



## **AGENDA**

**FOR RESOURCES AND GOVERNANCE COMMITTEE MEETING TO BE HELD  
ON**

**21 AUGUST 2017 AT THE CONCLUSION OF BUDGET AND FINANCE  
COMMITTEE**

**IN COMMITTEE ROOM 1, 12 JAMES STREET, SALISBURY**

### **MEMBERS**

Cr S Bedford (Chairman)  
Mayor G Aldridge (ex officio)  
Cr D Balaza  
Cr B Brug  
Cr D Bryant  
Cr L Caruso  
Cr R Cook (Deputy Chairman)  
Cr D Pilkington  
Cr D Proleta

### **REQUIRED STAFF**

General Manager Business Excellence, Mr C Mansueto  
General Manager City Development, Mr T Sutcliffe  
Manager Governance, Ms T Norman  
Manager Communications and Customer Relations, Mr M Bennington

### **APOLOGIES**

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

### **LEAVE OF ABSENCE**

### **PRESENTATION OF MINUTES**

Presentation of the Minutes of the Resources and Governance Committee Meeting held on 17 July 2017.

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## OTHER BUSINESS

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## CONFIDENTIAL ITEMS

### 3.8.1 Appointment of Independent Member - Audit Committee Appointment of Chairman - Audit Committee

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 will protect personal information of applicants for the position of independent member of the Audit Committee*

*On that basis the public's interest is best served by not disclosing the **Appointment of Independent Member - Audit Committee Appointment of Chairman - Audit Committee** 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**





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

**17 JULY 2017**

**MEMBERS PRESENT**

Cr S Bedford (Chairman)  
Mayor G Aldridge (ex officio)  
Cr D Balaza  
Cr B Brug  
Cr L Caruso  
Cr R Cook (Deputy Chairman)  
Cr D Pilkington  
Cr D Proleta

**STAFF**

General Manager Business Excellence, Mr C Mansueto  
Manager Governance, Ms T Norman  
Manager Communications and Customer Relations, Mr M Bennington

The meeting commenced at 8.52 pm.

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

**APOLOGIES**

An apology was received from Cr D Bryant.

**LEAVE OF ABSENCE**

Nil

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## PRESENTATION OF MINUTES

Moved Cr L Caruso  
Seconded Cr R Cook

The Minutes of the Resources and Governance Committee Meeting held on 19 June 2017, be taken and read as confirmed.

**CARRIED**

## REPORTS

### *Administration*

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

Moved Cr B Brug  
Seconded Cr D Pilkington

1. The information be received.

**CARRIED**

### *Corporate Governance*

#### **3.6.1 Review of Footpath Policy**

*Mayor G Aldridge entered the meeting at 08:52 pm.*

Moved Cr D Pilkington  
Seconded Cr R Cook

1. The information be received.
2. The Footpath Policy as set out in Attachment 1 to this report (Resources and Governance 3.6.1, 17/07/2017) be endorsed.

**CARRIED**

#### **3.6.2 Review of the Code of Practice - Access to Meetings and Documents**

Moved Cr B Brug  
Seconded Cr D Pilkington

1. The information be received.
2. The Draft Code of Practice – Access to Meetings and Associated Documents (as set out in Attachment 2, Resources and Governance Committee, Item No. 3.6.2, 17/07/2017) be approved for public consultation in accordance with Section 95(2) of the *Local Government Act 1999*.

**CARRIED**

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**3.6.3 Audit Committee Terms of Reference - proposal to change membership appointment term and requirement to appoint an Independent Member to the position of Chairman**

Moved Cr L Caruso  
Seconded Cr D Pilkington

1. The proposed changes to the Membership section of the Audit Committee Terms of Reference (as set out in Attachment 1 to this report, Item No. 3.6.3, Resources and Governance Committee, 17/07/2017) be endorsed.

**CARRIED**

**OTHER BUSINESS**

Nil

The meeting closed at 8.53 pm.

CHAIRMAN.....

DATE.....





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<b>ITEM</b>	3.0.1
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	21 August 2017
<b>HEADING</b>	Future Reports for the Resources and Governance Committee
<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>	This item details reports to be presented to the Resources and Governance Committee as a result of a previous Council resolution. If reports have been deferred to a subsequent month, this will be indicated, along with a reason for the deferral.

**RECOMMENDATION**

1. The information be received.

**ATTACHMENTS**

There are no attachments to this report.

**1. BACKGROUND**

- 1.1 Historically, a list of resolutions requiring a future report to Council has been presented to each committee for noting.

**2. CONSULTATION / COMMUNICATION**

- 2.1 Internal
  - 2.1.1 Report authors and General Managers.
- 2.2 External
  - 2.2.1 Nil.

### 3. REPORT

3.1 The following table outlines the reports to be presented to the Resources and Governance Committee as a result of a Council resolution:

Meeting Item	Heading and Resolution	Officer
22/06/2015 3.3.2 <b>Due:</b>	<b>Amendments to the Dog and Cat Management Act</b> 3. Council note that staff will review the need for a cat by-law 12 months after the implementation of the proposed Bill and provide a further report to Council. July 2019	John Darzanos
28/09/2015 3.6.1 <b>Due:</b>	<b>Review of Provision of Elected Member IT Equipment</b> 2. A revised Elected Member Allowances, Facilities and Support Policy be brought back to Council in July 2018. July 2018	Joy Rowett
27/06/2016 3.6.2 <b>Due:</b>	<b>Mobile Food Van Policy</b> 3. Once the State Government position in relation to Food Trucks has been finalised a report be prepared setting out a Mobile Food Van Policy for endorsement. December 2017	Tim Starr
30/01/2017 3.6.4 <b>Due:</b>	<b>Review of the Procurement Policy to incorporate use of Australian Made steel for Council construction projects</b> 2. A review of the implications of the adoption of a variation to the Procurement Policy to use to use Australian made steel as set out in Part 1 (Item 3.6.4, Resources and Governance Committee, 23/01/2017) be undertaken in 12 months. January 2018	Matt Harris
26/06/2017 3.3.1 <b>Due:</b>	<b>Proposal to Amend the Australian Road Rules to enable parking on Council verges</b> 4. A report be presented to Council on the impact of the changes set out in parts 1 to 3 (Item 3.3.1, Proposal to Amend the Australian Road Rules to enable parking on Council Verges, Council meeting 26/06/2017) to existing Council's policies. September 2017	John Darzanos
26/06/2017 3.6.1 <b>Due:</b>	<b>Review of Verge Development by Residents Policy</b> 3. That further information be brought back regarding the treatment of edible plant verge development within the existing Verge Development by Residents Policy. September 2017	Craig Johansen

24/07/2017	<b>Change to Audio Recording Management for Committee/Council Meetings</b>	David Bevan
NOM2	<ol style="list-style-type: none"> <li>1. That staff report back on:</li> <li>b. requirements and costs for installation of equipment to facilitate audio recording of all standing committee meetings.</li> <li>c. Staff also report on the costs associated with implementation of live streaming for Council meetings.</li> </ol>	
<b>Due:</b>	October 2017	
24/07/2017	<b>White Ribbon Australia – Consideration of Workplace Accreditation</b>	Gail Page
3.6.1	<ol style="list-style-type: none"> <li>2. A further report be prepared to identify other bodies (for example Beyond Blue) that Council could become accredited in.</li> </ol>	
<b>Due:</b>	October 2017	

#### 4. CONCLUSION / PROPOSAL

- 4.1 Future reports for the Resources and Governance Committee have been reviewed and are presented to Council for noting.

#### CO-ORDINATION

Officer: EXEC GROUP      GMCID      GMCI      GMBE  
Date: 10.08.17



<b>ITEM</b>	3.2.1
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	21 August 2017
<b>HEADING</b>	Appointment of the Council Assessment Panel and Options for a Regional Assessment Panel
<b>AUTHOR</b>	Chris Zafiroopoulos, Manager Development Services, City Development
<b>CITY PLAN LINKS</b>	1.4 Have well planned urban growth that stimulates investment and facilitates greater housing and employment choice. 4.3 Have robust processes that support consistent service delivery and informed decision making.
<b>SUMMARY</b>	The next stage of the implementation of the Planning Development and Infrastructure Act 2016 requires Council to appointment a new Council Assessment Panel by 1 October 2017. This report provides information for Council to establish the Panel and information regarding Regional Assessment Panels. Note that there is a separate and subsequent report in this agenda dealing with appointment of an Elected Member to the Panel.

#### **RECOMMENDATION**

1. That the following persons be appointed as Independent Members of the City of Salisbury Council Assessment Panel for the period of 1 October 2017 to 31 May 2019:
  - Mr Doug Wallace – Presiding Member
  - Mr Ross Bateup - Independent Member
  - Ms Stephanie Johnston - Independent Member
  - Mr John Watson - Independent Member
2. The Remuneration for the term of appointment for members is set at \$430 for the Presiding Member, \$320 for Independent Members and Additional Members, and \$220 for the Elected Member.
3. In exercise of the powers contained in Sections 20 and 34(23) of the Development Act 1993 the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the Delegations Register (Delegations Register, pages 1 - 3) as set out in Attachment 2 to this report (Resources and Governance 3.2.1, 21/08/2017) are hereby delegated to the Council’s Council Assessment Panel from 1 October 2017, subject to any conditions specified herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.
4. That the “Appointment of the Council Assessment Panel Procedure” forming Attachment 1 to the 21/8/17 Resources and Governance Committee Agenda Item 3.2.1 be endorsed.
5. That Council not pursue the option of a Regional Assessment Panel at this time.

## ATTACHMENTS

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

1. Appointment of the Council Assessment Panel Procedure
2. Delegations Register - Pages 1-3 Delegations to the Development Assessment Panel

### 1. BACKGROUND

1.1 The next stage of the implementation of the Planning, Development and Infrastructure Act 2016 requires Council to appointment a new Council Assessment Panel (CAP) by 1 October 2017. Council considered the proposed changes and options for appointments at its meeting on 26 June 2017 and resolved:

- *That, subject to acceptance by the existing independent members of an offer of extension of term, the term of the existing independent members of the Development Assessment Panel be extended until May 2019 and transitioned to the new Council Assessment Panel under the Planning, Development and Infrastructure Act 2016.*
- *A further report be presented to Council on the appointment of an Elected Member to the Panel, a procedure for appointing additional members, deputy members and acting presiding member, together with other changes to enable the transition to the new Council Assessment Panel.*
- *A further report be presented to Council on the option of a Regional Assessment Panel canvassing the pros and cons of such an option for Council's consideration.*

### 2. CONSULTATION / COMMUNICATION

2.1 Internal

2.1.1 Governance Division.

2.2 External

2.2.1 Playford, Tea Tree Gully, Port Adelaide Enfield and Charles Sturt Councils in relation to the option of a Regional Assessment Panel.

2.2.2 The Department of Planning, Transport and Infrastructure.

### 3. REPORT

#### **Appointment of Presiding Member and Independent Members**

3.1 The existing Independent Members of the Development Assessment Panel include:

- Mr Doug Wallace, Presiding Member.
- Mr Ross Bateup.
- Ms Stephanie Johnson.
- Mr John Watson.

- 3.2 The existing independent members of the Development Assessment Panel have provided an in-principle agreement to an extension of their term until May 2019 and to be transitioned to the new CAP under the Planning, Development and Infrastructure Act 2016 (PDI Act), which will be formalised following Council's consideration of this report.
- 3.3 The members have been advised that the appointments will be made subject to any changes that are required to accommodate future legislative requirements that may impact the Panel operation and membership, and any future decision of Council regarding the composition and nature of the Panel, including the option of a Regional Assessment Panel.
- 3.4 A recommendation is provided for Council to formally appoint the Independent Members to the CAP.

#### **Appointment of Acting Presiding Member**

- 3.5 The PDI Act provides that Council should establish a process for appointing the Acting Presiding Member. This decision is currently made by the Panel in accordance with their operational procedure. Clause 2.6 provides:

*A Deputy Presiding Member of the DAP must be appointed by resolution of the DAP, and will preside at any meeting, or part thereof, when the Presiding Member is not present.*

- 3.6 It is recommended that the CAP adopt this clause, with amendments to the title of Acting Presiding Member, within their new operating procedures (noting that the operating procedures are determined by the CAP rather than Council).

#### **Appointment of Additional Members**

- 3.7 The PDI Act allows a CAP to appoint Additional Members (up to two) to deal with a matter that it must assess as the relevant authority. These members will have to be accredited (when the scheme is released) and will be taken to be a member of the CAP, but will not have voting rights. The Additional Member is intended to provide the Panel with specific skills / qualifications in a specialised area, in what is effectively an advisory role. Examples of Additional Members that have been suggested include persons with expertise in liquor license matters or mining.
- 3.8 While the PDI Act provides this power to the CAP, there does not appear to be any current specific circumstance to warrant an additional member for the CAP. Typically expert advice is provided to the Panel for its deliberations either from staff and / or consultants and this expert would be made available to answer questions from the Panel.
- 3.9 It would be appropriate for the CAP to establish a procedure to appoint an Additional Member, given it is provided this power under the Act should a circumstance arise in the future where the CAP seeks to appoint an Additional Member. The Additional Member will be bound by Council's conditions of appointment that applies to all members and the operating procedures established by the Panel.

### Appointment of Deputy Members

- 3.10 The PDI Act provides for the establishment of Deputy Members for the CAP. This effectively provides a proxy for members. While this capability is provided, Council is not required to establish a Deputy Member. Attendance at DAP meetings has historically been very high at over 90%, suggesting that a Deputy Member for the Independent Members is not critical. Appointment of a deputy to the Elected Member on the Panel is dealt with in a separate and subsequent report in this agenda.

### Conditions of appointment – Term, Remuneration and Removal from Office

- 3.11 Council is able to determine the conditions of appointment for members. This includes the term of office, remuneration and grounds for the removal.
- 3.12 The term of office for Panels had been previously prescribed in legislation for two years. Council has resolved a fixed term in this instance to coincide with the local government elections and the usual committee appointment cycle.
- 3.13 In regards to the conditions of appointment, it is recommended that all appointments to the Council Assessment Panel are subject to the conduct of members in accordance with the following:
- 3.13.1 Code of conduct adopted by the Minister for Planning.
  - 3.13.2 Objects, Planning Principles and General Responsibilities under the Planning, Development and Infrastructure Act 2016.
  - 3.13.3 Operating procedures established by the Panel.
- 3.14 The remuneration of the members was last reviewed in 2014 and is set at \$430 for the Presiding Member, \$320 for Independent Members and \$220 for Elected Members. It is recommended that the remuneration be continued at the same level for the transition to the CAP and that the Additional Member be remunerated the same as Independent Members at \$320. It is proposed that the remuneration be reviewed for appointments in the next term of the CAP.
- 3.15 The new regulations assign investigations in relation to a member's compliance with the Code of Conduct to the State Planning Commission. The Minister has the power to direct Council to substitute members on the recommendation of the State Planning Commission. Council's current *Guidelines for the Duties of The Public Officer* are therefore not necessary given the role of the State Planning Commission under the PDI Act replaces the current role of the Public Officer under the Development Act 1993.
- 3.16 The PDI Act provides that Council should however determine a procedure for removing members but it does not prescribe grounds for removal or a process that should be followed. It is recommended that the procedure include that a member of the Council Assessment Panel may be removed from office by Council on any of the following grounds:
- 3.16.1 breach of, or failure to comply with, the conditions of appointment; or
  - 3.16.2 misconduct; or
  - 3.16.3 neglect of duty; or
  - 3.16.4 incapacity to carry out satisfactorily the duties of his or her office; or



- 3.16.5 failure to carry out satisfactorily the duties of his or her office; or
  - 3.16.6 failure to comply with a requirement under the code of conduct adopted by the Minister for Planning.
- 3.17 The conditions of appointment are provided in Attachment 1 in a consolidated procedure for Council's consideration and endorsement.

#### **Delegations**

- 3.18 The staged introduction of the PDI Act means that parts of the Development Act 1993 will continue to apply where not explicitly stated in the transitional provisions. The Development Act requires Council to delegate authority to determine applications to a panel or a delegated officer (Section 34(23)). From 1 October 2017, the delegations to the DAP will need to be changed to the CAP. A recommendation is provided for this transition.
- 3.19 The Council Assessment Panel will continue to deal with applications in relation to which there are representations, and the representors wish to be heard.

#### **Assessment Manager**

- 3.20 The PDI Act requires the appointment of an Assessment Manager to provide advice to the CAP, manage staff and operations, and act as the relevant authority as provided under the PDI Act. The relevant authority provisions have not however been introduced at this stage.
- 3.21 The appointment is made by the Chief Executive of Council and it is proposed that the Manager Development Services be appointed for the purposes of the Act.

#### **Public Officer**

- 3.22 As the new regulations assign investigations in relation to compliance with the Code of Conduct to the State Planning Commission, Council is not required to appoint a Public Officer and Council's current Public Officer, Mr John Hodgson, will be advised that his services are no longer required with the introduction of the CAP.

#### **Regional Assessment Panels**

- 3.23 Council has requested advice on establishing a Regional Assessment Panel. Regional Panels were first introduced under the Development Act 1993 in 2010 and essentially enable councils to establish a Regional Panel for a particular class of development for the constituent councils. Typically the Regional Panels replace the Council Panels.
- 3.24 The provisions for Regional Panels were established when membership of the Panels required independent members and some country councils found it difficult to satisfy this requirement. Consequently, Regional Panels provide these councils an option to agree with the Minister on variations to constitution and membership panels.
- 3.25 The Regional Panels are appointed by the Minister for Planning and the following have been established in South Australia:
- 3.25.1 The Flinders Regional Development Assessment Panel (RDAP) which is constituted by the Flinders Ranges, Mount Remarkable, Orroroo Carleton and Peterborough Councils.

- 3.25.2 The Riverland RDAP which is constituted by the Berri Barmera, Loxton Waikerie and Renmark Paringa Councils.
- 3.25.3 The Eastern Eyre Peninsula RDAP which is constituted by the Cleve, Kimba and Franklin Harbour Councils.
- 3.26 The constitution and membership of the existing Regional Panels is prescribed in regulations and vary for each of the panels. Panel membership varies between five to seven members. The Minister selects the Presiding Member from a list of at least two nominees from the relevant councils. The councils can determine the other members.
- 3.27 A distinctive feature of these Regional Panels is the low number of applications that they consider. The number of applications vary from 1 to 9 for the Flinders RDAP, 7 to 33 for the Riverland RDAP, and 1 to 3 for the Eastern Eyre Peninsula RDAP.
- 3.28 There are no existing Regional Panels established in the metropolitan area and the Department of Planning, Transport and Infrastructure has advised that they are not aware that any metropolitan councils will propose Regional Panels in the transition to the PDI Act. Enquiries have been made with Playford, Tea Tree Gully, Port Adelaide Enfield and Charles Sturt Councils in respect to establishing a Regional Panel under the PDI Act. None of the Councils are considering this option.
- 3.29 The key benefits of a Regional Panel include:
- 3.29.1 Shared resources amongst the constituent councils and reduced cost of meetings. This may be particularly pertinent where individual councils have very low numbers of development applications and meetings could be scheduled to jointly consider development applications from the respective councils. The saving is in the meeting as the respective councils are still required to undertake the processing for the applications and prepare the report for the meeting.
- 3.29.2 Greater consistency of decision making across a region. This would be further enhanced with greater consistency across the Development Plans of the respective councils.
- 3.29.3 A larger pool of Independent Members for the Panel. This is particularly relevant for all the existing Regional Panels.
- 3.30 The key disadvantages of Regional Panels include:
- 3.30.1 Less ability for an individual Council to determine membership on the Panel and potentially less efficient procedures, as agreement needs to be reached across multiple councils.
- 3.30.2 Reduced local knowledge of the area by the Independent Members and the Elected Member, given the larger geographic region covered by the Panel.
- 3.30.3 Potentially more frequent meetings or longer meetings as metropolitan councils generally consider a greater number of development applications.

- 3.30.4 Potentially some inequity of resourcing of the Regional Panel, if the number of applications considered by the Panel from the respective councils is uneven due to delegations or development activity. E.g. Salisbury DAP considers approximately 20 applications per year, Playford DAP considers approximately 40 applications per year, Tea Tree Gully DAP considers approximately 10 applications per year and Port Adelaide Enfield considers approximately 80 applications per year.
- 3.31 Given the above considerations, creation of a Regional Development Panel is not recommended at this time, noting however that this option remains open for further consideration should circumstances change.

#### **4. CONCLUSION / PROPOSAL**

- 4.1 Council is required to establish a Council Assessment Panel by 1 October 2017 in accordance with the requirements prescribed under the Planning, Development and Infrastructure Act 2016. At this stage, a Regional Assessment Panel provides greater benefits for country councils and no metropolitan councils are understood to be investigating the establishment of a Regional Panel. It is recommended that Council establish the Council Assessment Panel as outlined in the recommendations to this report, and endorse the Appointment of the Council Assessment Panel procedure forming Attachment 1 to the report, noting that the operating procedures are determined by the CAP rather than Council.

#### **CO-ORDINATION**

Officer: EXECUTIVE GROUP  
Date: 14.08.17





## ***Appointment of Council Assessment Panel Procedure***

<i>Procedure Type:</i>	<i>Procedure</i>		
<i>Approved By:</i>		<i>Decision No:</i>	
<i>Approval Date:</i>		<i>Last Reapproval Date:</i>	
<i>Review Date:</i>		<i>Internal Reference No.:</i>	
<i>Department:</i>	<i>City Development</i>	<i>Division:</i>	<i>Development Services</i>
<i>Function:</i>	<i>3 - Development Control</i>	<i>Responsible Officer:</i>	<i>Manager, Development Services</i>

### ***A – PREAMBLE***

- 1. The Planning, Development and Infrastructure Act 2016 requires that Council establish a Council Assessment Panel (section 83).*

### ***B - SCOPE***

- 2. Council has established this procedure for the appointment the Council Assessment Panel, the conditions of appointment and remuneration of members, and requirements for the panel operating procedures.*

### ***C - PROCEDURE PURPOSE/OBJECTIVES***

- 3. To clarify the procedure that Council has adopted for appointing the Council Assessment Panel.*

### ***D - DEFINITIONS***

- 1. Council Assessment Panel - as required and established by Council under section 83 of the Planning, Development and Infrastructure Act 2016*
- 2. Assessment Manager – a person appointed by the Chief Executive Officer under section 87 of the Planning, Development and Infrastructure Act 2016.*

### ***E - PROCEDURE STATEMENT***

#### ***Members***

- 1. The Council Assessment Panel (CAP) will consist of five members with one of these being an elected member of Council, with terms of office determined by Council when appointments are made.*

Conditions of Appointment

2. All appointments to the Council Assessment Panel are subject to:
  - a. Change to accommodate any future legislative requirements that may impact the Panel operation and membership, and any future decision of Council regarding the composition and nature of the Panel, including the option of a Regional Assessment Panel.
  - b. The conduct of members in accordance with the:
    - i. Code of conduct adopted by the Minister for Planning.
    - i. Objects, Planning Principles and General Responsibilities under the Planning, Development and Infrastructure Act 2016.
    - ii. Operating procedures established by the Panel.
3. A member of the Council Assessment Panel may be removed from office by Council on the following grounds:
  - i. breach of, or failure to comply with, the conditions of appointment; or
  - ii. misconduct; or
  - iii. neglect of duty; or
  - iv. incapacity to carry out satisfactorily the duties of his or her office; or
  - v. failure to carry out satisfactorily the duties of his or her office; or
  - vi. failure to comply with a requirement under the code of conduct adopted by the Minister for Planning.

Panel Operating Procedures

4. That the Council Assessment Panel incorporate within their operating procedure the appointment of:
  - a. A Deputy Presiding Member to preside at any meeting, or part thereof, when the Presiding Member is not present or has a conflict in a matter.
  - b. The circumstances and process for the attendance of the Deputy Elected Member and the Additional Member.

**H - LEGISLATION**

1. Planning, Development and Infrastructure Act 2016

**I - REFERENCES**

1. Nil

**J - ASSOCIATED PROCEDURES**

1. Nil

1. <i>Document Control</i>	
2. <i>Document ID</i>	3. <i>Appointment of Council Assessment Panel Procedure</i>
4. <i>Prepared by</i>	5. <i>Chris Zafiroopoulos</i>
6. <i>Release</i>	7. <i>1.00</i>
8. <i>Document Status</i>	9. <i>Draft</i>
10. <i>Date Printed</i>	11. <i>17/08/2017</i>





## 1. Delegation of Authority

### B. DEVELOPMENT ASSESSMENT PANEL

#### DEVELOPMENT ACT 1993

#### Matters Against Which Development Must be Assessed

10.1  
5586 The power, as the relevant authority and pursuant to Section 33 of the Act, to assess a development against and grant or refuse consent in respect of each of the following matters (insofar as they are relevant to that development):

10.1.1 the provisions of the appropriate Development Plan;

10.1.2 the provisions of the Building Rules;

10.1.3 in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) on the satisfaction of the conditions specified in Section 33(1)(c) of the Act;

10.1.4 in relation to a division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 on the satisfaction of the conditions specified in Section 33(1)(d) of the Act;

10.1.5 the requirement that any encroachment of a building over, under, across or on a public place has been dealt with in a satisfactory manner; and

10.1.6 such other matters as may be prescribed.

10.2  
5587 The power pursuant to Section 33(3) of the Act, when granting a development plan consent, to reserve a decision on a specified matter until further assessment of the development under the Act.

#### Special Provisions Relating to Assessment Against Development Plans

12.1  
5437 The duty pursuant to Section 35(1) of the Act to grant a development plan consent if the Regulations or the relevant Development Plan describes any proposed development as a complying development (subject to such conditions or exceptions as may be prescribed by the Regulations or the relevant Development Plan and subject to any other provision made by the Act or applying under the Regulations).

12.2  
6623 The power pursuant to Section 35(1b) of the Act to determine a development that is assessed by a relevant authority as being a minor variation from complying development to be complying development.

**1. Delegation of Authority****B. DEVELOPMENT ASSESSMENT PANEL****DEVELOPMENT ACT 1993****Special Provisions Relating to Assessment Against Development Plans**

- 12.3  
6624 Subject to Sections 35 (1d) and (1e) of the Act, if a proposed development meets all but 1 criteria necessary for the development to be complying development, the duty, pursuant to Section 35(1c) of the Act to regard the aspect or aspects of the development that are consistent with the development being complying development accordingly and to assess the balance of the development as merit development.

**Public Notice and Consultation**

- 17.6  
5464 The power pursuant to Section 38(10)(a) of the Act, in respect of a Category 2 development, to determine whether to allow a person who made a representation to appear personally or by representative before the Delegate.

- 17.7  
5466 The duty pursuant to Section 38(10)(b) of the Act, in respect of a Category 3 development, to allow a person who made a representation and who as part of that representation indicated an interest in appearing before the Delegate, a reasonable opportunity to appear personally or by representative to be heard in support of the representation.

- 17.8  
6625 The duty pursuant to Section 38(11) of the Act to allow an applicant to appear personally or by representative before the Delegate or the Council in order to respond to any relevant matter.

**Application and Provision of Information**

- 18.12  
6732 The power pursuant to Section 39(7) of the Act to approve an application for variation of the conditions of the development authorisation previously given under the Act, or to extend the period for which such authorisation remains operative.

- 18.13  
6733 The power, pursuant to section 39(7)(c) to determine whether representations relate to any aspect of the development under consideration on account of an application for variation, and to determine whether, in the circumstances of the case, it is unnecessary to deal with the matter as Category 3 development.

- 18.14  
6734 The power, pursuant to section 39(7)(d) of the Act, to approve the seeking of a variation to extend the period for which the relevant authorisation remains operative.

**1. Delegation of Authority****B. DEVELOPMENT ASSESSMENT PANEL****DEVELOPMENT ACT 1993****Application and Provision of Information**

18.15  
6735 Where granting an application for variation of a development authorisation pursuant to section 39(6), the power, pursuant to section 39(7a), to make specific provision for the variation of a condition imposed with respect to the original authorisation in its decision on the application for variation.

18.16  
6628 The power pursuant to Section 39(8) of the Act to issue a consent which provides for the undertaking of development in stages.

**Conditions**

21.1  
6629 The power pursuant to Sections 42(1) and (3) of the Act to attach such conditions as the Delegate thinks fit or as may be prescribed by regulation to any decision under Division 1 of Part 4 of the Act.

**Cancellation by a Relevant Authority**

22.1  
5484 The power pursuant to Section 43 of the Act to cancel a development authorisation previously given by the Council or the Delegate.

**Carparking Fund**

27.3  
5498 The power pursuant to Section 50A(5)(c) of the Act to determine that a proposal does not provide for sufficient spaces for the parking of cars at the site of a development.

27.4  
6636 The power pursuant to Section 50A(5)(d) of the Act to agree with an applicant that a contribution calculated in accordance with a determination of the Council or the Delegate can be made by the applicant to a car parking fund in lieu of providing a certain number of spaces for the parking of cars at the site of a development.



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<b>ITEM</b>	3.2.2
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	21 August 2017
<b>HEADING</b>	Appointment of an Elected Member and Deputy Elected Member to the Council Assessment Panel
<b>AUTHOR</b>	Chris Zafiroopoulos, Manager Development Services, City Development
<b>CITY PLAN LINKS</b>	1.4 Have well planned urban growth that stimulates investment and facilitates greater housing and employment choice. 4.3 Have robust processes that support consistent service delivery and informed decision making.

**SUMMARY**

The next stage of the implementation of the Planning Development and Infrastructure Act 2016 requires Council to appoint a new Council Assessment Panel by 1 October 2017. This report provides information for Council to appoint an Elected Member and Deputy Elected Member to the Panel. Also within this agenda is a separate report outlining the process for establishing the Council Assessment Panel and appointment of Independent Members to the Panel.

#### **RECOMMENDATION**

1. That \_\_\_\_\_ be appointed as the Elected Member appointment to the Council Assessment Panel for the term 1 October 2017 to 30 November 2018.
2. That \_\_\_\_\_ be appointed as the Deputy Elected Member appointment to the Council Assessment Panel for the term 1 October 2017 to 30 November 2018.

#### **ATTACHMENTS**

There are no attachments to this report.

#### **1. BACKGROUND**

- 1.1 The next stage of the implementation of the Planning, Development and Infrastructure Act 2016 requires Council to appointment a new Council Assessment Panel (CAP) by 1 October 2017. A separate report is provided in this agenda on the establishment of the CAP. This report provides information for Council to appoint an Elected Member and Deputy Elected Member to the Panel.

## 2. CONSULTATION / COMMUNICATION

### 2.1 Internal

2.1.1 Governance Division.

### 2.2 External

2.2.1 Playford, Tea Tree Gully, Port Adelaide Enfield and Charles Sturt Councils in relation to the option of a Regional Assessment Panel.

2.2.2 The Department of Planning, Transport and Infrastructure.

## 3. REPORT

### **Appointment of Elected Member**

3.1 The PDI Act restricts membership of Elected Members on the CAP to one. Council can choose not to appoint an Elected Member on the Panel. This will however require appointment of a fifth Independent Member.

3.2 Unlike the Independent Members, the Elected Member is not required to be accredited when the Accreditation Scheme is released by the government. The PDI Act requires that Council is however satisfied that the Elected Member is appropriately qualified to act as a member of the assessment panel on account of the person's experience in local government. The Elected Member will be required to complete a financial disclosure statement that is prescribed in Schedule 1 of the PDI Act.

