declared a material conflict of interest on the basis of being a candidate for the election of Board Members for the Australia Day Council. Cr D Balaza left the meeting at 08:20 pm.*

Moved Cr S Reardon  
Seconded Cr L Caruso

1. The City of Salisbury vote for the following two Board Members in the election of the Australia Day Council of South Australia Inc.:
  1. Cr David Balaza
  2. Belinda Heggen

**CARRIED**  
**1765/2017**

*Cr D Balaza returned to the meeting at 08:22 pm.*

## **OTHER BUSINESS**

Nil

## **MAYOR'S DIARY**

### **MD1 Mayor's Diary**

Moved Cr D Bryant  
Seconded Cr R Cook

1. That this information be noted.

**CARRIED**  
**1766/2017**

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## REPORTS FROM COUNCIL REPRESENTATIVES

### **Cr D Balaza:**

- CEO of NAWMA has been appointed.

### **Cr G Reynolds:**

- Salisbury Business Association hosted a car show on Saturday 22 April 2017.
- Car show to be held at the Military Museum on Sunday 30 April 2017.

---

## CONFIDENTIAL ITEMS

### 2.9.1 Request for Extension of Confidentiality Order: Update on Emerald Green (Ryans Rd) Contracts

Moved Cr S Reardon

Seconded Cr R Cook

1. *Pursuant to Section 90(2) and (3)(b)(i) and (b)(ii) and (d)(i) and (d)(ii) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*
  - *it relates to information the disclosure of which 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*
  - *information the disclosure of which would, on balance, be contrary to the public interest; and*
  - *commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and*
  - *commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest.*
2. *In weighing up the factors related to disclosure,*
  - *disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations*
  - *Non disclosure of the discussion of this item would protect commercial information in relation to the Emerald Green project.*

*On that basis the public's interest is best served by not disclosing the **Request for Extension of Confidentiality Order: Update on Emerald Green (Ryans Rd) Contracts** item and discussion at this point in time.*
3. *Pursuant to Section 90(2) of the Local Government Act 1999 it is recommended the Council orders that all members of the public, except staff of the City of Salisbury on duty in attendance, be excluded from attendance at the meeting for this Agenda Item.*

**CARRIED**  
**1767/2017**

The meeting moved into confidence at 8:26 pm.

The meeting moved out of confidence at 8:27 pm.

## 2.9.2 **Football Federation SA Proposal to Sublet the Burton Park Community Recreation Facility to Salisbury United Soccer Club.**

Moved Cr R Cook

Seconded Cr S Reardon

1. *Pursuant to Section 90(2) and (3)(b)(i) and (b)(ii) and (d)(i) and (d)(ii) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*
  - *it relates to information the disclosure of which 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*
  - *information the disclosure of which would, on balance, be contrary to the public interest; and*
  - *commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and*
  - *commercial information of a confidential nature (not being a trade secret) the disclosure of which would, on balance, be contrary to the public interest.*
2. *In weighing up the factors related to disclosure,*
  - *disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations*
  - *Non disclosure of the discussion of this item would protect commercial information provided by Salisbury United Soccer Club and enable Council to consider the information prior to making a decision on the proposal.*

*On that basis the public's interest is best served by not disclosing the **Football Federation SA Proposal to Sublet the Burton Park Community Recreation Facility to Salisbury United Soccer Club.** item and discussion at this point in time.*
3. *Pursuant to Section 90(2) of the Local Government Act 1999 it is recommended the Council orders that all members of the public, except staff of the City of Salisbury on duty in attendance, be excluded from attendance at the meeting for this Agenda Item.*

**CARRIED**  
**1768/2017**

The meeting moved into confidence at 8:28 pm.

The meeting moved out of confidence at 8:28 pm.

### 2.9.3 Minutes of the Confidential Strategic Property Development Sub Committee meeting held on Tuesday 11 April 2017

Moved Cr R Zahra

Seconded Cr D Bryant

1. *Pursuant to Section 90(2) and (3)(b)(i) and (b)(ii) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*
  - *it relates to information the disclosure of which 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*
  - *information the disclosure of which would, on balance, be contrary to the public interest.*
2. *In weighing up the factors related to disclosure,*
  - *disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations*
  - *To protect Council's commercial position retaining the confidentiality of Attachment 2 will ensure that third parties do not receive an advantage that risks Council's commercial position and potential revenue return available from the project pipeline.*

*On that basis the public's interest is best served by not disclosing the **Minutes of the Confidential Strategic Property Development Sub Committee meeting held on Tuesday 11 April 2017** item and discussion at this point in time.*
3. *Pursuant to Section 90(2) of the Local Government Act 1999 it is recommended the Council orders that all members of the public, except staff of the City of Salisbury on duty in attendance, be excluded from attendance at the meeting for this Agenda Item.*

**CARRIED**  
**1769/2017**

The meeting moved into confidence at 8:29 pm.

The meeting moved out of confidence at 8:29 pm.

The meeting closed at 8:33 pm.

CHAIRMAN.....

DATE.....



---

<b>ITEM</b>	GB1
	<b>COUNCIL</b>
<b>DATE</b>	22 May 2017
<b>PREF REFS</b>	
<b>HEADING</b>	2017 Supplementary Election - Levels Ward Results
<b>AUTHOR</b>	Tami Norman, Manager Governance, CEO and Governance
<b>CITY PLAN LINKS</b>	4.4 To ensure informed and transparent decision-making that is accountable and legally compliant
<b>SUMMARY</b>	This report summarises the results of the 2017 Supplementary Election – Levels Ward.

## RECOMMENDATION

1. The information be received.

## ATTACHMENTS

There are no attachments to this report.

## 1. BACKGROUND

- 1.1 Section 6 of the *Local Government (Elections) Act 1999* requires a supplementary election to be conducted when a casual vacancy occurs in the office of a member of Council. Following the resignation of Cr Brad Vermeer, a Supplementary Election was conducted in the Levels Ward.
- 1.2 Eight candidate nominations were received for the Levels Ward election.
- 1.3 Local Government elections are conducted on the basis of postal voting. Ballot papers are sent to electors, designated persons of a group or body corporate whose names appear on the roll of certified voters. Ballot papers were distributed to electors within the Levels Ward from 18 April 2017, with postal voting closing on 8 May 2017.

## 2. REPORT

- 2.1 A ballot was conducted for the Levels Ward Supplementary election, with counting of votes commencing at 1pm on Monday 8 May 2017. The following statistics summarise the voting process within the Levels Ward Supplementary election:
  - 12640 ballot papers issued
  - 2456 ballot papers returned, (2390 accepted, 63 rejected, 187 returned unclaimed, 3 Declaration missing)
  - 18.91% return rate (in comparison with 25.07% at the 2014 general election)

## 2.2 Election Results

- 2.2.1 Following the conclusion of the 2017 Supplementary Election – Levels Ward, in which eight (8) candidates contested one (1) vacancy, the following results have been declared:

<b>Formal Ballot Papers</b>	2387
<b>Informal Ballot Papers</b>	9
<b>Quota</b>	1190

<b>Candidate</b>	<b>1<sup>st</sup> Preference Votes</b>	<b>Elected or Excluded</b>	<b>Votes at conclusion of election</b>	<b>Count No.</b>
VAN DER MERWE, Jan	66		66	
VERMEER, Don	153		153	
LANGSHAW, Bradley Ian	126		126	
TRIPODI, Kathryn	320		320	
LEGGETT, Reece	125		125	
BATES, Antony (Tony)	282		282	
BRUG, Beau	1223	Elected 1	Quota	1
HOLEVA, Alexandra	83		83	

## 3. CONCLUSION / PROPOSAL

- 3.1 The 2017 Supplementary Election Levels Ward results are provided for noting by Council.

### CO-ORDINATION

Officer: EXEC MG  
Date:



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<b>ITEM</b>	GB2
	<b>COUNCIL</b>
<b>DATE</b>	22 May 2017
<b>HEADING</b>	Appointment of Cr Beau Brug to Committees
<b>AUTHOR</b>	Michelle Woods, Projects Officer Governance, CEO and Governance
<b>CITY PLAN LINKS</b>	4.3 Have robust processes that support consistent service delivery and informed decision making.
<b>SUMMARY</b>	This report seeks to appoint newly elected Councillor, Beau Brug to various Council Committees.

### RECOMMENDATION

1. In accordance with Section 41 of the *Local Government Act 1999*, Cr Beau Brug be appointed as a member of the Policy and Planning Committee for the remainder of the current term of Council.
2. In accordance with Section 41 of the *Local Government Act 1999*, Cr Beau Brug be appointed as a member of the Budget and Finance Committee for the remainder of the current term of Council.
3. In accordance with Section 41 of the *Local Government Act 1999*, Cr Beau Brug be appointed as a member of the Resources and Governance Committee for the remainder of the current term of Council.
4. In accordance with Section 41 of the *Local Government Act 1999*, Cr Beau Brug be appointed as a member of the Sport, Recreation and Grants Committee for the remainder of the current term of Council.
5. In accordance with Section 41 of the *Local Government Act 1999*, Cr Beau Brug be appointed as a member of the Program Review Sub Committee for the remainder of the current term of Council.

### ATTACHMENTS

There are no attachments to this report.

### 1. BACKGROUND

- 1.1 In February 2017, Levels Ward Councillor, Cr Brad Vermeer resigned from Council. Following Cr Vermeer's resignation, positions he held on Council Committees have either remained vacant, or Cr Steve White, as the alternate Councillor in the Levels Ward, has attended meetings.

- 1.2 As required by section 6 of the *Local Government (Elections) Act 1999* a Supplementary Election for the Levels Ward was conducted to fill the casual vacancy brought about by Cr Vermeer's resignation. The Supplementary Election result was declared on 11 May 2017 with Cr Beau Brug the successful candidate. Cr Beau Brug has been duly elected as a new Elected Member representing the Levels Ward, and will be sworn in at the Council Meeting on 22 May 2017.
- 1.3 This report seeks to appoint Cr Brug to vacant Committee positions.

## 2. REPORT

- 2.1 Vacancies currently exist in the following Council Committees:
- 2.1.1 Policy and Planning Committee (consists all members of Council)
  - 2.1.2 Budget and Finance Committee (consists all members of Council)
  - 2.1.3 Resources and Governance Committee (consists of half the members of Council, with one representative from each ward and the Mayor as ex-officio – refer below for further details)
  - 2.1.4 Sport, Recreation and Grants Committee (consists of eight members of Council, and the Mayor as ex-officio – refer below for further details)
  - 2.1.5 Program Review Sub Committee (consists of nine members of Council – refer below for further details)
- 3.2 Section 41 of the *Local Government Act 1999* includes detail regarding the requirements for establishing membership of a committee as follows:
- ...
- (3) *The membership of a committee will be determined by the council and may consist of, or include, persons who are not members of the council.*
  - (4) *The council must appoint a person as the presiding member of a committee, or make provision for the appointment of a presiding member.*
  - (5) *A member of a committee holds office at the pleasure of the council.*
  - (6) *The council may appoint the principal member of the council as an ex officio member of a committee (but in such a case the principal member will not be taken to be included in the membership of the committee unless actually present at a meeting of the committee).*
- 3.3 Specific membership of the Resources and Governance Committee currently is:
- Cr Sean Bedford (Chairman)
  - Cr David Balaza
  - Cr David Bryant
  - Cr Linda Caruso
  - Cr Robyn Cook
  - Cr Damien Pilkington
  - Cr Donna Proleta
  - Vacant

3.4 Specific membership of the Sport, Recreation and Grants Committee currently is:

- Cr Linda Caruso (Chairman)
- Cr David Balaza
- Cr David Bryant
- Cr Damien Pilkington
- Cr Donna Proleta
- Vacant
- Cr Julie Woodman
- Cr Riccardo Zahra

3.5 Specific membership of the Program Review Sub Committee currently is:

- Mayor Gillian Aldridge
- Cr Betty Gill (Central Ward)
- Cr Joe Caruso (East Ward)
- Cr David Bryant (Hills Ward)
- Vacant (Levels Ward)
- Cr Linda Caruso (North Ward)
- Cr Riccardo Zahra (Para Ward)
- Cr Sean Bedford (South Ward)
- Cr Chad Buchanan (West Ward)

### **3. CONCLUSION / PROPOSAL**

3.1 Council is asked to appoint newly elected Councillor, Beau Brug to the vacant positions identified within this report.