3.3 In October 2016, Council resolved the Elected Member membership of the current Development Assessment Panel, appointing Cr White, Cr Linda Caruso, and Cr Reynolds for a term expiring on 30 November 2018 (the balance of the current Council term).

3.4 In regards to the term of the appointment of the Elected Member on the CAP, it is recommended that the member be appointed until 30 November 2018, to coincide with the balance of the current Council term.

3.5 A draft recommendation is provided for Council to appoint an Elected Member to the CAP.

3.6 In a separate report in this Agenda, the remuneration of members is also canvassed, with a recommendation that remuneration for Elected Members on the CAP remain the same as the current DAP remuneration for Elected Members, of \$220 per meeting.

### **Appointment of Deputy Members**

3.7 The PDI Act provides for the establishment of Deputy Members for the CAP. This effectively provides a proxy for members. While this capability is provided, Council is not required to establish a Deputy Member. Attendance at DAP meetings has historically been very high at over 90%, suggesting that Deputy Members are not critical.

- 3.8 Given the new CAP will have only one Elected Member, it may be appropriate to consider a deputy for this position. The Deputy Elected Member should meet the same eligibility criteria as the nominated Elected Member on the Panel. Furthermore, sufficient notice should be provided when the Deputy Elected Member is to be appointed so that the member receives all the agenda papers and they are properly informed for the meeting. This process can be determined by the CAP in its operating procedures. A recommendation is provided for Council's consideration in relation to the appointment of Deputy Members, however.

#### **4. CONCLUSION / PROPOSAL**

- 4.1 It is recommended that Council determine the Elected Member and Deputy Elected Member for the Council Assessment Panel.

#### **CO-ORDINATION**

Officer: EXECUTIVE GROUP  
Date: 14.08.17





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<b>ITEM</b>	3.3.1
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	21 August 2017
<b>HEADING</b>	St Kilda Dog Signs
<b>AUTHOR</b>	Brad Scholefield, Team Leader General inspectorate, City Development
<b>CITY PLAN LINKS</b>	3.1 To have a community that embraces healthy and active lifestyles 4.6 To provide our customers with excellent service that meets their needs

**SUMMARY** On 24 April 2017 Council resolved that staff bring back a report to Council on dog signage around the St Kilda Adventure Play space. This playground area has been declared a dog free zone and there are concerns that the current signage does not alert the public to this regulation. This report presents options regarding dog signs at the St Kilda Adventure Play Space for Council consideration.

#### **RECOMMENDATION**

1. The information be received.
2. Staff finalise a signage design and install the additional signage to the existing bin container infrastructure at the St Kilda Adventure Play-space as presented in Attachment 2 to Item 3.3.1 of the Resources and Governance Committee agenda of 21 August 2017.

#### **ATTACHMENTS**

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

1. Current Dog Sign Locations & Dog Free Area Sign
2. Bin Locations St Kilda Playspace
3. New St Kilda Dog Advisory Sign

#### **1. BACKGROUND**

- 1.1 The St Kilda Adventure Play-space was declared to be a dog free zone by Council on 7 December 2015. Signage was created and installed by staff as per Attachment 1, which shows the sign and locations.
- 1.2 Current signs have been placed at several locations on the approaches to the playground area with the sign height set at the specified standard of 2.2 metres. This standard sign height is for signs on poles in a public area, and is designed to prevent a person injuring themselves on the sign whilst walking past.

- 1.3 In response to recent feedback that the location and type of signs is not adequately alerting visitors that the playground area is dog free, Council resolved on 24 April 2017:

*That staff investigate signage options to improve dog management at St Kilda and provide a report to Council for consideration. (1735/2017)*

## **2. CONSULTATION / COMMUNICATION**

### **2.1 Internal**

- 2.1.1 Team Leader Landscape and Design City Infrastructure
- 2.1.2 Team Leader Corporate Communications
- 2.1.3 Senior Traffic Engineer

## **3. REPORT**

- 3.1 Currently at the St Kilda Adventure Play-space dog free zone signs have been placed at locations around the boundary of the dog free area. Feedback is that these signs have not achieved their purpose of informing visitors that the play-space area is a dog free area.
- 3.2 This report examines signage options for the St Kilda Play-space area, with the aim of ensuring visitors are aware of the regulations. Prior to the consideration of this report, initial action has been taken by placing an additional 'Dog Free Sign' at the driveway entrance to the St Kilda playground and picnic car park area.
- 3.3 However it has been established that additional signage would help prevent visitors unwittingly enter the play-space area with their dogs.
- 3.4 Council staff have inspected the area and identified the potential to place advisory signs on waste bin cubes located in and around the Adventure Play Space. These sign locations are likely to result in increased awareness of the dog free zone and increase compliance rates. (Attachment 2)
- 3.5 Signs positioned at these locations within the carpark and play-space are easily sighted. Utilising the existing bin container infrastructure enables Council to increase signage without additional infrastructure and sign clutter.
- 3.6 The new sign design would be dual purpose, advising park users where dogs can be walked and where they are prohibited. (Attachment 3).
- 3.7 The proposed signs will be funded from an existing operational budget line.

## **4. CONCLUSION / PROPOSAL**

- 4.1 Extra signs along with the current signs around the adventure playground are expected to achieve increased awareness and improve overall compliance rates with the restrictions upon dogs.
- 4.2 As signage is only an informative approach to achieving compliance, staff will also continue with additional strategies to ensure members of the community and visitors are informed of the requirements regarding dogs. This will include continuation of regular patrols of the reserve and play space, and informing the community of the dog free area on our web site and social media.

**CO-ORDINATION**

Officer: EXECUTIVE GROUP

Date: 14.08.17





Item 3.3.1 - Attachment 1 - Current Dog Sign Locations & Dog Free Area Sign









# Where can I take my dog?

## No Dogs allowed in the Playground Area



## Dogs are welcome in other areas On-Leash between 8am to 6.30pm





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<b>ITEM</b>	3.4.1
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	21 August 2017
<b>HEADING</b>	Nominations Sought for the South Australian Boating Facility Advisory Committee
<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 Minister for Transport and Infrastructure has written to the LGA requesting nominations for a Local Government Member and Deputy Member on the South Australian Boating Facility Advisory Committee for a two year term.

### **RECOMMENDATION**

1. \_\_\_\_\_ be nominated as a Local Government Member on the South Australian Boating Facility Advisory Committee.

### **ATTACHMENTS**

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

1. Terms of Reference - South Australian Boating Facility Advisory Committee
2. Part A Selection Criteria - South Australian Boating Facility Advisory Committee

### **1. BACKGROUND**

- 1.1 Nominations are being sought for a Local Government Member and Deputy Member on the South Australian Boating Facility Advisory Committee for a two year term. Nominations must be forwarded to the LGA by COB Friday 8 September 2017.

### **2. CONSULTATION / COMMUNICATION**

#### **2.1 Internal**

- 2.1.1 Circular 31.7 dated 31 July 2017 from the LGA was posted on the Elected Members Portal and emailed to the Executive Group, Elected Members and relevant staff seeking interest. At the time of writing this report, no registrations of interest in being nominated have been received.

#### **2.2 External**

- 2.2.1 Nil

### 3. REPORT

- 3.1 The South Australian Boating Facility Advisory Committee is established pursuant to the *Harbors and Navigation Act 1993*
- 3.2 The role of the South Australian Boating Facility Advisory Committee is to:
  - 3.2.1 advise the Minister for Transport ("the Minister") on the amount of the levy that should be imposed and the application of monies;
  - 3.2.2 advise the Minister, and as may be required, the Executive Director of the Department for Transport, Energy and Infrastructure (DTEI), Transport Services Division, on matters affecting the development of boating facilities in South Australia;
  - 3.2.3 assist in establishing South Australia as a prime recreational boating location for local boating enthusiasts, and interstate and international visitors; and
  - 3.2.4 assist with the continuing sustainable development of the commercial fishing industry and other commercial boating activities.
- 3.3 Appointments to the South Australian Boating Facility Advisory Committee are for a period of two years, The LGA is currently represented by Mrs Veronica Brudell and her proxy is Mr Leon Stephens and both are eligible for re-nomination.
- 3.4 At the Minister's determination, members of the Committee may be paid a sitting fee (at rates determined from time to time by the Commissioner for Public Employment). An allowance for reasonable travelling and incidental expenses necessarily incurred in carrying out the business of the Committee may also be paid at the discretion of the Minister.
- 3.5 While actual dates and times are not available, Committee meetings are normally held on a quarterly basis - dependent on the amount and urgency of business involved and usually meet at the DPTI building, 77 Grenfell St, Adelaide. However meetings are sometime held at major regional centres. Meetings at DPTI start at 10am and finish around 2pm and include a 30-60 minute meal break provided by the department.
- 3.6 LGA nominations on outside bodies will, unless determined otherwise by the LGA Board, be currently serving Council Members or Council Staff.
- 3.7 Nominations addressing the Part A Selection Criteria (attached) must be forwarded to the LGA by COB Friday 8 September 2017. Due to State Government requirements all nominees must also provide an up-to-date CV/Resume.
- 3.8 The LGA Board will consider nominations received at its meeting on Friday 28 September 2017.

### 4. CONCLUSION / PROPOSAL

- 4.1 Council is asked to determine if a nomination be made for the South Australian Boating Facility Advisory Committee.
- 4.2 It should be noted that Council is not obligated to submit a nomination.

**CO-ORDINATION**

Officer: Executive Group MG  
Date:



**SOUTH AUSTRALIAN BOATING FACILITY ADVISORY COMMITTEE**  
**TERMS OF REFERENCE**

**1. GENERAL**

- 1.1. Section 90A of the Harbors and Navigation Act, 1993 provides for a Facilities Fund which consists of levies payable on the registration, inspection or survey of a vessel and income from investment of money belonging to the Fund.
- 1.2. The South Australian Boating Facility Advisory Committee ("the Committee") is established by the Minister for Transport in accordance with Regulation 216 of the Harbors and Navigation Regulations 2009.

**2. FUNCTION OF THE COMMITTEE**

2.1. The functions of the South Australian Boating Facility Advisory Committee are to:

- 2.1.1. advise the Minister for Transport ("the Minister") on the amount of the levy that should be imposed and the application of monies;
- 2.1.2. advise the Minister, and as may be required, the Executive Director of the Department for Transport, Energy and Infrastructure (DTEI), Transport Services Division, on matters affecting the development of boating facilities in South Australia;
- 2.1.3. assist in establishing South Australia as a prime recreational boating location for local boating enthusiasts, and interstate and international visitors; and
- 2.1.4. assist with the continuing sustainable development of the commercial fishing industry and other commercial boating activities.

**3. RESPONSIBILITIES**

3.1. To achieve the purpose of the Committee and the Facilities Fund the Committee shall consider and advise the Minister on the following matters:

- 3.1.1 the basis and quantum of the Facilities Levy;
- 3.1.2 the strategic direction, in consultation with local councils, for the provision of boating facilities across the State; and
- 3.1.3 proposals for expenditure of funds from the Facilities Fund based on strategic needs, or at the request of the Minister or DTEI.

3.2. The Committee shall:

- 3.2.1. In relation to facilities, have regard to:

- a) Commonwealth and State Legislation;
- b) other regulatory authorities;
- c) local government development plans and by-laws;
- d) other advisory and industry groups, and
- e) any relevant strategies and planning documents

likely to affect boating in South Australia, and shall advise the Minister accordingly.

#### 4. THE COMMITTEE

##### Membership

4.1 Regulation 216 provides for the establishment of the Committee which is summarised as follows:

The Committee is to consist of a maximum of eight members appointed by the Minister and shall include at least one male and at least one female member, of whom:

- a) one must be a person nominated by the Boating Industry Association of South Australia Inc;
- b) one must be a person nominated by the South Australian Recreational Boating Council Inc;
- c) one must be a person nominated by the South Australian Recreational Fishing Advisory Council Inc;
- d) one must be a person nominated by the Local Government Association of South Australia; and
- e) two must be persons who have experience in the operation of commercial vessels (with at least one having experience in the commercial fishing industry).

4.2 Members shall be appointed as individuals with the expertise, experience and skills appropriate to carrying out the functions of the Committee. While they may also be the corporate head or nominee of an organisation or association listed in 4.1, the appointment will not be primarily as that organisation or association's representative.

4.3 The Minister will appoint a member of the Committee to be the Presiding Member and may appoint one member to be the Deputy Presiding Member.

4.4 The term of appointment as a member of the Committee shall be for a period of up to 2 years.

##### Deputy members

4.5 An organisation or association, when nominating a person as a member of the Committee, is also to nominate a deputy for the member in the event that the member is not available to attend a meeting of the Committee.

4.6 In the absence of a member, a deputy member has the same voting rights and entitlement to receive fees or allowances, as may be determined by the Minister.



- 4.7 Attendance of observers, including a deputy member when the member is also in attendance, is to be at the sole discretion of the Presiding Member.
- 4.8 Observers, if permitted and regardless of whether they be deputy members or not, have no rights to contribute to the meeting (unless specifically invited to do so by the Presiding Member), do not have voting rights, will not receive any business papers, and are not eligible for any payment of fees or allowances.

#### **Fees and Allowances**

- 4.9 At the Minister's determination, members of the Committee may be paid a sitting fee (at rates determined from time to time by the Commissioner for Public Employment). An allowance for reasonable travelling and incidental expenses necessarily incurred in carrying out the business of the Committee may also be paid at the discretion of the Minister.

#### **Conduct of Business**

- 4.10 Unless otherwise specified in this document, the Committee may conduct its business in such manner as it thinks fit.

##### *Quorum and voting*

- 4.10.1 Meetings of the Committee shall occur at times and places determined by the Committee and shall require a quorum of not less than one half of those persons entitled to attend (disregarding fractions) plus one.
- 4.10.2 Decisions of the Committee shall be determined by a vote or ballot and shall require approval by a majority of members present and entitled to vote. The form of a vote or ballot shall be as decided by the Committee and may include a secret ballot. In the event of a tied vote the Presiding Member (or in their absence the deputy Presiding Member) shall have a casting vote in addition to his or her deliberative vote. Decisions of the Committee shall be recorded in writing for the information of the Minister and of the Committee, and shall be confidential unless the Minister otherwise directs.

##### *Executive Officer*

- 4.10.3 The Executive Director of DTEI, Transport Services Division shall provide an Executive Officer, and any other staff as may be agreed with the Presiding Member. Those persons will not have voting rights.

##### *Personal or Pecuniary Interests*

- 4.10.4 A member of the Committee who has a direct or indirect personal or pecuniary interest in a matter under consideration by the Committee must, as soon as practicable, disclose to the Committee full and accurate details of the interest, must not take part in any discussion relating to that matter, unless invited to take part by the Committee, and must not vote in relation to that matter.

- 4.10.5 A decision by the Committee shall not be invalidated by virtue of the failure, by a member, to disclose a personal or pecuniary interest in the matter which was the subject of the decision. However, the Committee may review its decision in such circumstances.

*Engaging consultants*

- 4.10.6 The Committee may, subject to the approval of the Minister, engage consultants as the Committee considers necessary for the discharge of its function and responsibilities.
- 4.10.7 The Committee is to be bound by the same rules and procedures applicable from time to time to Government agencies for the engaging of consultants.

*Minutes of meetings*

- 4.10.8 The Executive Officer is to take minutes of the Committee's deliberations and record the resolutions made and the vote taken on all matters put to the vote.
- 4.10.9 A draft of the minutes is to be finalised by the Executive Officer and the Presiding Member, as soon as possible after the meeting and, in any event, not more than five working days after a meeting, and forwarded to the Minister for information. These minutes are to be clearly marked "Draft".
- 4.10.10 Once the Minutes of a meeting have been confirmed by the members at a subsequent meeting, a copy signed by the Presiding Member is to be forwarded to the Minister.
- 4.10.11 Members of the Committee are to take all reasonable precautions to ensure that minutes of meetings and any associated working papers are treated as confidential.

**5. THE FACILITIES FUND**

- 5.1 The Facilities Fund comprises all funds collected in accordance with Section 90A of the Harbors and Navigation Act, 1993.
- 5.2 The Facilities Fund shall be expended on establishing, maintaining and improving common-use<sup>1</sup> facilities for boating within South Australia.
- 5.3 The Facilities Fund shall be administered by DTEI, which shall account to the Minister for the collection and disposition of the monies comprising the Fund at such times as may be determined by the Minister.

<sup>1</sup> Common-use facilities – those facilities that are available for use by recreational boaters, the commercial fishing industry and/or other commercial (non-fishing) vessels.  
6 October 2010

5.4 The Committee shall assess applications for funding from local councils and other statutory bodies which meet the following minimum basic criteria:

- 5.4.1 community consultation has been undertaken and an indication of community support is given; \_\_\_\_\_
- 5.4.2 commitment is given by the statutory body that funding is available to cover the balance of the actual cost of the project being that amount above the amount contributed from the Fund (refer para 5.6 below);
- 5.4.3 all planning approvals, native title clearances etc, have been sought and received; and
- 5.4.4 commitment given by a statutory body to ongoing facility ownership and maintenance.

5.5 The Committee may require other criteria be applied to enable appropriate consideration of an application for monies from the Fund.

5.6 The Committee will only recommend contributions from the Fund of not more than 50% of the total estimated cost of the project unless extraordinary circumstances exist.

Any correspondence with external bodies is to clearly state that the Government's contribution will not exceed the approved amount. If the actual cost is less than the estimated cost, only 50% of the actual cost will be paid from the Fund. If the actual cost of the project exceeds the estimated project cost, no more than the approved amount will be paid from the Fund.



HON PATRICK CONLON MP  
MINISTER FOR TRANSPORT

6 October 2010



**Nominations to Outside Bodies** - PART A

<b>Name of Body</b>	<b>South Australian Boating Facility Advisory Committee</b>	
<b>Legal Status of Body</b>	Statutory Authority	
<b>Summary Statement</b>	The committee established in accordance with the Harbours and Navigation Regulations 2009 represents recreational boating and commercial fishing interests with a direct concern for the strategic development of recreational boating and commercial fishing industry facilities, and providing for safe recreational boating and commercial fishing operations within South Australia.	
<b><u>SELECTION CRITERIA FOR MEMBERSHIP ON OUTSIDE BODIES</u></b> The following selection criteria must be addressed when completing Part B		
<b>Qualifications Required</b> <i>(formal qualifications relevant to the appointment)</i>	No formal qualifications required.	
<b>Industry Experience</b>	Local Government representative (Elected Member or Senior Officer).	
<b>Board / Committee Experience</b>	Expertise, experience and skills appropriate to carrying out the functions of a committee.	
<b>Key Expertise</b> <i>(other relevant experience i.e. those requirements established for a Board/Committee under an Act)</i>	Experience and expertise in recreational boating issues would be advantageous.	
<b><u>LIABILITY AND INDEMNITY COVER</u></b> The LGA requires that representatives on outside bodies be appropriately insured throughout the period of their appointment and seeks to collect details of the insurances provided by that organisation (on an annual basis)		
<b>Insurance information (Certificates of Currencies or equivalent) supplied by the Outside Body</b>	<b>Yes</b>	
<b>Insurance Policies are Valid &amp; Current</b>	<b>Yes</b>	

ECM 652470



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<b>ITEM</b>	3.4.2
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	21 August 2017
<b>PREV REFS</b>	
<b>HEADING</b>	Nominations Sought for the Dog and Cat Management Board
<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 Minister for Sustainability, Environment and Conservation, Hon Ian Hunter MLC, has written to the Local Government Association (LGA) requesting nominations for three Local Government Members on the Dog and Cat Management Board for a term of up to three years commencing December 2017. Nominations must be forwarded to the LGA with a current CV by COB Friday 15 September 2017.

#### **RECOMMENDATION**

1. \_\_\_\_\_ be nominated as a Local Government Member on the Dog and Cat Management Board.

#### **ATTACHMENTS**

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

1. Dog and Cat Management Board Part A Selection Criteria

#### **1. BACKGROUND**

- 1.1 The Minister for Sustainability, Environment and Conservation, Hon Ian Hunter MLC, has written to the Local Government Association (LGA) requesting nominations for three Local Government Members on the Dog and Cat Management Board for a term of up to three years commencing December 2017.
- 1.2 Nominations must be forwarded to the LGA by COB Friday 15 September 2017.

#### **2. CONSULTATION / COMMUNICATION**

##### **2.1 Internal**

- 2.1.1 Circular 32.5 dated 8 August 2017 from the LGA was circulated to Elected Members, the Executive Group, Manager Environmental Health and Safety and Team Leader General Inspectorate on 8 August 2017. At the time of writing this report no registrations of interest in being nominated had been received.

- 2.2 External
  - 2.2.1 Nil

### 3. REPORT

- 3.1 The Dog and Cat Management Board is established pursuant to Section 12 of the *Dog and Cat Management Act 1995* and works closely with key partner organisations and state government to improve dog and cat management in South Australia. Using its research and expertise the Board has ensured that South Australia's regulatory and legislative framework has been reviewed and amended to improve the management of dogs and cats in South Australia.
- 3.2 The Minister has asked the LGA to forward nominations for three Local Government Members on the Dog and Cat Management Board for a term of up to three years commencing December 2017. The terms of three of the LGA's current nominees expire in December 2017 and all are eligible to re-nominate.
- 3.3 John Darzanos, Manager Environmental Safety, is a current Local Government representative on the Dog and Cat Management Board. His term will expire in June 2018 at which time he will be eligible to re-nominate.
- 3.4 LGA nominees together must meet the legislative criteria as set out below in order to be considered for nomination:
  - 3.4.1 Practical knowledge of and experience in Local Government, including Local Government processes, community consultation and the law as it applies to Local Government;
  - 3.4.2 Experience in the administration of legislation;
  - 3.4.3 Experience in financial management;
  - 3.4.4 Experience in education and training.
- 3.5 The role of the Dog and Cat Management Board is:
  - (a) to plan for, promote, and provide advice about, the effective management of dogs and cats throughout South Australia;
  - (b) to oversee the administration and enforcement of the provisions of this Act relating to dogs, including:
    - i. monitoring the administration and enforcement of this Act by councils; and
    - ii. issuing guidelines and providing advice to councils about
      - A. planning for the effective management of dogs and cats;
      - B. training for authorised persons;
      - C. the appropriate level of administration and enforcement in the circumstances prevailing in the area;
      - D. the issuing of orders or related directions under this Act;
      - E. the standard of facilities used for the detention of dogs and cats under this Act;



- F. the keeping and inspection of registers under this Act and the issuing of certificates of registration and registration discs;
  - G. any other matter related to the administration or enforcement of the provisions of this Act relating to dogs and cats; and
- iii. otherwise providing support and assistance to councils;
- (ba) to accredit dogs as assistance dogs;
  - (bb) to keep and maintain registers for the purposes of this Act;
  - (c) to inquire into and consider all proposed by-laws referred to it under this Act, with a view to promoting the effective management of dogs and cats, and, to the extent that the Board considers it appropriate, the consistent application of by-laws throughout South Australia;
  - (d) to advise the Minister or the LGA, either on its own initiative or at the request of the Minister or the LGA, on the operation of this Act or issues directly relating to dog or cat management in South Australia;
  - (e) to undertake or facilitate research relating to dog or cat management;
  - (f) to undertake or facilitate educational programs relating to dog or cat management;
  - (g) to keep this Act under review and make recommendations to the Minister with respect to the Act and regulations made under the Act;
  - (h) to fix fees and charges for the purposes of this Act;
  - (i) to carry out any other function assigned to the Board by the Minister or by or under this Act.
- 3.6 The Board's functions may extend to providing the following services as the Board thinks fit:
- (a) the accreditation of training programs for dogs and owners;
  - (b) the accreditation of procedures for testing the behaviour of dogs;
  - (c) the carrying out of any other function relating to responsible dog and cat ownership or the effective management of dogs and cats.
- 3.7 Appointments to the Dog and Cat Management Board are for a period not exceeding three (3) years.
- 3.8 The allowance for Board Members is currently \$258 per four hour session attended.
- 3.9 The Board generally meets on the last Wednesday of each month between 1.30pm and 5.30pm, regularly holding their meetings at metropolitan and regional councils. The meeting dates for 2018 will be confirmed at the December 2017 meeting.
- 3.10 Nominations addressing the Selection Criteria (Part A attached) for the Dog and Cat Management Board must be forwarded to the LGA by COB Friday 15 September 2017. The LGA Board will consider nominations received at its meeting on Thursday 28 September 2017.

**4. CONCLUSION / PROPOSAL**

- 4.1 Council is asked to determine if a nomination be made the Dog and Cat Management Board.
- 4.2 Council should note it is not obliged to make a nomination.

**CO-ORDINATION**

Officer: Executive Group MG  
Date:



### **Nominations to Outside Bodies**

#### **PART A**

<b>Name of Body</b>	Dog and Cat Management Board
<b>Legal Status of Body</b>	<b>Statutory Authority</b>
<b>Summary Statement</b>	The Dog and Cat Management Board operates under the <i>Dog and Cat Management Act 1995</i> and its functions include monitoring the administration and enforcement of this Act by Councils.
<b><u>SELECTION CRITERIA FOR MEMBERSHIP ON OUTSIDE BODIES</u></b> The following selection criteria must be addressed when completing Part B	
<b>Qualifications Required</b> <i>(formal qualifications relevant to the appointment)</i>	No formal qualifications required.
<b>Industry Experience</b>	Relevant knowledge of dog and cat management issues as they impact local government.
<b>Board / Committee Experience</b>	Relevant experience serving on high level intergovernmental boards, committees or funding allocation bodies is highly desirable.
<b>Key Expertise</b> <i>(other relevant experience i.e. those requirements established for a Board/Committee under an Act)</i>	<p>Section 12(2) of the <i>Dog and Cat Management Act 1995</i> requires nominees, together, to have the following attributes:</p> <ul style="list-style-type: none"> <li>(a) practical knowledge of and experience in local government, including local government processes, community consultation and the law as it applies to local government;</li> <li>(b) experience in the administration of legislation;</li> <li>(c) experience in financial management;</li> <li>(d) experience in education and training.</li> </ul> <p>The priority attribute for people nominating for this position is experience in education and training.</p>
<b><u>LIABILITY AND INDEMNITY COVER</u></b> The LGA requires that representatives on outside bodies be appropriately insured throughout the period of their appointment and seeks to collect details of the insurances provided by that organisation (on an annual basis)	
<b>Insurance information (Certificates of Currencies or equivalent) supplied by the Outside Body</b>	<b>Yes</b>
<b>Insurance Policies are Valid &amp; Current</b>	<b>Yes</b>

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<b>ITEM</b>	3.4.3
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	21 August 2017
<b>PREV REFS</b>	
<b>HEADING</b>	Nominations Sought for the Local Government Transport Advisory Panel
<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 Local Government Association (LGA) is requesting nominations for a ‘Metro Council’ Member on the Local Government Transport Advisory Panel. Nominations must be forwarded to the LGA with a current CV by COB Wednesday 13 September 2017.

#### **RECOMMENDATION**

1. \_\_\_\_\_ be nominated as a ‘Metro Council’ Member on the Local Government Transport Advisory Panel.

#### **ATTACHMENTS**

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

1. Local Government Transport Advisory Panel Part A Selection Criteria

#### **1. BACKGROUND**

- 1.1 The Local Government Association (LGA) is requesting nominations for a ‘Metro Council’ Member on the Local Government Transport Advisory Panel.
- 1.2 Nominations must be forwarded to the LGA with a current CV by COB Wednesday 13 September 2017.

#### **2. CONSULTATION / COMMUNICATION**

##### **2.1 Internal**

- 2.1.1 Circular 32.2 dated 8 August 2017 from the LGA was circulated to Elected Members, the Executive Group, Manager Financial Services, Manager Technical Services, Manager Development Services and Senior Traffic Engineer on 8 August 2017. At the time of writing this report no registrations of interest in being nominated had been received.

##### **2.2 External**

- 2.2.1 Nil

**3. REPORT**

- 3.1 The Special Local Roads Program (SLRP) was established under the joint approvals of the South Australian, Commonwealth and Local Governments. The Program commenced in 1985-86 and facilitates funding of significant and strategic road works throughout the State.
- 3.2 Each year the Local Government Transport Advisory Panel (LGTAP) calls for submissions for SLRP funding from the Regional LGA's (Eyre, South East, Central, Murray & Mallee, Southern & Hills) and the Metropolitan LGA.
- 3.3 The panel then considers a program of works across SA for allocation of funding from the SLRP. In performing this function the LGTAP give preference to those projects that have been developed through Local Government Regional Transport Plans and transparent planning processes.
- 3.4 Funding for the SLRP Program is provided from:
- 3.4.1 15% of identified local road grants; and
  - 3.4.2 15% of funding from the SA allocation of R2R.
- 3.5 The current Panel includes:
- 3.5.1 a member of the LGA Board, Mr Keith Parkes (Mayor of Alexandrina Council);
  - 3.5.2 a member from a country council, Mr Richard Dodson (General Manager of Infrastructure & Works, Light Regional Council);
  - 3.5.3 a member from a metropolitan council (vacant);
  - 3.5.4 Mr Lea Bacon (Director Policy) as delegate of the Local Government Association;
  - 3.5.5 Mr Peter Ilee as nominee of the Minister for Local Government;
  - 3.5.6 Mr Don Hogben (nominee of the Minister for Transport); and
  - 3.5.7 a representative from the Commonwealth Department of Transport and Regional Services (in an advisory capacity).
- 3.6 Appointment of Panel Members has not been time limited (i.e. no fixed term).
- 3.7 There is no remuneration for members on the Panel, which has one meeting per year (July 2018 being the next one) to consider applications for the special local road program, which then go as recommendations to the Minister.
- 3.8 Nominations addressing the Selection Criteria (Part A attached) for the LGTAP must be forwarded to the LGA by COB Wednesday 13 September 2017. The LGA Board will consider nominations received at its meeting on Thursday 28 September 2017.

**4. CONCLUSION / PROPOSAL**

- 4.1 Council is asked to determine if a nomination be made the Local Government Transport Advisory Panel.
- 4.2 Council should note it is not obliged to make a nomination.

**CO-ORDINATION**

Officer: Executive Group MG

Date:







**Nominations to Outside Bodies** - PART A

<b>Name of Body</b>	Local Government Transport Advisory Panel (LGTAP)
<b>Legal Status of Body</b>	<b>Advisory Committee</b>
<b>Summary Statement</b>	For Local Government to administer and drive the Special Local Roads Program (SLRP) and to assume greater responsibility for decision making for funding strategic roads.
<b><u>SELECTION CRITERIA FOR MEMBERSHIP ON OUTSIDE BODIES</u></b> The following selection criteria must be addressed when completing Part B	
<b>Qualifications Required</b> <i>(formal qualifications relevant to the appointment)</i>	N/A
<b>Industry Experience</b>	Ideally Members will have engineering skills, experience in the management of large projects, knowledge of roads and road funding, experience in decision making processes at a strategic level and sound communication skills.
<b>Board / Committee Experience</b>	Experience with Committee decision processes and collective approaches to strategic views.
<b>Key Expertise</b> <i>(other relevant experience i.e. those requirements established for a Board/Committee under an Act)</i>	Regional Council experience.
<b><u>LIABILITY AND INDEMNITY COVER</u></b> The LGA requires that representatives on outside bodies be appropriately insured throughout the period of their appointment and seeks to collect details of the insurances provided by that organisation (on an annual basis)	
<b>Insurance information (Certificates of Currencies or equivalent) supplied by the Outside Body</b>	<b>Yes</b>
<b>Insurance Policies are Valid &amp; Current</b>	<b>Yes</b>

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<b>ITEM</b>	3.4.4
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	21 August 2017
<b>PREV REFS</b>	
<b>HEADING</b>	Nominations Sought for the South Australian Heritage Council
<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 Minister for Sustainability, Environment and Conservation is seeking nominations for a Local Government member on the South Australian Heritage Council for a term of up to three years commencing on 2 April 2018. Nominations must be forwarded to the LGA by COB Wednesday 20 September 2017.

#### RECOMMENDATION

1. \_\_\_\_\_ be nominated as a Local Government member on the South Australian Heritage Council.

#### ATTACHMENTS

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

1. Selection Criteria the SA Heritage Council

#### 1. BACKGROUND

- 1.1 The Minister for Sustainability, Environment and Conservation is seeking nominations for a Local Government member on the South Australian Heritage Council for a term of up to three years commencing on 2 April 2018.
- 1.2 The South Australian Heritage Council is established pursuant to the *Heritage Places Act 1993* (the Act).
- 1.3 Pursuant to section 5A of the Act, the role of the Heritage Council is:
  - a) to provide advice (especially from a strategic perspective) to the Minister on matters relating to-
    - i. trends, shortcomings and opportunities with respect to heritage protection at the State and local level and, insofar as may be relevant, at the national level; and
    - ii. the development and effectiveness of heritage conservation programs, policies, initiatives and incentives; and
    - iii. the operation and enforcement of this Act; and
    - iv. other issues referred to the Council by the Minister for consideration and report;

- b) in connection with the administration of this Act-
  - i. to administer the South Australian Heritage Register; and
  - ii. to identify places, and related objects, of State heritage significance, and to enter them in the Register; and
  - iii. to identify areas of State heritage significance, and to promote their establishment, in appropriate cases, as State Heritage Areas under the Development Act 1993; and
  - iv. to initiate or support community awareness programs that promote public understanding and appreciation of the State's heritage, taking into account the objects of this Act; and
  - v. to promote the objects of this Act in such other manner as the Council thinks fit, including through the work of other bodies or persons;
- c) to provide advice (especially from a strategic perspective) to the Minister to whom the administration of the *Development Act 1993* is committed on matters relating to-
  - i. the interpretation or application of the criteria set out in section 23(4) of that Act (and, if appropriate, the consideration of any potential amendment with respect to those criteria); and
  - ii. other matters on which that Minister is required to consult with the Council under the provisions of that Act;
- d) to perform any other function assigned to the Council by or under this or any other Act.

## 2. CONSULTATION / COMMUNICATION

### 2.1 Internal

2.1.1 Circular 33.3 dated 14 August 2017 from the LGA was emailed to the Executive Group, Elected Members, and relevant members of staff on 14 August 2017. At the time of writing this report, no expressions of interest in being nominated have been received.

### 2.2 External

2.2.1 Nil.

## 3. REPORT

- 3.1 Nominations are sought for one Local Government member. The LGA is currently represented by Mr Rob Donaldson, of the City of Port Lincoln, whose term is expiring and will not be re-nominating.
- 3.2 Appointments to the SA Heritage Council are for a period of three years, commencing 2 April 2018.
- 3.3 Meetings are usually held every six weeks on a Wednesday at 81-95 Waymouth Street, Adelaide. Meetings usually run for three hours between 9:30am and 12:30pm. Support for travel cost is provided for any members needing to travel from outside metropolitan Adelaide.

- 3.4 Remuneration for members of the SA Heritage Council are \$206 per four hour session.
- 3.5 LGA Nominations on outside bodies will, unless determined otherwise by the LGA Board or Executive Committee, be currently serving Council Members or Council Staff.
- 3.6 Nominations, addressing the Selection Criteria provided in Part A (attached) for the South Australian Heritage Council must be forwarded to the Local Government Association by COB Wednesday 20 September 2017. An up-to-date resume must also be included.
- 3.7 The LGA Board will consider nominations received at its meeting on Thursday 28 September 2017.

**4. CONCLUSION / PROPOSAL**

- 4.1 Council is asked to determine if a nomination is to be made for the South Australian Heritage Council.
- 4.2 It should be noted that Council is not obliged to submit a nomination.

**CO-ORDINATION**

Officer: MG  
Date:



**Nominations to Outside Bodies** - PART A

<b>Name of Body</b>	South Australian Heritage Council
<b>Legal Status of Body</b>	<b>Statutory Authority</b>
<b>Summary Statement</b>	<p>The South Australian Heritage Council is an independent body whose main functions are to:</p> <ul style="list-style-type: none"> <li>• provide strategic advice to the Minister for Sustainability, Environment and Conservation</li> <li>• administer the Heritage Places Act 1993</li> <li>• provide strategic advice to the Minister for Planning on heritage-related matters in the administration of the Development Act 1993</li> <li>• administer the South Australian Heritage Register.</li> </ul> <p>The Council appoints committees to undertake particular roles and activities on its behalf.</p>
<p><b><u>SELECTION CRITERIA FOR MEMBERSHIP ON OUTSIDE BODIES</u></b> The following selection criteria must be addressed when completing Part B</p>	
<b>Qualifications Required</b> <i>(formal qualifications relevant to the appointment)</i>	N/A
<b>Industry Experience</b>	Relevant experience in heritage conservation.
<b>Board / Committee Experience</b>	Experience serving on intergovernmental boards or committees is desirable.
<b>Key Expertise</b> <i>(other relevant experience i.e. those requirements established for a Board/Committee under an Act)</i>	Demonstrated knowledge of our experience in heritage conservation is essential.
<p><b><u>LIABILITY AND INDEMNITY COVER</u></b> The LGA requires that representatives on outside bodies be appropriately insured throughout the period of their appointment and seeks to collect details of the insurances provided by that organisation (on an annual basis)</p>	
<b>Insurance information (Certificates of Currencies or equivalent) supplied by the Outside Body</b>	<b>Yes</b>
<b>Insurance Policies are Valid &amp; Current</b>	<b>Yes</b>

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<b>ITEM</b>	3.5.1
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	21 August 2017
<b>HEADING</b>	Elected Member Development Program - Evaluation Report
<b>AUTHOR</b>	Tami Norman, Manager Governance, CEO and Governance
<b>CITY PLAN LINKS</b>	4.2 Develop strong capability and commitment to continually improve Council's performance.
<b>SUMMARY</b>	This reports presents the Evaluation Report prepared by The Partnership following the completion of the Elected Member Development Program.

### **RECOMMENDATION**

1. The information be received.

### **ATTACHMENTS**

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

1. City of Salisbury Elected Members Leadership Program Report and Evaluation - The Partnership

### **1. BACKGROUND**

- 1.1 At its meeting on 23 November 2015 Council endorsed the commencement of an Elected Member Development Program, to be conducted by The Partnership. The program sought to focus on improving communication and conflict resolution to assist individual elected members and Council collectively to operate constructively and contribute to effective decision making and delivery of better outcomes for the community.
- 1.2 Details of the program remain confidential in accordance with Council Resolution No. 0778/2015 on the basis that the course proposal contains commercial information/intellectual property of the consultant.
- 1.3 A copy of the Evaluation Report prepared by The Partnership is provided as Attachment 1 to this report.

### **2. REPORT**

- 2.1 The program commenced in late 2015, with one on one interviews offered to all Elected Members. The purpose of the interviews was to identify themes or areas of focus that would allow the content for the remainder of the program to be structured to respond. All but two Elected Members participated in a one-on-one interview.
- 2.2 The next phase of the program was two half day workshops (delivered on 28 February 2016 and 18 May 2016), followed by six two hour group coaching sessions each month (delivered from June to November 2016 inclusive).

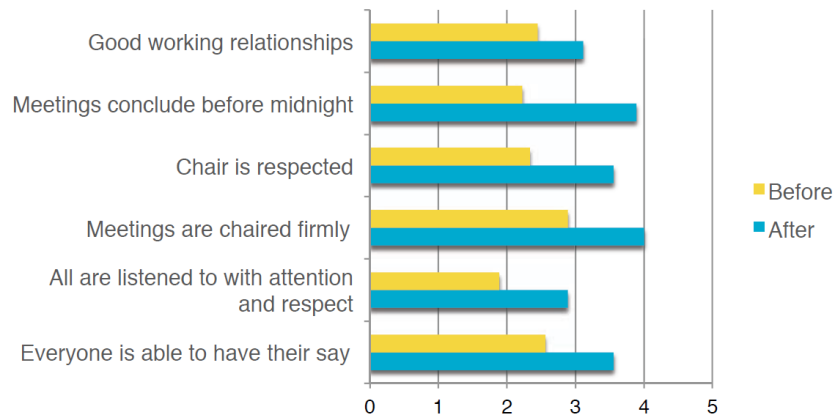
- 2.3 Over the course of the program meetings were convened with the CEO, Mayor and Manager Governance to discuss issues associated with delivery of the program, the consultant attended Council meetings to observe behaviours in practice and phone calls with individual elected members were attended to in support of the overall aims of the program.
- 2.4 Major themes identified by Elected Members for focus during the program were:
- 2.4.1 Everyone is able to have their say
- 2.4.2 All are listened to with attention and respect
- 2.4.3 Meetings are chaired ‘firmly’
- 2.4.4 The Chair is respected
- 2.4.5 Meetings conclude before midnight
- 2.4.6 Good working relationships exist
- 2.5 A majority of members participated actively in the program, with attendance averaging 10 participants for each of the two half day workshops and six coaching sessions.
- 2.6 As part of the half day workshops Elected Members developed a shared vision as to what “working well together” might look like. This became the basis of future work and a continual reference point to test progress throughout the program. It also became the basis of a simple evaluation/feedback form which was completed following each of the Council meetings in June-November inclusive.
- 2.7 The Partnership observed that the post meeting evaluations were difficult to obtain and often coloured by political outcomes on the night, rather than being at true reflection of how Elected Members were able to work together.
- 2.8 Group coaching sessions were structured around a topic chosen by the Elected Members, which was discussed during the session with a written record of conversation and any desired actions made.
- 2.9 At the final group coaching session time was spent on both reviewing the records of previous sessions and identifying key items for further consideration/development. Participants used a prioritization process to identify their preferred topics with the following identified:

<b>Priority (based on no. of ‘dots’ allocated)</b>	<b>Topic</b>
9 dots	Respect and relationships
5 dots	Review process for elected Chairperson positions
4 dots	Training and development <ul style="list-style-type: none"> <li>- Keeping up to date and planning</li> <li>- Meeting procedures</li> <li>- Leadership skills (leadership, respect, strength to grow)</li> </ul>
3 dots	Review the Code of Conduct policy and process
2 dots	Representing council – protocols around notifying councilors what is happening in their wards

Priority (based on no. of 'dots' allocated)	Topic
	Consistency in applying protocols
1 dot	Regular one on one meetings with CEO to give and received feedback/guidance as requested
0 dot	Informal gatherings to discuss items of interest to Elected Members (no formal agenda)
0 dot	Communication with staff – Notices of Business

2.10 During the final group coaching session those in attendance were also asked to complete a short evaluation of the program. Those not in attendance were given the opportunity via email following the session. A total of 10 evaluations were received with the following results:

**Elected Members Program Evaluation (average)**



2.11 Commentary provided indicated a general view that there had been improvement achieved, and those that participated valued the program, particularly the opportunity to get to know each other a little better outside of the more structured meeting processes that usually brought Elected Members together.

### 3. CONCLUSION / PROPOSAL

3.1 Based on the feedback provided by participants the Elected Member Development Program provide an opportunity for better engagement between Elected Members and resulted in improvement in areas identified for focus at the outset of the program.

3.2 A number of issues have been identified for follow-up, including:

- 3.2.1 ongoing development opportunities for Elected Members in areas of relationship management, communication, meeting procedures, leadership;
- 3.2.2 a review of the process for appointment of Chairman positions;
- 3.2.3 a review of the process for managing code of conduct matters;
- 3.2.4 clarification of protocols regarding representation by Elected Members.

- 3.3 The Code of Conduct-Dealing with Complaints procedure is due to be reviewed by Council and it is intended that a workshop will be convened with Elected Members to discuss options for improved management of code of conduct matters.
- 3.4 Ongoing development matters have been incorporated within the elected member training and development planning process.
- 3.5 The review of the process for appointment of Chairman positions is a matter for Council to consider and determine how it wishes to progress. Similarly, the issue of clarification of protocols regarding representation by Elected Members requires some further direction to staff by Council so that assistance can be provided in achieving the desired outcome.
- 3.6 Council are asked to receive and consider this report and provide any direction regarding follow up action for staff to take.

**CO-ORDINATION**

Officer:

Date:



## City of Salisbury Elected Members Leadership Program Report and Evaluation

### 1. Executive Summary

The Elected Members program ran from February 2016 - November 2016. It comprised individual interviews followed by a series of eight meetings in two different formats.

All but one member attended the program over the course of the program, but a group of ten attended more consistently.

From the interviews, we identified that Elected Members were generally seeking the program to deliver:

- Everyone is able to have their say
- All are listened to with attention and respect
- Meetings are chaired 'firmly'
- The Chair is respected
- Meetings conclude before midnight
- Good working relationships exist

The program was evaluated by asking Elected Members to assess their progress based on these criteria. We received ten evaluations from 17 Elected Members, and all but one respondent identified good progress.

The final group coaching session in November was used to help Elected Members to identify what they would like to continue working on in 2017. They identified a range of more 'technical' topics as well as a desire to continue talking to each other in less formal spaces with a view to continuing to build better working relationships. A suggested program outline for 2017 is included in this report.

We thank the Elected Members for the opportunity to work with them, and Mr. John Harry and Ms. Tami Norman for their support in making this program successful. We look forward to any other opportunity to serve the City of Salisbury.

### 2. Program Intent and Purpose

The program commenced in late 2015 in response to a resolution of Council which sought an elected member development program focused on improving communication and conflict resolution, that would assist individual elected members and Council collectively to operate constructively and contribute to effective decision making and delivery of better outcomes for the community.

### 3. Overview of Program Structure and Content

The program comprised:

1. Initial individual interviews
2. Two half day workshops (delivered on 28th February and 18th May)
3. Followed by six, 2 hour group coaching sessions each month (delivered June, July, Aug, Sept, Oct and Nov)

Meetings with the Mayor, CEO and Manager of Governance, Council meetings, and phone calls with elected members were also attended during program delivery to discuss content and progress of the program. Additionally emails were sent to elected members before and after each workshop or group coaching session in an effort to keep all elected members informed about what was to be discussed and the outcomes of those discussions.

The Partnership contributed nearly twice the number of contact hours than included in the proposal for this program without a commensurate increase in remuneration.

### 3.1 What EMs desired (interview themes)

The program commenced with individual interviews with each Elected Member. Despite our very best efforts, including multiple email invitations and phone calls, we were unable to arrange a meeting with everyone. All but two members were involved in interviews and we developed an understanding of what the Elected Members desired as outcomes from the program.

The major themes were:

- Everyone is able to have their say
- All are listened to with attention and respect
- Meetings are chaired 'firmly'
- The Chair is respected
- Meetings conclude before midnight
- Good working relationships exist

### 3.2 Program attendance

A record of attendance was kept and is summarised below in Table 1 with each Elected Member's attendance indicated by a tick under each workshop number.

	28/2	18/5	22/6	20/7	17/8	21/9	19/10	30/11
Mayor, Gillian Aldrige	✓	✓	✓		✓	✓	✓	✓
Cnr. David Balaza	✓	✓	✓	✓	✓	✓	✓	✓
Cnr. Betty Gill	✓		✓	✓	✓		✓	✓
Cnr. Joe Caruso	✓	✓		✓	✓	✓	✓	✓
Cnr. Damian Pilkington	✓	✓	✓	✓	✓	✓		✓
Cnr. Shiralee Reardon	✓	✓	✓	✓	✓	✓	✓	✓
Cnr. David Bryant	✓		✓	✓	*			
Cnr. Steven White		✓	✓	✓	✓		✓	✓
Cnr. Brad Vermeer	✓							
Cnr. Graham Reynolds	✓			✓	✓			
Cnr. Linda Caruso	✓	✓	✓		✓	✓	✓	✓
Cnr. Ricardo Zahara	✓							
Cnr. Robyn Cook	✓	✓	✓	✓	✓	✓	✓	✓
Cnr. Julie Woodman	✓	✓	✓		✓	✓	✓	
Cnr. Sean Bedford	✓				✓		✓	
Cnr. Donna Proleta			✓		✓			✓
Cnr. Chad Buchanan								

**Table 1: Program attendance by Elected Members**

\*Cr Bryant attended an individual meeting with Josie to catch up the discussion at this meeting as he was unable to attend.

As can be seen, a core group of ten Elected Members chose to participate most workshops. Workshops/group coaching sessions were predominantly held on Wednesday evenings once per month and scheduled well in advance. This night was convenient for most but not all Elected Members.

### 3.3 What was learned

#### 3.3.1 What worked well in assisting EMs

The interviews were particularly helpful in allowing us to develop relationships with Elected Members, gain a sense for what they jointly wanted to achieve through the program, and understand a little about how they currently viewed their relationships with each other.

The first workshop included an activity designed to facilitate a conversation between Elected Members about what “working well together” might be like. From this workshop, they developed a shared vision or story and identified the values that existed at the heart of their vision. This became a ‘touch stone’; for all our future work together. More important than the story itself however were the relationships that they started to redefine as they had these conversations together.

The group coaching process worked much better than our two attempts at ‘teaching’ development principles or theories. Our observation is that Elected Members are pragmatic people and are not by and large used to or inclined towards personal development type workshops. The group coaching process however worked much more effectively for all involved. They chose the topic of conversation for each session and we provided a structure within in which to discuss the topic. We also kept a written record of the conversation as notes on a whiteboard.

The process ensured that Elected Members were able to identify what they were trying to achieve as an outcome in addressing any given issue, developed a shared understanding of the current reality (and shared different perspectives), and generated options to resolve the issue or improve the situation. We ensured that the process was facilitated in a manner that allowed each Elected Member to individually decide what each would do differently as a result of the conversation.

In between workshops and group coaching sessions, we observed some monthly Council meetings. We used our observations to facilitate conversations that reflected on Council meeting outcomes and Elected Member strategies and behaviour as a way of raising awareness around some issues of mutual concern e.g. mutual respect.

All Elected Members were invited to attend whatever sessions they could attend. We maintained an inclusive environment, continuously inviting all members to attend.

#### 3.3.2 What worked less well in assisting EMs

As facilitators we learned that:

- Not all Elected Members could see value in this approach to developing Council’s capacity to work better together. For some, the more adversarial approach that has been the foundation of the Westminster style of government defines their view about how they should work together and alternatives are not considered possible or

desirable.

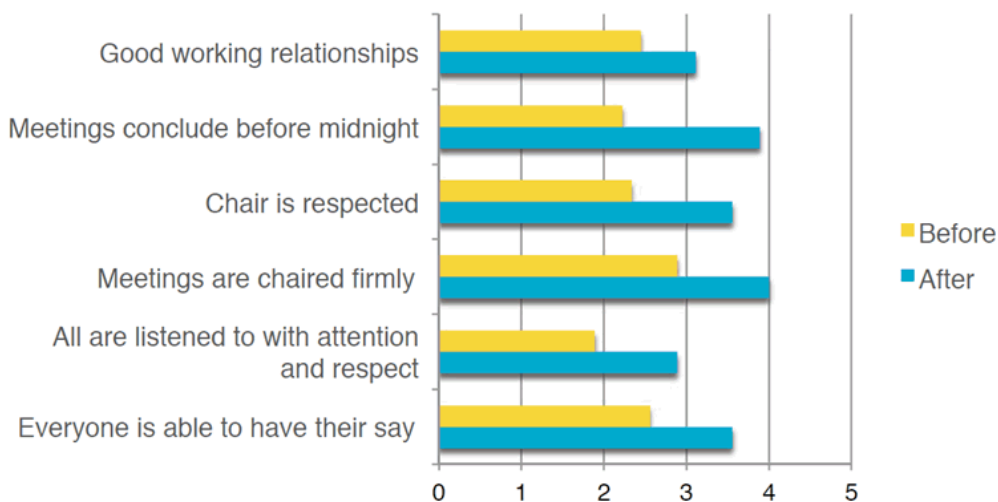
- The Elected Members who chose to attend found it difficult to monitor their own progress and appreciated hearing the views of others such as The Manager of Governance about their progress or otherwise.
- The regular post council meeting reflections on progress were:
  - Difficult to obtain
  - Often coloured by political outcomes on the night rather than reflections on how they were able to work together.
- "Teaching" self development and leadership principles was not very successful, being more pragmatic, the coaching approach suited the Elected Members better.

### 3.4 EM's evaluation of program

We asked Elected Members to evaluate the program during the final group coaching session. All who attended completed the short evaluation and an email was sent to all Elected Members during the following week inviting input from everyone. Only one other evaluation was received by email. The results of the evaluation are shown below. The evaluation was simple and referred back to the themes developed from the individual interviews at the beginning of the program regarding what Elected Members wanted (see section above).

10 elected members completed the evaluation from a total of 17.

#### Elected Members Program Evaluation (average)



#### 3.4.1 Comments from Elected Members

*Generally this has been an improvement in all areas. I believe this has been a good process. We still have some way to go but we are better.*

*Good opportunity to voice concerns amongst the Councillors present. Pity more didn't attend.*

*The program has been very fulfilling. It is a pity ALL councillors did not attend. Some council meeting are still frustrating, and sometimes I just want to walk out. I feel it has got slightly better, but there is room for a lot of improvement, especially in respecting each other. Thank you.*



*I have seen a vast improvement but still feel there is room for more. The chairing has improved and there is more respect in the room, but there is still a core element that is not budging.*

*You people have come in to try to resolve certain issues within council, but all you have achieved in my opinion is to empower certain people to further make divisions and conflicts within our council. From my perspective you have created a new group and you have not effectively engaged all councilors. While your effort was to achieve a certain outcome, I think you failed in your attempt to bring the council together. At the end of the day councilors must realise that we are all of different opinions and come from different backgrounds. Debate and differences of opinion are in my mind paramount to good debate and in the long term making good decisions for our community at large. I feel the money could have been better used on fixing footpaths, roads etc. I will not be supporting any further investigations to re-establishing these ? in the future as I feel it was a waste of tax payers dollars.*

### 3.4.2 Analysis

It can be seen that of those who completed the evaluation, most have evaluated it positively and acknowledge that there is further progress to be made. There is one marked difference of opinion as indicated by the free form comments that were invited after evaluating progress on the six themes.

Overall, there appears to be an appetite for continuing to develop the Elected Member's capacity for working well together in 2017.

### 3.5 Building on progress made in 2017

During the final group coaching session in November, we asked the 10 attendees (one by online participation) to review the records of their previous conversation and to identify the key items that they want to develop further in 2017. The working notes from this discussion are also included in the appendix but summarised below in Table 2. These items were prioritized by the group allocating dots to the items they felt are most important. The aggregate number of dots in column 1, is an indication of the group's prioritization of these items.

Priority (number of 'dots' allocated by the group)	Key Topics
9 dots	Respect and relationships
5 dots	Review process for elected Chairperson positions
4 dots	Training and development <ul style="list-style-type: none"> <li>- Keeping up to date and planning</li> <li>- Meeting procedures (already in place after conversation with Mgr Governance)</li> <li>- Leadership skills (Leadership, respect, Strength to grow)</li> </ul>
3 dots	Review the Code of Conduct policy and process
2 dots	Representing council - protocols around notifying councillors what is happening in their wards Consistency in applying protocols

Priority (number of 'dots' allocated by the group)	Key Topics
1 dot	Regular one on one meetings with CEO to give and receive feedback/guidance as requested.
0 dot	Informal gatherings to discuss items of interest to Elected Members (no formal agenda)
0 dot	Communication with staff - Notices of Business

Building on this list and our own observations, we suggest a program be put in place in 2017 that continues to allow positive relationships between Elected Members to develop and addresses the topics they have indicated are important to them.

### 3.6 Overview of Possible Elected Members Program for 2017

We recommend that the 2017 program commences during the already planned February strategic planning weekend. This will enable those elected members who have not been a part of the program in 2016 to be involved at least in this one meeting.

Communication would seem to be an appropriate initial topic that also facilitates putting in place the meetings with the CEO that some Elected Members desire.

We also recommend that these sessions are facilitated for Elected Members.

Our initial proposal did not include developing a program for 2017, so the following is an indicative outline only based on what we have learned and observed to date.

Date (indicative only)	Type of workshop	Topic
February 2017	Formal	Review suggested program for 2017. Agree  Commence with discussion about and agreements concerning: Customer Service for Council and Elected Members - channels of communication - CEO meetings - Communicating with Divisional Heads
March	Informal - with external facilitator	To be decided by attendees
May	Formal	Code of Conduct policy review Defining 'bullying'
June	Informal - with external facilitator	To be decided by attendees
August	Formal	Council process issues: - procedures in council - conflict of interest
September	Informal - with external facilitator	To be decided by attendees
November	Formal	

### **3.6.1 Additionally – learning by doing and reviewing council meeting procedures**

At the October 2016 group coaching session, Elected Members spent some time with the Manager Governance describing elements of procedural matters that they would like clarity upon.

We understand that many of these topics have been dealt with in the past by sending out appropriate reading material and offering other development opportunities. Our observation is that reading to learn may not suit the learning style of most Elected Members who appear to us to have a Pragmatic learning style. That is, they learn from doing and receiving feedback from an expert. That 'expert' may be other more experienced Elected Members or it may be the Manager Governance. Given this, we recommend that some type of real life simulation be developed to enhance Elected Member's learning. This may take the form of a 'hypothetical' (which is often costly and time consuming to develop) or it may simply be a discussion that uses a model (e.g. Lego figures) to review or play out different scenarios and practice different responses.

We believe a program has been or is being developed by the Manager Governance to meet the Elected Members needs and has not been incorporated into the program outlined above.

### **3.6.2 Important considerations in facilitating meetings**

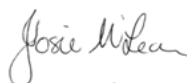
- Ensuring that emergence is allowed – not filling the agenda and driving for predetermined outcomes
- Facilitated in a way that enables relationships to be continuously developed and allows members to develop their understanding of how 'respect' is demonstrated.
- Holds the mirror up to elected members to review their own behaviour.
- Provides an inclusive space

## **3.7 In closing**

Our observations of Elected Members over 2016 has been that the core group of approximately ten Elected Members who consistently attended, have learned more about each other as people and developed stronger relationships as a result. We believe that the group has developed a clearer sense of how they want to and can work together in a less stressful manner. In the process however, each remains true to their own views on different topics and their own values. That is, the meetings we have facilitated have not been focused upon developing common views or approaches to specific issues. Instead they have focused on how to express differences constructively and work constructively despite differences – and progress has been made.

This program has been a challenging brief for us as facilitators too and we have learned a great deal in the process of working with you all. We thank you for the opportunity to serve your Council and community in this fashion.

We look forward to serving you again.



Josie McLean  
Principal Coach and Consultant, The Partnership  
6/2/17



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<b>ITEM</b>	3.5.2
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	21 August 2017
<b>HEADING</b>	Strategic Procurement - Procurement Policy
<b>AUTHOR</b>	Matt Harris, Manager Strategic Procurement, Business Excellence
<b>CITY PLAN LINKS</b>	4.2 Develop strong capability and commitment to continually improve Council's performance. 4.3 Have robust processes that support consistent service delivery and informed decision making. 4.4 Embed long term thinking, planning and innovation across the organisation.
<b>SUMMARY</b>	This report seeks to provide Council with an updated Procurement Policy that has been aligned to the strategic procurement objectives arising from the program review.

#### **RECOMMENDATION**

1. That the information be received.
2. That the Procurement Policy as set out in Attachment 1 to this report (Item No 3.5.2, Resources and Governance Committee, 21/08/2017), be endorsed.

#### **ATTACHMENTS**

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

1. Procurement Policy - 2017
2. Procurement Framework - 2017
3. Previous Procurement Policy - approved 27 January 2015
4. Procurement Policy - Changes, Including items transferred to Procurement Framework

#### **1. BACKGROUND**

- 1.1 As part of the Program Review initiative, the procurement function underwent a review to identify opportunities to enhance how the organization delivers its procurement functions.
- 1.2 A key outcome from the review identified the opportunity for the organization to take a more strategic approach to procurement, while still ensuring the good work done on reducing procurement related risk is not adversely impacted.
- 1.3 This approach was endorsed by Council with various actions being implemented to achieve the outcomes from the program review.
- 1.4 This report provides an update to Council on the work completed on reviewing the Procurement Policy and seeks Council endorsement of the revised policy.

- 1.5 Further staff have developed a Procurement Framework that supports the policy and provides further guidance to staff in delivering the procurement functions.
- 1.6 The previous Procurement Policy was endorsed in January 2015 with a review date of January 2017.

## **2. CONSULTATION / COMMUNICATION**

### **2.1 Internal**

- 2.1.1 Strategic Procurement;
- 2.1.2 Procurement Steering Group (PSG); and
- 2.1.3 General Manager Business Excellence and Executive.

### **2.2 External**

- 2.2.1 Adelaide City Council & City of Charles Sturt Policies.

## **3. REPORT**

- 3.1 In mid-2016 Business & Risk Solutions Pty Ltd (BRS) conducted a Program Review of Contracts & Procurement Services (C&PS). One of the key findings from the review is that the operating model of (C&PS) needed to focus at a more strategic level while still ensuring a strong probity framework existed.
- 3.2 The operating model selected was to increase the focus on more strategic procurement activities. C&PS was consequently retitled “Strategic Procurement.”
- 3.3 The program review identified that there was an opportunity to review all current Procurement procedures and processes, to allow greater capacity to focus on strategic procurement activities.
- 3.4 A Strategic Procurement vision has been developed in line with agreed outcomes from the Program Review. A detailed transformation plan has been developed with an indicative timeframe developed to fully implement the plan.
- 3.5 The Strategic Procurement vision addresses the core elements of the program review, which are categorized as:
  - 3.5.1 Delivering Value for Money by reducing the Total Value of Ownership of goods & services and unlocking value / benefits not initially identified;
  - 3.5.2 Create professional relationships with key suppliers / contractors;
  - 3.5.3 Maintain and improve quality outcomes;
  - 3.5.4 Enhance Stakeholder engagement;
  - 3.5.5 Effective policies and processes;
  - 3.5.6 Optimise the purchasing process; and
  - 3.5.7 Maintain Governance.
- 3.6 The revised Procurement Policy underpins the Strategic Procurement vision and defines the fundamentals of procurement at the City of Salisbury.
- 3.7 The Procurement Policy determines the strategic focus for procurement by stating “what” will be done at the City of Salisbury.

- 3.8 The Procurement Policy has been developed to ensure realisable real value on a sustainable basis by supporting the Key Procurement Principles:
- 3.8.1 Work, Health and Safety;
  - 3.8.2 Value for Money;
  - 3.8.3 Accountability and Transparency;
  - 3.8.4 Environmental Preference; and
  - 3.8.5 Sustainability.
- 3.9 The Procurement Policy sits at the top of the procurement document hierarchy which has been separated into the Policy, Framework, procedures and guidelines.
- 3.10 Attached to this report are the proposed policy and the framework. Also attached is a version of the old policy showing changes, noting that various parts of the policy are now within the framework.

#### **4. CONCLUSION / PROPOSAL**

- 4.1 The revised Procurement Policy reflects the fundamentals required at a policy level to give direction to staff on procurement activities while also providing guidance to organisations that are or may provide services to Council.
- 4.2 Council is asked to consider the revised Procurement Policy and subject to any changes endorse the revised policy to allow the continuation of the Strategic Procurement transformation.