### **CO-ORDINATION**

Officer: MG  
Date: 17/05/17



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<b>ITEM</b>	GB3
	<b>COUNCIL</b>
<b>DATE</b>	22 May 2017
<b>HEADING</b>	Elector Representation Review
<b>AUTHOR</b>	Joy Rowett, Governance Coordinator, CEO and Governance
<b>CITY PLAN LINKS</b>	4.3 Have robust processes that support consistent service delivery and informed decision making.
<b>SUMMARY</b>	The report provides information concerning the submissions received in response to the Representation Review Report which was the subject of consultation from 5 – 26 April 2017. The report seeks a final determination from Council on the Representation Review for submission to the Electoral Commissioner of South Australia pursuant to Section 12(12) of the <i>Local Government Act 1999</i> .

## RECOMMENDATION

1. The information be received.
2. Council notes the four submissions received from the community.
3. In respect to the issues of the future composition and structure of the City of Salisbury, Council re-affirms its support of the following:
  - a. The principal member of Council continue to be a Mayor elected by the community.
  - b. The future elected body of Council comprise the Mayor and fourteen (14) ward councillors.
  - c. The Council area be divided into seven wards, as per the ward structure presented as the “Proposed Ward Structure” in the Representation Review Report dated March 2017 (Attachment 1, Item No. GB3, Council, 22/05/2017).
  - d. Each of the proposed wards be represented by two (2) ward councillors.
  - e. The proposed wards be identified as West Ward (Ward 1), Central Ward (Ward 2), North Ward (Ward 3), Para Ward (Ward 4), East Ward (Ward 5), Hills Ward (Ward 6), and South Ward (Ward 7).
4. Council administration be authorised to prepare and forward the necessary report and documents to the Electoral Commissioner of SA, pursuant to the provisions of Section 12(11) and 12(12) of the *Local Government Act 1999*.

## ATTACHMENTS

This document should be read in conjunction with the following attachments:

1. Representation Review Report – March 2017
2. Elector Representation Review - Second Public Consultation Report - May 2017

## 1. BACKGROUND

1.1 On 27 February 2017, Council considered the Amended Representation Review Report prepared as a result of the January 2017 resolution of Council and resolved the following:

1. *Having given due consideration to the Amended Representation Review Report February 2017 prepared by Craig Rowe and Associates (Attachment 1, Item No. GB1, Council Meeting 27/02/2017), the in-principle decision of a four ward, twelve councillor representation structure be reaffirmed.*
2. *The principal member of Council continue to be a Mayor elected by the whole community.*
3. *The Council area be divided into four wards, as per the Proposed Ward Structure presented in Attachment 1, Item 3.6.3, Resources and Governance Committee, 23/01/2017, with the exception of ward names set out in that structure.*
4. *The four wards be named:*
  - Ward 1: North Ward
  - Ward 2: East Ward
  - Ward 3: West Ward
  - Ward 4: South Ward
5. *The future elected body of Council comprise a Mayor and twelve (12) Ward Councillors, each ward being represented by three (3) Councillors.*
6. *That Council administration be authorised to prepare and forward the necessary report and documents to the Electoral Commissioner of SA, pursuant to the provisions of Section 12(11) and 12(12) of the Local Government Act 1999.*

*(Council, 27 February, Item GB1 – Resolution No 1630/2017)*

1.2 Subsequent to this, a Special Meeting of Council was convened on 6 March 2017 to consider a Notice of Motion to rescind the decision of Council from 27 February 2017 above. The Notice of Motion was carried as follows:

1. *That Council Resolution 1630/2017, as set out below, be rescinded.*
  1. *Having given due consideration to the Amended Representation Review Report February 2017 prepared by Craig Rowe and Associates (Attachment 1, Item No. GB1, Council Meeting 27/02/2017), the in-principle decision of a four ward, twelve councillor representation structure be reaffirmed.*
  2. *The principal member of Council continue to be a Mayor elected by the whole community.*
  3. *The Council area be divided into four wards, as per the Proposed Ward Structure presented in Attachment 1, Item 3.6.3, Resources and Governance Committee, 23/01/2017, with the exception of ward names set out in that structure.*
  4. *The four wards be named:*
    - Ward 1: North Ward
    - Ward 2: East Ward
    - Ward 3: West Ward
    - Ward 4: South Ward
  5. *The future elected body of Council comprise a Mayor and twelve (12) Ward Councillors, each ward being represented by three (3) Councillors.*

6. *That Council administration be authorised to prepare and forward the necessary report and documents to the Electoral Commissioner of SA, pursuant to the provisions of Section 12(11) and 12(12) of the Local Government Act 1999.*

*(Council, 6 March 2017, Item NOM1 – Resolution No 1641/2017)*

1.3 Subsequent to the above motion, the following resolution of Council was carried:

1. *The principal member of Council continue to be a Mayor elected by the community.*
2. *The Council area be divided into seven wards consistent with the Ward Structure presented as Option 3, in the Representation Options Paper, (Item No 3.6.1, Resources and Governance Committee, 16/05/2016) with the seven wards to be named West (Ward 1), Central (Ward 2), North (Ward 3), Para (Ward 4), East (Ward 5), Hills (Ward 6), and South (Ward 7).*
3. *The future elected body of Council comprise a mayor and fourteen (14) ward councillors, each ward being represented by two (2) Councillors.*
4. *That an amended Representation Review Report be prepared proposing Option 3 from the Representation Options Paper (Item No 3.6.1, Resources and Governance Committee, 16/05/2016) as the proposed ward structure, with representation numbers to be updated to reflect more recent electoral roll data, and the amended Representation Review Report to be presented to Council for endorsement prior to a further round of public consultation of not less than three weeks.*
5. *The amended Representation Review Report be prepared using the following justification as the basis of the proposed alternative structure:*
  - *Fair and adequate representation for the community*
  - *No under representation for the community*
  - *Opportunity for robust discussion and opinions being brought to the table*
  - *Taking into account the 30 year plan, projected growth levels and the risk to future representation levels*
6. *Upon receipt of an amended Representation Review Report, the Chief Executive Officer provide a copy to all Elected Members as soon as practicable.*

*(Special Council, 6 March 2017, Item NOM2 – Resolution No 1642/2017)*

1.4 Following the Special Meeting of Council on 6 March 2017, CL Rowe and Associates prepared the Representation Review Report – March 2017 (Attachment 1) for Council's consideration and endorsement for a further period of public consultation.

1.5 At its meeting on 27 March 2017, Council endorsed the Representation Review Report – March 2017 for a further period of public consultation as follows:

1. *The information be received.*
2. *The third Representation Review Report – March 2017 (Item No. GB1, Council, 27/03/2017, Attachment 1), proposing a representation structure of fourteen (14) Elected Members and seven (7) Wards, be endorsed to release for community consultation for a period of at least three (3) weeks.*
3. *That, on conclusion of the consultation period, staff provide a further report to Council to consider submissions in the context of the Amended (third) Elector Representation Report and to make its final determination on the Review.*

*Council, 27 March 2017, Item GB1 – Resolution No 1683/2017*

**2. REPORT**

- 2.1 Following the March 2017 Council meeting, the required three (3) week public consultation was undertaken from 5 – 26 April 2017, during which four written submissions were received. Craig Rowe of CL Rowe and Associates has now prepared the Elector Representation Review Second Public Consultation Report – May 2017 (Attachment 2) for Council consideration, resolution and referral to the Electoral Commissioner of South Australia pursuant to Section 12(12) of the *Local Government Act 1999* (the Act).
- 2.2 In accordance with section 12(10) of the Act, the ratepayers making submissions have been invited to address Council at its meeting on 22 May 2017.
- 2.3 Once the verbal submissions have been heard, Council will be required to either “*finalise its report (including in its report recommendations with respect to such related or ancillary matters as it thinks fit)*”, or amend its proposal and initiate another public consultation for a minimum period of three (3) weeks, pursuant to the provisions of Section 12(11) of the Act.
- 2.4 The first course of action requires Council to make its final decisions in respect of its desired future composition and structure, and to prepare a detailed report outlining its proposal, the rationale behind its decisions and the review process undertaken.
- 2.5 Once Council has prepared a detailed report outlining its proposal as indicated in 2.3 above, it will then be referred to the Electoral Commissioner, who will then be required to determine if the requirements of the Act have been satisfied and whether certification can be given pursuant to Sections 12(12) and 12(13) of the Act.
- 2.6 Following formal certification by the Electoral Commission SA, Council will be required to publish an appropriate notice in the Government Gazette (on a date specified by the Electoral Commissioner) which will effectively provide for the implementation of the proposed (certified) future composition and structure of Council at the November 2018 Local Government elections.
- 2.7 Given that the review was required to be completed by the end of April 2017, any further change to the proposed representation structure, which would require an additional period of consultation thereby further delaying completion of the review process, should be very carefully considered at this time.

**3. CONCLUSION / PROPOSAL**

- 3.1 Council is requested to make its final determination on the Elector Representation Review so that it can confirm its decision with the Electoral Commissioner of South Australia pursuant to Section 12(12) of the Act.

**CO-ORDINATION**

Officer: EXECUTIVE GROUP MG  
Date:





## **Representation Review Report**

Prepared in accordance with  
Section 12(8a) of the Local Government Act 1999

March 2017

Prepared for the City of Salisbury by C L Rowe and Associates Pty Ltd, March 2017 (Version 1)

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## 1. Introduction

Section 12(4) of the Local Government Act 1999 (the Act) requires each Council to undertake a review of all aspects of its composition and the division (or potential division) of the Council area into wards with the view to determining whether the local community would benefit from an alteration to the current composition and/or structure of Council.

The City of Salisbury last completed an "elector representation review" in November 2009 and is now required to undertake and complete another review by April 2017, in accordance with the provisions of the Local Government (General) Regulations 1999, so as to ensure fair and equitable representation of all electors prior to the 2018 Local Government elections.

Council previously consulted the community in respect to its proposal to reduce the number of councillors from sixteen to twelve, and to establish a new four ward structure. This proposal has been reviewed and Council now favours a reduction in the number of elected members to fourteen councillors and the establishment of a seven ward structure, as it is considered that this arrangement provides the optimum representation for the community.

This report has been prepared in accordance with the requirements of Section 12 (8a) of the Act. It:

- provides information regarding the public consultation undertaken by Council to date and Council's response to the issues raised within the submissions received;
- sets out an amended proposal that Council now considers should be carried into effect; and
- presents an analysis of how Council's amended proposal relates to the relevant provisions and principles of the Act.

The key issues that need to be addressed during the review include:

- the principal member of Council, more specifically whether it should be a mayor elected by the community or a chairperson selected by (and from amongst) the elected members;
- the composition of Council, including the number of elected members required to provide fair and adequate representation to the community and the need for area councillors in addition to ward councillors (where the Council area is to be divided into wards);
- the division of the Council area into wards or the abolition of wards; and
- if wards are to be retained, the level of ward representation within, and the names of, any future proposed wards.

## 2. Background

Council currently comprises a mayor and sixteen ward councillors; and the Council area is divided into eight wards, with each ward being represented by two councillors. The current structure was adopted by Council during the previous elector representation review which was undertaken in 2008/2009 and came into effect at the 2010 Local Government elections.

Table 1 provides data pertaining to the number of electors within each of the current wards and demonstrates the variance between the ward elector ratios and the elector ratio for the Council area.

Table 1: Elector data per ward and variance to quota

Ward	Crs	H of A Roll	Council Roll	Electors	Ratio	% Variance
Central	2	10,005	12	10,017	1:5,009	- 12.8
East	2	10,905	2	10,907	1:5,454	- 5.0
South	2	11,229	2	11,231	1:5,616	- 2.2
Hills	2	11,213	5	11,218	1:5,609	- 2.9
Para	2	13,017	5	13,022	1:6,511	+13.4
North	2	11,336	2	11,338	1:5,669	- 1.3
Levels	2	12,516	16	12,532	1:6,266	+ 9.2
West	2	11,578	5	11,583	1:5,792	+ 0.9
<b>Total</b>	16	91,799	49	91,848		
<b>Average</b>					1:5,741	

Source: Electoral Commission SA, House of Assembly Roll (March 2017)  
Council Voters Roll (February 2017)

The current structure cannot be retained because the elector ratios (i.e. the average number of electors represented by a councillor) within the Para and Central Wards exceed the specified 10% quota tolerance limit prescribed under Section 33(2) of the Act.

Council commenced its elector representation review in March 2016 and completed the initial six (6) week public consultation period on Friday 15<sup>th</sup> July 2016. One submission was received.

At its meeting on the 26th September 2016, Council considered all matters relevant to the review, including the public submission received, and made the following "in principle" resolution.

- The principal member of Council continue to be a mayor, elected by the community.
- The Council area continue to be divided into wards.
- The Council area be divided into four (4) wards, as depicted as Option 8.5 in the Representation Options Paper, with each ward being represented by three ward councillors.
- The future elected body of Council comprise twelve (12) ward councillors.



- The proposed wards be identified as River Ward (proposed ward 1); Baynes Ward (proposed ward 2); Mawson Ward (proposed ward 3); and Vista Ward (proposed ward 4).

Council subsequently prepared a "Representation Review Paper" and undertook the second of the prescribed public consultation stages of the review, so as to provide the community the opportunity to comment of the aforementioned proposal. At the expiration of the public consultation period (i.e. close of business on Thursday 24<sup>th</sup> November 2016) Council had received one submission, this being in favour of Council's proposal.

At a meeting held on the 30<sup>th</sup> January 2017 Council heard an address by the respondent and gave further consideration to all matters relevant to the review. At this time Council resolved (by a majority vote of the elected members) to amend its proposal, supporting no change to the existing composition of Council; and minor adjustments to the current ward structure in order to provide a more equitable balance of electors between the current wards.

The elector representation review was the subject of further discussion by Council at a special meeting convened on the 6<sup>th</sup> March 2017, at which time it resolved (by a majority vote of the elected members) to rescind the previous decision and support a ward structure comprising seven wards, with each ward being represented by two ward councillors (i.e. a total of fourteen councillors).

The comments and opinions of the community are now being sought regarding Council's amended proposal, the details of which are presented hereinafter.



### 3. Public Consultation

#### 3.1 Initial Consultation

The initial public consultation stage of the review commenced on Wednesday 1st June 2016 with the publishing of a public notice in the "Northern Messenger" newspaper, and this was followed by the publishing of a notice in the Government Gazette on Thursday, 2nd June, 2016. In addition, the public consultation process included promotion of the review (and the opportunity for electronic feedback) on the Council website; and provision of the Representation Options Paper and associated documents in the "Consultation Corner" of the Civic Centre.

At the expiration of the public consultation period (i.e. close of business on Friday 15<sup>th</sup> July 2016) Council had received one submission which expressed support for the retention of a mayor elected by the community; the retention of the wards; a ward structure comprising three wards; a Council comprising fifteen ward councillors (5 councillors per ward); and the proposed wards being named Vista, Coast and River.

The respondent also provided a ward structure for consideration by Council. The ward structure incorporated three large wards with boundaries which primarily aligned with existing suburb boundaries; and the elector ratios within each of the proposed wards lay comfortably within the specified quota tolerance limits. Overall the proposed ward structure was sound and was considered to be an acceptable alternative.

Council's comments regarding the key issues of the review and the submission received were provided in the "Representation Review Report" (dated October 2016) which was presented to the community during the second of the prescribed public consultation stages.

#### 3.2 Second Consultation

The second public consultation commenced on Wednesday 2nd November 2016 with the publishing of a public notice in the "Northern Messenger" newspaper, followed by the publishing of a notice in the Government Gazette on Thursday 3<sup>rd</sup> November 2016. In addition, the public consultation process included promotion of the review (and the opportunity for electronic feedback) on the Council website; and provision of the Representation Review Report and associated documents at the Civic Centre.

At the expiration of the public consultation period (i.e. close of business on Thursday 24<sup>th</sup> November 2016) Council had received one submission which generally agreed with Council's proposal but sought clarification regarding the issue of member's remuneration; whether it is a requirement for a councillor to reside in the ward that he/she represents; and who is responsible for the final decision regarding the reduction in elected member numbers.

The respondent addressed Council in support of his submission at a meeting of Council convened on the 30<sup>th</sup> January 2017.





## 4. Proposal

Having duly considered all relevant provisions of the Local Government Act 1999; the information and alternatives contained within the Representation Options Paper and the previous Representation Review Report; and the comments and opinions provided in the two submissions received during the review (to date), Council has reconsidered its previously stated position regarding its future composition and structure and now proposes the following.

- The principal member of Council continue to be a mayor, elected by the community.
- The Council area continue to be divided into wards.
- The Council area be divided into seven (7) wards, consistent with the ward structure presented as Option 3 in the Representation Options Paper (refer Map 1 hereinafter).
- The proposed wards be identified as West Ward (1); Central Ward (2); North Ward (3); Para Ward (4); East Ward (5); Hills Ward (6); and South Ward (7).
- The future elected body of Council comprise the mayor and fourteen (14) ward councillors, with each of the proposed wards being represented by two ward councillors.

The proposed wards are described as follows.

- West Ward:** Comprising the suburbs of St Kilda, Bolivar, Globe Derby Park, Dry Creek, Green Fields, Mawson Lakes, Cavan and Pooraka; and part of the suburb of Waterloo Corner west of Port Wakefield Road.
- Central Ward:** Comprising part of the suburb of Burton south of Waterloo Corner Road; part of the suburb of Waterloo Corner east of Port Wakefield Road; and the suburb of Paralowie with the exception of the part to the east of Whites Road and south of Burton Road.
- North Ward:** Comprising the suburbs of Edinburgh, Direk, Salisbury North, Salisbury and Elizabeth Vale; and part of the suburb of Burton north of Waterloo Corner Road.
- Para Ward:** Comprising the suburbs of Salisbury Downs; the suburb of Parafield Gardens with the exception of the part to the east of the Salisbury Highway; and part of the suburb of Paralowie to the east of Whites Road and south of Burton Road.
- East Ward:** Comprising the suburbs of Salisbury Park, Salisbury Plain, Brahma Lodge, Salisbury Heights; part of the suburb of Salisbury East north of Clayson Road; and part of the suburb of Gulfview Heights north of Alcazar Avenue and Wynn Vale Drive.
- Hills Ward:** Comprising the suburbs of Para Hills, Para Hills West, Parafield and Salisbury South; part of the suburb of Gulfview Heights to the south of Alcazar Avenue and Wynn Vale Drive; part of the suburb of Parafield Gardens east of the Salisbury Highway; and part of the suburb of Salisbury East south of Clayson Road.
- South Ward:** Comprising the suburbs of Walkley Heights, Valley View, Para Vista and Ingle farm.





Table 2 provides data pertaining to the number of electors within each of the proposed wards, and demonstrates the variance between the elector ratios within the proposed wards and the current elector ratio for the City. The data indicates that the elector ratios within all of the proposed wards lay comfortably within the specified quota tolerance limits and, as such, all of the proposed wards can accommodate reasonable future fluctuations in elector numbers.

Table 2: Elector data per ward and variance to quota (Proposed ward structure)

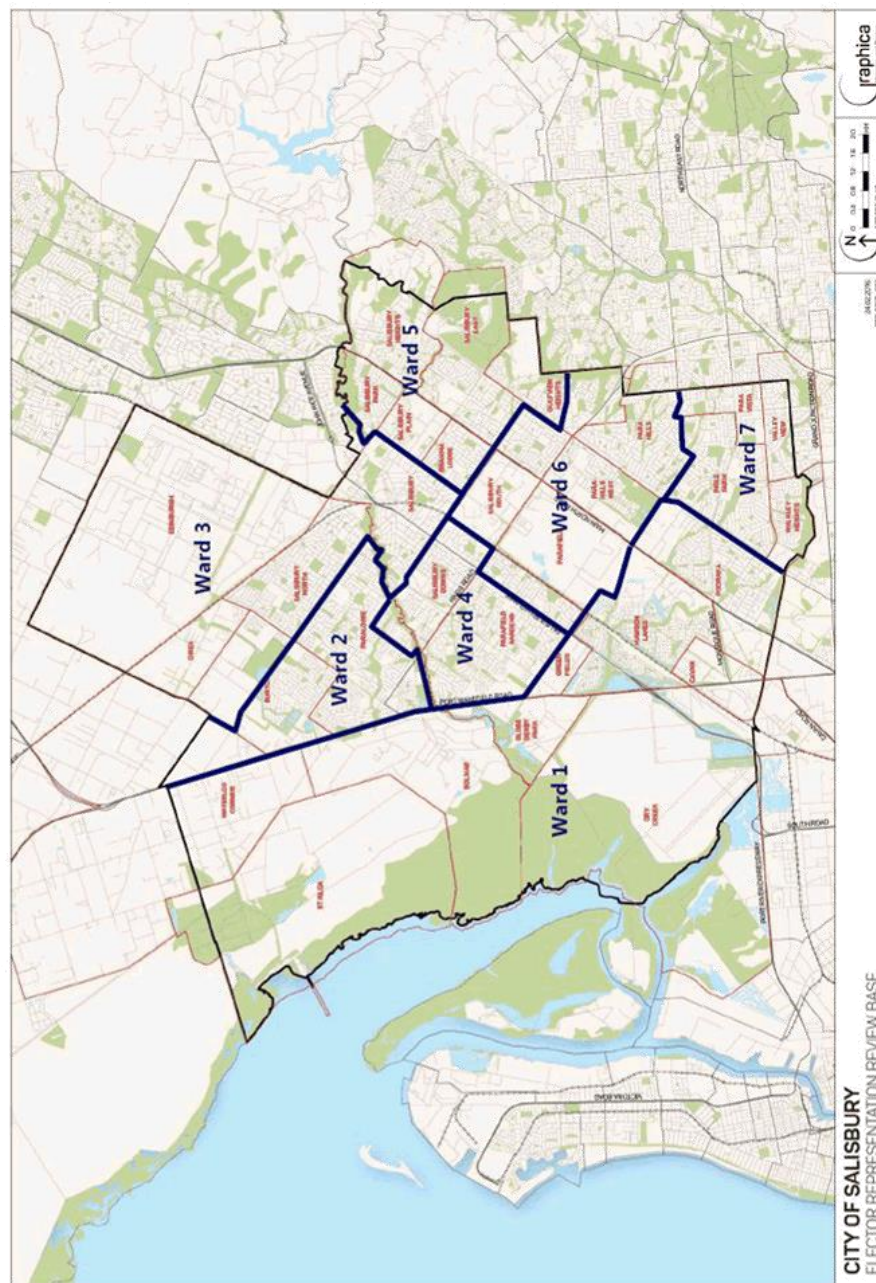
Ward	Councillors	Electors	Ratio	% Variance
West Ward (1)	2	13,650	1:6,825	+ 4.0
Central Ward (2)	2	13,375	1:6,688	+ 1.9
North Ward (3)	2	12,751	1:6,376	- 2.8
Para Ward (4)	2	13,681	1:6,841	+ 4.3
East Ward (5)	2	13,210	1:6,560	+ 0.7
Hills Ward (6)	2	12,599	1:6,300	- 4.0
South Ward (7)	2	12,582	1:6,291	- 4.1
<b>Total</b>	14	91,848		
<b>Average</b>			1:6,561	

Source: Electoral Commission SA, House of Assembly Roll (March 2017)  
City of Salisbury, Council Voters Roll (February 2017)

In addition, Council considers all of the proposed ward boundaries to be appropriate and acceptable, given that they align with long established suburb boundaries and/or prominent roadways.

Reasons for Council's decision, together with an analysis of compliance with the relevant provisions and requirements of the Local Government Act 1999, are provided hereinafter under key issue headings.

Map 1: Proposed Ward Structure





## 5. Proposal Rationale

### 5.1 Principal Member

The principal member of the City of Salisbury has always been a mayor elected by the community.

Council believes that:

- a mayor elected by the community is in accord with a fundamental principle of democracy – choice;
- the election of a mayor affords all eligible members of the community the opportunity to express faith in a candidate, should they choose to do so, and provides Council with an identifiable principal member who is directly accountable to the community;
- the office of mayor has served the City of Salisbury well over the years;
- little practical benefit will likely be achieved by changing to a chairperson at this time;
- the retention of an elected mayor as the principal member is consistent with the structure of all other metropolitan Adelaide councils;
- an elected mayor brings stability and continuity to the Council, given the four year term of office; and
- the retention of an elected mayor is consistent with the position supported by the respondent during the public consultation stages of the review.

It is acknowledged that the introduction of a chairperson may provide a few benefits, including a likely reduction in the number of elected members (with associated cost savings); flexibility in the tenure of the principal member; the opportunity for a number of elected members to gain experience as the principal member during the four year term of the Council (and to bring their particular skill set and opinions to the position); and avoidance of the potential loss of high calibre candidates through the mayoral election process. However, on the downside, a chairperson is chosen by the elected members, thereby depriving all of the electors the opportunity to vote for the principal member of Council.

Finally, any proposal to have a chairperson rather than an elected mayor cannot progress unless or until a poll of the community has been conducted in accordance with the requirements of Section 12 (11a-d) of the Local Government Act 1999, and the result of the poll clearly supports the proposed change.