#### **CO-ORDINATION**

Officer:

Date:







## Procurement Policy

Policy Type:	Policy	Decision No:	
Approved By:		Last Reapproval Date:	27 January 2015
Approval Date:		Internal Reference No.:	
Review Date:		Division:	Strategic Procurement
Department:	Business Excellence	Responsible Officer:	Manager, Strategic Procurement
Function:	7 - Financial Management		

### A - PREAMBLE

1. The City of Salisbury is continually striving for better outcomes through the use of best practice in supply management. This Policy provides a sound framework for the organisation to achieve strategic objectives and goals.
2. The vision for the City of Salisbury is to use strategic procurement to identify and realise real value on a sustainable basis.
3. The elements of best practice applicable to Local Government procurement incorporates:
  - Governance;
  - Key Procurement Principles (refer to the Procurement Framework);
  - Roles and Responsibilities (refer to the Procurement Framework);
  - Policies, Framework, Procedures and processes;
  - Total value of ownership.
4. In complying with legislation, section 49 of the *Local Government Act 1999* requires:
  - (1) *A council must prepare and adopt policies on contracts and tenders, including policies on the following:*
    - a) *the contracting out of services; and*
    - b) *competitive tendering and the use of other measures to ensure that services are delivered cost-effectively; and*
    - c) *the use of local goods and services; and*
    - d) *the sale or disposal of land or other assets.*

### B - SCOPE

1. This Policy applies to all Council staff and personnel engaged by Council to undertake Procurement Activities on its behalf.
2. This Policy relates to all Procurement Activities associated with the acquisition of Goods, Works or Services of any value by the City of Salisbury.
3. This Policy does not cover the disposal of land or other assets (refer separate policy).

### C – POLICY PURPOSE

The Procurement Policy supports the City of Salisbury’s core values and forms the basis of all supplier / contractor decision making, including the following:

- **Sustainability:** adapting procurement delivery models to enable long lasting outcomes including actively promoting the safety of all employees, suppliers & contractors;
- **Community & Customer Service:** working collaboratively and providing exceptional service to our stakeholders;
- **Professional Performance:** identifying realisable opportunities and outcomes to deliver superior results;
- **Probity, Ethics & Accountability:** acting with integrity in identifying sound procurement strategies which mitigate risk and are transparent;
- **Access, Equity & Inclusion:** incorporating agility and diversity into our procurement approach.

The Procurement Policy, Framework, Procedures, processes and function exist to promote best practise designed to maximise value for money.

### D - DEFINITIONS

1. **Contract:** A Contract is an agreement between the City of Salisbury and a supplier / contractor to perform a specific set of obligations, confirming each party’s respective rights, and is enforceable in law. The form of contract to be used varies with the Total \$ Value and Risk (refer Procurement Matrix).
2. **Departments:** Collectively: CEO & Governance, Business Excellence (BE), City infrastructure (CI), City Development (CiD) and Community Development (CD).
3. **Key Procurement Principles:** Procurements five key objectives for the City of Salisbury.
4. **Procurement Activity:** The acquisition, hire, lease, purchase of all property, goods and or services.
5. **Procurement / Purchasing Matrix:** The tool used to determine (via the Total \$ Value) the Procurement Approach, Approver, Form of Engagement, Payment Method and Responsibility.
6. **Procurement Framework / Procedures:** The documents that support the Procurement Policy and outlines the specific steps of Procurement Activity.
7. **Risk Assessment:** The process used to determine the level of risk of a Procurement Activity and identifies the level of controls required to manage the risks. This is determined by following the Corporate Risk Management Procedure.
8. **Roles and Responsibilities:** The key roles, accountabilities and responsibilities of the City of Salisbury’s Procurement governance structure.
9. **Total \$ Value / Total Value of Ownership:** The calculation of the direct and indirect costs related to the lifetime costs of the purchase of the particular goods or service. This includes costs associated with the sourcing activity, legal costs, site establishment, preparation costs, the cost of any capital, the purchase price, costs related to the operation and maintenance, insurance and ongoing management.

**E - POLICY STATEMENT**

The City of Salisbury (CoS) is committed to developing, implementing and maintaining an industry leading supply management approach that supports the delivery of identified organisation objectives through value enhancing procurement and management of associated risk.

This is achieved by:

- ✓ Developing and utilising procurement systems and processes that place the health, safety and welfare of our people, suppliers / contractors and anyone involved with our organisation and community first;
- ✓ Developing, implementing and maintaining a Procurement Framework with appropriate systems, processes, procedures, resources and training across the organisation that define the:
  - Assignment of accountability for procurement activities;
  - Provision of clear criteria to be applied for specific levels of procurement; and
  - Implementation of an approval process which ensures due process in the selection, assessment and approval of procurement commitments within approved delegations of authority;
- ✓ Communicating the Procurement Framework to all employees and other relevant stakeholders as appropriate;
- ✓ Developing and applying innovative procurement strategies that are consistent with delivering the organisation plans and objectives whilst ensuring the Procurement Key Principles;
- ✓ Ensuring the procurement management systems and plans are consistent with all CoS policies, systems and procedures as applicable;
- ✓ Ensuring that all procurement is managed in accordance with the requirements of the CoS Risk Management Framework;
- ✓ Complying with relevant legislation, codes of practice, Australian & New Zealand standards, industry standards, guidelines and other statutory obligations;
- ✓ Ensuring that all procurement is conducted in accordance with the CoS Values and the Code of Conduct;
- ✓ Supporting the economic development of the Northern Region;
- ✓ Providing procurement training and mentoring for key personnel;
- ✓ Managing the ongoing performance of procurement outcomes to ensure the expected value is realised by the organisation; and
- ✓ Implementing an audit and review function that reports on the performance and effectiveness of the procurement management system.

**F - LEGISLATION**

1. *Local Government Act 1999*
2. *Trade Practices Act 1974 (Commonwealth)*
3. *National Competition Policy*
4. *Freedom of Information Act 1991*
5. *Work Health and Safety Act, 2012 (SA)*
6. *Work Health and Safety Regulations, 2012 (SA)*
7. *Independent Commission Against Corruption Act 2012*

**G - REFERENCES**

1. City of Salisbury's Disposal of Assets Other Than Land Policy
2. Employee Code of Conduct
3. Elected Members Code of Conduct

**H - ASSOCIATED PROCEDURES**

1. Procurement Framework
2. Procurement Procedures

**Document Control**

<b>Document ID</b>	<b>Procurement Policy</b>
<b>Prepared by</b>	<b>Matt Harris</b>
<b>Release</b>	<b>1.00</b>
<b>Document Status</b>	<b>Draft</b>
<b>Date Printed</b>	<b>07/08/2017</b>



## Procurement Framework

Policy Type:	Framework	Decision No:	
Approved By:	Executive	Last Reapproval Date:	
Approval Date:		Internal Reference No.:	
Review Date:		Division:	Strategic Procurement
Department:	Business Excellence	Responsible Officer:	Manager, Strategic Procurement
Function:	7 - Financial Management		

### A - PREAMBLE

1. The City of Salisbury (CoS) is continually striving for better outcomes through the use of best practice in supply management. This Framework supports the Procurement Policy for the organisation to achieve strategic objectives and goals.
2. The vision for the City of Salisbury is to use strategic procurement to identify and realise real value on a sustainable basis.
3. The elements of best practice applicable to Local Government procurement incorporates:
  - Governance;
  - Key Procurement Principles;
  - Roles and responsibilities;
  - Policies, processes and procedures;
  - Total value of ownership.
4. In complying with legislation, section 49 of the *Local Government Act 1999* requires:
  - (1) *A council must prepare and adopt policies on contracts and tenders, including policies on the following:*
    - a) the contracting out of services; and
    - b) competitive tendering and the use of other measures to ensure that services are delivered cost-effectively; and
    - c) the use of local goods and services; and
    - d) the sale or disposal of land or other assets.

### B - SCOPE

1. This Framework applies to all CoS staff and personnel engaged by CoS to undertake Procurement Activities on its behalf.
2. This Framework relates to all Procurement Activities associated with the acquisition of Goods, Works or Services of any value by the City of Salisbury.

### C – POLICY PURPOSE/OBJECTIVES

The Procurement Framework supports the City of Salisbury's core values and forms the basis of all supplier / contractor decision making, including the following:

- **Sustainability:** adapting procurement delivery models to enable long lasting outcomes including actively promoting the safety of all employees, suppliers & contractors;
- **Community & Customer Service:** working collaboratively and providing exceptional service to our stakeholders;
- **Professional Performance:** identifying realisable opportunities and outcomes to deliver superior results;
- **Probity, Ethics & Accountability:** acting with integrity in identifying sound procurement strategies which mitigate risk and are transparent;
- **Access, Equity & Inclusion:** incorporating agility and diversity into our procurement approach.

The Procurement Policy, Framework, Procedures, processes and function exist to promote best practise designed to maximise value for money.

#### D - DEFINITIONS

1. **Contract:** A Contract is an agreement between the City of Salisbury and a supplier / contractor to perform a specific set of obligations, confirming each party's respective rights, and is enforceable in law. The form of contract to be used varies with the Total \$ Value and Risk (refer Procurement Matrix).
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#### ROLES, ACCOUNTABILITIES and RESPONSIBILITIES

The key roles, accountabilities and responsibilities of the City of Salisbury's Procurement processes are outlined in this section.

It is critical that the appropriate people are involved in the Procurement process to ensure the optimum supply scenario is achieved in terms of supply risk, WHS management, competitiveness of the offer, value for money, performance and quality outcomes.

**The Council**

The Council will authorise a delegation of authority to the Chief Executive Officer to undertake procurement activities to enable efficient and effective execution in accordance with approved budgets.

**Chief Executive Officer**

The Chief Executive Officer ("CEO") is responsible for charting the executive direction of the organisation, including setting the organisational structure, segregation of duties and reporting lines.

The CEO is to establish the accountability of individuals, as approved by the Council, to enter into contracts in order for the City of Salisbury to execute on its strategic and risk management objectives.

**Executive**

The Executive are to ensure the implementation and execution of the procurement strategy is undertaken by competent personnel and is compliant with the Procurement Policy.

**Divisional Managers (Business Unit Managers)**

Responsible for the overall outcome of the project, including:

- The organisation need;
- Delivery of the organisation outcome.

**Manager Strategic Procurement**

Responsible for the overall Procurement outcomes, including:

- The Policy, Framework, Strategy;
- Procurement Procedures, Processes etc;
- The Procurement function.

**Procurement Business Partner**

Responsible for the outcome of all Procurement Activities, including:

- Implementing the Procurement Strategy;
- Leading high value, organisation critical Procurement Activities;
- Providing Procurement guidance and support to the organisation as appropriate;
- Compliance with other City of Salisbury policies;
- Compliance with Procurement Procedures, Processes etc.

**Contracts & Procurement Advisors**

Responsible for the outcome of defined Procurement Activities, including:

- Implementing the Procurement Strategy;
- Providing Procurement guidance and support to the business as appropriate;
- Compliance with other City of Salisbury policies;
- Compliance with Procurement Procedures, Processes etc.

**Key User**

- Identified and trained Procurement champions within the Departments;
- The clear point of contact within the Departments for queries about Procurement at a defined value and organisation criticality;
- Responsible for ensuring that the technical specification meets the requirements of the business and is sufficiently detailed to accurately reflect the scope of work to be undertaken;

- Responsible for ensuring that sufficient budget is available for the scope of work;
- Consults with the Procurement Business Partner as required;
- Responsible for Contract Management following the execution of a Contract; and
- Complies with the Procurement Policies, Framework, Procedures, Processes etc.

**All Staff**

- Complies with the Procurement Policies, Framework, Procedures, Processes etc.

**Procurement Steering Group (PSG)**

The PSG will be formed with key stakeholders within the organisation, have a chair and meet at set intervals to:

- Review the Procurement Policies, Framework, Procedures, Processes etc;
- Assist in the implementation of Procurement changes;
- Identify opportunities;
- Discuss Procurement strategies;
- Review performance of Strategic Procurement.

(Refer to the Terms of Reference).

**Council Solutions**

Council Solutions consists of six councils: Adelaide City Council, City of Charles Sturt, City of Marion, City of Onkaparinga, City of Salisbury and the City of Tea Tree Gully. It is a local government regional authority undertaking collaborative procurement activities to maximise purchasing power on behalf of participating councils.

The City of Salisbury's objectives when participating in Council Solutions procurement activities are:

- Reduced administration;
- Collaborative buying power;
- Improved delivery of goods/works/services; and
- Value for money.

**E - POLICY STATEMENT**

Refer to the Procurement Policy

**F - KEY PRINCIPLES**

All persons engaged in Procurement Activities on behalf of CoS will at all times pursue the City of Salisbury's five key procurement principles:

**1. Work Health Safety**

In undertaking all Procurement Activities and through enhancement of Procurement processes, CoS will consider the implications of safety to staff, volunteers, public and contractors

The Procurement process will be conducted in line with legislated requirements and CoS's policies and procedures relating to WHS.

**2. Value for Money**

The Procurement Policy, Framework, Procedures and processes promote best practice that will result in value for money outcomes.

The achievement of value for money can be driven through each stage of the Procurement process. A key principle of value for money is recognising that the 'lowest price' does not always represent the best



outcome when reviewing offers. When selecting a supplier / contractor value for money involves determining the solution that will deliver the optimum whole of life cost without jeopardising the other Key Procurement Principles. Factors to consider when assessing value for money include:

- Safety
- Quality
- Risk
- Whole of life cost
- Opportunity
- Environmental & sustainability
- Price
- Business continuity
- Sustainability
- Service levels
- Efficiency & effectiveness
- Local industry participation
- Contribution to organisation objectives

### 3. Accountability and Transparency

- Accountability in procurement means being able to explain and evidence the outcome. An independent third party must be able to see clearly that a process has been followed and that the process is fair and transparent.
- The processes by which all procurement activities are conducted will be in accordance with CoS's Procurement Policy and Procedures.
- Delegations define the limitations within which CoS employees are permitted to work. They ensure accountability and provide confidence to Council and the public that procurement activities are conducted by appropriately skilled people and endorsed by those with the authority.

#### 3a Open and Effective Competition

- Open and effective competition is the central operating principle in pursuit of the best outcome. Openness requires procurement actions that are visible to the Council, ratepayers and suppliers/contractors.
- CoS will create effective competition by maximising the opportunities for firms to do business with CoS through the selection of procurement methods suited to market conditions, the nature of the procurement, and the objectives of the procurement overall.
- CoS will offer and provide feedback, where sought, to unsuccessful bidders.

#### 3b Ethical Behaviour and Fair Dealing

- CoS will not use or disclose information that confers unfair advantage, financial benefit or detriment on a supplier.
- Employees have a responsibility to act honestly and impartially, and be accountable for procurement actions.
- CoS employees and officials must declare a conflict of interest for any activity that would or may be seen to create conflict between personal interest and the interest of the organisation.

In pursuit of ethical behaviour and fair dealing, employees will:

- treat potential and existing suppliers with equality and fairness;
- not seek or receive personal gain;
- maintain confidentiality of contract prices and other sensitive information;
- present the highest standards of professionalism and probity;
- deal with suppliers in an honest and impartial manner that does not allow conflicts of interest;
- provide all suppliers and tenderers with the same information and equal opportunity;
- be able to account for all decisions and provide feedback on them.

In considering any specific procurement activities staff must comply with the Code of Conduct and *Local Government Act 1999* (section 120). Specifically in relation to Ethical and Fair Dealing are the Conflict of Interest obligations. This obligation is separate, and in addition, to the administrative Register of Interest process that may be applicable to some staff members.

#### 4. Environmental Preference

- promote the procurement of environmentally friendly goods and services that satisfy value for money criteria.
- foster the development of products and processes of low environmental and climatic impact. As part of the procurement process, suppliers may be asked if they can offer products and services which conserve resources, save energy, minimise waste and/or contain recycled products and/or are environmentally sustainable.

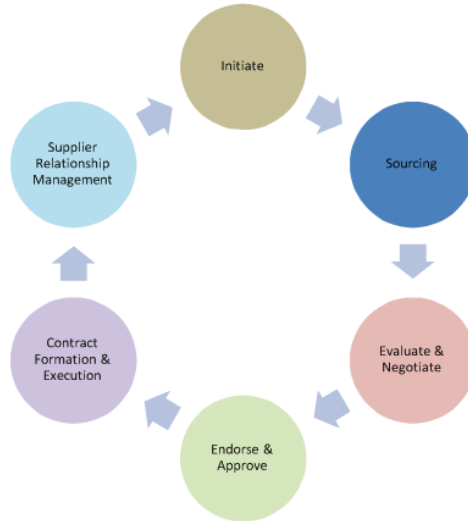
#### 5. Sustainable Procurement

- Sustainable procurement is defined as a process whereby CoS meet their procurement needs in a way that achieves value for money on a whole of life basis in terms of generating benefits not only to the organisation, but also to society, the economy and the environment.
- CoS encourages the consideration, where deemed appropriate, of sustainable and social inclusion elements such as:
  - Social Inclusion
  - Diversity and equality
  - Local sustainability
- An important principle to CoS is the Economic Development of the Northern Region,
  - CoS will take into account accessibility of local providers when planning and designing infrastructure or services that will require external procurement.
  - CoS will incorporate the Economic Benefit Assessment, aligning elements of the Industry Participation Policy developed by the Office of the Industry Advocate, within procurement processes, to support maximum usage of northern region labour and business and Australian made steel.
  - CoS will endeavour to provide support to local enterprises by holding briefings to encourage development of capacity to meet the needs of Council.

#### PROCUREMENT PROCESS and STEPS

The applicable Procurement process and steps will be determined by the Total Value of Ownership and Risk / business criticality of a Procurement Activity.

The Procurement process has been integrated into a six stage, continuous improvement model as per below.



The stages of the process are designed to provide a clear, succinct and transparent approach to each Procurement Activity. Value should be derived at each stage. The elements of each stage are tailored to suit the complexity of the Procurement Activity.

The Procurement / Purchasing Matrix will assist in identifying the relevant Procedures, processes and steps as per the following table:

	Criteria	Stages	Procedure	Responsibility
Strategic Procurement	- Total \$ Value greater than \$150,000; - Equal to or greater than High Risk / Business Criticality; - Formal Contract is required or CoS standard Terms & Conditions are not accepted.	1. Initiate; 2. Sourcing; 3. Evaluate & Negotiate; 4. Endorse & Approve; 5. Contract Formation / Execution; 6. Supplier Relationship Management.	TBC	Strategic Procurement
Tactical Procurement	- Total \$ Value of \$50,001 to \$150,000; - Med / High Risk / Business Criticality; - Formal Contract is required or CoS standard Terms & Conditions.	1. Initiate; 2. Sourcing; 3. Evaluate & Negotiate; 4. Endorse & Approve; 5. Contract Formation / Execution; 6. Supplier Relationship Management. (Tailored for complexity)	TBC	High Risk: Strategic Procurement Med Risk: Key User
Operational Procurement	- Total \$ Value of \$5,001 to \$50,000; - Low Risk / Business Criticality; - CoS standard Terms & Conditions.	1. Sourcing; 2. Evaluate & Negotiate (where applicable); 3. Endorse & Approve; 4. Contract Formation / Execution;	TBC	Key User / All Staff
Purchasing	- Total \$ Value to \$5,000; - Low Risk / Business Criticality; - CoS standard Terms & Conditions or Purchase Card.	1. Endorse & Approve; 2. Contract Formation / Execution.	TBC	All Staff

## PROCUREMENT PERFORMANCE MANAGEMENT

### Key Performance Indicators (KPI's)

Strategic Procurement, in agreement with the General Manager Business Excellence, will set specific KPI's. These KPI's will be reported on in an agreed format and timeframe.

The Manager Strategic Procurement will monitor and measure the KPI's to ensure the realisation of real value on a sustainable basis. The principles of the KPI's are:

- **Safety:** initiatives identified, improvements, performance in relation to Procurement;
- **Risk:** mitigation of risk through the use of corporate tools and standard Contracts;
- **Commercial:** value for money (cost avoidance / reduction), opportunity identification, initiatives;
- **Stakeholder engagement:** 360 degree feedback.

### Procurement Communication and Training

#### Procurement communication across the organisation

Strategic Procurement is responsible for the communication to all staff on the Procurement Policy, Framework, Procedures and processes – for example intranet, launch, inductions etc.

#### Procurement Education

Strategic Procurement is responsible to support the education of (mentoring) identified and nominated key users and staff.

## AUDITING

### Record Keeping

The person/s undertaking the Procurement Activity must ensure that the mandatory supporting documents (hard or electronic) are accessible for auditing purposes.

### Audit process

Strategic Procurement is responsible for auditing compliance to the Procurement Policy, Framework and Procedures.

## G - LEGISLATION

1. *Local Government Act 1999*
2. *Trade Practices Act 1974 (Commonwealth)*
3. *National Competition Policy*
4. *Freedom of Information Act 1991*
5. *Work Health and Safety Act, 2012 (SA)*
6. *Work Health and Safety Regulations, 2012 (SA)*
7. *Independent Commission Against Corruption Act 2012*

## H - REFERENCES

1. City of Salisbury's Disposal of Assets Other Than Land Policy
2. Employee Code of Conduct

## I - ASSOCIATED PROCEDURES

1. Procurement Policy as published on the City of Salisbury's Intranet.
2. Procurement Procedures as published on City of Salisbury's Intranet.

**Document Control**

<b>Document ID</b>	<b>Procurement Framework</b>
<b>Prepared by</b>	<b>Matt Harris</b>
<b>Release</b>	<b>1.00</b>
<b>Document Status</b>	<b>Draft</b>
<b>Date Printed</b>	<b>14/08/2017</b>





## Procurement Policy

<b>Policy Type:</b>	<b>Policy</b>		
<b>Approved By:</b>	Council	<b>Decision No:</b>	<b>0124/2015</b> 2003/457; 2011/522
<b>Approval Date:</b>	<b>27 January 2015</b>	<b>Last Reapproval Date:</b>	25 July 2011
<b>Review Date:</b>	27 January 2017	<b>Internal Reference No.:</b>	
<b>Department:</b>	Business Excellence	<b>Division:</b>	Contract and Procurement Services
<b>Function:</b>	7 - Financial Management	<b>Responsible Officer:</b>	Manager, Contract and Procurement Services

### A - PREAMBLE

1. The contemporary procurement environment in Australia is continually striving for better service outcomes through the use of best practice in contracting and purchasing. This provides a sound framework for organisations to achieve strategic objectives and goals.
2. The vision for the City of Salisbury is to use strategic procurement to identify, source and realise real value on a sustainable basis.
3. The elements of best practice applicable to Local Government procurement incorporates:
  - a professional and rigorous approach to all procurements.
  - key principles covering ethics, value for money, responsibilities and accountabilities;
  - guidelines giving effect to those principles;
  - a system of position based delegations and key point approvals within the procurement process;
  - procurement process and procedures commensurate with the value, risk and complexity of each project;
  - rigorous risk management assessment and documented contract management.
4. As part of the City's goal to embrace innovative and technological advances, electronic purchasing and tendering processes will be made available and used whenever appropriate. At the same time, the City will actively encourage consideration of opportunities for sustainable business practices.
5. In complying with legislation, section 49 of the *Local Government Act 1999* requires:
  - (1) *A council must prepare and adopt policies on contracts and tenders, including policies on the following:*
    - a) the contracting out of services; and
    - b) competitive tendering and the use of other measures to ensure that services are delivered cost-effectively; and
    - c) the use of local goods and services; and
    - d) the sale or disposal of land or other assets.

**B - SCOPE**

1. This Policy applies to all Council staff and personnel engaged by Council to undertake procurement activities on its behalf.
2. This Policy relates to all procurement activities associated with the acquisition of Goods, Works or Services of any value by the City of Salisbury.
3. This Policy does not cover the disposal of land or other assets (refer separate policy).

**C – POLICY PURPOSE/OBJECTIVES**

1. In accordance with best practice principles and the constant pursuit of continuous improvement, the purpose of this policy is to:
  - provide policy and guidance to Council employees and contractors to enable consistency and control over procurement activities;
  - demonstrate accountability to rate payers;
  - provide probity guidance on ethical behaviour in procurement and contract management;
  - actively encourage strategic and collaborative business relationships to deliver best value for money and reduce contract management, through the establishment of Council-wide accessible contracts;
  - demonstrate the application of best practice in purchasing;
  - ensure detailed procurement planning to increase the probability of achieving sound, value for money outcomes;
  - ensure risk analysis is undertaken and mitigation strategies are developed for all high risk and/or public tender approaches; and
  - ensure procurement staff are provided opportunity for access to appropriate and relevant training opportunities.
  - Ensure procurement provides for sustainable outcomes that encapsulate both value for money and enhanced economic, environmental and social community outcomes.
  - In undertaking procurement activity, Council will consider the implications of safety to staff, volunteers, public and contractors

**D - DEFINITIONS**

1. The “Executive Group” (Executive) comprises the Chief Executive Officer plus all departmental General Managers, and is tasked by the Council for oversight of the procurement environment; and approval of all acquisition plans and tender recommendations over \$150,000 (GST exclusive). In undertaking its role, Executive is responsible for ensuring that procurement upholds the values and objectives contained within this policy.

**E - POLICY STATEMENT**

1. The procurement method for obtaining goods, works and services will be determined according to the estimated cost across the total life of the project; the nature of the procurement and the risk profile of the project.
2. All procurement is to be undertaken in accordance with the policy and supporting procurement procedures.
3. Depending upon the estimated total costs, the procurement method may be by oral quotes, written quotes or by a range of tender process options aligning to the formal procurement thresholds. The market approach strategy will identify the appropriate method to deliver the procurement objectives, and will ensure legislative compliance as specified in terms and conditions of contractual arrangements.
4. No market or supplier approach shall commence before funding has been approved and appropriate acquisition plan approval granted (where required). Following contract award approval, no work shall be commenced until formal documentation has been executed. Optional contract extensions are to be authorised in accordance with the relevant delegated authority process.
5. The authority to provide an exemption from using the required method of procurement will be delegated to Officers of Council, depending upon the level and nature of the exemption.



6. This policy statement is supported operationally by the Procurement procedures which may be amended from time to time under the authority of Executive.

**Key Principles**

1. Persons engaged in procurement activities on behalf of Council will at all times pursue the City's seven key procurement principles:

**(1) Value for Money**

- Value for money involves obtaining goods, works or services for the Council that best meet the end user's needs at the lowest total cost with the minimum level of acceptable contractual risk.
- Value for money may mean not always accepting the lowest price. Factors to be considered as part of evaluating quotes and tenders include fitness for purpose, fair market prices and whole of life costs. 'Whole of life' includes, price, cost of spares, running costs, post-delivery support, effective warranties, cost of replacement, installation costs, etc.
- All decision-makers in the procurement process must satisfy themselves that the proposed expenditure will make efficient and effective use of rate payers' funds
- Value for money can include the value of any associated environmental, economic or social inclusion benefits.

**(2) Open and Effective Competition**

- Open and effective competition is the central operating principle in pursuit of the best outcome. Openness requires procurement actions that are visible to the Council, ratepayers and suppliers/contractors. The probability of obtaining the best outcome is generally increased in a competitive environment.
- Council will create effective competition by maximising the opportunities for firms to do business with Council through the selection of procurement methods suited to market conditions, the nature of the procurement, and the objectives of the procurement overall. These methods may include requesting offers from a number of suppliers, providing timely and adequate information and allowing ease of entry for new or small suppliers.
- Council will offer and provide feedback, where sought, to unsuccessful bidders.

**(3) Ethical Behaviour and Fair Dealing**

- Council will not use or disclose information that confers unfair advantage, financial benefit or detriment on a supplier.
- Employees have a responsibility to act honestly and impartially, and be accountable for procurement actions. Adopting an ethical and fair approach is important because the concepts of honesty, integrity, fairness and accountability in local government are core expectations of public sector procurement.
- Council employees and officials will not engage in any private business or professional activity that would or may be seen to create conflict between personal interest and the interest of the organisation.

In pursuit of ethical behaviour and fair dealing, employees will:

- treat potential and existing suppliers with equality and fairness;
- not seek or receive personal gain;
- maintain confidentiality of contract prices and other sensitive information;
- present the highest standards of professionalism and probity;
- deal with suppliers in an honest and impartial manner that does not allow conflicts of interest;
- provide all suppliers and tenderers with the same information and equal opportunity;
- be able to account for all decisions and provide feedback on them.

In considering any specific procurement activities staff are bound to comply with Conflict of Interest obligations set out in the Code of Conduct for Council Employees and *Local Government Act 1999* (section 120), which includes the declaration of any interest or conflict in relation to each matter under

consideration. This obligation is separate, and in addition, to the administrative Register of Interest process that may be applicable to some staff members.

Staff are expected to maintain independence in fulfilling their role. Independence means not being a supplier/receiver of goods and services to or from the organisation, either personally or by a person closely associated with the member. Section 120(6) of the *Local Government Act 1999* defines 'closely associated' for the purposes of this policy.

#### (4) Accountability and Transparency

- Accountability in procurement means being able to explain and evidence what has happened. An independent third party must be able to see clearly that a process has been followed and that the process is fair and reasonable.
- The processes by which all procurement activities are conducted will be in accordance with Council's Procurement Policy and Procedures.
- Delegations define the limitations within which Council employees are permitted to work. They ensure accountability and provide confidence to Council and the public that purchasing activities are dealt with at the appropriate level. As such, Council has delegated responsibilities to employees relating to the expenditure of funds for the purchase of goods and services and the acceptance of tenders.
- Employees must be able to account for all decisions and provide feedback on them. Additionally, all procurement activities will leave an audit trail for monitoring and reporting purposes.

#### (5) Environmental Preference

Council will:

- promote the purchase of environmentally friendly goods and services that satisfy value for money criteria.
- foster the development of products and processes of low environmental and climatic impact.
- As part of the procurement process, suppliers may be asked if they can offer products and services which conserve resources, save energy, minimise waste and/or contain recycled products and/or are environmentally sustainable.
- Where relevant, prospective suppliers to Council will be asked to identify their environmental practices as part of the tender specification.

#### (6) Sustainable Procurement

- Sustainable procurement is defined as a process whereby Council meet their procurement needs in a way that achieves value for money on a whole life basis in terms of generating benefits not only to the organisation, but also to society, the economy and the environment.
- Council encourages the consideration, where deemed appropriate, of sustainable and social inclusion elements such as:
  - Creating employment and training opportunities (particularly among disadvantaged groups such as people with disability or mental illness, migrants, Indigenous) thus providing social inclusion and an opportunity for those to participate in the local community.
  - Diversity and equality in the supplier market – encouraging a diverse base of suppliers (e.g. minority or under-represented suppliers).
  - Local sustainability – building and maintaining healthy, strong communities, support social inclusion and enhancing wellbeing of local residents by striving to generate local employment.
- An important principle to Council is the Economic Development of the Northern Region,
- Council will take into account accessibility of local providers when planning and designing infrastructure or services that will require external procurement.
- Council will endeavour to provide support to local enterprises by holding briefings to encourage development of capacity to meet the needs of Council.

#### (7) Work Health Safety

- In undertaking procurement activity, Council will consider the implications of safety to staff, volunteers, public and contractors
- Council supports the development and enhancement of safety processes to ensure a safe work environment is available to all involved.
- The procurement process will be conducted in line with legislated requirements and Council's polices and procedures relating to WHS.

#### **F - LEGISLATION**

1. *Local Government Act 1999*
2. *Trade Practices Act 1974 (Commonwealth)*
3. *National Competition Policy*
4. *Freedom of Information Act 1991*
5. *Work Health and Safety Act, 2012 (SA)*
6. *Work Health and Safety Regulations, 2012 (SA)*
7. *Independent Commission Against Corruption Act 2012*

#### **G - REFERENCES**

1. City of Salisbury's Disposal of Assets Other Than Land Policy
2. Employee Code of Conduct


#### **H - ASSOCIATED PROCEDURES**

1. Procurement Procedures as published on City of Salisbury's Intranet.

#### **Document Control**


<b>Document ID</b>	Procurement Policy
<b>Prepared by</b>	Lindy Rattigan
<b>Release</b>	3.00
<b>Document Status</b>	Approved
<b>Date Printed</b>	11/08/2017





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### Procurement Policy

<b>Policy Type:</b>	Policy	<b>Decision No:</b>	0124/2015
<b>Approved By:</b>	Council		2003/457; 2011/522
<b>Approval Date:</b>	27 January 2015	<b>Last Reapproval Date:</b>	27 January 2015 25 July 2011
<b>Review Date:</b>	27 January 2017	<b>Internal Reference No.:</b>	
<b>Department:</b>	Business Excellence	<b>Division:</b>	Contract and Strategic Procurement Services
<b>Function:</b>	7 - Financial Management	<b>Responsible Officer:</b>	Manager, Contract and Strategic Procurement Services

**A - PREAMBLE**

- The contemporary procurement environment in Australia City of Salisbury is continually striving for better service outcomes through the use of best practice in contracting and purchasing supply management. This Policy provides a sound framework for organisations the organisation to achieve strategic objectives and goals.
- The vision for the City of Salisbury is to use strategic procurement to identify, source and realise real value on a sustainable basis.
- The elements of best practice applicable to Local Government procurement incorporates:
  - a professional and rigorous approach to all procurements;
  - key principles covering ethics, value for money, responsibilities and accountabilities;
  - guidelines giving effect to those principles;
  - a system of position based delegations and key point approvals within the procurement process;
  - procurement process and procedures commensurate with the value, risk and complexity of each project;
  - rigorous risk management assessment and documented contract management.
- As part of the City's goal to embrace innovative and technological advances, electronic purchasing and tendering processes will be made available and used whenever appropriate. At the same time, the City will actively encourage consideration of opportunities for sustainable business practices.

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- Governance;
- Key Procurement Principles (refer to the Procurement Framework);
- Roles and Responsibilities (refer to the Procurement Framework);
- Policies, Framework, Procedures and processes;
- Total value of ownership.

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5.4. In complying with legislation, section 49 of the *Local Government Act 1999* requires:

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(1) *A council must prepare and adopt policies on contracts and tenders, including policies on the following:*

- the contracting out of services; and*
- competitive tendering and the use of other measures to ensure that services are delivered cost-effectively; and*
- the use of local goods and services; and*
- the sale or disposal of land or other assets.*

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**B - SCOPE**

1. This Policy applies to all Council staff and personnel engaged by Council to undertake procurement activities on its behalf.
2. This Policy relates to all procurement activities associated with the acquisition of Goods, Works or Services of any value by the City of Salisbury.
3. This Policy does not cover the disposal of land or other assets (refer separate policy).

**C – POLICY PURPOSE/OBJECTIVES**

In accordance with best practice principles and the constant pursuit of continuous improvement, the purpose of this policy is to:

- provide policy and guidance to Council employees and contractors to enable consistency and control over procurement activities;
- demonstrate accountability to rate payers;
- provide probity guidance on ethical behaviour in procurement and contract management;
- actively encourage strategic and collaborative business relationships to deliver best value for money and reduce contract management, through the establishment of Council-wide accessible contracts;
- demonstrate the application of best practice in purchasing;
- ensure detailed procurement planning to increase the probability of achieving sound, value for money outcomes;
- ensure risk analysis is undertaken and mitigation strategies are developed for all high risk and/or public tender approaches; and
- ensure procurement staff are provided opportunity for access to appropriate and relevant training opportunities.
- Ensure procurement provides for sustainable outcomes that incapsulate both value for money and enhanced economic, environmental and social community outcomes.
- In undertaking procurement activity, Council will consider the implications of safety to staff, volunteers, public and contractors.

The Procurement Policy supports the City of Salisbury’s core values and forms the basis of all supplier / contractor decision making, including the following:

- **Sustainability:** adapting procurement delivery models to enable long lasting outcomes including actively promoting the safety of all employees, suppliers & contractors;
- **Community & Customer Service:** working collaboratively and providing exceptional service to our stakeholders;
- **Professional Performance:** identifying realisable opportunities and outcomes to deliver superior results;
- **Probity, Ethics & Accountability:** acting with integrity in identifying sound procurement strategies which mitigate risk and are transparent;
- **Access, Equity & Inclusion:** incorporating agility and diversity into our procurement approach.

The Procurement Policy, Framework, Procedures, processes and function exist to promote best practise designed to maximise value for money.

**D - DEFINITIONS**

The “Executive Group” (Executive) comprises the Chief Executive Officer plus all departmental General Managers, and is tasked by the Council for oversight of the procurement environment; and approval of all acquisition plans and tender recommendations over \$150,000 (GST exclusive). In undertaking its role, Executive is responsible for ensuring that procurement upholds the values and objectives contained within this policy.

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1. **Contract:** A Contract is an agreement between the City of Salisbury and a supplier / contractor to perform a specific set of obligations, confirming each party's respective rights, and is enforceable in law. The form of contract to be used varies with the Total \$ Value and Risk (refer Procurement Matrix).
2. **Departments:** Collectively: CEO & Governance, Business Excellence (BE), City infrastructure (CI), City Development (CiD) and Community Development (CD).
3. **Key Procurement Principles:** Procurements five key objectives for the City of Salisbury.
4. **Procurement Activity:** The acquisition, hire, lease, purchase of all property, goods and or services.
5. **Procurement / Purchasing Matrix:** The tool used to determine (via the Total \$ Value) the Procurement Approach, Approver, Form of Engagement, Payment Method and Responsibility.
6. **Procurement Framework / Procedures:** The documents that support the Procurement Policy and outlines the specific steps of Procurement Activity.
7. **Risk Assessment:** The process used to determine the level of risk of a Procurement Activity and identifies the level of controls required to manage the risks. This is determined by following the Corporate Risk Management Procedure.
8. **Roles and Responsibilities:** The key roles, accountabilities and responsibilities of the City of Salisbury's Procurement governance structure.
9. **Total \$ Value / Total Value of Ownership:** The calculation of the direct and indirect costs related to the lifetime costs of the purchase of the particular goods or service. This includes costs associated with the sourcing activity, legal costs, site establishment, preparation costs, the cost of any capital, the purchase price, costs related to the operation and maintenance, insurance and ongoing management.

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**E - POLICY STATEMENT**

1. The procurement method for obtaining goods, works and services will be determined according to the estimated cost across the total life of the project; the nature of the procurement and the risk profile of the project.

All The City of Salisbury (CoS) is committed to developing, implementing and maintaining an industry leading supply management approach that supports the delivery of identified organisation objectives through value enhancing procurement and management of associated risk.

This is achieved by:

- ✓ Developing and utilising procurement systems and processes that place the health, safety and welfare of our people, suppliers / contractors and anyone involved with our organisation and community first;
- ✓ Developing, implementing and maintaining a Procurement Framework with appropriate systems, processes, procedures, resources and training across the organisation that define the:
  - Assignment of accountability for procurement activities;
  - Provision of clear criteria to be undertaken applied for specific levels of procurement; and
  - Implementation of an approval process which ensures due process in the selection, assessment and approval of procurement commitments within approved delegations of authority;
- ✓ Communicating the Procurement Framework to all employees and other relevant stakeholders as appropriate;
- ✓ Developing and applying innovative procurement strategies that are consistent with delivering the organisation plans and objectives whilst ensuring the Procurement Key Principles;
- ✓ Ensuring the procurement management systems and plans are consistent with all CoS policies, systems and procedures as applicable;

2. **Ensuring that all procurement is managed** in accordance with the policy and supporting procurement procedures.

3. ✓ Depending upon the estimated total costs, the procurement method may be by oral quotes, written quotes or by a range of tender process options aligning to requirements of the formal procurement thresholds. The market approach strategy will identify the appropriate method to deliver the procurement objectives, and will ensure legislative compliance as specified in terms and conditions of contractual arrangements. CoS Risk Management Framework;

4. No market or supplier approach shall commence before funding has been approved and appropriate acquisition plan approval granted (where required). Following contract award approval, no work shall be commenced until formal documentation has been executed. Optional contract extensions are to be authorised in accordance with the relevant delegated authority process.

5. The authority to provide an exemption from using the required method of procurement will be delegated to Officers of Council, depending upon the level and nature of the exemption.

6. This policy statement is supported operationally by the Procurement procedures which may be amended from time to time under the authority of Executive.

**Key Principles**

- ✓ Persons engaged in Complying with relevant legislation, codes of practice, Australian & New Zealand standards, industry standards, guidelines and other statutory obligations;
- ✓ Ensuring that all procurement is conducted in accordance with the CoS Values and the Code of Conduct;
- ✓ Supporting the economic development of the Northern Region;
- ✓ Providing procurement activities training and mentoring for key personnel;

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- ✓ Managing the ongoing performance of procurement outcomes to ensure the expected value is realised by the organisation; and
- 1. Implementing an audit and review function that reports on behalf of Council will at all times pursue the City's seven key procurement principles:

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**(1) Value for Money**

- Value for money involves obtaining goods, works or services for the Council that best meet the end user's needs at the lowest total cost with the minimum level of acceptable contractual risk.
- Value for money may mean not always accepting the lowest price. Factors to be considered as part of evaluating quotes and tenders include fitness for purpose, fair market prices and whole of life costs. 'Whole of life' includes, price, cost of spares, running costs, post-delivery support, effective warranties, cost the performance and effectiveness of replacement, installation costs, etc.
- All decision makers in the procurement process must satisfy themselves that the proposed expenditure will make efficient and effective use of rate-payers' funds
- Value for money can include the value of any associated environmental, economic or social inclusion benefits.

**(2) Open and Effective Competition**

- ✓ Open and effective competition is the central operating principle in pursuit of the best outcome. Openness requires the procurement actions that are visible to the Council, ratepayers and suppliers/contractors. The probability of obtaining the best outcome is generally increased in a competitive environment management system.
- Council will create effective competition by maximising the opportunities for firms to do business with Council through the selection of procurement methods suited to market conditions, the nature of the procurement, and the objectives of the procurement overall. These methods may include requesting offers from a number of suppliers, providing timely and adequate information and allowing ease of entry for new or small suppliers.
- Council will offer and provide feedback, where sought, to unsuccessful bidders.

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**(3) Ethical Behaviour and Fair Dealing**

- Council will not use or disclose information that confers unfair advantage, financial benefit or detriment on a supplier.
- Employees have a responsibility to act honestly and impartially, and be accountable for procurement actions. Adopting an ethical and fair approach is important because the concepts of honesty, integrity, fairness and accountability in local government are core expectations of public sector procurement.
- Council employees and officials will not engage in any private business or professional activity that would or may be seen to create conflict between personal interest and the interest of the organisation.

In pursuit of ethical behaviour and fair dealing, employees will:

- treat potential and existing suppliers with equality and fairness;
- not seek or receive personal gain;
- maintain confidentiality of contract prices and other sensitive information;
- present the highest standards of professionalism and probity;
- deal with suppliers in an honest and impartial manner that does not allow conflicts of interest;
- provide all suppliers and tenderers with the same information and equal opportunity;
- be able to account for all decisions and provide feedback on them.

In considering any specific procurement activities staff are bound to comply with Conflict of Interest obligations set out in the Code of Conduct for Council Employees and *Local Government Act 1999* (section 120), which includes the declaration of any interest or conflict in relation to each matter under

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consideration. This obligation is separate, and in addition, to the administrative Register of Interest process that may be applicable to some staff members.

Staff are expected to maintain independence in fulfilling their role. Independence means not being a supplier/receiver of goods and services to or from the organisation, either personally or by a person closely associated with the member. Section 120(6) of the *Local Government Act 1999* defines 'closely associated' for the purposes of this policy.

#### (4) Accountability and Transparency

- Accountability in procurement means being able to explain and evidence what has happened. An independent third party must be able to see clearly that a process has been followed and that the process is fair and reasonable.
- The processes by which all procurement activities are conducted will be in accordance with Council's Procurement Policy and Procedures.
- Delegations define the limitations within which Council employees are permitted to work. They ensure accountability and provide confidence to Council and the public that purchasing activities are dealt with at the appropriate level. As such, Council has delegated responsibilities to employees relating to the expenditure of funds for the purchase of goods and services and the acceptance of tenders.
- Employees must be able to account for all decisions and provide feedback on them. Additionally, all procurement activities will leave an audit trail for monitoring and reporting purposes.

#### (5) Environmental Preference

Council will:

- promote the purchase of environmentally friendly goods and services that satisfy value for money criteria.
- foster the development of products and processes of low environmental and climatic impact.
- As part of the procurement process, suppliers may be asked if they can offer products and services which conserve resources, save energy, minimise waste and/or contain recycled products and/or are environmentally sustainable.
- Where relevant, prospective suppliers to Council will be asked to identify their environmental practices as part of the tender specification.

#### (6) Sustainable Procurement

- Sustainable procurement is defined as a process whereby Council meet their procurement needs in a way that achieves value for money on a whole life basis in terms of generating benefits not only to the organisation, but also to society, the economy and the environment.
- Council encourages the consideration, where deemed appropriate, of sustainable and social inclusion elements such as:
  - Creating employment and training opportunities (particularly among disadvantaged groups such as people with disability or mental illness, migrants, Indigenous) thus providing social inclusion and an opportunity for those to participate in the local community.
  - Diversity and equality in the supplier market—encouraging a diverse base of suppliers (e.g. minority or under-represented suppliers).
  - Local sustainability—building and maintaining healthy, strong communities, support social inclusion and enhancing wellbeing of local residents by striving to generate local employment.
- An important principle to Council is the Economic Development of the Northern Region,
- Council will take into account accessibility of local providers when planning and designing infrastructure or services that will require external procurement.
- Council will endeavour to provide support to local enterprises by holding briefings to encourage development of capacity to meet the needs of Council.

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**(7) Work Health Safety**

- In undertaking procurement activity, Council will consider the implications of safety to staff, volunteers, public and contractors
- Council supports the development and enhancement of safety processes to ensure a safe work environment is available to all involved.
- The procurement process will be conducted in line with legislated requirements and Council's polices and procedures relating to WHS.

**F - LEGISLATION**

- Local Government Act 1999
- Trade Practices Act 1974 (Commonwealth)
- National Competition Policy
- Freedom of Information Act 1991
- Work Health and Safety Act, 2012 (SA)
- Work Health and Safety Regulations, 2012 (SA)
- Independent Commission Against Corruption Act 2012

**G - REFERENCES**

- City of Salisbury's Disposal of Assets Other Than Land Policy
- Employee Code of Conduct
- [Elected Members Code of Conduct](#)

**H - ASSOCIATED PROCEDURES**

- [Procurement Framework](#)
- [Procurement Procedures as published on City of Salisbury's Intranet.](#)

Document Control	
Document ID	Procurement Policy
Prepared by	Lindy Rattigan Matt Harris
Release	3.1.00
Document Status	Approved Draft
Date Printed	16/08/2017

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<b>ITEM</b>	3.6.1
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	21 August 2017
<b>PREV REFS</b>	Resources and Governance Committee 3.6.1 18/04/2016
	Resources and Governance Committee 3.6.2 21/11/2016
	Resources and Governance Committee 3.6.3 23/01/2017
	Resources and Governance Committee 3.6.1 20/03/2017
	Resources and Governance Committee 3.6.2 18/04/2017
	Resources and Governance Committee 3.6.8 19/06/2017
<b>HEADING</b>	Annual Review of Delegations
<b>AUTHOR</b>	Joy Rowett, Governance Coordinator, 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 provides information with respect to the annual review of delegations and seeks Council's endorsement of the review.
<b>RECOMMENDATION</b>	
	1. The information be received.
	2. That, having conducted its annual review of its Delegations Register in accordance with Section 44(6) of the Local Government Act 1999, the Council:
	<b>Revocations</b>
	a. Hereby revokes its previous delegations to the Chief Executive Officer, effective from 18 <sup>th</sup> day of September 2017, of those powers and functions under the following:
	i. Burial and Cremation Act 2013 and Burial and Cremation Regulations 2014
	ii. Community Titles Act 1996
	iii. Development Act 1993 and Development Regulations 1993/2008
	iv. Dog and Cat Management Act 1995
	v. Electronic Conveyancing National Law (South Australia) Act 2013
	vi. Environment Protection Act 1993 and Environment Protection (Waste to Resources) Policy 2010

- vii. Expiation of Offences Act 1996
  - viii. Fences Act 1975
  - ix. Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005
  - x. Food Act 2001
  - xi. Freedom of Information Act 1991
  - xii. Heavy Vehicle National Law (South Australia) Act 2013
  - xiii. Land Acquisition Act 1969 and Land Acquisition Regulations 2004
  - xiv. Land and Business (Sale and Conveyancing) Act 1994
  - xv. Liquor Licensing Act 1997
  - xvi. Local Government Act 1999
  - xvii. Local Nuisance and Litter Control Act 2016 and Local Nuisance and Litter Control Regulations 2017
  - xviii. Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions – Levies) Regulations 2005
  - xix. Planning, Development and Infrastructure Act 2016
  - xx. Real Property Act 1886
  - xxi. Roads (Opening and Closing) Act 1991
  - xxii. Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014
  - xxiii. Safe Drinking Water Act 2011
  - xxiv. South Australian Public Health Act 2011 along with the South Australian Public Health (Legionella) Regulations 2013 and the South Australian Public Health (Wastewater) Regulations 2013
  - xxv. Strata Titles Act 1988
  - xxvi. Supported Residential Facilities Act 1992
  - xxvii. Unclaimed Goods Act 1987
  - xxviii. Water Industry Act 2012 and Water Industry Regulations 2012
  - xxix. Work Health and Safety Act 2012
- b. Hereby revokes its previous delegations to its Development Assessment Panel, effective from 18<sup>th</sup> day of September 2017, under the Development Act 1993 and Development Regulations 2008.

**Delegations made under Local Government Act 1999**

3. In exercise of the power contained in Section 44 of the Local Government Act 1999 the powers and functions under the following Acts and specified in the Delegations Register are hereby delegated from the 19<sup>th</sup> day of September 2017 to the person occupying the office of Chief Executive Officer subject to the conditions and or limitations specified within the Delegations Register:
- i. Burial and Cremations Act 2013 and Burial and Cremation Regulations 2014 (Delegations Register pages 4 - 16)
  - ii. Community Titles Act 1996 (Delegations Register pages 17 - 32)
  - iii. Dog & Cat Management Act 1995 (Delegations Register pages 158 - 169)
  - iv. Electronic Conveyancing National Law (South Australia) Act 2013 (Delegations Register page 170)
  - v. Environment Protection Act 1993 and Environment Protection (Waste to Resources) Policy 2010 (Delegations Register pages 171 - 173)
  - vi. Expiation of Offences Act 1996 (Delegations Register pages 174 - 184)
  - vii. Fences Act 1975 (Delegations Register pages 185 - 186)
  - viii. Fire and Emergency Services Act 2005 and Fire and Emergency Services Regulations 2005 (Delegations Register pages 187 - 196)
  - ix. Freedom of Information Act 1991 (Delegations Register pages 197 - 215)
  - x. Heavy Vehicle National Law (South Australia) Act 2013 (Delegations Register pages 216 - 221)
  - xi. Land Acquisition Act 1969 and Land Acquisition Regulations 2004 (Delegations Register pages 222 - 233)
  - xii. Land and Business (Sale and Conveyancing) Act 1994 (Delegations Register page 234)
  - xiii. Liquor Licensing Act 1997 (Delegations Register pages 235 - 236)
  - xiv. Local Government Act 1999 (Delegations Register pages 237 - 357)
  - xv. Local Nuisance and Litter Control Act 2016 and Local Nuisance and Litter Control Regulations 2017 (Delegations Register pages 358 - 430)
  - xvi. Natural Resources Management Act 2004, Natural Resources Management (General) Regulations 2005 and Natural Resources Management (Transitional Provisions – Levies) Regulations 2005 (Delegations Register pages 431 - 441)
  - xvii. Planning, Development and Infrastructure Act 2016 (Delegations Register pages 442 - 447)
  - xviii. Real Property Act 1886 (Delegations Register pages 448 - 466)
  - xix. Road Traffic Act 1961 (SA), Road Traffic (Miscellaneous) Regulations 2014 and Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 2014 (Delegations Register pages 467 - 472)
  - xx. Roads (Opening and Closing) Act 1991 (Delegations Register pages 480 - 490)

- xxi. Safe Drinking Water Act 2011 (Delegations Register pages 491 - 497)
  - xxii. South Australian Public Health Act 2011 along with the South Australian Public Health (Legionella) Regulations 2013 and the South Australian Public Health (Wastewater) Regulations 2013 and South Australian Public Health (General) Regulations 2013 (Delegations Register pages 498 - 530)
  - xxiii. Strata Titles Act 1988 (Delegations Register pages 531 - 537)
  - xxiv. Unclaimed Goods Act 1987 (Delegations Register pages 551 - 553)
  - xxv. Water Industry Act 2012 and Water Industry Regulations 2012 (Delegations Register pages 554 - 578)
  - xxvi. Work Health and Safety Act 2012 (Delegations Register pages 579 - 584)
4. Such powers and functions may be further delegated by the Chief Executive Officer in accordance with Sections 44 and 101 of the Local Government Act 1999 as the Chief Executive Officer sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in each such proposed Instrument of Delegation.

#### **Delegations made under Development Act 1993**

5. In exercise of the powers contained in Sections 20 and 34(23) of the Development Act 1993, the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the Delegations Register (Delegations Register, pages 33 – 157) are hereby delegated from the 19<sup>th</sup> day of September 2017 to the person occupying the office of Chief Executive Officer, subject to the conditions and or limitations specified herein or in the Schedule of Conditions in each such proposed Instrument of Delegation.
6. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.
7. In exercise of the powers contained in Sections 20 and 34(23) of the Development Act 1993 the powers and functions under the Development Act 1993 and the Development Regulations 2008 contained in the Delegations Register (Delegations Register, pages 1 - 3) are hereby delegated to the Council's Development Assessment Panel, subject to any conditions specified herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Development Act 1993.

#### **Delegations Made under Food Act 2001**

8. In exercise of the powers contained in Section 91 of the Food Act 2001, the powers and functions under the Food Act 2001 contained in the Delegations Register (Delegations Register, pages 473 – 479) are hereby delegated from the 19<sup>th</sup> day of September 2017 to the person occupying the office of Chief Executive Officer (“the head of the enforcement agency” for the purposes of the Food Act 2001), subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Food Act 2001.
9. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Food Act 2001.



**Delegations under Supported Residential Facilities Act 1992**

10. In exercise of the power contained in Section 9 of the Supported Residential Facilities Act 1992, the powers and functions under the Supported Facilities Act 1992 and Supported Residential Facilities Regulations 2009 contained in the Delegations Register (Delegations Register, pages 539 - 550) are hereby delegated from the 19<sup>th</sup> day of September 2017 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Supported Residential Facilities Act 1992.
11. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Supported Residential Facilities Act 1992.

**Authorisations and Sub-delegation under the Road Traffic Act 1961**

12. In accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure (the 'instrument') the Council authorises the following persons pursuant to Clause A.7 of the Instrument to endorse Traffic Impact Statements for the purposes of Clause A of the Instrument provided that such persons shall take into account the matters specified in Clause A.7 of the Instrument in respect of Traffic Impact Statements.
  - i. Patrick Trimboli, Senior Traffic Engineer
  - ii. Dameon Roy, Manager Technical Services
  - iii. Tony Calandro, Senior Traffic Engineer
13. In accordance with Clause A.7 of the Instrument, the Council is of the opinion that the following persons are experienced traffic engineering practitioners for the purposes of preparing a Traffic Impact Statement as required by Clause A.7 of the Instrument:
  - i. Patrick Trimboli, Senior Traffic Engineer
  - ii. Dameon Roy, Manager Technical Services
  - iii. Tony Calandro, Senior Traffic Engineer
14. In exercise of the power contained in, and in accordance with, Clause G.1 of the Instrument, the power contained in Section 33(1) of the Road Traffic Act 1961 and delegated to the Council pursuant to Clause G of the Instrument and contained in the Delegations Register (Delegations Register, page 586) is hereby sub-delegated from the 19<sup>th</sup> day of September 2017 to the person occupying the office of Chief Executive Officer of the Council subject to:
  - a. The conditions contained in the Instrument; and
  - b. Any conditions contained in this Resolution or in the Instrument of Sub-delegation; and
  - c. The creation of a separate instrument in writing reflecting such sub-delegation under the Instrument and this Resolution.

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

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

16. In exercise of the power contained in Section 43 of the Safe Drinking Water Act 2011 the powers and functions of the Council as a relevant authority under the Safe Drinking Water Act 2011 contained in the Delegations Register (Delegations Register, pages 491 - 497) are hereby delegated from the 19<sup>th</sup> day of September 2017 to the person occupying the office of Chief Executive Officer, subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Safe Drinking Water Act 2011.
17. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Safe Drinking Water Act 2011.

**Delegations under Fire and Emergency Services Act 2005 to a Fire Prevention Officer**

18. In exercise of the power contained in Section 93 of the Fire and Emergency Services Act 2005 the powers and functions under the Fire and Emergency Services Act contained in the Delegations Register (Delegations Register, Page 585) are hereby delegated from the 19<sup>th</sup> day of September 2017 to the person appointed Fire Prevention Officer of the Council under the Fire and Emergency Services Act 2005 subject to the conditions or limitations indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Fire and Emergency Services Act 2005.
19. Such powers and functions may be further delegated by the Fire Prevention Officer as the Fire Prevention Officer sees fit and in accordance with the relevant legislation unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation under the Fire and Emergency Services Act 2005.
20. The Development Act 1993 and Development Regulations Delegations Policy as set out in Attachment 3 to this report (Resources and Governance 3.6.1, 21/08/2017), be endorsed.

**ATTACHMENTS**

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

1. Powers to Remain With Council
2. Delegations to Remain With CEO - Not to be Sub-Delegated
3. Development Act 1993 and Development Regulations 2008 Delegation Policy

## 1. BACKGROUND

- 1.1 Section 44 of the *Local Government Act 1999* provides Council may delegate a power or function vested or conferred upon by the *Local Government Act 1999* or another Act. Such powers and functions may be further delegated by the person occupying the office of Chief Executive Officer in accordance with Sections 44 and 101 of the *Local Government Act 1999* as the Chief Executive Officer sees fit. A delegation made pursuant to Section 44 of the *Local Government Act 1999* is revocable at will and does not prevent the Council from acting in a matter.
- 1.2 Councils have certain duties which they must perform, and certain powers which they may exercise, pursuant to the Local Government Act 1999 (the Act), as well as a range of other Acts. In most cases the relevant Acts grant those obligations and powers directly on the Council as a body.
- 1.3 Delegations are the way in which Council enables other people/bodies (usually Council Officers) to undertake these duties or exercise these powers on its behalf. Delegations enhance decision-making processes and allow nominated routine matters to be resolved efficiently and effectively without the need for submission to Council. However, in order to do this, Council must take formal steps to delegate to such people and bodies, the authority to make decisions, or undertake activities on its behalf. It is usual for Council to make delegations to the Chief Executive Officer who will then make sub-delegations to the appropriate Council Officers.
- 1.4 A full review of Delegations is usually undertaken on an annual basis. In addition, Norman Waterhouse Lawyers provide a quarterly service to the LGA whereby they monitor legislative amendments and distribute changes required to delegations via “Delegations Templates”. In some instances the changes identified are editorial in nature only; other changes reflect legislative amendments that have occurred since the previous templates review which require new or changed delegations to be made.
- 1.5 Council last undertook its annual review of delegations in March 2016 and at that review Council retained the powers set out in Attachment 1 titled “Powers to Remain with Council”. Attachment 2 titled “Delegations to Remain with the Chief Executive Officer – Not to be Sub-Delegated” sets out the delegations held by the Chief Executive Officer that cannot be sub-delegated to staff. No changes, with the exception of those powers under legislation no longer in force or additions as a result of amendments to or new legislation, are proposed to the powers to remain with Council or Delegations to remain with the Chief Executive Officer.
- 1.6 In addition, subsequent and regular reviews have been presented to Council as a result of the service provided by Norman Waterhouse to the LGA including:
  - 1.6.1 **Local Government Act 1934 – Repealed**

The *Local Government Act 1934* has been repealed and therefore all delegations under this legislation are no longer valid. New delegations under the *Local Government Act 1999* have been included in the Delegations Register to ensure that the powers and functions previously delegated are still in place.

**1.6.2 Local Government Act 1999 – New and Amended Provisions**

The *Local Government Act 1999* has undergone a number of amendments due to the introduction of the *Local Government (Accountability and Governance) Act 2016* and the introduction of Schedule 1A which addresses the implementation of Stormwater Management Agreement.

**1.6.3 Public and Environmental Health Act 1987 – Repealed**

The *Public and Environmental Health Act 1987* has been repealed and therefore all delegations under this legislation are no longer valid. New delegations under the *Local Government Act 1999* have been included in the Delegations Register to ensure the powers and functions previously delegated are still in place.

**1.6.4 Local Nuisance and Litter Control Act 2016 – Staged Commencement**

The litter control provisions of this Act commenced on 1 February 2017 with the nuisance control provisions commencing on 1 July 2017. These delegations have been included in the Delegations Register.

**1.6.5 Dog and Cat Management Act 1995 – Substantially Amended**

The *Dog and Cat Management Act 1995* has been substantially amended and a new Instrument of Delegation for provisions commencing on 1 July 2017 has been developed. These Delegations have been included in the Delegations Register.

**1.6.6 Planning, Development and Infrastructure Act 2016**

New provisions in the *Planning, Development and Infrastructure Act 2016* commenced on 1 April 2017 and 1 July 2017. Delegations included in the new Instrument of Delegations have been included in the Delegations Register.

- 1.7 Ongoing review of Council's Delegations Register has occurred as amendments to legislation are introduced to update it in line with the current Instruments of Delegations as provided by the Local Government Association.
- 1.8 Other Acts also contain specific provisions for the delegation of powers and functions to councils, such as the *Development Act 1993*, the *Food Act 2001* and the *Supported Residential Facilities Act 1999*. Delegations under these Acts form separate recommendations in this report.
- 1.9 The *Development Act 1993* requires that Council adopt a policy setting out the basis upon which delegations under that Act are made. Council last endorsed the Development Act 1993 and Development Regulations 2008 Delegation Policy on 26 February 2007. As part of the review of delegations process the policy has also be reviewed and an updated copy of the Policy is provided as Attachment 3 to this report for endorsement. Only minor editorial amendments have been made to the policy to improve clarity of the document and these are marked with revisions.

- 1.10 Members are reminded that delegations to individuals under all Acts are revocable at will, and furthermore, do not prevent Council from acting in a matter. The exception to this is Section 34(24) of the *Development Act 1993* in relation to delegations by Council to the Development Assessment Panel.