Given that the City of Salisbury has traditionally had an elected mayor as its principal member; nothing extraordinary has occurred that warrants a change to the way that the principal member is decided; and a mayor is democratically elected by the community as its principal representative (and is therefore accountable to the community), it is considered that there is no need for change at this time.



## 5.2 Wards/No Wards

The City of Salisbury has always been divided into wards; and the submission received supported the retention of a ward structure, albeit with a reduced number of wards.

Council believes that wards:

- guarantee direct representation of all areas and communities within the Council area;
- provide recognizable lines of communication with Council through the ward councillors; and
- ensure local interests and/or issues are not overlooked in favour of the bigger "City-wide" picture.

It is also considered that ward councillors generally have an affiliation with the community within their ward; ward councillors have an understanding of the issues and/or concerns of the local residents; and ward councillors deliberate and make decisions on the basis of achieving the best outcomes for both their ward and the Council area as a whole.

Further, there have been no submissions received during the review to date that have called for the abolition of wards. This has been construed as community support for the on-going division of the Council area into wards, and perhaps acceptance of the order which wards seemingly provide in the structure of Local Government, especially in respect to elector representation.

Council acknowledges that the "no wards" alternative affords electors the opportunity to vote for all of the vacant positions on Council; allows for the most supported candidates from across the Council area to be elected; and enables the elected members to be free of parochial ward attitudes. Notwithstanding this, Council is concerned that the "no wards" alternative:

- does not guarantee direct representation of all communities across the Council area;
- may make it easier for single interest candidates and/or groups to gain support (than does the existing ward based system);
- has the potential to make the task and expense of contesting council-wide elections difficult and excessive; and
- has the potential to increase the cost of conducting elections and supplementary elections, given that all contested elections must be conducted on a council-wide basis.

Having considered the aforementioned, Council has opted to retain a ward structure. Council believes that there are sound arguments to support this decision and is confident that, in the main, the community supports the division of the Council area into wards and expects the level and quality of direct representation afforded by ward councillors.

## 5.3 Proposed Ward Structure

The current structure cannot be retained because the elector ratios within the existing Para and Central Wards lay outside the specified 10% quota tolerance limit prescribed under Section 33(2) of the Act (refer Table 1, page 2).





This being the case, Council has had to identify an alternative ward structure, taking into account a number of factors including the character and topography of the area; the likely impacts upon existing "communities of interest"; the preferred level of ward representation and the total number of elected members; future anticipated population/elector growth; the need for an equitable distribution of electors between wards; and the requirement that the elector ratios within all of the proposed wards lay within the specified quota tolerance limits.

Council initially believed that the introduction of a four ward structure and a reduction to twelve councillors would provide a trim, progressive and cost effective elector representation model which would provide adequate and fair representation, albeit at a different level and quality to that previously experienced by the local community. However, on reflection, Council was concerned that the proposed changes may not enhance elector/community representation and, as such, reconsidered its previous decision and opted to retain the current level of representation.

Council further reviewed its position on the 6<sup>th</sup> March 2017, at which time it resolved (by a majority votes of the elected members) to rescind the previous decision and support (in principle) a ward structure comprising seven wards, with each ward being represented by two ward councillors (i.e. a total of fourteen councillors). In making this decision Council was mindful of the following.

- A ward structure comprising seven relatively compact wards will still provide the electors/residents located therein with fervent and direct representation.
- The proposed ward structure:
  - is reasonably well balanced in terms of the distribution of electors between the proposed wards and the resulting ward elector ratios;
  - exhibits ward elector ratios which all lay comfortably within the specified quota tolerance limits (and are therefore capable of sustaining any reasonable future fluctuations in elector numbers);
  - has a consistent level of representation (i.e. two councillors) across all of the proposed wards;
  - will provide sufficient opportunities for aspiring candidates to Council (and the individual wards);
  - will provide a level of ward representation which will ensure continued representation within the ward under circumstances whereby a ward councillor is absent or unavailable;
  - should maintain reasonable and manageable workloads for the ward councillors; and
  - will provide a similar form and level of ward representation to that which has been provided to, and experienced by, the local community for many years
- The proposed ward structure will serve to maintain relatively small wards (in comparison to some other councils) which should provide an environment wherein closer relationships between ward councillors and their constituents can be fostered, and ward councillors can be more familiar with the issues and/or concerns within their ward.
- The proposed wards are, in some cases, slightly larger (in area) than the current wards and, as such, incorporate more areas of perceived common character which serves to consolidate existing "communities of interest".
- In the main the proposed ward boundaries align with long existing suburb boundaries and/or main roads and, as such, should be easily identified and readily accepted by the local community.



#### 5.4 Area Councillors (in addition to ward councillors)

The Local Government Act indicates that councillors can be elected as a representative of a ward, or alternatively, to represent the Council area as a whole (whether or not the Council area is divided into wards).

As indicated in the Representation Options Paper and the previous Representation Review Report, ward councillors generally consider themselves to represent not only their ward, but the Council area as a whole. This ostensibly negates the need for area councillors in addition to ward councillors, an assertion which is seemingly supported by the fact that only the City of Adelaide has a ward structure which incorporates two levels of representation. Further, it is noted that under such an arrangement area councillors hold no greater status than a ward councillor, have no greater responsibilities than a ward councillor, and need not comply with any extraordinary or additional eligibility requirements.

In addition, any contested election (and/or supplementary election) for area councillors must be conducted across the whole of the Council area, at a significant cost to Council.

Given the aforementioned, Council maintains the belief that area councillors (in addition to ward councillors) are an unwarranted, unnecessary and potentially costly additional tier of representation.

#### 5.5 Ward Names

Whilst Council is now proposing to establish a new seven ward structure, it is considered appropriate that the existing ward names be retained, where possible. These ward names are long-existing and generally reflect the geographical location of each ward within the City. As such, the existing/proposed ward names should be known and accepted by the community.

Given the above, Council proposes to maintain all of the existing ward names other than "Levels".

Council also examined the alternatives available, but considered the allocation of letters and numbers to lack imagination and to have no relevance to the Council area. The same could not be said about the allocation of names of European and/or indigenous heritage significance, however, the identification and/or selection of appropriate names would require considerable further investigation and community consultation.

#### 5.6 Number of Councillors

Council has long comprised sixteen (16) ward councillors however, Council now believes that a more efficient and effective elected body should enable fewer elected members to adapt to, and meet the demands and needs of, a growing local community. Further, Council has strived for a balance between the provision of fair and adequate representation of the community and the on-going demands of fiscal management and constraint. Accordingly, Council proposes to reduce the number of elected members (councillors) from sixteen to fourteen.

In reaching this decision, Council was mindful of the following.

- The provisions of Sections 26 and 33 of the Local Government Act stipulate the need to ensure adequate and fair representation while at the same time avoiding over-representation in comparison to other councils of a similar size and type (at least in the longer term).



- The provisions of Section 12(6) of the Local Government Act require a Council that is constituted of more than twelve members to examine the question of whether the number of elected members should be reduced.
- The two public submission received during the review process (to date) have supported a reduction in the number of elected members.
- The City of Salisbury already has, in comparison to the other metropolitan councils, the third largest area; the second highest number of electors; the third highest number of councillors; and the third highest elector ratio.
- The proposed reduction in elected member numbers will serve to increase the elector ratio across the City to approximately 1:6,560. This will continue to be one of the highest elector ratios in the state.
- There are councils throughout the state and nation which are similar in size (elector numbers) and type to the City of Salisbury which operate successfully with fewer elected members (and therefore higher elector ratios).
- Sufficient elected members must be available to manage the affairs of Council.
- The elected member's workloads should not become excessive.
- There needs to be an appropriate and adequate level of elector representation afforded the community.
- A diversity in member's skill sets, experience, expertise, opinions and backgrounds needs to be maintained, where possible, in order to ensure robust discussion amongst the elected members.
- Adequate lines of communication must exist between Council and the growing local community.
- The proposed reduction in the number of elected members could save Council and the community \$200,000 or more over a four year term of Council (given the current elected member base allowance of \$22,008/pa), with any resulting savings being available for redirection to community projects and/or programs.
- The proposed reduction in the number of elected members may serve to expedite the discussion in Chamber, given the potential for fewer participants. However, Council does not believe that a reduction in elected member numbers will detrimentally impact the decision making processes and/or the expression of opinions within Chamber, but rather may serve to reduce the incidence of similar opinions being expressed during debate.
- The proposed level of ward representation will be the same as that which has been provided to, and experienced by, the local community for many years.
- All indicators suggest that there may be a significant increase in the population (and therefore elector numbers) within the Council area in the foreseeable future, primarily as a consequence of on-going sub-divisions, urban regeneration and in-fill development.



Council believes that the proposed reduction in the number of elected members is the right and responsible course of action at this time. Fourteen councillors should be sufficient to provide adequate and fair representation to the community, and to perform the roles and responsibilities of Council. Whilst the task of a councillor may become more demanding, the role of an elected member has changed over the years to a decision and policy maker, and a communication conduit between Council and the community. This being the case, it is envisaged that the demands to be placed upon the future elected members should be manageable and may, in part, be mitigated by ever improving telecommunications and information technology.

Council is confident that fourteen councillors should be able to represent and serve the community of the City of Salisbury adequately over the coming years.





## 6. Legislative Requirements

The provisions of Sections 26(1)(c) and 33(1) of the Local Government Act 1999 require Council take into account, as far as practicable, the following when developing a proposal that relates to its composition and structure.

### 6.1 Quota

Section 33(2) of the Local Government Act 1999 states:

*"A proposal that relates to the formation or alteration of wards of a council must also observe the principle that the number of electors represented by a councillor must not, as at the relevant date (assuming that the proposal were in operation), vary from the ward quota by more than 10 per cent..."*

According to the provisions of Section 33(2a)(b), ward quota is determined to be:

*"the number of electors for the area (as at the relevant date) divided by the number of councillors for the area who represent wards (assuming that the proposal were in operation and ignoring any fractions resulting from the division)."*

The breakdown of elector data provided in Table 2 (page 6) indicates that the elector ratios in all of the proposed wards lay comfortably within the specified quota tolerance limits.

### 6.2 Communities of Interest

The Act speaks of the desirability of reflecting communities of interest of an economic, social, regional or other kind.

"Communities of interest" have previously been defined as "aspects of the physical, economic and social systems which are central to the interactions of communities in their living environment", and are generally identified by considering factors relevant thereto, including neighbourhood communities; history and heritage communities; sporting facilities; community support services; recreation and leisure communities; retail and shopping centres; work communities; industrial and economic development clusters; and environmental and geographic interests.

Council considers that there are numerous communities of interest within the Council area, including but not limited to the thirty-two long-established suburbs (or part suburbs). When developing the existing and proposed ward structures, care was taken to ensure that, where possible, localities with a similar character and identified land use precincts were maintained in their entirety within the bounds of a ward, taking into account the features of the landscape and/or urban development. In order to achieve this, Council aimed to maintain entire suburbs within the proposed wards (where possible).

### 6.3 Topography

The City of Salisbury is 158km<sup>2</sup> in area and exhibits a topography that has had minimal influence on urban growth patterns. The terrain of the City is typical of the Piedmont region with gently rolling hills, moderate slopes and considerable buildable land. The City exhibits a number of watercourses; an extensive road network; the Parafield Airport; and a railway line which basically dissects the Council area (from north to south).



Despite the above, it is considered that the topography of the City will have little or no impact upon Council's proposal, given that the proposed ward structure has been developed with the view to ensuring an equitable distribution of electors between the proposed wards; and maintaining entire "communities of interest" (suburbs) within the bounds of the proposed wards (where possible).

#### 6.4 Feasibility of Communication

Council believes that the mayor and fourteen ward councillors can provide adequate lines of communication between Council and the community, given the size of the City; the relatively compact nature of the urban development within the Council area; and the advanced telecommunications and information technology which is now available for everyday use by the elected members and their constituents.

#### 6.5 Demographic Trends

Council is aware that there is the potential for a significant increase in elector numbers throughout the Council area in the foreseeable future, primarily as a consequence of new and/or on-going residential development. However, the extent and timing of such is difficult to determine with any certainty.

During the process of identifying its preferred future composition and structure, Council took into account the following information.

- Council's current Growth Action Plan (which is under review) contains the following forecasts.
  - Burton/Paralowie/Direk/Salisbury North could accommodate approximately 1600 new dwellings, largely on ex-market garden land within the existing residential zone.
  - Development in Parafield Gardens/Salisbury Downs could realize approximately 1500 new dwellings, largely on ex-market garden land and a small level of infill development, primarily around the rail corridor, activity centres such as Hollywood Plaza, and adjoining the Little Para River.
  - Salisbury could accommodate an additional 500 dwellings within the existing centre, and adjoining areas of high amenity such as the Salisbury Oval and Little Para River.
  - Ingle Farm/Para Vista/Para Hills could accommodate an Increase of approximately 600 dwellings, largely through subdivision of existing residential allotments and development of the surplus Walkleys Road corridor.
  - Small-scale infill development opportunities in Salisbury East/Brahma Lodge could realize another 350 new dwellings.
  - The subdivision of large allotments adjoining Coomurra Drive in Salisbury Heights has the potential to realize approximately 210 new dwellings.
  - Within Mawson Lakes the completion of the development of apartment sites may yield approximately 1108 new dwelling units.
- There is potential for up to 10,000 dwellings on Dry Creek Salt Pans (not confirmed and likely to be at least 5-10 years before development would commence on this site).



- Population projections provided by the Department of Planning, Transport and Infrastructure (DPTI), as at February 2016, indicate that the population of the City of Salisbury is expected to:
  - increase by 8,961 (i.e. 132,880 to 141,841) or 6.74% during the ten year period 2011 - 2021 (which will likely be several years before the next scheduled elector representation review); and
  - increase by a further 4,720 (i.e. 141,841 to 146,561) or 3.33% during the period 2021 - 2031.
- Council's current population forecasts suggest that the population of the City is anticipated to grow from an estimated 139,207 in 2016 to approximately 151,538 by the year 2036. This equates to a population growth rate of approximately 8.86%. The forecast growth is envisaged (at varying rates) across the City, with the exception of Mawson Lakes which is reaching full development. Areas where significant growth is anticipated include Burton and the adjoining non-urban areas to the west of the City; Salisbury, Salisbury North, Ingle Farm, Paralowie and Parafield Gardens.
- According to data provided by Electoral Commission SA, the number of electors enrolled on the House of Assembly Roll within the City of Salisbury:
  - increased by 8,587 (11.77%) during the period February 2001 to February 2008; and
  - increased by a further 7,585 (9.14%) during the six year period February 2010 to February 2016.
- According to data provided by the Australian Bureau of Statistics (2001, 2006 and 2011 Census Community Profiles – Salisbury (C) Local Government Area), the estimated total population of the Council area increased by 7,746 (7.0%) over the period 2001 – 2006, and then increased by another 10,687 (or 9.02%) during the period 2006 – 2011.
- The current 30 Year Plan for Greater Adelaide incorporates Cheetham (Dry Creek) and Globe Derby within the designated "future urban growth areas" and parts of Bolivar and St Kilda within the "Investigation areas for future growth" (refer Map E4, Northern Adelaide directions).
- The 30 Year Plan for Greater Adelaide (Chapter D, Policies and Targets) contains targets for future urban expansion across Greater Adelaide. The relevant targets are as follows.
 

Target P: Plan for strategic new growth areas comprising a net land supply of 10,500 hectares (gross total of 14,200 hectares, including buffers). These areas include Cheetham (Dry Creek), Bolivar and Globe Derby Park.

Target R: Provide for 124,000 dwellings and 44,200 jobs in these areas as well as the existing urban land supply and other fringe growth opportunities.
- The 30 Year Plan for Greater Adelaide is currently under review and it is understood that the revised version will likely remove the aforementioned urban expansion targets. In addition, in respect to the "salt field" growth potential (i.e. the area identified in Target P), it is likely that the revised Plan will:
  - indicate that the land lies within the identified future Growth Area as unzoned land;
  - indicated that the land is identified as "Metropolitan Infill"; and
  - provide an amended target which indicated that *"80% of all new housing will be built in established urban areas by 2045"*.



## 6.6 Adequate and Fair Representation

For the reasons espoused earlier, Council is confident that its proposed future composition will provide the required number of elected members to manage the affairs of Council; provide an appropriate level of elector representation; maintain an appropriate diversity in the skill set, experience and expertise within Council; and present adequate lines of communication between the community and Council.

## 6.7 Section 26, Local Government Act 1999

Section 26(1) of the Act requires that a number of broader Principles also be taken into account during the review process. These are similar in nature to those presented under Section 33, and include:

- the desirability of avoiding significant divisions within the community;
- proposed changes should, wherever practicable, benefit ratepayers;
- a Council having a sufficient resource base to fulfil its functions fairly, effectively and efficiently;
- a Council should reflect communities of interest of an economic, recreational, social, regional or other kind, and be consistent with community structures, values, expectations and aspirations; and
- residents should receive adequate and fair representation within the local government system, while over-representation in comparison with Councils of a similar size and type should be avoided (at least in the longer term).

The structure being proposed by Council is considered to comply with the cited legislative provisions, in that it will:

- incorporate sufficient elected members to undertake the various roles and responsibilities of Council;
- maintain a ward structure which has been developed over the years to overcome unnecessary and/or irrational divisions within the community;
- have little if any detrimental impact upon the ratepayers and/or existing communities of interest;
- continue to provide adequate and fair representation to all electors; and
- compare favourably with the composition and elector ratios of other Councils (both within South Australia and interstate) which are of a similar size (in terms of elector numbers) and type.



## 7. Current Public Consultation

In accordance with Section 12(9) of the Local Government Act 1999, interested persons are invited to make a written submission to Council in respect to this report, and more specifically the revised composition and structure that Council proposes to introduce on the day of the Local Government elections in 2018. Any person who makes a written submission at this time will be afforded the opportunity to address Council or a committee thereof, either in person or by a representative, in support of their submission.

Interested members of the community are invited to make a written submission expressing their views on the proposed future composition and structure of Council. Submissions will be accepted until 5.00pm on the (Insert date) 2016 and should be addressed to the Chief Executive Officer, PO Box 8, Salisbury 5108 or emailed to [city@salisbury.sa.gov.au](mailto:city@salisbury.sa.gov.au).

Further information regarding the elector representation review can be obtained by contacting Joy Rowett, Governance Coordinator, on telephone 8406 8222 or by email at [jrowett@salisbury.sa.gov.au](mailto:jrowett@salisbury.sa.gov.au).



# **ELECTOR REPRESENTATION REVIEW**

## Second Public Consultation

A Report to  
City of Salisbury

May 2017

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Prepared for the City of Salisbury by C L Rowe and Associates Pty Ltd, May 2017 (Version 1)



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Appendix A – Public submissions

## 1. Introduction

In accordance with Section 12 of the Local Government Act 1999 (the Act), Council is undertaking an elector representation review with the view to determining whether the local community would benefit from an alteration to the current composition and/or structure of Council.

The review commenced in March 2016 and the process has progressed to the point where Council has now completed a third public consultation.

The previous (second) consultation was conducted in November 2016 and related to the Council's then preferred proposal to divide the Council area into four wards, with each of the proposed wards being represented by three ward councillors (i.e. a total of twelve ward councillors). This proposal was subsequently reviewed by Council.

The latest (third) consultation was conducted over a three week period and sought comment from the community regarding the "in principle" decisions made by Council at a special meeting convened on the 6<sup>th</sup> March 2017, these being that:

- the principal member of Council continue to be a mayor elected by the community;
- the Council area continue to be divided into wards;
- the future body of Council comprise fourteen (14) ward councillors;
- the Council area be divided into seven wards, as depicted as Option 8.3 in the Representation Options Paper dated May 2016; and
- the proposed wards be named West Ward (Ward 1), Central Ward (Ward 2), North Ward (Ward 3), Para Ward (Ward 4), East Ward (Ward 5), Hills Ward (Ward 6) and South Ward (Ward 7).

Council must now give consideration to the submissions that were received from the community in response to the third public consultation; and formally determine what changes, if any, it proposes to bring into effect in respect to its future size, composition and structure.

## 2. Third Public Consultation

The third public consultation commenced on Wednesday 5<sup>th</sup> April 2017 with the publishing of public notices in both the "Northern Messenger" newspaper and the Government Gazette. In addition, the public consultation process included promotion of the review (and the opportunity for electronic feedback) on the Council website; and provision of the Representation Review Report and associated documents in "Consultation Corner" at the Civic Centre.

At the expiration of the public consultation period (i.e. close of business on Wednesday 26<sup>th</sup> April 2017) Council had received four submissions, a summary of which is as follows.

Name	Comments
Barbara Smithson Para Hills	<ul style="list-style-type: none"><li>• Retain a mayor elected by the community; the current ward structure (with minor boundary adjustments where required); the existing composition of Council; and the existing ward names.</li></ul>
Dieter Fischer Para Hills	<ul style="list-style-type: none"><li>• The larger the wards, the greater the workload for the ward councillors resulting in a decrease in the quality of representation.</li><li>• Should be increasing the number of wards to address the anticipated future population growth.</li><li>• There must be better ways to save money.</li></ul>
Lindsay Virgo St Kilda	<ul style="list-style-type: none"><li>• The City of Salisbury can be adequately represented by an elected mayor and fourteen councillors.</li><li>• The boundaries of the proposed wards should be reviewed in an attempt to develop wards which are of a similar size (area) and to avoid the division of suburbs.</li><li>• Prefers a five ward structure (Central, North, South, East and West Wards) with one ward being represented by two ward councillors and the remaining four wards each being represented by three ward councillors.</li><li>• There has been little support during the review for the retention of sixteen councillors.</li></ul>

Name	Comments
Peter Stokes Parafield Gardens	<ul style="list-style-type: none"> <li>• Favours his initial proposal of three wards with each ward being represented by five ward councillors (i.e. fifteen ward councillors) but supports Council's proposal to enable the completion of the review.</li> <li>• Supports the retention of an elected mayor.</li> <li>• A three ward structure is more sustainable long term.</li> <li>• Five councillors per ward will enable open discussion between the ward councillors with less chance of an impasse.</li> <li>• Greater ward representation can readily accommodate casual vacancies.</li> </ul>

Copies of the submissions have been provided as Attachment A.

Of the four submissions received:

- none supported a change to a chairperson;
- one supported the Council proposal;
- one supported the Council proposal as second preference to a three ward/fifteen councillor structure;
- one supported the status quo (i.e. eight wards/sixteen councillors); and
- one supported an increase in the existing number of wards (but was silent on the issue of preferred number of councillors).

The receipt of only four written submission is another disappointing response from a community which comprises over 130,000 residents, including approximately 92,000 eligible electors.

It should be noted that, pursuant to the provisions of Section 12(10) of the Act, the four respondents have been invited to address Council at the meeting to be convened on the 22<sup>nd</sup> May 2017.

### 3. Review Process

As previously indicated, Council must now give due consideration to the submissions received in response to the latest public consultation and hear verbal submission from the respondents.

Once the verbal submissions have been heard, Council will be required to either:

- *"finalise its report (including in its report recommendations with respect to such related or ancillary matters as it thinks fit)", pursuant to the provisions of Section 12(11) of the Local Government Act; or alternatively*
- amend its proposal and possibly initiate another public consultation.

The first course of action referred to above simply requires Council to formally re-affirm its support for the latest proposed changes to its composition and structure, as presented in the "Representation Review Report" dated March 2017, and to prepare a detailed report to the Electoral Commissioner outlining its proposal, the rationale behind its decisions and the review process undertaken. The Electoral Commissioner will then be required to determine whether the requirements of the Act have been satisfied and whether certification is warranted (refer Sections 12 (12) and 12(13) of the Act).

Upon receipt of the formal certification from Electoral Commission SA, Council will be required to publish an appropriate notice in the Government Gazette (on a date specified by the Electoral Commissioner) which will effectively provide for the implementation of the proposed (certified) future composition and structure of Council at the November 2018 Local Government elections.

Should Council opt to change its proposal again to an arrangement which has not yet been presented to the community, it is likely that another amended Representation Review Report will have to be prepared and another public consultation (over a minimum period of three weeks) will have to be initiated at the earliest opportunity.

## 4. Future Composition and Structure

Council is now at the stage in the review process where it must either confirm (by formal resolution) its proposed future composition and/or structure, as presented in the latest Representation Review Report (i.e. seven wards, fourteen councillors) or the initial Representation Review Report (i.e. four wards, twelve councillors). Alternatively Council could opt to again amend its proposal and initiate another public consultation for a minimum period of three (3) weeks.

In reaching the final decisions, the elected members must be mindful that the purpose of the review is to determine whether the electors/community will benefit from an alteration to the current composition and/or structure of Council.

In order to finalise its review and initiate the preparation of a comprehensive report to the Electoral Commissioner, Council must now make final decisions in regards to the following.