## 2. REPORT

### **2017/18 Review of Delegations**

- 2.1 The City of Salisbury uses a database for management and maintenance of legislative delegations. The database was developed by the City of Charles Sturt in conjunction with the LGA for use by Councils.
- 2.2 The database acts as the City of Salisbury's Delegations Register required under Section 44(6) of the *Local Government Act 1999*.
- 2.3 This Register includes a record of the sub-delegations of these powers and functions by the Chief Executive Officer to specific officers in exercise of his powers under Sections 44(4) and 101 of the *Local Government Act 1999*. While these sub-delegations do not require the authorisation of Council, it is appropriate they be noted by Council and included in the publicly available Delegations Register.
- 2.4 Since the last annual review of delegations, Council Officers have reported any changes to Council and made the necessary adjustments as advised by Norman Waterhouse and updated the Delegations Register in accordance with the current Instruments of Delegation as provided by the Local Government Association.
- 2.5 It is important to note that within the listings in the Delegations Register, where there are no conditions/limitations imposed against delegations, these have been considered, but none applied.

### **Process to be followed**

- 2.6 In order for the statements contained in the instruments of delegation to come into effect, Council must first resolve to revoke the existing delegations. Council then resolves to adopt the new delegations contained in the instruments of delegations.
- 2.7 If required, position titles will be updated within the delegations register to reflect changes as a result of implementation of any recent changes to titles or organisation structure. It is important to note, there is likely to be very few instances where this is required as Council's delegation decisions primarily relate to the delegation of powers/functions to the Chief Executive Officer.
- 2.8 Any sub-delegations that have been made in relation to the existing delegations become void as soon as the 'head' delegation is revoked. In order to ensure that Council Officers have the necessary powers to continue their duties, the resolution is worded so that revocation of the existing delegations does not come into force until such time as the sub-delegations are ready to be approved by the Chief Executive Officer. The new delegations will take effect immediately prior to the Chief Executive Officer approval of the sub-delegations.
- 2.9 The exercise of powers and functions delegated by Council shall be undertaken in accordance with existing Council policies. Even though Council may delegate its powers, functions and duties, this does not prevent the Council from acting in the same matters at any time should the need arise.

**Delegations Register**

- 2.10 The Delegations Register is a large document consisting of 587 pages and is currently available on the City of Salisbury website. A printed copy is also available for inspection in the Publicly Available Documents Folder in the reception area of the Civic Centre.
- 2.11 Given the size of the full Delegations Register it has not been included as an attachment to this Report. A printed copy is available for review by Elected Members in the Elected Members Room. Council's website and Publicly Available Documents Folder will be updated with the revised Delegations Register once Council has considered this Report. The Delegations Register will also be made available via the Elected Members Portal.

**3. CONCLUSION / PROPOSAL**

- 3.1 The annual review of Council delegations has been conducted and is presented to Council for endorsement.

**CO-ORDINATION**

Officer: Executive Group MG  
Date:

## LOCAL GOVERNMENT ACT 1999

### Instrument of Sub Delegation

In exercise of the power contained in Sections 44 (4) and 101 of the Local Government Act 1999, I hereby sub-delegate to the To remain with Council and any person appointed to act in that position, the following powers and functions which have been delegated to me by Council pursuant to Section 44 of the Act.

#### DEVELOPMENT ACT 1993

##### Council to Establish Development Assessment Panels

The duty pursuant to Section 56A(3) of the Act to appoint a presiding member to the council development assessment panel in accordance with the requirements set out in Section 56A(3)(b) of the Act. LIMITATIONS:

The duty pursuant to Section 56A(3) of the Act to appoint the remaining members of the council development assessment panel in accordance with the requirements set out in Section 56A(3)(c) of the Act. LIMITATIONS:

The duty pursuant to section 56A(3)(d) of the Act to ensure that, unless granted an exemption by the Minister, at least 1 member of the panel is a woman and at least 1 is a man and to ensure that insofar as is reasonably practicable, the panel consists of equal numbers of men and women. LIMITATIONS:

The duty pursuant to Section 56A(3)(e) to determine the term of office for a member of the council development assessment panel, which period cannot exceed 2 years. LIMITATIONS:

The duty pursuant to Section 56A(3)(f) of the Act to determine any other conditions of appointment of the members of the council development assessment panel. LIMITATIONS:

The power pursuant to Section 56A(3)(g) of the Act to remove a member of the council development assessment panel from office for:

36.6.1 breach of, or failure to comply with, the conditions of appointment; or

36.6.2 misconduct; or

36.6.3 neglect of duty; or

36.6.4 incapacity to carry out satisfactorily the duty of his or her office; or

36.6.5 failure to carry out satisfactorily the duty of his or her office; or

36.6.6 failure to comply with a requirement under Section 34(6) or (7) of the Act or a breach of, or failure to comply with, a code of conduct under Section 21A of the Act. LIMITATIONS:

**LOCAL GOVERNMENT ACT 1999****Committees**

The power pursuant to Section 41(1) and (2) of the Act to establish committees. LIMITATIONS:

The power pursuant to Section 41(3) of the Act to determine the membership of a committee. LIMITATIONS:

The power pursuant to Section 41(4) of the Act to appoint a person as a presiding member of a committee, or to make provision for the appointment of a presiding member. LIMITATIONS:

The power pursuant to Section 41(6) of the Act to appoint the principal member of the Council as an ex officio member of a committee. LIMITATIONS:

The power and duty pursuant to Section 41(8) of the Act, to, when establishing a committee, determine the reporting and other accountability requirements that are to apply in relation to the committee. LIMITATIONS:

**Principal Office**

The duty pursuant to Section 45(1) of the Act to nominate a place as the principal office of the Council for the purposes of the Act. LIMITATIONS:

The power and duty pursuant to Section 45(2) of the Act to determine the hours the principal office of the Council will be open to the public for the transaction of business and the duty to keep the principal office of Council open to the public for the transaction of business during hours determined by the Delegate or the Council. LIMITATIONS:

The power pursuant to Section 45(3) of the Act to consult with the local community in accordance with Council's public consultation policy about the manner, places and times at which the Council's offices will be open to the public for the transaction of business and about any significant changes to those arrangements. LIMITATIONS:

**Commercial Activities**

Subject to the Act, the power pursuant to Section 46(1) of the Act to, in the performance of the Council's functions, engage in a commercial activity or enterprise ('a commercial project'). LIMITATIONS:

The power pursuant to Section 46 (2) of the Act, to, in connection with a commercial project:

12.2.1 establish a business;

12.2.2 participate in a joint venture, trust, partnership or other similar body. LIMITATIONS:

**Meetings to be Held in Public Except in Special Circumstances**

The power pursuant to Section 90(8a)(a) of the Act to adopt a policy on the holding of informal gatherings or discussions subject to Section 90(8b) of the Act. LIMITATIONS:

The power pursuant to Section 90(8c) of the Act, to, from time to time, alter the Council's policy or substitute a new policy. LIMITATIONS:

The duty pursuant to Section 90(7) of the Act to make a note in the minutes of the making of an order under Section 90(2) of the Act and the grounds on which it was made. LIMITATIONS:



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## Attachment 1 - Powers to Remain With Council

**Obstructing of Meetings**

The power pursuant to Section 95 of the Act to take proceedings under the Act against a person who intentionally obstructs or hinders proceedings at a meeting of the Council or a Council committee or at a meeting of electors. LIMITATIONS:

**Internal Control Policies**

The duty pursuant to Section 125 of the Act to ensure that appropriate policies, practices and procedures of internal control are implemented and maintained in order to assist the Council to carry out its activities in an efficient and orderly manner, to achieve its objectives, to ensure adherence to management policies, to safeguard the Council's assets, and to secure (as far as possible) the accuracy and reliability of the Council's records. LIMITATIONS:

**Audit Committee**

The power and duty pursuant to Section 126(1) of the Act to appoint an audit committee in accordance with Section 126(2) of the Act. LIMITATIONS:

If an audit committee is appointed by the Delegate or the Council, the power to determine the membership of any audit committee in accordance with Section 126(2) of the Act. LIMITATIONS:

**The Auditor**

The power and duty pursuant to and in accordance with Section 128(2), (3) (4), (4a), (5), (6), (7) and (8) of the Act to appoint an auditor on the recommendation of the Council's audit committee. LIMITATIONS:

The duty pursuant to Section 128(8) of the Act to comply with any requirements prescribed by the Regulations with respect to providing for the independence of the auditor. LIMITATIONS:

The duty pursuant to Section 128(9) of the Act to ensure that the following information is included in the Council's annual report:

39.3.1 information on the remuneration payable to the Council's auditor for work performed during the relevant financial year, distinguishing between:

- 39.3.1.1 remuneration payable for the annual audit of the Council's financial statements; and
- 39.3.1.2 other remuneration;

39.3.2 if person ceases to be the auditor of the Council during the relevant financial year, other than by virtue of the expiration of his or her term of appointment and is not being reappointed to the office - the reason or reasons why the appointment of the Council's auditor came to an end. LIMITATIONS:

**Other Investigations**

The power, pursuant to and in accordance with Sections 130A(1) and (2) of the Act, as the Delegate thinks fit, to request the Council's auditor, or some other person determined by the Delegate to be suitably qualified in the circumstances, to examine and report on any matter relating to financial management, or the efficiency and economy with which the Council manages or uses its resources to achieve its objectives, that would not otherwise be addressed or included as part of an annual audit under Division 4 of Chapter 8 of the Act and that is considered by the Delegate to be of such significance as to justify an examination under this Section. LIMITATIONS:

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Attachment 1 - Powers to Remain With Council

Unless Section 130A(7) of the Act applies, the duty pursuant to Section 130A(6) of the Act to place the report prepared pursuant to Section 130A(1) of the Act on the agenda for consideration:

41.2.1 unless Section 130A(6)(b) of the Act applies - at the next ordinary meeting of the Council in accordance with Section 130A(6)(a), of the Act;

41.2.2 if the agenda for the next ordinary meeting of the Council has already been sent to members of the Council at the time that the report is provided to the principal member of the Council - at the ordinary meeting of the Council next following the meeting for which the agenda has already been sent unless the principal member of the Council determines, after consultation with the Chief Executive Officer, that the report should be considered at the next meeting of the Council as a late item on the agenda in accordance with Section 130A(6)(b) of the Act.

LIMITATIONS:

**Preliminary**

The power pursuant to Section 159(3) to grant a rebate of rates if satisfied that it is appropriate to do so (whether on application or on the Delegate's own initiative). LIMITATIONS:

The power pursuant to Section 159(4) of the Act to increase the rebate on the Delegate's initiative, if a rebate specifically fixed by Division 5 Chapter 10 of the Act is less than 100%. LIMITATIONS:

**Rebate of Rates - Community Services**

The power pursuant to Section 161(1) and (3) of the Act to grant a rebate of more than 75% of the rates on land being predominantly used for service delivery or administration (or both) by a community service organisation, where that organisation:

61.1.1 is incorporated on a not-for-profit basis for the benefit of the public; and

61.1.2 provides community services without charge or for charge that is below the cost to the body of providing their services; and

61.1.3 does not restrict its services to persons who are members of the body. LIMITATIONS:

**Rebate of Rates - Educational Services**

The power pursuant to Section 165(1) and (2) of the Act to grant a rebate of rates at more than 75% on land:

62.1.1 occupied by a Government school under a lease or license and being used for educational purposes; or

62.1.2 occupied by non-Government school registered under the Education and Early Childhood Services (Registration and Standards) Act 2011 and being used for educational purposes; or

62.1.3 land being used by University or University College to provide accommodation and other forms of support for students on a not-for-profit basis. LIMITATIONS:

Attachment 1 - Powers to Remain With Council

**Discretionary Rebates of Rates**

The duty pursuant to Section 166(1a) of the Act to take into account, in deciding an application for a rebate under Section 166(1)(d), (e), (f), (g), (h), (i) or (j):

63.1.1 the nature and extent of the Council's services provided in respect of the land for which the rebate is sought in comparison to similar services provided elsewhere in its area; and

63.1.2 the community need that is being met by activities being carried out on the land for which the rebate is sought; and

63.1.3 the extent to which activities carried out on the land for which the rebate is sought provides assistance or relief to disadvantaged persons;

63.1.4 any other matter considered relevant by the Council or the Delegate. LIMITATIONS:

The power pursuant to Section 166(1), (2) and (4) of the Act and taking into account Section 166(1a) of the Act and in accordance with Section 166(3b) of the Act to grant a rebate of rates or service charges on such conditions as the Delegate sees fit and such rebate may be up to and including 100% of the relevant rates or service charge, in the following cases:

63.2.1 where the rebate is desirable for the purpose of securing the proper development of the area or part of the area;

63.2.2 where the rebate is desirable for the purpose of assisting or supporting a business in the area;

63.2.3 where the rebate will be conducive to the preservation of buildings or places of historic significance;

63.2.4 where the land is being used for educational purposes;

63.2.5 where the land is being used for agricultural, horticultural or floricultural exhibitions;

63.2.6 where the land is being used for a hospital or health centre;

63.2.7 where the land is being used to provide facilities or services for children or young persons;

63.2.8 where the land is being used to provide accommodation for the aged or disabled;  
LIMITATIONS:

The power pursuant to Section 166(3) of the Act to grant a rebate of rates or charges for a period exceeding 1 year but not exceeding 10 years in the following cases:

63.3.1 where the rebate is desirable for the purpose of securing a proper development of the area or part of the area; or

63.3.2 where the rebate is desirable for the purpose of assisting or supporting a business in the area; or

63.3.3 where the rebate relates to common property or land vested in a community corporation under the Community Titles Act 1996 over which the public has a free and unrestricted right of access and enjoyment. LIMITATIONS:

The power pursuant to Section 166(3a) of the Act to grant a rebate of rates or charges under Section 166(1)(l) of the Act for a period exceeding 1 year but not exceeding 3 years.  
LIMITATIONS:

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Attachment 1 - Powers to Remain With Council

**Valuation of Land for the Purpose of Rating**

The power pursuant to Section 167(1) of the Act to adopt valuations that are to apply to land within the Council's area, for rating purposes for a particular financial year. LIMITATIONS:

For the purpose of adopting a valuation of land for rating, the duty pursuant to Section 167(2) of the Act and in accordance with Section 167(3), (4) and (5) of the Act, to adopt:

64.2.1 valuations made, or caused to be made, by the Valuer-General; or

64.2.2 valuations made by a valuer employed or engaged by the Council, or by a firm or consortium of valuers engaged by the Council;

or a combination of both. LIMITATIONS:

**Payment of Rates - General Principles**

The power pursuant to Section 181(11) of the Act to grant discounts or other incentives in order to encourage:

73.7.1 the payment of instalments of rates in advance; or

73.7.2 prompt payment of rates. LIMITATIONS:

The power pursuant to Section 181(12)(b) of the Act to impose a surcharge or administrative levy not exceeding 1% of the rates payable in a particular financial year with respect to the payment of rates by instalments under Section 181(4)(b) of the Act. LIMITATIONS:

The power pursuant to Section 181(15) of the Act to decide that rates of a particular kind will be payable in more than 4 instalments in a particular financial year and in such case:

73.10.1 the instalments must be payable on a regular basis (or essentially a regular basis) over the whole of the financial year, or the remainder of the financial year depending on when the rates are declared; and

73.10.2 the Delegate must give at least 30 days notice before an instalment falls due. LIMITATIONS:

**Remission and Postponement of Payment**

The power pursuant to Section 182(3) of the Act to grant other or additional postponements of rates:

74.3.1 to assist or support a business in the Council's area; or

74.3.2 to alleviate the effects of anomalies that have occurred in valuations under the Act. LIMITATIONS:

The power pursuant to Section 182(4) of the Act to grant other or additional remissions of rates on the same basis as applies under the Rates and Land Tax Remission Act 1986, (such remissions will be in addition to the remissions that are available under that Act). LIMITATIONS:

The power pursuant to Section 182(6) of the Act to revoke a determination under Section 182(4) of the Act at any time (but the revocation will not effect an entitlement to remission in relation to rates declared before the revocation takes effect). LIMITATIONS:

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## Attachment 1 - Powers to Remain With Council

The power pursuant to Section 182(1) of the Act to decide on the application of a ratepayer that payment of rates in accordance with the Act would cause hardship and, if so, to:

74.1.2 remit the rates in whole or in part. LIMITATIONS:

### **Postponement of Rates - Seniors**

The power pursuant to Section 182A(2) of the Act to require that an application pursuant to Section 182A(1) of the Act be accompanied by such information as the Delegate may reasonably require. LIMITATIONS:

The power pursuant to Section 182A(3) of the Act, on an application for a postponement of the payment of the prescribed proportion of rates for the current or future financial made in accordance with Sections 182A(1) and (2) of the Act to:

75.2.1 reject an application for the postponement of rates; or

75.2.2 impose conditions on the postponement of rates

but only in accordance with the Regulations. LIMITATIONS:

### **Sale of Land for Non-Payment of Rates**

The power pursuant to Section 184(1) of the Act to sell land, if an amount payable by way of rates in respect of the land, has been in arrears for 3 years or more. LIMITATIONS:

### **Acquisition of Land by Agreement**

The power pursuant to Section 190 of the Act to acquire land by agreement. LIMITATIONS:

### **Alienation of Community Land by Lease or Licence**

The power and duty pursuant to Section 202(4) of the Act and subject to Section 202(4a) and Section 202(7) of the Act to grant or renew a lease or a licence for a term (not exceeding 42 years) and to extend the term of the lease or licence but not so that the term extends beyond a total of 42 years. LIMITATIONS:

### **Special Jurisdiction**

The power pursuant to Section 276(1) and (2) of the Act to commence, defend or participate in the following proceedings before the District Court, on behalf of the Council:

137.1.1 proceedings to try the title of a member to an office;

137.1.2 proceedings to try the right of a person to be admitted or restored to an office;

137.1.3 proceedings to compel restoration or admission;

137.1.4 proceedings to compel the Council to proceed to an election, poll or appointment;

137.1.5 proceedings to try the validity of a rate or service charge;

137.1.6 proceedings to try the validity of a by-law;

137.1.7 proceedings to compel the production or delivery of any books, voting papers, or other documents or papers to the production or possession of which the Council or person is entitled under this Act. LIMITATIONS:

**ROAD TRAFFIC (ROAD RULES - ANCILLARY AND MISCELLANEOUS PROVISIONS) REGULATIONS 1999**

**Permit Zones**

The power pursuant to Regulation 14(2) of the Road Traffic (Road Rules - Ancillary and Miscellaneous Provisions) Regulations 1999 to determine-

7.1.1 the class of permits required for vehicles to stop in a permit zone established by the Council;

7.1.2 the persons entitled to such permits;

7.1.3 any fees to be paid for such permits;

7.1.4 the conditions to which the permits will be subject (which may include conditions as to the period for which such permits remain in force and conditions as to the display of permits in vehicles).

and to vary any such determination. LIMITATIONS:

Attachment 1 - Powers to Remain With Council

NOTES:

(1) Progress Claims - Approved Contracts includes:

- Valuer General's Annual Valuations
- Utilities for Water, Power and Telephone
- Maintenance Contracts
- Leaser Payments

(2) Authorised to approve variations to contracts up to the authorised level of budgeted expenditure of the officer

John Harry

**Chief Executive**

Dated this .....

I acknowledge that I have received, read and accept the attached delegation of authority.

Name \_\_\_\_\_

Signature \_\_\_\_\_

**To remain with Council**

Date \_\_\_\_\_





## LOCAL GOVERNMENT ACT 1999

### Instrument of Sub Delegation

In exercise of the power contained in Sections 44 (4) and 101 of the Local Government Act 1999, I hereby sub-delegate to the 000174 Chief Executive Officer - not to be sub delegated and any person appointed to act in that position, the following powers and functions which have been delegated to me by Council pursuant to Section 44 of the Act.

#### **DEVELOPMENT ACT 1993**

##### **Appointment of Authorised Officers**

The power pursuant to Section 18(1) of the Act to appoint a person to be an authorised officer for the purposes of the Development Act 1993. LIMITATIONS:

The power pursuant to Section 18(2) of the Act to impose conditions on the appointment of an authorised officer. LIMITATIONS:

The duty, pursuant to Section 18(3) of the Act to issue an authorised officer with an identity card. LIMITATIONS:

The power pursuant to Section 18(5) of the Act to at any time, revoke an appointment which the Delegate or the Council has made, or vary or revoke a condition of such an appointment or impose a further such condition. LIMITATIONS:

#### **DOG & CAT MANAGEMENT ACT 1995**

##### **Appointment of Authorised Persons**

1.2 The power pursuant to Section 25A(2) of the Act to make an appointment subject to conditions specified in the instrument of appointment. LIMITATIONS:

1.3 The power pursuant to Section 25A(3) of the Act to, at any time, revoke the appointment of an authorised person, or vary or revoke the conditions of appointment of an authorised person. LIMITATIONS:

1.1 The power pursuant to Section 25A(1) of the Dog and Cat Management Act 1995 (the Act) to appoint suitable persons (other than members of the Council) to be authorised persons for the purposes of the Act. LIMITATIONS:

##### **Identification of Authorised Persons**

2.1 The power pursuant to Section 25B(1) of the Act to issue to an authorised person an identity card in a form approved by the Board. LIMITATIONS:

2.2 The power pursuant to Section 25B(2) of the Act, if the powers of the authorised person have been limited by conditions, to issue an identity card to the person containing a statement of those conditions. LIMITATIONS:

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**Attachment 2 - Delegations to Remain With CEO - Not to be Sub-Delegated**

**Area Limitation on Authorised Persons Appointed by Councils**

3.1 The power pursuant to Section 25C(c) of the Act to arrange with another council for an authorised person appointed by the Council to exercise powers under the Act within the area of the other council. LIMITATIONS:

**ENVIRONMENT PROTECTION ACT 1993**

**Authorised Persons**

The power pursuant to Section 85(3) of the Environmental Protection Act 1993 ("the Act"), to appoint authorised officers for the purposes of the Act. LIMITATIONS:

The power pursuant to Section 85(4) of the Act to make an appointment under Section 85(3) of the Act subject to conditions to be specified in the instrument of appointment, and subject to conditions prescribed by regulation. LIMITATIONS:

The power pursuant to Section 85(5) of the Act to revoke an appointment or to vary or revoke a condition specified in the instrument of such an appointment or impose a further such condition. LIMITATIONS:

**FIRE AND EMERGENCY SERVICES ACT 2005**

**Fire Control Officers**

The power pursuant to Section 103(1) of the Act to request that the Chief Officer of the SACFS appoint a person as fire control officer for a designated area of the State (whether inside or outside a council area). LIMITATIONS:

The power pursuant to Section 103(2) of the Act to consult with and make submissions to the Chief Officer of the SACFS before the Chief Officer of the SACFS of his or her own initiative appoints a person as a fire control officer for a designated area of the State (whether inside or outside a council area) in relation to the proposed appointment. LIMITATIONS:

**Giving of Expiation Notices**

The duty pursuant to Section 104 of the Act to not authorise a person (under Section 6(3)(b) of the Expiation of Offences Act 1996) to give expiation notices for alleged offences under Part 4 of the Act unless the person is a fire prevention officer. LIMITATIONS:

**Appropriation of Penalties**

The duty pursuant to Section 105 of the Act if a summary offence against Part 4 of the Act is committed in the area of the Council and the complaint is laid by the Council (or an officer of the Council), to pay any fine recovered from the defendant into the general revenue of the Council (rather than into the Consolidated Account). LIMITATIONS:

**Interpretation**

The power pursuant to Section 105A of the Act to authorise for the purposes of Part 4A of the Act an authorised person appointed by the Council under the Local Government Act 1999. LIMITATIONS:

**Fire Prevention Officers**

The power and duty pursuant to Section 105B(1) of the Act and subject to Sections 105B(2) and 105B(3) of the Act, to appoint at least one person as a fire prevention officer for the Council's area. LIMITATIONS:

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**Attachment 2 - Delegations to Remain With CEO - Not to be Sub-Delegated**

The power pursuant to Section 105B(3) of the Act to apply to the Chief Officer of the SACFS for an exemption for the Council from the requirement to appoint a fire prevention officer under Section 105B of the Act. LIMITATIONS:

**FIRE AND EMERGENCY SERVICES REGULATIONS 2005**

**SACFS Group Committee**

The power pursuant to Regulation 19(2)(e)(i) of the Fire and Emergency Services Regulations 2005 ('the Regulations') to nominate a representative from the Council to be a member of a SACFS group committee, where the Council's area lies wholly or partially within the area of the group. LIMITATIONS:

**Fires Permitted under Section 79(2) of Act**

The power pursuant to Regulation 32A(4) of the Regulations to consult with and make submissions to the Chief Officer before the Chief Officer makes a notice under Regulation 32A of the Regulations. LIMITATIONS:

**Special Fire Areas**

The duty pursuant to Regulation 56(2) of the Regulations to consult with and make submissions to the Chief Officer of the SACFS regarding the inclusion of the area or part of the area of the Council within a special fire area. LIMITATIONS:

The power pursuant to Regulation 56(4)(a) of the Regulations to nominate one or more representatives of the Council to a committee of management established under Regulation 56(3) of the Regulations. LIMITATIONS:

**Coronial Inquests**

The power pursuant to Regulation 65(b) of the Regulations to make representations to the South Australian Fire and Emergency Services Commission or an emergency services organisation that a coronial inquest should be held in relation to a fire or other emergency. LIMITATIONS:

**FREEDOM OF INFORMATION ACT 1991**

**Internal Review (1)**

The power pursuant to Section 29(3) of the Act, where an application for review of a determination is made under Part 3 of the Act and in accordance with Section 29(2) of the Act, to confirm, vary or reverse the determination under review. LIMITATIONS:

The duty pursuant to Section 29(4) of the Act to refund any application fee paid in respect of the review where the delegate varies or reverses a determination so that access to a document is to be given either immediately or subject to deferral. LIMITATIONS:

**Persons by Whom Applications for Amendment of Records May be Dealt With and Time Within Which Applications Must be Dealt With**

The duty pursuant to Section 32(1) of the Act to ensure that an accredited FOI officer deals with an application for amendment of the Council's records. LIMITATIONS:

The duty pursuant to Section 32(2) of the Act to deal with an application for amendment of the Council's records as soon as practicable (and, in any case, within 30 days) after it is received. LIMITATIONS:

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**Attachment 2 - Delegations to Remain With CEO - Not to be Sub-Delegated**

**Internal Review (2)**

The power pursuant to Section 38(3) of the Act, where an application for review of a determination is made under Part 4 of the Act and in accordance with Section 38(2) of the Act to, confirm, vary or reverse the determination under review. LIMITATIONS:

**Review by Ombudsman or Police Ombudsman**

The duty and power pursuant to Section 39(5)(b)(i) of the Act to sort or compile documents relevant to a review under Section 39 of the Act or to undertake consultation. LIMITATIONS:

The duty and power pursuant to Section 39(5)(b)(ii) of the Act to attend at a time and place specified by the relevant review authority (as defined by the Act) for the purposes of sorting or compiling documents relevant to a review under Section 39 of the Act or to undertake consultation. LIMITATIONS:

The power:

25.3.1 to participate in and effect a settlement conducted under Section 39(5)(c)(i) of the Act; and

25.3.2 to request a suspension of proceedings under Section 39 at any time to allow an opportunity for a settlement to be negotiated. LIMITATIONS:

The duty and power pursuant to Section 39(7) to cooperate in a process proposed by the relevant review authority (as defined by the Act) for the purposes of the conduct of a review under Section 39 of the Act (including any attempt of the relevant review authority to effect a settlement between the participants) and to do all such things as are reasonably required to expedite the process. LIMITATIONS:

**Reviews by SACAT**

The power pursuant to Section 40(1) of the Act and with the permission of SACAT, to apply for a review under Section 34 of the South Australian Civil and Administrative Tribunal Act 2013 of the determination by SACAT on a question of law.. LIMITATIONS:

**Consideration of Restricted Documents**

The power pursuant to Section 41(1) of the Act to make application to the District Court to have the District Court receive evidence and hear argument in the absence of the public, the other party to the appeal and, the other party's representative. LIMITATIONS:

**LOCAL GOVERNMENT ACT 1999**

**General Powers and Capacities**

The power, acting within the approved budget of the Council, to transfer funds between budget lines for employee salaries and wages (as set out in the adopted Operating Statement and further detailed in the Program Budget information) for the purpose of re-allocating staff resources provided that such re-allocation does not, in the opinion of the Chief Executive Officer, detract from the service provisions as set out in the Annual Business Plan. The Chief Executive Officer will report any transfer of funds to Council at Quarterly Budget Review. LIMITATIONS:

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**Attachment 2 - Delegations to Remain With CEO - Not to be Sub-Delegated**

The power, acting within the approved budget of the Council, to transfer funds of up to \$20,000 in any one matter (up to a maximum of \$120,000 in any one financial year), between budget lines for Materials, Contracts and Other Services (as set out in the adopted Operating Statement and further detailed in the Program Budget information) for the purpose of re-allocating expenses provided that the re-allocation does not, in the opinion of the Chief Executive Officer, detract from the service provisions set out in the Annual Business Plan. The Chief Executive Officer will report any transfer of funds to Council at Quarterly Budget Review. LIMITATIONS:

**Expenditure of Funds**

The power, acting within the approved budget of the Council, to transfer funds between budget lines for employee salaries and wages (as set out in the adopted Operating Statement and further detailed in the Program Budget information) for the purpose of re-allocating staff resources provided that such re-allocation does not, in the opinion of the Chief Executive Officer, detract from the service provisions as set out in the Annual Business Plan. The Chief Executive Officer will report any transfer of funds to Council at Quarterly Budget Review. LIMITATIONS:

The power, acting within the approved budget of the Council, to transfer funds of up to \$20,000 in any one matter (up to a maximum of \$120,000 in any one financial year), between budget lines for Materials, Contracts and Other Services (as set out in the adopted Operating Statement and further detailed in the Program Budget information) for the purpose of re-allocating expenses provided that the re-allocation does not, in the opinion of the Chief Executive Officer, detract from the service provisions set out in the Annual Business Plan. The Chief Executive Officer will report any transfer of funds to Council at Quarterly Budget Review. LIMITATIONS:

**Appointment of Authorised Persons**

The power, pursuant to Section 260(1) of the Act by instrument in writing, to appoint a person (other than a member of the Council) to be an authorised person. LIMITATIONS:

The power pursuant to Section 260(2) of the Act to make an appointment of an authorised person subject to such conditions or limitations as the Delegate determines and specified in the instrument of appointment. LIMITATIONS:

The power pursuant to Section 260(5) of the Act to at any time revoke an appointment under Section 260 of the Act, or to vary or revoke a condition or limitation, or impose a further condition or limitation on the appointment. LIMITATIONS:

**NATURAL RESOURCES MANAGEMENT ACT 2004**

**Regional Authorised Officers**

The power pursuant to Section 67(10) of the Act to agree to the appointment of an officer of the Council as an authorised officer by a regional NRM board. LIMITATIONS:

**Contributions by Constituent Councils**

The duty pursuant to Section 92(1) of the Act if a regional NRM plan for a regional NRM board specifies an amount (the base contribution amount) to be contributed by the constituent councils for the region towards the costs of the board performing its functions under the Act in a particular financial year, to make a contribution based on that amount in accordance with the requirements of Part 1 of Chapter 5 of the Act in respect of that financial year. LIMITATIONS:

The power pursuant to Section 92(7) of the Act to receive notice from the Minister of the Minister's determination. LIMITATIONS:

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**Attachment 2 - Delegations to Remain With CEO - Not to be Sub-Delegated**

**Payment of Contributions by Councils**

The duty pursuant to Section 93(1) of the Act, subject to Section 93(2) of the Act, to pay the Council's share of the amount to be contributed by the constituent councils in approximately equal instalments on 30 September, 31 December, 31 March and 30 June in the year to which the contribution relates, including any interest which accrues on any amount unpaid at the rate and in the manner prescribed by regulation. LIMITATIONS:

The duty pursuant to Section 93(2) of the Act, if notice of a regional NRM levy imposed by a Council in respect of a financial year could not be included in the notice of general rates for that year because the share to be contributed was not approved by the Governor on or before 1 June preceding that year, to pay the Council's share of the amount to be contributed by constituent councils in approximately equal instalments on 31 December, 31 March and 30 June in that year. LIMITATIONS:

**Cost of Councils**

The power pursuant to Section 96(1) of the Act, subject to Section 96(2) and 96(3) of the Act, to receive an amount from a regional NRM board determined in accordance with the regulations on account of the costs of the Council as a constituent council in complying with the requirements of Part 1 of Chapter 5 of the Act. LIMITATIONS:

**Management Agreements**

The power pursuant to Section 205(3) of the Act to receive notice from the Minister of a proposal to provide for the remission of any Council rate under Section 205(2)(j) of the Act by way of a management agreement. LIMITATIONS:

**Vesting of Property**

The power pursuant to Clause 46(1)(d) of Schedule 4 of the Act to consent to the vesting in the Council by proclamation of the Governor any asset, right or liability of a statutory body or of a related body nominated by the proclamation. LIMITATIONS:

**FOOD ACT 2001**

**Appointment of Authorised Officers**

The power pursuant to Section 94(1) of the Act to appoint a person to be an authorised officer for the purposes of the Act, subject to the duty upon the Delegate to be satisfied that the person has appropriate qualifications or experience to exercise the functions of an authorised officer. LIMITATIONS:

**SOUTH AUSTRALIAN PUBLIC HEALTH (GENERAL) REGULATIONS 2013**

**Non-compliance with Notices (Section 93(6) of Act)**

The power pursuant to Regulation 5B(8) of the General Regulations, if or when the amount to which the charge relates is paid, to by further notice in writing to the Registrar-General (being a notice in a form determined by the Minister on the recommendation or with the approval of the Registrar General) cancel the charge. LIMITATIONS:

**Attachment 2 - Delegations to Remain With CEO - Not to be Sub-Delegated**

The power pursuant to Regulation 5B(2) of the South Australian Public Health (General) Regulations 2013 (the General Regulations), for the purposes of the creation of a charge on land under Section 93 of the Act, to deliver to the Registrar-General a notice, in a form determined by the Minister on the recommendation or with the approval of the Registrar General:

34.1.1 setting out the amount recoverable under Section 93 of the Act; and

34.1.2 setting out the land in relation to which the relevant action was taken; and

34.1.3 requesting the Registrar-General to make a notation under Regulation 5B of the General Regulations in relation to the relevant land. LIMITATIONS:

**SUPPORTED RESIDENTIAL FACILITIES ACT 1992**

**Appointment of Authorised Officers**

The power pursuant to Section 21(1) of the Supported Residential Facilities Act 1992 ("the Act") to appoint a person to be an authorised officer under the Act; LIMITATIONS:

The power pursuant to Section 21(4) of the Act by notice in writing served on an authorised officer, to revoke the appointment as an authorised officer. LIMITATIONS:

**Attachment 2 - Delegations to Remain With CEO - Not to be Sub-Delegated**

NOTES:

(1) Progress Claims - Approved Contracts includes:

- Valuer General's Annual Valuations
- Utilities for Water, Power and Telephone
- Maintenance Contracts
- Leaser Payments

(2) Authorised to approve variations to contracts up to the authorised level of budgeted expenditure of the officer

John Harry

**Chief Executive**

Dated this .....