- Whether the principal member of Council should continue to be a mayor elected by the community or be a chairperson chosen by the elected members.
- Whether the Council area should continue to be divided into wards, or alternatively whether wards should be abolished.
- If the Council area is to be divided into wards, which ward structure is to be established; whether there is a need for area councillors (and the required number thereof) in addition to ward councillors; the level of representation in each of the proposed wards; and the name of each of the proposed wards.
- The number of councillors (ward, area and/or both) that are required to provide fair and adequate representation of the electors within the Council area.

Information and advice pertaining to the aforementioned matters has previously been presented to Council in the Information Paper (March 2016); the Representation Options Paper (dated June 2016); the "Submissions Report" to Council (dated August 2016); the initial Representation Review Report (second public consultation document dated October 2016); and the second Representation Review report (dated March 2017).

The following brief information is provided to assist the elected members with their final deliberations in respect to the key issues.

### 4.1 Mayor/Chairperson

Throughout the review Council has indicated its preference to retain a mayor elected by the community as its principal member. Council has always had an elected mayor and no submissions were received at any stage of the review which called for a change to a chairperson.

As previously advised, the election of a mayor affords all eligible electors the opportunity to express faith in a candidate; provides Council with an identifiable principal member who is directly accountable to the community; is consistent with the structure of all other metropolitan Adelaide councils; and should bring stability and continuity to the Council, given the four year term of office.

On the downside, an elected mayor is generally additional to the number of councillors and, as such, comes at an additional cost to Council (i.e. member's allowances, administrative costs and the like). In addition, the election (or supplementary election) for the office of mayor must be conducted across the whole of the Council area, at significant cost to Council (if contested); and candidates for the office of mayor cannot also stand for election as a councillor and, as such, the experience and expertise of unsuccessful mayoral candidates will be lost to council.

It is considered that, on balance, the introduction of a chairperson selected by the elected members will provide only a few benefits. These include (but are not limited to) the fact that a likely reduction in the number of elected members (with associated cost savings); flexibility in the tenure of the principal member; the opportunity for a number of elected members to gain experience as the principal member during the four year term of the Council (and to bring their particular skill set and opinions to the position); and avoidance of the potential loss of high calibre candidates through the mayoral election process. The obvious disadvantage of this option is that a chairperson is chosen by the elected members, not elected by the community.

Finally, members are reminded that any proposal to change from an elected mayor to a chairperson cannot proceed unless a poll of the community has been conducted in accordance with the requirements of Section 12 (11a-d) of the Act (either during the course of the review or at the time of the Local Government election in November 2018), and the result of the poll favours the proposed change.

## 4.2 Wards/No Wards

The City of Salisbury has always been divided into wards; Council has previously indicated its preference to retain wards; and all four submissions received in response to the latest public consultation supported the retention of wards, albeit in different configurations. Further, there have been no submissions received during the course of the review which have called for the abolition of wards.

It is the general perception that wards:

- provide for direct representation of all areas and communities within the Council area;
- ensure local interests and/or issues are not overlooked in favour of the bigger "council-wide" picture; and
- provide recognizable lines of communication with Council through the ward councillors.

In addition, it is considered that ward councillors should generally have an affiliation with the community within their ward; have an understanding of the issues and/or concerns of the local residents; and deliberate and make decisions on the basis of achieving the best outcomes for both their ward and the Council area as a whole. On the downside, ward councillors are not required to reside in the ward that they represent and, as such, ward councillors may (potentially) have little or no relationship with the ward or constituents that they represent.

The benefits to be achieved through the abolition of wards have previously been provided to Council on a number of occasions and include (but are not limited to) the following.

- The community will be afforded the opportunity to vote for all members of Council.

- The most favoured candidates from across the Council area will likely be elected, rather than candidates who may be favoured by the peculiarities of a ward based system (e.g. elected unopposed candidates or having attracted fewer votes than defeated candidates in another ward).
- The elected members should not have parochial ward attitudes.
- The “no wards” structure is not affected by fluctuations in elector numbers, the on-going need to review elector distribution and/or ward boundaries, and/or the constraints of complying with quota tolerance limits.
- Existing “communities of interest” are not affected or divided by arbitrary ward boundaries.
- In the event that an area councillor leaves Council, the casual vacancy can be carried by Council, thereby avoiding the need for, and cost of, a supplementary election.

The disadvantages of the “no wards” alternative are that it:

- does not guarantee direct representation of all communities across the Council area;
- may make it easier for single interest candidates and/or groups to gain support (than does the existing ward based system);
- has the potential to make the task and expense of contesting council-wide elections difficult and excessive; and
- has the potential to increase the cost of conducting elections and supplementary elections, given that all contested elections must be conducted on a council-wide basis.

The question of the most appropriate and/or acceptable ward structure has been debated thoroughly throughout the review. At different stages of the review Council has supported the division of the Council area into seven wards (two councillors per ward); an amended version of the current eight ward structure (two councillors per ward); and the division of the Council area into four wards, with each ward being represented by three councillors. In addition, over the course of the review the community has expressed support for a four ward/twelve councillor option; a three ward/fifteen councillor option; the currently proposed seven ward/fourteen councillor option; a five ward/fourteen councillor option; the status quo (albeit with slight amendments to the ward boundaries); and/or a general increase in the number of wards.

The time has now come for Council to make its final decision regarding the future composition and structure of Council.

The current structure cannot be retained because the elector ratios within the existing Para and Central Wards lay well outside the specified 10% quota tolerance limit prescribed under Section 33(2) of the Act; and the elector ratio within the Levels Ward is also nearing the specified maximum limit of +10% (refer Table 1).



Table 1: Elector data per ward and variance to quota

Ward	Crs	H of A Roll	Council Roll	Electors	Ratio	% Variance
Central	2	10,094	12	10,106	1:5,053	- 12.7
East	2	11,037	2	11,039	1:5,520	- 4.7
South	2	11,338	2	11,340	1:5,670	- 2.1
Hills	2	11,300	5	11,305	1:5,653	- 2.4
Para	2	13,105	5	13,110	1:6,555	+13.2
North	2	11,428	2	11,430	1:5,715	- 1.3
Levels	2	12,604	26	12,630	1:6,315	+ 9.3
West	2	11,670	5	11,675	1:5,838	+ 0.8
<b>Total</b>	16	92,576	59	92,635		
<b>Average</b>					1:5,790	

Source: Electoral Commission SA (19<sup>th</sup> April 2017)

Having previously supported then rejected options based on twelve and sixteen councillors, Council's latest proposal is to reduce the number of councillors to fourteen. In supporting this option Council advised as follows.

- A ward structure comprising seven relatively compact wards will still provide the electors/residents located therein with fervent and direct representation.
- The proposed ward structure:
  - is reasonably well balanced in terms of the distribution of electors between the proposed wards and the resulting ward elector ratios;
  - exhibits ward elector ratios which all lay comfortably within the specified quota tolerance limits (and are therefore capable of sustaining any reasonable future fluctuations in elector numbers);
  - has a consistent level of representation (i.e. two councillors) across all of the proposed wards;
  - will provide sufficient opportunities for aspiring candidates to Council (and the individual wards);
  - will provide a level of ward representation which will ensure continued representation within the ward under circumstances whereby a ward councillor is absent or unavailable;
  - should maintain reasonable and manageable workloads for the ward councillors; and
  - will provide a similar form and level of ward representation to that which has been provided to, and experienced by, the local community for many years
- The proposed ward structure will serve to maintain relatively small wards (in comparison to some other Council ward structures) which should provide an environment wherein closer relationships between ward councillors and their constituents can be fostered, and ward councillors can be more familiar with the issues and/or concerns within their ward.
- The proposed wards are, in some cases, slightly larger (in area) than the current wards and, as such, incorporate more areas of perceived common character which serves to consolidate existing "communities of interest".

- In the main the proposed ward boundaries align with long existing suburb boundaries and/or main roads and, as such, should be easily identified and readily accepted by the local community.

### 4.3 Number of Councillors

The second Representation Review Report indicated that Council's latest preference is to reduce the number of councillors from sixteen (16) to fourteen (14). In support of this decision the elected members (or the majority thereof) agreed that the proposed representation arrangement will provide fair and adequate representation to the community; will ensure that the community was not "under represented"; will maintain sufficient elected members to ensure robust discussion and a diversity in opinions in chamber; and takes into account the likely impacts of the 30 Year Plan for Greater Adelaide and the projected population growth within the Council area, and potential risk thereof to future elector representation across the Council area.

The four submissions received by Council provided little assistance in respect to the issue of an appropriate and acceptable number of elected members, given that one submission supported Council's proposal; one submission preferred fifteen councillors ahead of Council's proposal of fourteen; one submission preferred the status quo; and the remaining submission was silent on the matter.

Members are reminded that:

- Sections 26 and 33 of the Local Government Act 1999 specify: *"the need to ensure adequate and fair representation while at the same time avoiding over-representation in comparison to other councils of a similar size and type (at least in the longer term)";* and
- Section 12(6)9a) of the Local Government Act states/requires: *"if the council is constituted of more than 12 members - examine the question of whether the number of members should be reduced".*

The elected members have previously expressed support for a reduction in the number of councillors because:

- it is obviously considered that fewer councillors can still provide adequate and fair representation of/to the electors within the Council area;
- fewer elected members will result in some cost savings to Council (e.g. members' allowances alone are \$21,500 per annum per councillor), with any resulting savings being available for redirection to community projects and/or programs;
- fewer members may serve to expedite the decision making process in Council, if only through the reduction in the incidence of similar opinions being expressed; and
- such action should not create excessive or extraordinary workloads for the elected members, given that there is not an extraordinary large number of electors to represent, there are continual advances being made in information technology which should enhance communication between the elected members and the community, and other large councils (in terms of physical area and/or elector numbers) can seemingly function appropriately with fewer elected members and/or at higher elector ratios.

Table 2 provides (for comparison purposes) the elector data and elector ratio pertaining to the City of Salisbury (under the fourteen councillor proposal) compared to the elector representation arrangements of the other larger metropolitan Councils in South Australia.

The data indicates that, the City of Salisbury, which is the third largest in area and has the second highest number of electors, will (under the preferred fourteen councillor scenario) have the highest elector ratio in the state.

Table 2: Comparison of elector data and representation  
(Proposed level of representation –v- metropolitan Councils with similar elector numbers)

Council	Councillors	Electors	Ratio
West Torrens (37.1km <sup>2</sup> )	14	40,663	1:2,905
Campbelltown (24.4km <sup>2</sup> )	10	34,929	1:3,493
Mitcham (75.6km <sup>2</sup> )	13	48,043	1:3,696
Playford (346km <sup>2</sup> )	15	58,415	1:3,894
Pt Adelaide Enfield (97km <sup>2</sup> )	17	81,801	1:4,812
Charles Sturt (52.1km <sup>2</sup> )	16	82,203	1:5,138
Marion (55.5km <sup>2</sup> )	12	63,598	1:5,300
Tea Tree Gully	12	72,676	1:6,056
Onkaparinga (518.4km <sup>2</sup> )	20	121,336	1:6,067
<b>Salisbury (158.1km<sup>2</sup>)</b>	<b>14*</b>	<b>92,635</b>	<b>1:6,617</b>

Source: Electoral Commission SA (19<sup>th</sup> April 2017)

It may be of interest to note that the City of Onkaparinga is about to initiate public consultation with a proposal to reduce the number of councillors to twelve. In the event that this proposal is formally adopted by the Council, the elector ratio of the City of Onkaparinga will become approximately 1:10,100. The only alternative being considered by the City of Onkaparinga at this time is a reduction to fifteen councillors, which would serve to increase the elector ratio to approximately 1:8,090.

Notwithstanding any of the aforementioned, Council needs to be confident that:

- sufficient elected members will be available to manage the affairs of Council;
- the elected member's workloads will not become excessive;
- there will be an appropriate level of elector representation within the proposed wards and across the Council area;
- a diversity in member's skill sets, experience, expertise, opinions and backgrounds will be maintained so as to provide robust discussion amongst the elected members on an on-going basis; and
- adequate lines of communication will exist between a growing community and Council.

Finally, given the fact that there has been little opposition to Council's proposed reduction in the number of councillors, it can be concluded that the community are either not aggrieved by Council's proposal and/or have little, if any interest in the subject matter.

#### 4.4 Area Councillors (in addition to ward councillors)

For reasons previously provided throughout the review, it is considered that area councillors (in addition to ward councillors) are an unwarranted, unnecessary and potentially costly additional tier of representation.

#### 4.5 Ward Identification

Council has previously resolved "in principle" to name the proposed wards West (Ward 1), Central (Ward 2), North (Ward 3), Para (Ward 4), East (Ward 5), Hills (Ward 6) and South (Ward 7). These proposed ward names are consistent with the existing ward names and, as such, should be readily accepted by the community.