I acknowledge that I have received, read and accept the attached delegation of authority.

Name \_\_\_\_\_

Signature \_\_\_\_\_

**000174 Chief Executive Officer - not to be sub delegated**

Date \_\_\_\_\_





# Draft

## Development Act 1993 and Development Regulations 2008

### Delegation Policy

Policy Type:	Policy	Decision No:	
Approved By:		Last Reapproval Date:	
Approval Date:		Internal Reference No.:	
Review Date:		Division:	Development Services
Department:	City Development	Responsible Officer:	Manager, Development Services
Function:	3 - Development Control		

#### A - PREAMBLE

1. The Development Act 1993 requires the Council, as the relevant authority, to delegate authority to determine applications to a panel or a delegated officer (Section 34(23)).
2. Section 34(27) of the Development Act requires the Council to establish a policy relating to the basis upon which delegations have been made.
3. A copy of this policy must be made available for public inspection.

#### B - SCOPE

1. The Development Act 1993 and Development Regulations Delegation Policy ~~applies to all~~ prescribes the powers and duties that Council has delegated as a relevant authority with respect to determining whether or not to grant development plan consent and the Development Act 1993 and Development Regulation 2008.

#### C – POLICY PURPOSE/OBJECTIVES

1. The purpose of the policy is to ~~clarify and~~ clearly identify the basis upon which delegations are made under the *Development Act 1993* and *Development Regulations 2008*.

#### D - DEFINITIONS

1. Development Assessment Panel – as required and established by the council under Section 56 of the *Development Act 1993*.
2. Authorised Officer – a person appointed under Section 18 of the Development Act 1993 as an Authorised Officer.

#### E - POLICY STATEMENT

1. Council supports the objectives of the *Development Act 1993*.

- Draft
2. Council actively supports the growth of the City through appropriate development that maintains and enhances the social, economic and environmental conditions desired by the community.
  3. Council acknowledges that an effective and efficient development assessment system is critical to the achievement of community and council goals.
  4. ~~Where appropriate, The~~ authority to determine development applications ~~will be~~ is delegated to Authorised Officers where timely decisions can be made, except for those classes of applications delegated to the Development Assessment Panel.
  5. The Development Assessment Panel will determine the following types of development applications;
    - Applications where third party representors indicate a desire to be heard by the relevant authority.
    - Applications listed as “non-complying” in the relevant zone within the Development Plan.
    - Applications determined by the General Manager City Development as being complex, controversial or of such significance to warrant determination by the Development Assessment Panel.

#### F - LEGISLATION

1. Development Act 1993.
2. Development Regulations 2008.

#### G - REFERENCES

1. Nil

#### H - ASSOCIATED PROCEDURES

1. Delegations under the Development Act 1993 and Development Regulations 2008.

#### Document Control

Document ID	Development Act 1993 and Development Regulations 2008 Delegation Policy
Prepared by	Chris Zafiropoulos
Release	12.00
Document Status	Draft
Date Printed	07/08/2017 29/12/2016

<b>ITEM</b>	3.6.2
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	21 August 2017
<b>HEADING</b>	Annual Report on Internal Reviews of Council decisions in the year ending 30 June 2017 under Section 270 of the Local Government Act 1999
<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>	This report provides information concerning the number of issues reviewed as part of the Internal Review of Council Decisions process in the year ending 30 June 2017.

#### **RECOMMENDATION**

1. The information be received.

#### **ATTACHMENTS**

There are no attachments to this report.

### **1. BACKGROUND**

- 1.1 Council has an existing Internal Review of Council Decisions Policy in accordance with Section 270 of the *Local Government Act 1999* (the Act).
- 1.2 Section 270(8) of the Act requires:
  - (8) *A council must, on an annual basis, initiate and consider a report that relates to—*
    - (a) *the number of applications for review made under this section; and*
    - (b) *the kinds of matters to which the applications relate; and*
    - (c) *the outcome of applications under this section; and*
    - (d) *such other matters as may be prescribed by the regulations.*

### **2. REPORT**

- 2.1 Pursuant to section 270(8) of the Act, Council is required to initiate and consider, on an annual basis, a report that provides information on internal reviews of Council decisions, taking into account the number of applications for review, kinds of matters, outcomes of the reviews, and other matters as prescribed by the legislation.
- 2.2 During the 2016/17 financial year Council did not receive any applications for internal review.

2.3 There was one application carried forward from 2015/16 which was still proceeding as follows:

2.3.1 The Applicants of the subject land at Ingle Farm, requested review of the following:

Decision of Council *to take no further action in relation to:*

1. *The excessive noise, shockwaves and tremors generated by the building [adjacent to the subject land] which was approved by Council;*
2. *The lack of privacy for the occupiers of [the subject land at] Ingle Farm, caused by the elevated nature of the building;*
3. *Our request that Council provide us with all the plans, specifications and paperwork associated with the application for planning and/or building approval.*

An additional issue was raised during investigation with respect to consideration of a Land Management Agreement that applies to the subject land.

**Outcome:** Internal Review of the decision proceeded. Remedies with respect to the decision above were determined for action by both the applicant and Council. No further action was determined to be available concerning the provision of plans, specifications and paperwork and the Land Management Agreement.

### 3. CONCLUSION / PROPOSAL

3.1 In accordance with Section 270(8) of the *Local Government Act 1999*, this report provides information concerning the number of applications for review, kinds of matters, outcomes of the reviews, and other matters as prescribed by the legislation as part of the Internal Review of Council Decisions process in the year ending 30 June 2017.

### CO-ORDINATION

Officer: Executive Group MG  
Date:

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<b>ITEM</b>	3.6.3
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	21 August 2017
<b>HEADING</b>	Summary Report for Attendance at Training and Development Activity - Cr Linda Caruso
<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>	The Elected Member Training and Development Policy sets out requirements for reports to be presented by members after attendance at certain activities.

### RECOMMENDATION

1. The information be received.

### ATTACHMENTS

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

1. Attendance Summary Report - Cr Linda Caruso - National General Assembly of Local Government 18-21 June 2017
2. Summary of Resolutions from the National General Assembly of Local Government 18-21 June 2017

### 1. BACKGROUND

- 1.1 The Elected Member Training and Development Policy sets out requirements for reports to be presented by members after attendance at certain activities. Clause 25 of the policy states:

25. *Following attendance at a conference Elected Members must prepare and submit to Council a written report in relation to their attendance at the conference. Written reports should be submitted to the Project Officer, Governance who will arrange for it to be presented to Council at the earliest opportunity.*

### 2. CONSULTATION / COMMUNICATION

- 2.1 Internal
  - 2.1.1 Not required.
- 2.2 External
  - 2.2.1 Not required.

**3. REPORT**

- 3.1 Cr Linda Caruso attended the National General Assembly (NGA) of Local Government from 18-21 June 2017 in Canberra.
- 3.2 In accordance with the Elected Member Training and Development Policy, Cr Caruso has provided the attached summary of her attendance.
- 3.3 At the time of Council resolving Cr Caruso attend the NGA, the following was also resolved:
  - 3.3.1 *Council authorise the voting delegate to review the NGA motions and determine voting for each motion in the best interest of the City of Salisbury and that the voting delegate provide a report to Council in relation to the votes cast on each item.*
- 3.4 Cr Caruso has provided a summary of all motions considered and the outcome of each (refer attachment 2).

**4. CONCLUSION / PROPOSAL**

- 4.1 Council is asked to receive Cr Caruso's attendance report and the details of how each motion was resolved.

**CO-ORDINATION**

Officer: MG  
Date: 19/07/2017

### **Report on National General Assembly of Local Government 2017: 18<sup>th</sup>-21<sup>st</sup> June 2017**

The opening was done by Mayor David O'Loughlin and the GLYA president, whom did a great job throughout the assembly. Times are changing; the theme was "Working Together" with all the levels of government and to go for grants. At the moment there are 537 local government councils and five ½ thousand elected members. At the conference 800 attended. We need to "get up and go" new ventures, also leadership, partnership is now the core and how we have to be successful in our council.

#### **Issues Covered:**

- 1) Growth/opportunity
- 2) Profit
- 3) Market
- 4) Investment plans
- 5) Priorities

#### **Dean Callan**

Spoke on how everyone is more connected than ever before. Data is more affordable, all voices now have a platform e.g. Facebook, Twitter etc.

- Years ago: Creative/Goals
- Now: Creative/Channels/Goals

We have to define our goals.

- 1) Engagement/Date/Contacts match your resources  
15 million Australians on Facebook (One in every three minutes)

#### **① Dr Chris Brown**

Good presentation on Dog Parks. Dr Chris Brown advised us of that there is \$5,000 available for councils to go for. Which I feel would be good for the St Kilda area to have a new dog park.

- ② There was also good news Senator Veronica Nosh announced to conference "Road to Recovery" was

approved. 2<sup>nd</sup> Round in August is called "Get up and Go".

We need to go for the grants available, have good leadership, partners at the core and be successful.

**Leigh Dules – Journalist and Author**

Interesting media is growing at an excellent pace 24/7.

Story – When Jeny Blair was in Africa:

1997: 1 meal per day

2005: 1 morning, lunch and one evening

2017: non-stop

Point not many people now wait for the news at six o'clock and newspapers to come out mobiles and internet has it all.

**Stephen Jones - MP \$ \_\_\_\_\_**

They're looking for all councils to come up with three projects. Project must have

- 1) Economic benefit
- 2) Training Progress
- 3) Local Business Requiring

Interested subject topic for me was Tyres Taupe.

Australia disposes of more than 50 million tyres each year. That's more than two car tyres per person. Less than one in every ten tyres is recycled in Australia. Useful product derived from tyres is rubber (77.79%), artificial playground surfaces, rubber adhesive, road construction and civil engineering, Alternative fuel to produce steel, conveyer belt, children's rubber mats, and alternative fuel to create cement.

Stockpile can release toxic gasses into the environment also tyre stockpiles are good breeding areas for mosquitos and vermin.

We should look at dealing tyres stewardship or do something in councils Norma area need to look at building a tyre recycling. We should start building a movement.

**Affordable housing**

Affordable Housing was discussed as issues to allow section (94) for secondary buildings and also keep trying



to move with housing availability for new-comers and pensioners seeking leaving their homes to downsize.

### ***Population growth***

We have had more population growth in Australia than America. When asked on a summary on what was important to the new section in the community was interesting.

- 1) Internet Connections
- 2) Restaurants
- 3) Treescape

### ***Women's Local Breakfast***

Plenty of women and men come to the breakfast. Fiona Nosh Spoke. Interesting that woman still does not get considered 50/50 in the local government – we have to keep trying.

Even the national assembly conference speakers were more men than ladies. Elected member asked David O'Loughlin if next conference there can be 50/50 of men and women speakers and he would not commit himself. The times are changing and we need to adapt with it.

### ***Times are changing for cars***

Cars displayed are electrifying BMW.

Batteries are on the floor of cars which makes available boot and front end. At the moment chargers are in light poles in certain areas of the world. It takes all night to charge, my concern is electricity is expensive now, what will be the future prices be?

Cars at the moment range between \$69,000-\$120,000

Inside the car that was amazing:

- Materials used
- Plastic from bottles
- Plastic castor beams
- 100% olive leaf dyed leather
- No chemicals
- 100% water energy in the carbon fibre production
- Built water plant
- 100% in Germany wind energy for the assembly
- At the moment 65,000 charging points

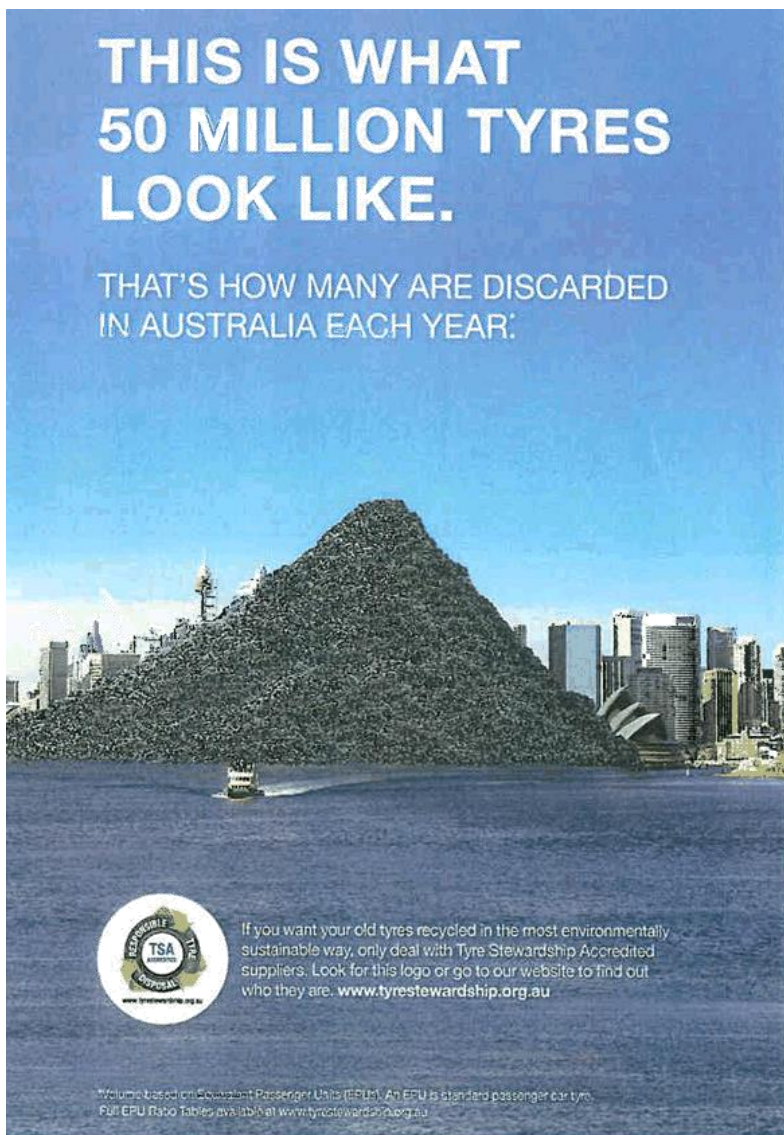
- 25 countries in 2017

- A lot of sharing

Also they believe they are <sup>R</sup>waking to drive on cruise control and not looking at what's in your windscreen which we never did in my time.

Thankyou for allowing me to go to this conference I learnt a lot and hopefully I bought good information for our city to go forward in. Information found was on grants, looking for business, working together with all levels of government.

**CR Linda Caruso**



# Can my old tyres be recycled?

Not managed properly, tyres can be harmful to the environment and human health.

Fires in stockpiles can release toxic gases into the environment and tyre stockpiles are breeding habitats for mosquitoes and vermin.



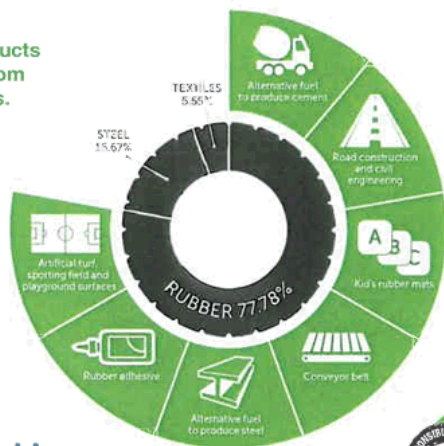
AUSTRALIANS DISPOSE OF MORE THAN  
**50 MILLION**  
TYRES EACH YEAR



MORE THAN  
**2 CAR TYRES**  
PER PERSON

LESS THAN  
**1 IN EVERY 10 TYRES**  
IS RECYCLED IN AUSTRALIA

Many useful products can be derived from your recycled tyres.



**TIMES ARE CHANGING.  
WILL YOUR FLEET  
CHANGE WITH THEM?**

**The Ultimate Driving Machine**

**TEST-DRIVE THE ALL ELECTRIC BMW i3 AT THE NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT.**



The image shows two white BMW i3 electric cars parked on a paved area in front of a modern building with large glass windows. The scene is set during sunset, with a warm orange glow in the sky. The car in the foreground has a license plate that reads 'M TL 1158'. The BMW logo is visible on the front of both cars.

It's time to lead by example. The world is in motion and we're in motion too. Motion means change and change is exciting. At BMW, this change in mindset has led to a new era in which, for the first time ever, vehicles are developed from the ground up with sustainable mobility in mind. In this context, the BMW i3 is more than a car. It is proof that responsibility and efficiency complement one another to perfection.

**Visit our display at the NGA to test-drive the BMW i3 and discover for yourself the trademark BMW performance, maximum fuel efficiency and the convenience of plug-in charging.**

**For further information on how to electrify your organisation, please contact Martin Bruetsch at BMW Australia on (03) 9264 4132 or [martin.bruetsch@bmw.com.au](mailto:martin.bruetsch@bmw.com.au) to discuss how BMW can assist you in upgrading your fleet today.**



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Upgrade your fleet and downgrade your CO<sub>2</sub> emissions with the BMW i3, 330e Sedan and X5 xDrive40e models – the money savers you can count on.

### INCLUDES 4 YEAR/60,000KM BMW SCHEDULED SERVICING\*



**BMW 330e SEDAN**  
with metallic paint  
Fuel Consumption\* 2.1l/100km  
CO<sub>2</sub> emissions\* 49g/100km  
**\$1,376** per month\*  
Government drive away pricing<sup>A1</sup>  
**\$72,566**



**BMW X5 xDRIVE40e**  
with metallic paint  
Fuel Consumption\* 3.4l/100km  
CO<sub>2</sub> emissions\* 78g/100km  
**\$2,174** per month\*  
Government drive away pricing<sup>A2</sup>  
**\$119,965**



**BMW i3**  
with metallic paint  
Fuel Consumption\* 0l/100km  
CO<sub>2</sub> emissions\* 0g/100km  
**\$1,515** per month\*  
Government drive away pricing<sup>A3</sup>  
**\$69,769**



**BMW i3 RANGE EXTENDER**  
with metallic paint  
Fuel Consumption\* 0.6l/100km  
CO<sub>2</sub> emissions\* 13g/100km  
**\$1,545** per month\*  
Government drive away pricing<sup>A4</sup>  
**\$75,628**

#BMW Service Inclusive - Basic is based on the vehicle's Condition Based Service monitoring system for 4 years from date of first registration or up to 60,000kms, whichever occurs first. Normal wear and tear items and other exclusions apply – please refer to [www.bmw.com.au](http://www.bmw.com.au) serviceinclusive. Scheduled servicing must be conducted by an authorised BMW dealer. ~From Alphabet Australia (a division of BMW Australia Finance Ltd, ABN 98 007 101 715) for government buyers on a fully maintained operating lease over 48 months with a 15,000km annual allowance. Handbook scheduled service & maintenance, registration renewal, premium roadside assistance, tyre replacement and fleet online reporting is included for all of the vehicles. Vehicle returned to Alphabet Australia at the end of the lease, subject to fair wear & tear. Excess km charges apply. Fees, charges, terms, conditions & approval criteria apply. No other offers apply. On new vehicles ordered by 31 July 2017. Standard lead & delivery times apply. Consult Alphabet Australia on 1800 220 580. \*Fuel consumption, CO<sub>2</sub> emissions data, electrical consumption and range is based upon Combined Driving Test Cycle in accordance with ADR 81/02. Actual figures will depend on many factors including traffic conditions, driving habits, prevailing conditions and your vehicle's equipment, condition and use. These figures are unlikely to be achieved in real world driving conditions and should only be used for comparing one vehicle with another. Optional equipment and extras may increase price. <sup>A1</sup>Drive away price on a new BMW (1) 330e Sedan (2) X5 xDrive40e (3) i3 (4) i3 Range Extender, all including optional metallic paint. Price is based on the vehicle being garaged in NSW. Consult your participating BMW dealer for further details.

**Resolutions from the 2017 National General Assembly**

**Resolution Number: 1**

**Uralla Shire Council, NSW**

That the National General Assembly call upon the Federal government to hold a referendum to amend the Commonwealth Constitution to formally recognise 'local government' and further that the National General Assembly seek bi-partisan support for the proposal.

**Carried**

**Resolution Number: 2**

**Moreton Bay Regional Council, QLD**

That the Australian Local Government Association call on the Australian Government to reallocate Commonwealth taxes to achieve at least a 1% share for local government throughout Australia.

**Carried**

**Resolution Number: 3**

**Flinders Shire Council, QLD**

That the Australian Government undertake a review of the intrastate distribution of Financial Assistance Grants (FAGs) under the Local Government (Financial Assistance) Act 1995, with focus on: - the inconsistency of the National Principles between distributing the funds on a full horizontal equalisation basis and the Minimum Grant Principle (namely 30 per cent of funds being distributed on a per capital basis); and - the effectiveness of the current intrastate distribution of the Financial Assistance Grants in ensuring that each local governing body in a State/Territory is able to function, by reasonable effort, at a standard not lower than the average standard of other local government bodies in the State/Territory.

**Carried**

**Resolution Number: 4**

**Leeton Shire Council, NSW**

That the National General Assembly calls upon the Federal Government to investigate the payment of a "claw back" provision to regain lost indexation funding from the 2014-15, 2015-16 and 2016-17 periods.

**Carried**

**Resolution Number: 5**

**Lake Macquarie City Council, NSW**

That the National General Assembly call upon call on the Australian Government to review the amount and method of indexing Financial Assistance Grants to ensure that funding is commensurate with increases in the costs of efficient local government service delivery in 2017-18 and beyond.

**Carried**

**Resolution Number: 6**

**Maribyrnong City Council, VIC**

That the NGA condemn state and territory government rate capping policies and call on the Federal Government to immediately review state government control over Local Government's capacity to set its own rates and control its own revenue.

**Carried**

**Resolution Number: 7**

**City of Mitcham, SA**

That this National General Assembly call on the Commonwealth Government to make Federal owned land rateable by Local Government.

**Carried**

**Resolution Number: 8**

**North Burnett Regional Council, QLD**

That this National General Assembly requests a review of the Australian Accounting Standards in regards to the terminology of "depreciation" and the need for depreciation and its relationship to financial statements for local government entities.

**Carried**

**Resolution Number: 9**

**Tweed Shire Council, NSW**

That the Australian Local Government Association lobby the Federal and State/Territory Governments to consider instituting into the appropriate taxation systems a 'Booking Tax or tariff' for online accommodation brokers such as 'Airbnb' utilising residential zoned and rated land, in a similar method to the levying of the Hospitality Tax currently being applied in the United States of America and that funds raised be distributed by way of formula to Local Government Authorities and National Parks to fund public infrastructure that supports and underpins tourism.

**Carried**

**Resolution Number: 10**

**Tamworth Regional Council, NSW**

That this National General Assembly call on the Federal Government to make the Roads to Recovery Program permanent.

**Carried**



**Motion Number: 11**

**Diamantina Shire Council, QLD**

That the Roads to Recovery programme be continued beyond 2018-19 financial year in its current form and its current level indexed by CPI.

**Withdrawn**

**Resolution Number: 12**

**Brisbane City Council, QLD**

That the National General Assembly calls on the Australian Government to accelerate the development of a national approach to the regulatory framework and Intelligent Transport Systems (ITS) architecture to facilitate the introduction of connected and autonomous vehicles (CAVs).

**Carried**

**Resolution Number: 13**

**Adelaide City Council, SA**

That the National General Assembly calls on the Federal Government to develop a national policy to encourage the importation and sale of electric vehicles in Australia including the establishment of Federal Interstate Registration Scheme for Electric Vehicles. Advocate for consistency in national charging infrastructure in all states.

**Carried**

**Resolution Number: 14**

**Blacktown City Council, NSW**

That National General Assembly calls on the Federal Government to establish a national policy framework for determining road pricing and tolling schemes which address the current inequities faced by business and motorists especially in outer suburban growth areas.

**Carried**

**Resolution Number: 15**

**Logan City Council, QLD**

That the 2017 National General Assembly calls for clear and definitive funding guidelines for roads that are of national importance and part of the National Land Transport Network.

**Carried**

**Resolution Number: 16**

**Brisbane City Council, QLD**

That the National General Assembly calls on the Australian Government to establish a fund to incentivise local and state and territory governments to conduct comprehensive transport surveys and contribute to a national database on an ongoing basis.

**Carried**

**Motion Number: 17**

**Leeton Shire Council, NSW**

That the National General Assembly calls upon the Federal Government to build the nation by actively supporting the development of a new rail service linking the ports of Melbourne and Brisbane via the food bowl (including Shepparton – Tocumwal – Narrandera - Parkes) in order to optimise the freight task, keep our roads safe and reduce our impact on the environment.

**Withdrawn**

**Resolution Number: 18**

**Wentworth Shire Council, NSW**

That this National General Assembly call on the Federal Government to support and prioritise the Transcontinental rail network, so that the potential of inland regional centres can be brought to bear, maximising efficiency in getting people, freight and produce right around the country and beyond as well as directly into the great interior, increasing access to tourist destinations and improving liveability in remote regions.

**Carried**

**Resolution Number: 19**

**Liverpool City Council, NSW**

That the National General Assembly seeks an assurance from the Federal Government that forward funding for infrastructure delivery, including transport, is provided to those areas (and surrounding areas) being rezoned by state governments before those land areas are rezoned and include funding for Council infrastructure that Councils aren't allowed to levy for.

**Carried**

**Resolution Number: 20**

**Maribyrnong City Council, VIC**

That the NGA advocate to the Federal Government for a national sustainable cities fund directed at cities with high population growth.

**Carried**

**Resolution Number: 21**

**Doomadgee Aboriginal Shire Council, QLD**

That the National General Assembly call on the Federal Government to allocate funds to Local Government for a progressive upgrade of the Savannah Way - Cairns through to Darwin.

**Carried**

**Resolution Number: 22**

**Brisbane City Council, QLD**

That the National General Assembly calls on the Australian Government to modernise the Airports Act 1996 to enable the safe and efficient growth of airport operations while also facilitating appropriate economic development and urban density policies of local governments.

**Carried**

**Resolution Number: 23**

**Maribyrnong City Council, VIC**

That the NGA advocate to the Federal Government for national funds for Local Government to implement Smart Communities initiatives such as Tesla batteries and other technological solutions.

**Carried**

**Resolution Number: 24**

**Sunshine Coast Regional Council, QLD**

That this National General Assembly call on the Federal Government to provide greater incentives under its National Innovation and Science Agenda to encourage young entrepreneurs to establish start-up businesses in regional areas of Australia outside of the capital cities.

**Carried**

**Resolution Number: 25**

**Hobsons Bay City Council, VIC**

That the National General Assembly call upon the Federal Government to support local government with funding, and resources to develop and implement open data initiatives and expedite the release of council data assets.

**Carried**

**Resolution Number: 26**

**Wagga Wagga City Council, NSW**

That the National General Assembly call, on the Australian Bureau of Statistics (ABS) to ensure that the census data be more easily accessible for analysis at a local government area level.

**Carried**

**Resolution Number: 27**

**Lockyer Valley Regional Council, QLD**

That the National General Assembly approach the Australian Bureau of Statistics to make public available data and statistics on agricultural commodity production by local government area. This data needs to be provided in both dollar values and in actual tonnage (volume) terms.

**Carried**

**Resolution Number: 28**

**City of Prospect, SA**

That the National General Assembly call on the Federal Government to declare high-speed, high-capacity broadband to be a utility, defined as an essential infrastructure service provided principally for public benefit and which enables economic growth and greater quality of life to achieve the goal of universal coverage.

**Carried**

**Resolution Number: 29**

**Sunshine Coast Regional Council, QLD**

That this National General Assembly call on the Federal Government to implement an urgent review of the roll out of the NBN Fibre to the Node (FTTN) services and propose a revised back up power supply solution to overcome the loss of communications that will now be experienced during extended power outages.