## 5. Recommendations

It is recommended that the City of Salisbury resolve as follows.

1. To note the four submissions received from the community.
2. In respect to the issues of the future composition and structure of the City of Salisbury, Council re-affirm its support for the following.
  - a) The principal member of Council continue to be a mayor elected by the community.
  - b) The future elected body of Council comprise the mayor and fourteen (14) ward councillors.
  - c) The Council be divided into seven wards, as per the ward structure presented as the "Proposed Ward Structure" in the Representation Review Report (dated March 2017).
  - d) Each of the proposed wards be represented by two (2) ward councillors.
  - e) The proposed wards be identified as West Ward (Ward 1), Central Ward (Ward 2), North Ward (Ward 3), Para Ward (Ward 4), East Ward (Ward 5), Hills Ward (Ward 6) and South Ward (Ward 7).
3. Council administration be authorised to prepare and forward the necessary report and documents to the Electoral Commissioner, pursuant to the provisions of Sections 12(11) and 12(12) of the Local Government Act 1999.

ATTACHMENT A  
Public submissions

City Of Salisbury

Re: Public Consultation  
Review of Elector Representation

Mr John Harry, Chief Executive Office  
City of Salisbury  
P.O. Box 8, Salisbury 5108

Dear Sir,

My family and I object to the proposed changes to the current format of council. We do not want our current ward boundaries to be changed.

What are our Councillors thinking of by making such great changes when the State Government is changing the boundaries in their areas. As it is, after conferring with neighbours and friends, no one is aware of what seat they will be in when it comes to the State boundaries. Most people will not be aware of the proposed changes by council. An insignificant mention in the Messenger Press, General Notice page is not enough considering the importance of the matter. It would be slipped by most people quite neatly that way, I wonder if that was the intention.

By decreasing the number of wards will mean the remaining wards will increase in size and Councillors will have a larger area to cover and more residents to service. I can see from this that we will not get the same representation. Ward 6 will lose Ingle Farm and Pooraka, which will dislocate a long association and then be doubled in size to include Parafield Airport and some of Parafield Gardens. I see no advantage in this, as these areas have no connection and are not the same as Para Hills, Para Hills West and Gulfview Heights.

I understand that Council review every eight years if there are more than 12 councillors but that does not mean such drastic changes. Surely small changes to a couple of wards will suffice. It is a waste of time and ratepayers money. The proposal to lower the number of wards, which will increase the area covered, is not good forward thinking when you consider the expected population growth by new sub divisions and indeed in Para Hills alone where I live the amount of infill (two and three properties where there once was one).

It seems to me that those councillors who support this idea are in the majority, Party members of Liberal, Labour, or work for the state members, which will give too much control of local council areas. How much more help will the Political parties give to the party preferred candidates! My family and I want a local resident elected for obvious reasons, one who will make well-intentioned and informed decisions that is best for the locals in their care and best for Salisbury as a whole. Not what the Labour or Liberal party want.

To recap;

Item 1 AGREE- the principle member of council continue to be called Mayor and elected by the community.

Item 2 AGREE- Council stay divided into wards.

Item three AGAINST- the council area not to be changed to seven wards

Item 4 AGAINST- Maintain the ward size as is now to avoid confusion of the residents

Item 5-AGAINST- Names should remain the same, (if it is not broken, do not fix it for the sake of it) a new idea is not always a good idea.

Thank you for the option of airing our concerns and hopefully make only minor changes where absolutely necessary.

Sincerely concerned resident,

Barbara Smithson

PARA HILLS 5096

A handwritten signature in black ink, appearing to be 'B. Smithson', written in a cursive style.



City of Salisbury  
Re: Public Consultation,  
Review of Elector Representation

Mr John Harry, Chief Executive Office

P.O. Box 8, Salisbury 5108

Dear Sir,

On April 16, 2017 the Sunday Mail, on Page 13, wrote about the large increase expected in the population in the City of Salisbury. I question, why then the proposed decrease in the number of wards and the number of Councillors?

The larger the Ward, the more workload a councillor has to carry. Therefore, I fear that the quality of service each councillor can give will decrease.

For proper representation the council should be considering increasing the number of wards, certainly not decreasing it. And if saving money is the main factor, surely there must be better ways to achieve this.

Yours sincerely,

Dieter Fischer

Para Hills SA 506

A handwritten signature in black ink, appearing to be 'Dieter Fischer', written over the printed name and address.

**From:** lindsay virgo []  
**Sent:** Thursday, 20 April 2017 2:42:35 PM  
**To:** City of Salisbury  
**Subject:** Elector Representation Review

Please find attached my comments regarding Elector Representation.  
In the event that there are multiple respondents who choose to address the full council, could I please be slotted in the last position.

Regards,  
Lindsay Virgo

St Kilda. SA 5110

APRIL 2017

## REVIEW OF ELECTOR REPRESENTATION

At my previous address on the Review of Elector Representation in this Chamber on the 30th January this year, there were two options on the table, reduce the number of elected councillors to 12 or retain 16. My recommendation was to reduce the number to 12, with 3 councillors in each of 4 wards. The option of 14 councillors was not on the discussion table. I believe the City of Salisbury constituents could be represented quite fairly by a Mayor, elected by the constituents and 14 Councillors.

The current Councillor/elector average ratio is 1:5740 based on 91848 electors, this average ratio will change to 1:6560, an increase of 820 electors if the number of Councillors is reduced to 14, this average increase should not create any undue burden on each Councillor. The review recommends the Council area be divided into 7 wards, with 2 Councillors per ward. Viewing the proposed 7 Ward Structure, and keeping in mind that ward boundaries are based on electors residential locations, the physical total area of West Ward/Ward 1, takes in an area spanning from St Kilda to Cavan & Pooraka, a huge distance compared with Wards 2,4 or 7. I believe that consideration be given to moving the boundary lines to endeavour to achieve equal areas as well as equal electors and where possible avoid the splitting of suburbs across different wards.

I put to you an alternative to the 7 ward structure for consideration, divide the Council into 5 wards. A suggested division would be Ward 1, which encompasses the main city area and close by residential area represented by 2 Councillors, and then Wards 2, 3, 4 & 5, each represented by 3 Councillors. Using the average ratio of 1:6560, Ward 1 would have approximately 13,120 electors, Wards 2, 3, 4 & 5 would have approximately 19,680 electors each, this option could well be feasible. The wards could be named Central, North, South, East & West, which depict the sections of the City of Salisbury.

Following my previous address on this issue, it was interesting to hear comments made in this chamber by elected members justifying their belief for the retention of 16 elected members, I would like to take this opportunity to say, in regards to the fact that only one submission was received in support of reducing the number of elected members to 12, and no submissions were received to retain 16, had this been a soccer game, 1 to 0 is in fact a relevant score.

There was an article in the Messenger Paper on February 15, 2017 which detailed Salisbury Council's Allowances and Benefits register showing its 16 Councillors and Mayor spent \$591,027 of rate payers money in the 2015/16 financial year on items ranging from notebook computers, tablets, internet connections, catering, printers, air-fares, taxis & accommodation. Hopefully by reducing the number of Councillors to 14, this will in some way reduce the financial burden on the rate-payers of the City of Salisbury.

**From:** Peter Stokes  
**Sent:** Monday, 17 April 2017 11:46:02 AM  
**To:** City of Salisbury  
**Subject:** Elector Representation Review (Amended Response)

Hi,

See attached amended submission, the attachment to my email of 14/04/2017 contained the following two errors:

**UNEQUAL WARD REPRESENTATION OPTIONS**

*... say, a 13 ward structure ...* has been changed to *... say, a 13 councillors ward structure ....*

and

**ADEQUATE AND FAIR REPRESENTATION**

*... (amendment to LGA Act?) ...* has been changed to *... (amendment to SA LG Act?) ...*

Kind regards,

Peter Stokes (resident and ratepayer)

Parafield Gardens  
SA 5107

**From:** Peter Stokes [  
**Sent:** Friday, 14 April 2017 5:32 PM  
**To:** 'city@salisbury.sa.gov.au' <city@salisbury.sa.gov.au>  
**Subject:** Elector Representation Review

Hi,

See attached.

Kind regards,

Peter Stokes (resident and ratepayer)

Parafield Gardens  
SA 5107

# ELECTOR REPRESENTATION REVIEW

## SUMMARY

This submission is to be read in conjunction with my submission to the first report. This second submission discusses key elements of the current report, with particular focus on the number (and hence also the size) of wards, and concludes that my original submission for three wards and five councilors per ward remains my slight preference but I support the proposed seven ward by two councilors structure, principally to enable a final position at the earliest possible opportunity.

## MAYOR AND WARDS

Having read all of the Council reports on this matter it appears to me that there is a clear consensus for maintaining a mayor with ward structure, so I will not discuss other options.

## ONE COUNCILLOR PER WARD OPTION

Although we have only one elected representative per electorate at both state and federal government levels, these representatives are full-time, have support staff and are often from a political party. There are also upper house representatives at both state and federal government levels. At a local government level, I am unaware of any serious consideration for this option.

## UNEQUAL WARD REPRESENTATION OPTIONS

Although it would be possible for, say, a 13 councillors ward structure with, say, five wards with two councillors and one ward with three councillors, I believe there would be, as a minimum, a perceived inequity. I am unaware of any serious consideration of this option at the City of Salisbury.

## HOW MANY COUNCILLORS IS APPROPRIATE FOR THE CITY OF SALISBURY?

It would appear that the range of options to date has been for a mayor and 12 councillors through to a mayor and 16 councillors. As discussed earlier, the mayor and 13 councillor option can be ruled out. This leaves a mayor and 12 councillors, a mayor and 14 councillors, a mayor and 15 councillors and a mayor and 16 councillors as the remaining options. Since the current report is focused on the mayor and 14 councillors option and my original submission was for the mayor and 15 councillors option, I will now focus on discussing the advantages and disadvantages of these two options and attempt to determine if there is a clear winner.

## MAYOR AND 14 OR 15 COUNCILLORS?

These two options are similar in terms of numbers, 14 would demonstrate the greater move away from the current 16 (hence a little leaner and a little bolder), 15 would be the closest to the current number.

More significantly however, is the difference in the number of wards and hence size of the wards (both physically and in the number of electors). Here we are comparing a seven ward structure with a three ward structure.

A seven ward structure is closest to the current eight wards and is therefore possibly the lower risk option, but not necessarily the overall best option.

## QUOTA

Although both options can have ward boundaries set to achieve the legislative requirements in the short to medium term, the three ward structure option is more sustainable long-term, this is a simple mathematical fact based on percentages. A seven ward structure is more likely to require slight changes to ward boundaries and possibly the number of wards long-term. The three ward by five councillors option also has the advantage of being able to change to a three ward by four councillor (12 councillors in total) structure long-term, if desirable.

## COMMUNITIES OF INTEREST

This is the most difficult and subjective area of discussion and hence also the most difficult to pick a clear winner. Historically communities were more discrete, self-sustaining, simple, predictable and static. A small farming or mining community, for example, may have had a general store, single school, a public house and church; communities met face-to-face at regular times, there was often a clear class structure; it would have been relatively easy to draw ward boundaries based on these clear communities of interest.

Now communities are more diverse, more complex and are constantly changing and evolving with changes to technology, transportation options and types and patterns of work. With greater leisure time, some electors are increasingly likely to be part of a community beyond their residential physical location, they may be a member of a country golf club, for example. The internet, fast broadband and social media are significant game changers in what we once understood to be a community of interest.

At a local level things like footpaths, dog parks, local traffic issues and street trees may be best served with small wards but other issues such as regional-level parks, major shopping centres, recreation centres, public transport interchanges and the current move towards community hubs may all be a better fit with larger wards.

State and federal government electorates and agencies providing various services (hospitals, schools, emergency services, etc.) often cross local government boundaries, which is a further complication for having clearly defined boundaries for communities of interest.

Generally across Australia the centralisation verses decentralisation debate is often cyclic and inconsistent, some things are being centralised and others being decentralised.

## TOPOGRAPHY

Looking at the physical natural topography of the City of Salisbury, we really only have two, the hills (Para Escarpment) and plains. Our rivers and creeks are small and relatively easy to cross compared to the River Murray and overseas major rivers that are sometimes the borders between countries. With the inclusion of suburbs, railways and major roadways, there are literally dozens of different ways to divide the City of Salisbury. There is no clear winner between the three ward and seven ward structure based on topography.

## FEASIBILITY OF COMMUNICATION

With electronic communication becoming increasingly the preferred method of choice of many, in my view, there is no clear winner between a three ward and a seven ward structure based on feasibility of communication.

## DEMOGRAPHIC TRENDS

With an increasingly diverse (race, religion, etc.) and dynamic community, a three ward by five councillor structure would help to ensure a diverse range of candidates have a fair chance of being elected with less disadvantage to those seen to be associated with a minority group but not to the extent to possibly advantage single-issue candidates in a no ward, upper house type structure.

## ADEQUATE AND FAIR REPRESENTATION

If both councillors in a two councillor per ward structure are too similar, or one is dominant over the other, they may always vote as a block, or where they are too dissimilar they may always vote the opposite of each other, irrespective of the merits of the issue. With five councillors per ward there may be a greater variety and open discussion of different views and opinions on various ward issues because there are more options, 5-0, 4-1 and 3-2, with less chance of an impasse.

There would be more flexibility for working party representation with five councillors per ward; where only a small group is best, one councillor from each ward may be sufficient, reducing the group size by four people (seven minus three).

If one councillor was to resign, as per the current situation in Levels Ward, with three wards and five councillors per ward, there would still be four councillors to provide adequate and fair representation. This could lead to a review of the requirements (amendment to SA LG Act?) such that where there is still adequate representation, a casual vacancy election could be, under certain specified circumstances, possibly adverted. For instance, where the term is past half-way (two years), Council could decide to run the balance of the term with one vacant position, under my proposal, this would mean two wards with five councillors and one ward with four councillors (14 plus mayor) until the next scheduled election, not ideal but avoiding the expense of a supplementary election.

## CONCLUSION

My original submission for three wards and five councilors per ward remains my slight preference overall but I support the proposed seven ward by two councilors structure to enable a final position at the earliest possible opportunity, noting the April 2017 deadline.



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<b>ITEM</b>	GB4
	<b>COUNCIL</b>
<b>DATE</b>	22 May 2017
<b>HEADING</b>	Code of Conduct Complaint 01/2017 - Investigation Findings
<b>AUTHOR</b>	Tami Norman, Manager Governance, CEO and Governance
<b>CITY PLAN LINKS</b>	4.3 Have robust processes that support consistent service delivery and informed decision making.
<b>SUMMARY</b>	This report presents the findings and recommendations of Minter Ellison Lawyers in relation to Code of Conduct Complaint 01/2017 and seeks a decision from Council as to what action is required in response to the report.

## RECOMMENDATION

1. Information be received.
2. It be noted that, having investigated the alleged breach of the Code of Conduct for Council Members (the Code) as set out in Code of Conduct Complaint 01/2017, Minter Ellison Lawyers found that Cr Buchanan breached clauses 2.3 and 2.9 of the Code.
3. Written advice regarding the investigation findings, and Council's decision in relation to action to be taken in response to the Minter Ellison Lawyers report following the investigation of Code of Conduct Complaint 01/2017 be provided to both parties to the complaint.
4. *[Council to determine what action is required in response to the report]*

## ATTACHMENTS

There are no attachments to this report.

## 1. BACKGROUND

- 1.1 In accordance with Council resolution number 1640/2017, Code of Conduct Complaint 01/2017 was referred to Minter Ellison Lawyers (MEL) for investigation. The final report of MEL has now been received and the findings and recommendations are presented in this report for Council consideration.

## 2. REPORT

- 2.1 The Code of Conduct for Council Members provides the following:

*“2.25If, following investigation under the Council's complaints handling process, a breach of the Behavioural Code by a Council member is found, the Council may, by resolution:*

*2.25.1 Take no action;*

- 2.25.2 *Pass a censure motion in respect of the Council member;*
  - 2.25.3 *Request a public apology, whether written or verbal;*
  - 2.25.4 *Request the Council member to attend training on the specific topic found to have been breached;*
  - 2.25.5 *Resolve to remove or suspend the Council member from a position within the Council (not including the member's elected position on the Council);*
  - 2.26.6 *Request the member to repay monies to the Council."*
- 2.2 Similarly, Council's endorsed "Code of Conduct for Council Members – Dealing with Complaints Procedure" provides:
- "4. Investigation Findings and Remedies*
- a. Where the investigation has determined that a breach of Part 2 of the Code has occurred, the breach must be the subject of a report to a public meeting of the Council. The Council may, by resolution, take any of the following actions:*
    - i. take no action*
    - ii. pass a censure motion in respect of the Council member;*
    - iii. Request a public apology, whether written or verbal;*
    - iv. Request the Council member to attend training on the specific topic found to have been breached;*
    - v. resolve to remove or suspend the Council member from a position within the Council (not including the Member's elected position on the Council);*
    - vi. Remove a member from their position as Council representative on an outside body where Council has resolved their appointment;*
    - vii. Request the member to repay monies to the Council; or*
    - viii. Any combination of the above.*
  - b. Council will not enter into any process of appeal in relation to findings of a breach of Part 2 of the Code.*

- 2.3 Set out below is a direct extract of the Conclusions and recommendations arising from the report:

#### **6. Conclusions**

For the reasons set out in the preceding paragraphs, it is our view that Cr Buchanan has breached clauses 2.3 and 2.9 of the Code of Conduct.

#### **7. Recommendations**

We recommend under clause 4(a) of the Procedure, that Council:

- (a) Resolve to suspend Cr Buchanan from his position as a member of the Program Review Sub-Committee for a period of six months;
- (b) Require Cr Buchanan to attend training in relation to Council and Committee meetings, including meeting procedures and etiquette.

### **3. CONCLUSION / PROPOSAL**

- 3.1 Having considered the Conclusions and Recommendations arising from the report of MEL as set out in paragraph 2.3 of this Report, Council must now, by resolution determine which action it wishes to take.
- 3.2 Paragraphs 2.1 and 2.2 provide details of the options available to Council in response to the finding that a breach of the Code of Conduct for Council Members has occurred.
- 3.3 The recommendations currently contained within this report are administrative in nature, in that they receive the report, note the findings and direct that the findings and details of actions taken by Council be reported to parties to the complaint. Council will need to specify its preferred course of action in response to the MEL report to be included as part of the final resolution.

### **CO-ORDINATION**

Officer:

Date:



<b>ITEM</b>	MD1
	<b>COUNCIL</b>
<b>DATE</b>	22 May 2017
<b>HEADING</b>	Mayor's Diary

### RECOMMENDATION

1. That this information be noted.

<b>Date</b>	<b>Time</b>	<b>Function</b>
15/04/2017	05:15 PM	<b>**Speech**</b> First Australian Multicultural Martial Arts Festival in South Australia
15/04/2017	07:30 PM	<b>**Speech**</b> Khmer Buddhist Association of SA - Cultural New Year
18/04/2017	10:00 AM	Radio Show
18/04/2017	11:30 AM	Meeting with Acting CEO
18/04/2017	06:00 PM	Official Opening of Local Business
18/04/2017	06:30 PM	Standing Committees
18/04/2017	12 Noon	Office Meeting with PA - signing and correspondence
19/04/2017	11:00 AM	MLGG Executive Committee
19/04/2017	01:30 PM	Meeting with resident re tree
19/04/2017	03:30 PM	Citizenship Ceremony 19th April 2017 - Early Session
19/04/2017	05:00 PM	Catch up with General Manager re LGA/Council Solutions Procurement meeting next Thursday
19/04/2017	06:30 PM	Citizenship Ceremony 19th April 2017 - Evening Session
21/04/2017	09:00 AM	LGA AGM
21/04/2017	02:00 PM	Meeting re Indian woman's event.
23/04/2017	10:00 AM	Cross of Sacrifice Memorial Service
23/04/2017	02:00 PM	Meeting with local residents re development
24/04/2017	11:00 AM	Meeting with Mawson Lakes business
24/04/2017	01:00 PM	Meeting with PA - Speeches/ Signing & Correspondence
24/04/2017	04:30 PM	Briefing for Mayor - Strategic Land Review Report
24/04/2017	05:00 PM	Briefing Prior to Council Meeting
24/04/2017	06:30 PM	Council Meeting
25/04/2017	06:00 AM	Anzac Day - Dawn Service
26/04/2017	01:30 PM	Time with PA - Signing/ Correspondence
26/04/2017	02:30 PM	Briefing re Meeting of the Para Hills Neighbourhood Watch (Area 441)'
26/04/2017	03:30 PM	Watershed Art Prize Selection
26/04/2017	07:45 PM	Meeting of the Para Hills Neighbourhood Watch (Area 441)
27/04/2017	05:00 PM	Council Solutions Mayors/CEOs - re procurement
28/04/2017	06:00 PM	<b>**Speech**</b> - WaterShed Art Prize
30/04/2017	09:30 AM	Dutch Festival

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Item MD1

1/05/2017	10:00 AM	Meeting with Bonnie Coleman - (One Vault)
1/05/2017	11:00 AM	Meeting with Mawson group
1/05/2017	01:00 PM	Turning of the Sod - Burton Community Centre - Community Garden
1/05/2017	04:00 PM	Meeting with Jim Zissopoulos -
1/05/2017	05:30 PM	Mawson Lakes Traders Group - Meeting
1/05/2017	06:30 PM	Informal Strategy
2/05/2017	10:00 AM	Radio Show
2/05/2017	11:15 AM	Executive staff meeting correspondence
2/05/2017	02:30 PM	Indian friendship woman
2/05/2017	12 Noon	Media Issues - Regular Catch-up
3/05/2017	10:30 AM	Regular Catchup to Discuss Current/Upcoming Planning/Building Issues
3/05/2017	11:00 AM	Mayor/CEO/EA
3/05/2017	01:00 PM	Meeting with Hair Aid and Developer.
3/05/2017	03:30 PM	RAP Working Group meeting
3/05/2017	12 Noon	Meeting with PA
5/05/2017	02:00 PM	Opening of Group Homes - Hope Central
6/05/2017	10:45 AM	Netherlands Commemoration and Remembrance Service
6/05/2017	12 Noon	***Speech*** - Himalayan Buddhist of SA - Jubilee Celebration
7/05/2017	12 Noon	Justice of the Peace Thank you Lunch
8/05/2017	03:00 PM	Meet with PA - Signing and Speeches
8/05/2017	03:30 PM	Briefing for Mayor - 2017 Women Leaders in Sport Forum
8/05/2017	04:00 PM	Briefing - Community Hub
8/05/2017	06:30 PM	Sport, Recreation & Grants + Program Review SC
9/05/2017	09:40 AM	Discussion with residents re bike path
9/05/2017	10:30 AM	*** Speech - South Australian Country women's Association - General Meeting
9/05/2017	02:00 PM	Employee Service Awards Ceremony - confirmed
9/05/2017	02:50 PM	**Speech** National Volunteer Week
9/05/2017	04:00 PM	Meeting with Anti-Poverty Network
9/05/2017	05:45 PM	**Speech** National Volunteer Week
9/05/2017	12 Noon	Media Issues - Regular Catch-up
10/05/2017	10:00 AM	Sarah from Messenger
10/05/2017	11:00 AM	Mayor/CEO/EA
10/05/2017	01:00 PM	Volunteer Week Celebrations – speech to volunteer group
10/05/2017	04:00 PM	MLGG Meeting
12/05/2017	09:00 AM	Meeting with Staff
12/05/2017	10:00 AM	Meeting with Business Owner - John Driehuis SCOPE
12/05/2017	10:30 AM	COS Familiarisation Discussion with Mercedes
13/05/2017	02:30 PM	** Speech - Bhutanese - 9th Settlement Day: Cultural Event/Conference
14/05/2017	11:00 AM	Celebration Service - Influencers Church

**ITEM MD1**

15/05/2017	03:30 PM	Meeting with Jayne from North Pines Football Club
15/05/2017	05:00 PM	Verification of identity
15/05/2017	06:30 PM	Standing Committees
16/05/2017	10:00 AM	Radio Show
16/05/2017	04:30 PM	Salisbury Community Hub Reference Session - Reconciliation Action Plan
16/05/2017	06:30 PM	ICAC Awareness - Hon Bruce Lander QC, Independent Commissioner Against Corruption
16/05/2017	07:30 PM	Community Hub - Design Workshop 1
16/05/2017	12 Noon	Media Issues - Regular Catch-up
17/05/2017	01:00 PM	Travel to LGA Board Meeting - Goolwa
17/05/2017	06:30 PM	LGA Board Meeting Dinner

**Item MD1****Events attended by Elected Members on behalf of the Mayor**

<b>Date</b>	<b>Member</b>	<b>Function</b>
18/04/2017	Cr E Gill	Radio Show
02/05/2017	Cr E Gill	Radio Show
17/05/2017	Cr D Proleta	Bethany Christian School – Early Learning Centre Opening