**Carried**

**Resolution Number: 30**

**Toowoomba Regional Council, QLD**

That the National General assembly call on the Federal Government to insert into the Telecommunications Act 1997, stronger provisions and guidelines aimed at achieving greater co-location by telecommunications providers of telecommunication installations and facilities throughout urban and sub-urban environments across Australia.

**Carried**

**Resolution Number: 31**

**Sunshine Coast Regional Council, QLD**

That this National General Assembly call on the Federal Government to amend Schedule 3A of the Telecommunications Act 1997 to facilitate the consideration of a request from the Sunshine Coast Council to seek the declaration of a submarine cable protection zone, given the national interest associated with establishing an

alternative landing site on the eastern seaboard for Australia and providing greater redundancy for our international data connectivity.

**Carried**

**Motion Number: 32**

**Maribyrnong City Council, VIC**

That the NGA advocate to the Federal Government to develop a new National Affordable Housing Agreement (NAHA).

**Withdrawn**

**Resolution Number: 33**

**Tweed Shire Council, NSW**

That the National General Assembly call on both the Federal and State/Territory Governments to consider providing an amendment to the Income Tax Assessment Act whereby a private land owner with capacity in their home to let a bedroom or perhaps a granny flat would be exempt from both capital gains tax and land tax provisions should the bedroom or granny flat be let to a person deemed in housing crisis by Centrelink. Obligations on the property owner would be to register their property with Centrelink and the appropriate Office of State Revenue as available for affordable accommodation and rents payable should be capped and set by a Government body based upon locality. Localities could be broadly set in four subcategories as follows:

- i. CBD and inner suburbs
- ii. Outer metropolitan suburbs
- ii. Regional city centres
- iv. Rural Rents payable to the property owner could be made directly by Centrelink in lieu of rental assistance paid directly to the client. This would ensure that the funds were directed to address the accommodation needs as opposed to other expenditure.

**Carried**

**Resolution Number: 34**

**Moreland City Council, VIC**

That the National General Assembly call for:

1. The Commonwealth to commits to action and resources to address the growing problem of homelessness in Australia. Specifically, the NGA calls for the continuation of the National Affordable Housing Agreement or the creation of a new agreement which will provide significant assistance the states and territories to provide housing to the most vulnerable and to support frontline homelessness services.
2. That NGA calls on the Federal government to take decisive action to address Australia's housing affordability crisis, including:
  - A detailed analysis and response to the impacts that negative gearing and capital gains tax are having upon affordability;
  - Research into new models for facilitating affordable housing development, including deliberative development and cooperative approaches to financing and investment;

- Working collaboratively with the States to develop a comprehensive, long term set of integrated policy measures to address housing affordability.

**Carried**

**Resolution Number: 35**

**Whitehorse City Council, VIC**

That the National General Assembly advocate to the Federal Government to support their policies regarding women and sport by allocating significant funds to assist local government build and maintain 'female friendly' sporting facilities and amenities to give girls and women a fair go in equal access to community sporting opportunities and hence to enable improved health and wellbeing in their lives.

**Carried**

**Resolution Number: 36**

**Moreland City Council, VIC**

That the National General Assembly call on the Commonwealth, State, Territory and local governments to support the inclusion of Family Violence clauses in all work place policies nationally.

**Carried**

**Resolution Number: 37**

**Wentworth Shire Council,**

That this National General Assembly call for a Federal Tribunal to be created to institute applications for protection orders which are recognised and enforceable across state borders. Such a tribunal as above, will preside in a less formal closed court capacity with specially trained Magistrates to hear domestic violence, sexual and child related matters, to minimise the effect of retraumatising victims, while supporting accused to better manage future decisions.

**Carried**

**Resolution Number: 38**

**North Burnett Regional Council, QLD**

That this national congress requests the Commonwealth Government review delivery, service and funding models for the roll out of the National Disability Insurance Scheme (NDIS) for Rural and Regional Australia.

**Carried**

**Resolution Number: 39**

**Whittlesea City Council, VIC**

That the National General Assembly supports the Welcoming Cities initiative launched by the Scanlon Foundation and Welcome to Australia in March 2016; and the development of The Australian Standard for Welcoming Cities, to support local councils in their work to create more inclusive communities.

**Carried**

**Resolution Number: 40**

**Toowoomba Regional Council, QLD**

That the National General Assembly call on the Federal Government to provide sufficient funding mechanisms to support local governments and approved community organisations that assist community integration for refugees accepted under Australia's Humanitarian Programme and resettled to those Local Government areas.

**Carried**

**Resolution Number: 41**

**City of Mitcham, SA**

That this National General Assembly call on the Australian Local Government Association to fund a study into the benefits and economic development outcomes of Sister City and Friendly City Relationships across Australia and make recommendations on best practice Sister City and Friendly City Programs.

**Carried**

**Resolution Number: 42**

**Bega Valley Shire Council, NSW**

That the National General Assembly call on the Federal Government to commit to a fully funded Mental Health Agreement that reflects a whole of government approach.

**Carried**

**Resolution Number: 43**

**Meander Valley Council, TAS**

That this National General Assembly:

1. Acknowledges that preventative approaches to health are empowering, enduring and economic
2. Calls on the Federal Government to restore funding for preventative health services, particularly in rural and remote regions where very limited options for treatment exist for local communities; and
3. Requests that the Commonwealth through the organisations of funded primary health networks, recognise and support locally led preventative health services; and
4. Recognises that investment in chronic health issues must not come at the expense of effective early intervention and preventative health services.

**Carried**

**Resolution Number: 44**

**Forbes Shire Council, NSW**

That the National General Assembly call on the Federal Government to take responsibility to address the Ice drug problem.

**Carried**

**Resolution Number: 45**

**Lake Macquarie City Council, NSW**

That the National General Assembly call on the Australian Government to work with Local Government and the relevant water safety policy agency in each state government and territory to ensure coastal public safety best practice standards and lifesaving service minimum qualification guidelines are reported annually.

**Carried**

**Resolution Number: 46**

**Tamworth Regional Council, NSW**

That this National General Assembly call on the Federal Government to assist effected airport owners, both regional and metropolitan, with funding and expertise to address the contamination issue resulting from per and poly – fluoroalkyl substances (PFAS) including:

- identification of the extent of the contamination at individual airports, including adjacent land and any off airport sites where fire fighting training was undertaken; • remediation of the sites; and,
- compensation to landowners adversely effected by contamination originating at the airport and travelling off site.

**Carried**

**Resolution Number: 47**

**Moreland City Council, VIC**

1) The National General Assembly welcomes improved control of online gambling anticipated with the passage of the Interactive Gambling Amendment Bill 2016 but calls on the Commonwealth Parliament to introduce further reform to reduce gambling harm and protect the integrity of sport, specifically to:

- Phase out gambling advertising on television and radio starting with urgent action to eliminate exposure to sports betting advertisements during family viewing periods.

2) The National General Assembly calls on the national and state/territory parliaments to enhance consumer protection for users of electronic gaming machines, specifically to:

- Regulate for the redesign of machines to eliminate design features that increase the likelihood of addiction such as losses disguised as wins.

3) The National General Assembly calls on state/territory parliaments to introduce \$1 maximum bet limits on all licensed electronic gaming machines to limit losses per person to \$120 per hour in line with the Productivity Commission's 2010 recommendation.

4) The National General Assembly calls on state/territory parliaments to review electronic gaming machines license approval processes to:



- Enhance local governments' capacity to represent community interests;
- Ensure that technical standards for approval of electronic gaming machines provide for effective consumer protection;
- Ensure a consistent national approach to transparency of gaming venue data using Victoria as a model of best practice.

**Carried**

**Motion Number: 48**

**Eurobodalla Shire Council, NSW**

That the National General Assembly call on local government to give preference to financial institutions that do not invest in, or finance, the fossil fuel industry where council's investment is compliant with its Investment Policy and the investment rate of interest is equivalent to other similar investments that may be on offer to council at the time of investment.

**Lost**

**Resolution Number: 49**

**Northern Midlands Council, TAS**

That the National General Assembly lobby the government for a more strategic approach towards community organisations, commitment to build community organisations and grow community social capital.

**Carried**

**Resolution Number: 50**

**Fraser Coast Regional Council, QLD**

That this National General Assembly calls on the Federal Government to audit its unutilised assets for opportunities to enable the communities to build and strengthen social capital and work with local councils to ensure they are utilised whilst removing hurdles to communities in terms of risk and liability; for example future liability for pre-existing environmental risk at rifle ranges.

**Carried**

**Resolution Number: 51**

**Blue Mountains City Council, NSW**

That this National General Assembly calls on the Commonwealth Government to ensure that in view of changing geopolitical security challenges to Australia's national security, that Australian and state and territory governments provide specialist advice on the appropriate level of mitigation required for events and that they provide financial support for security outcomes on Australian and state and territory events and the primary responsibility for funding the design and installation of engineering solutions to manage risk of vehicle incursions at community events is borne by Federal and state and territory governments, not local government and small not for profit community groups.

**Carried**

**Resolution Number: 52**

**Hobart City Council, TAS**

That the National General Assembly encourage Australian councils to consider efforts they could take to lobby the Federal Government to change the date of recognition of Australia Day.

**Carried**

**Resolution Number: 53**

**Loddon Shire Council, VIC**

That the National General Assembly call on the Australian Government to enter into agreements with relevant state governments whereby funding towards critical flood mitigation infrastructure for communities be funded on a 50% cost share basis between the states and commonwealth, with:

1. Such funding arrangements being subject to the availability of the Natural Disaster Resilience Grants program funding and the presentation of a favourable business case; and
2. Local councils being exempt from having to contribute to the initial capital cost of such works, noting their responsibility for the ongoing maintenance and renewal of this infrastructure once constructed.

**Carried**

**Resolution Number: 54**

**Byron Shire Council, NSW**

That this National General Assembly call on the Federal Government to enact the recommendations within the Productivity Commission report: Natural Disaster Funding, as presented to the government on 17 December 2014 and publicly released on 1 May 2015, namely:

- The Australian Government post-disaster support to state and territory governments (states) should be reduced, and support for mitigation increased.
- Greater budget transparency
- The Australian Government should provide a base level of support to states commensurate with relative fiscal capacity and the original 'safety-net' objective of disaster recovery funding, with the option for states to purchase 'top-up' fiscal support.
- Australian Government mitigation funding to states should increase to \$200 million a year and be matched by the states.
- Greater state and local government autonomy in how they pursue disaster recovery and mitigation. This greater autonomy should be supported by performance and process based accountability mechanisms that embed good risk management.

**Carried**

**Resolution Number: 55**

**Diamantina Shire Council, QLD**

That the National General Assembly advocate that the new funding methodology for the restoration of assets under the NDRRA be based on a lump sum allocation derived from mutually agreed unit rates for each local government which take into account the individual circumstances of that council.

**Withdrawn**

**Resolution Number: 56**

**Shoalhaven City Council, NSW**

The the National General Assembly advocate that the Federal Government's Natural Disaster Funding Programs include natural and built assets as eligible works when impacted by natural disaster events and effects of climate change and sea level rise.

**Carried**

**Resolution Number: 57**

**North Burnett Regional Council, QLD**

That this National Congress calls on the Commonwealth Government to review and amend National Policy to recognise the impact of Drought within disaster response when NDRAA activation occurs.

**Carried**

**Resolution Number: 58**

**Horsham Rural City Council, VIC**

That the National General Assembly advocate for the review of standards associated with flood recovery funding, whereby road assets that are vulnerable to the impacts of flooding in successive events are re-instated to a standard that provides durability and resilience to withstand future flooding.

**Carried**

**Resolution Number: 59**

**Forbes Shire Council, NSW**

That the National General Assembly call on the Commonwealth Government to ensure that all major highways providing interstate connectivity are brought to a flood proofed status.

**Carried**

**Resolution Number: 60**

**Tweed Shire Council, NSW**

That the National General Assembly request that respective State, Territory and Federal Governments develop measures or increase recurrent annual funding to either:

a) provide a relocation assistance package or

b) acquire through a voluntary purchase scheme; for residential, commercial or industrial land identified in local council flood studies as high impact flood prone land or provide an impediment to the flood plain to increase flood resilience and lessen the social, environmental and economic impacts of recurring natural disasters.

**Carried**

**Resolution Number: 61**

**Leeton Shire Council, NSW**

That the National General Assembly calls upon the Federal Government to review the accessibility of Australian Renewable Energy Agency (ARENA) funding so as to provide improved and equitable access to renewable energy technologies for regional communities.

**Carried**

**Resolution Number: 62**

**Albury City Council, NSW**

That the NGA calls for urgent action by the Australian Government to maintain equity between pricing and market supply for domestic energy on the basis of clear market failure in terms of energy supply and competition under the current open market conditions.

**Carried**

**Resolution Number: 63**

**Blacktown City Council, NSW**

That the National General Assembly:

1. Calls on the Commonwealth and states to establish national standards for energy from waste plants which reflect current world's best practice and have the capacity and requirements to be amended as the technology changes.
2. Calls for a Commonwealth Parliamentary Inquiry into energy from waste plants that looks at having a world's best practice standard across Australia. The terms of reference to include examining the ability for obsolescence in relation to increased recycling targets, environmental standards and ongoing standards for proprietorship and managerial control.

**Carried**

**Resolution Number: 64**

**Wentworth Shire Council, NSW**

That this National General Assembly call on the Federal Government to review the energy market, with a view to regulating the continual increase in poles and wires maintenance costs, to provide some certainty and direction in investment; and further to review national security implications of states sale of electricity infrastructure to foreign owned companies.

**Carried**

**Resolution Number: 65**

**Willoughby City Council, NSW**

That this National Assembly call upon the Australian Government to commit to:

- I. Developing a National Coastal Policy.
- II. Instituting a National Coastal Council or Commission.
- III. Developing a National Marine Management Strategy.
- IV. Implement a renewal of funding for community-based coastal conservation activities.
- V. Re-establish the successful national Coastcare program of state and regional coordinators supporting local communities.

**Carried**

**Resolution Number: 66**

**District Council of Streaky Bay, SA**

That the National General Assembly call on the Federal Government to fund local avenues of protecting and sustaining the keys to the liveability and success of coastal destinations (pristine beaches, aquaculture, fisheries), e.g fund more 'local' fisheries inspectors and educational programs.

**Carried**

**Resolution Number: 67**

**Cook Shire Council, QLD**

That the National General Assembly call on the Federal Government to change the National Electricity Rules to ensure that all owners of Australian distribution and transmission (poles and wires) networks carry adequate insurance cover for natural disasters in the form of either an insurance policy, or if self-insured, a locked reserve for natural disasters.

**Carried**

**Resolution Number: 68**

**Inner West Council, NSW**

That this National General Assembly call on the Federal Government to:-

1. Endorse and implement the recommendations of the Senate Inquiry into Stormwater Management in Australia 2015.
2. Initiate a National Inquiry on the sustainable management of Australia's water supply and planning for water security for urban cities.
3. Develop a nation-wide Water Security Assessment process to be implemented by the State and Territory Governments for all major cities.

4. Prepare a guideline document(s) for climate change adaptation and preparation, addressing water security solutions and design principles for cities.
5. Develop a national best practice policy framework / and / or a national standard for the implementation of Water Sensitive Urban Design into all new developments and retrofitting into existing developments.
6. Develop an incentives program to ensure Water Sensitive Urban Design is incorporated into all new development projects, and retrofitting projects across all states and territories.
7. Commit to a long-term investment program for the management and maintenance of water infrastructure in cities.
8. Work with the Water Services Association of Australia (WSAA) to set national targets for water reuse by water authorities.
9. Introduce a national standard requiring, as a minimum, secondary treatment of sewage released from ocean outfalls.

**Carried**

**Resolution Number: 69**

**Willoughby City Council, supported by Inner West Council, NSW**

That this National Assembly call upon the Australian Government to:

- I. Endorse and implement the recommendations of the Senate Inquiry into the Threat of Marine Plastic Pollution in Australia.
- II. Implement a legislative national ban on plastic microbeads, by, for example, listing products containing microbeads as a prohibited import, and banning the domestic production of personal care products containing microbeads under the Cosmetics Standard 2007.
- III. Support research into reducing synthetic microfibres from entering the environment via washing machine wastewater in sewage, such as new, low-fibre-loss fabrics or washing machine filters. IV. Prepare template legislation for container deposit schemes and single use plastic bag bans for all remaining states and territories who have not yet implemented them.
- V. Establish a forum for joint Commonwealth, state and territory decisions on reducing and mitigating plastic pollution and other environmental issues. VI. Set more ambitious targets for packaging reduction and industry recycling under the Australian Packaging Covenant; and provide clear, comprehensive annual auditing and public reporting of the outcomes of the Australian Packaging Covenant and the level of enforcement of the National Environmental Protection Measure by the states and territories.
- VII. Work with neighbouring countries in the region to develop cooperative programs to clean up marine debris pollution in international waters.

**Carried**

**Motion Number: 70**

**Wentworth Shire Council, NSW**

That this National General Assembly calls for a national body with full jurisdictional powers to oversee all national water resources including the use, extraction and flow into catchment areas, rivers, streams and oceans after processing; and other industry uses needs to be monitored and regulated for quality and accurate accounting of the National water registry.

**Lost**

**Resolution Number: 71**

**Shoalhaven City Council, NSW**

That the National General Assembly call on the Federal Government to implement an Innovation Fund for the specific purpose of reducing plastic waste.

**Carried**

**Resolution Number: 72**

**City of Armadale, WA**

That the National General Assembly call on the Commonwealth to work with local and state/territory governments towards implementing a national ban on single use non-reusable plastic bags.

**Carried**

**Resolution Number: 73**

**North Burnett Regional Council, QLD**

That this National General Assembly call on the Commonwealth Government to develop, in conjunction with the Bureau of Meteorology, a nationally consistent framework to address and manage activities such as cloud seeding and hail cannons that interfere with natural weather patterns.

**Carried**

**Resolution Number: 74**

**Wentworth Shire Council, NSW**

That this National General Assembly call for the creation of a national disaster fund to provide emergency relief during and as a consequence of sudden climactic events, such as the tornadoes and hailstone freak conditions which show the disparity in state responses to the same event, where lives, stock or livelihood is at immediate risk.

**Carried**

**Resolution Number: 75**

**Eurobodalla Shire Council, NSW**

That the National General Assembly call on the Federal Government to fund a national education program be developed on the issues associated with balloon release in relation to littering and helium usage, and to encourage the banning of the release of balloons.

**Carried**

**Motion Number: 76**

**Shoalhaven City Council, NSW**

That the Minister for the Environment and Energy, the Hon Josh Frydenberg MP, be requested to bring into force national bans on the use of helium to inflate balloons and the release of balloons.

**Lost**

**Resolution Number: 77**

**Griffith City Council, NSW**

That the National General Assembly call on the Federal Government to carry out a further feasibility study on David Coffey's "Scheme to Divert Tributaries of the Clarence River to the Murray Darling Basin" to gather up-to-date information for investigation into this scheme.

**Carried**

**Resolution Number: 78**

**Lockyer Valley Regional Council, QLD**

That the National General Assembly lobby the Commonwealth Government to develop and implement a National Flying-Fox Management Framework to coordinate and harmonise flying-fox management across jurisdictions.

**Carried**

**Resolution Number: 79**

**Northern Midlands Council, TAS**

That this National General Assembly lobby Federal Government for a centralised data system on weed management and additional funding for authorised weeds officers across the nation.

**Carried**

**Resolution Number: 80**

**Wentworth Shire Council, NSW**

That the National General Assembly call on the Federal Government to provide legal and financial assistance and training direct to local government areas affected by Native Title determinations.

**Carried**

**Resolution Number: 81**

**Tamworth Regional Council, NSW**



That this National General Assembly call on the Federal Government to host an Annual Forum with the Prime Minister and Cabinet in a regional, rural or remote community. .

**Carried**

**Resolution Number: 82**

**Albury City Council, NSW**

That the NGA calls for more specific and effective state cross border planning legislation including integrated strategic planning for transport and infrastructure to unlock productivity in cross border communities.

**Carried**

**Resolution Number: 83**

**Wagga Wagga City Council, NSW**

That the National General Assembly call on the Federal and state and territory governments to promote and advocate for the role of local councils in regards to the nine recommendations from the Federal Senate enquiry into Regional Capitals.

**Carried**

**Resolution Number: 84**

**Kyogle Council, NSW**

That the National General Assembly calls on the Federal Government to create a rural portfolio.

**Carried**

**Resolution Number: 85**

**Kyogle Council, NSW**

That the National General Assembly call on the State/Territory and Federal Governments to differentiate between rural and regional grants (as opposed to quarantining grant money for 'regional' areas) and that this differentiation be reflected in the criteria of grants, affording rural, remote and isolated communities a better chance of success when applying for grant funding.

**Carried**

**Resolution Number: 86**

**Wagga Wagga City Council, NSW**

That the National General Assembly call on the Federal Government to give priority to decentralising government jobs to regional areas to drive growth and innovation.

**Carried**

**Resolution Number: 87**

**Central Highlands Regional Council, QLD**

That the National General Assembly call on the Federal Government to realign the locality and postcodes in regional and remote and cross border areas to improve consistency and enhance communication by post and parcel delivery through reducing inefficiencies associated with misdirected mail services.

**Carried**

**Motion Number: 88**

**Mount Isa City Council, QLD**

That the National General Assembly call on the Federal Government to de-centralise the Office of Developing Northern Australia, with Representative Offices being established across several geographic locations within each State or territory.

**Lost**

**Resolution Number: 89**

**Glen Innes Severn Council, NSW**

That the National General Assembly call on the Federal Government to establish a greater number of medical schools in regional universities and provide higher incentives to medical schools and incentives to the students themselves at all universities to include a component for medical students to spend adequate time in rural medical practices to allow them to form relationships with the particular communities and develop the desire to return to these rural areas to live and work once their studies are completed.

**Carried**

**Resolution Number: 90**

**Mount Isa City Council, QLD**

The the National General Assembly lobby the Federal Government to ensure the cost of airfares and transport in remote and rural areas provides economic and affordable access to all residents.

**Carried**

**Motion Number: 91**

**Coffs Harbour City Council, NSW**

That the National General Assembly, in recognising the impacts intensive agriculture and the rapid blueberry industry growth has had on the Mid North Coast of NSW, advocate that the regulation of agriculture should not solely be a local government responsibility but to work in partnership with all three levels of government, this includes land use, water allocation, land rehabilitation, spraying / pesticide use and visual impacts of netting.

**Lost**

**Resolution Number: 92**

**Blacktown City Council, NSW**

That the National General Assembly calls for a local procurement policy for a proportion of Australian made products to be used wherever possible in the construction of new Commonwealth infrastructure assets.

**Carried**

**Section A – Resolutions consistent with ALGA policy**

All Carried

**Resolution Number: A**

**Adelaide Plains Council, SA**

That this National General Assembly call on the Federal Government to mandate that the state and territory governments cease the philosophy of shifting unfunded responsibilities to local government whose respective communities ultimately bear the cost.

**Resolution Number: B**

**District Council of Streaky Bay, SA**

That the National General Assembly call on the Federal Government to ensure State/Territory Governments do not impose multiple levies on councils, for example Rubble Royalties, NRM Levy, Waste Management Levy.

**Resolution Number: C**

**Wentworth Shire Council, NSW**

That this National General Assembly call on the Federal Government to remove the impost on local government of collecting any Federal or state taxes in their annual rates notices.

**Resolution Number: D**

**Toowoomba Regional Council, QLD**

That the National General Assembly call on the Federal Government to amend Sections 25-65 of the Income Tax Assessment Act 1997 – Local Government Election Expenses to extend the tax deductibility status for candidates in Local Government elections to be equitable with candidates in Federal and State Parliaments.

**Resolution Number: E**

**Banyule City Council, VIC**

That the National General Assembly advocate to the Federal Government for the creation of an active transport infrastructure funding program directly to local councils.

**Resolution Number: F**

**Brisbane City Council, QLD**

That the National General Assembly calls on the Australian Government to establish a fund to incentivise local governments to produce walking strategies to address issues including traffic congestion, healthy and active lifestyles to combat obesity, and assist the development of the tourism industry.

**Resolution Number: G**

**District Council of Streaky Bay, SA**

The the National General Assembly call on the Federal Government to secure Black Spot funding to increase the safety and liveability of rural regions, e.g Eyre Peninsula.

**Resolution Number: H**

**Blacktown City Council, NSW**

That the National General Assembly calls for the Commonwealth and states to allocate sufficient funding to support all the different elements of the infrastructure and community facilities required as a result of the new growth corridors nationally.

**Resolution Number: I**

**Logan City Council, QLD**

That the 2017 National General Assembly calls for the creation of a 'growing suburbs fund' to support infrastructure provision in growing metropolitan fringe areas.

**Resolution Number: J**

**Cessnock City Council, NSW**

That the National General Assembly call on the Federal Government to provide funding to Local Government for infrastructure projects.

**Resolution Number: K**

**Nillumbik Shire Council, VIC**

That this Assembly calls on the Australian Government to establish a grant fund for regional recreational trail development to which local governments can make application for projects of an agreed regional nature.

**Resolution Number: L**

**Blacktown City Council, NSW**

That the National General Assembly calls on the Federal Government to fully compensate local government for the direct cost of citizenship ceremonies **Carried** out by councils.

**Resolution Number: M**

**Shoalhaven City Council, NSW**

That the National General Assembly call on the Federal Government to re-establish funding for Family Day Care Services that meet or exceed the National Quality Standards in a manner that provides continuity of financial support for quality services.

**Resolution Number: N**

**Knox City Council, supported by Maroondah City Council., VIC**

That the National General Assembly call of the Commonwealth Government to urgently commits to ongoing funding to support the provision of 15 hours of preschool to young children across the nation in recognition of the critical importance of the provision of accessible, affordable and high quality early childhood education and care services in building strong foundations for a prosperous, humane and modern Australia.

**Resolution Number: O**

**Surf Coast Shire Council, VIC**

That the National General Assembly advocate to the Federal Government to continue to provide its share of enduring funding of 15 hours of kindergarten per week for all children in the year before primary school.

**Resolution Number: P**

**Horsham Rural City Council, VIC**

That National General Assembly advocate for continued funding of the 15-hour kindergarten program by the Commonwealth Government beyond 2017 with permanent or long term funding being desirable.

**Resolution Number: Q**

**Moreland City Council, VIC**

That the National General Assembly calls on the Federal Government to commit to recurrent funding of Universal Access to 15 hours of kindergarten.

**Resolution Number: R**

**North Burnett Regional Council, QLD**

That this National General Assembly supports the review and reform of the NDRRA guidelines for disaster recovery funding arrangements by the Commonwealth Government and request that the approval process continue to be refined to ensure reinstatement and restoration works are delivered in the most time efficient and effective manner.

**Resolution Number: S**

**North Burnett Regional Council, QLD**

That this National General Assembly supports the review and reform of the NDRRA guidelines for disaster recovery funding arrangements by the Commonwealth Government and request that Local Government be considered as an equal partner in the review process for this all-important Government reform.

**Resolution Number: T**

**Bega Valley Shire Council, NSW**

That the National General Assembly strongly advocate for a review of the NDRRA assessment and financial reimbursement processes and the introduction of a national funding mitigation infrastructure funding program aimed at assisting Councils nationwide to protect crucial infrastructure from increasing flood, storm, ocean and fire events.

**Resolution Number: U**

**Alexandrina Council, SA**

That the National General Assembly call on the Australian Government to provide the funds needed to increase the adaptive capacity of councils to address climate change impacts, thereby improving the sustainability of Australian regions.

**Resolution Number: V**

**Inner West Council, NSW**

That this National General Assembly call on the Federal Government to:- 1. Introduce a national standard for hazard and risk assessments and standard definitions for all natural hazards across all jurisdictions

2. Hold an inquiry into policies offered by insurance agencies to ensure fair and equitable coverage of natural hazards and to identify future risks and limitations.

3. Provide incentives for all state and territory governments to legislate legal liability restrictions for natural hazards, similar to Section 733 of the NSW Local Government Act 1993.

4. Develop a National Coastline Observatory Facility to address the paucity of sustained observation currently underway around Australia's coastline to underpin the necessary foundation information for coastal risk assessment, climate change shoreline forecasting of coastal erosion and inundation warning systems.

5. Establish an intergovernmental agreement to continue to resource and update the National Climate Change Adaptation Research Facility (NCCARF) CoastAdapt tool post 2017.

6. Reduce Australia's future risk of extreme weather events and other impacts of climate change by:

- Phasing out fossil fuel credits and subsidies for the mining sector
- Committing to a clear plan for phasing out fossil fuel-generated electricity and replacing with renewable energy.

**Resolution Number: W**

**Adelaide City Council, SA**

That the National General Assembly calls on the Australian Government for the development of a national population strategy with a focus on the equitable distribution across States and Territories of new economic and business migrants coming to Australia.

**Resolution Number: X**

**Murrumbidgee Council, NSW**

That the National General Assembly call on all tiers of Government in Australia to create policies and strategies that support economic and employment opportunities in Regional Australia to support Australia's emerging role as a key producer of primary products for the South East Asiaregion in a global context.





<b>ITEM</b>	3.6.4
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	21 August 2017
<b>HEADING</b>	Summary of Elected Member Training and Development Expenditure and Outstanding Summary Reports
<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.

**SUMMARY** The Elected Member Training and Development Policy requires staff to report on progress against the expenditure of the Elected Member Training and Development budget on an annual basis. This report presents information on progress against the expenditure for the 2016/2017 financial year. Information in relation to training and development summary reports is also included.

#### **RECOMMENDATION**

1. The information be received.

#### **ATTACHMENTS**

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

1. Summary of Training and Development Activities Attended by Elected Members During 2016/17
2. 2017/18 Individual Elected Member Allocations for Training and Development

#### **1. BACKGROUND**

- 1.1 An allocation for Elected Member Training and Development activities is made each year as part of the budget process. For 2016/17 the amount allocated was \$43,600. Consistent with the categories specified in the Elected Member Training and Development Policy, the budget allocation was split as follows:

Whole of Council training and development	\$7,000
Council delegate activities	\$6,000
Individual Elected Member development	\$30,600 / 17 Elected Members = \$1,800 per member/per annum
	<b>\$43,600</b>

**1. REPORT**

**Training and Development Expenditure**

- 1.1 Attached to this report is a summary of training and development activities attended by Elected Members during 2016/17, including details of expenditure (Attachment 1).
- 1.2 Of the \$43,600 allocated for Elected Member Training and Development, \$17,008 was spent in 2016/17.
- 1.3 Clause 12(c) of the Elected Member Training and Development Policy specifies that any unspent allocations for individual Elected Member development may be carried forward for one year.
- 1.4 Attachment 2 is a summary of individual Elected Member allocations for training and development detailing 2016/17 expenditure, and a final individual allocation for the 2017/18 financial year, taking into account the ability to carry funds forward for one year.

**Attendance Summary Reports**

- 1.5 Clause 28 of the Elected Member Training and Development Policy requires staff to report on an annual basis, details of any outstanding Elected Member training and development summary reports.
- 1.6 At the time of writing this report, there are currently no outstanding summary reports.

**2. CONCLUSION / PROPOSAL**

- 2.1 Council note the expenditure for the Elected Member Training and Development budget.

**CO-ORDINATION**

Officer: EXEC GROUP MG  
Date:

**Elected Member Training and Development Budget  
2016/17 Summary of Expenditure**

	Mayor Aldridge	Cr Balaza	Cr Bedford	Cr Brug elected May 2017	Cr Bryant	Cr Buchanan	Cr G Caruso	Cr L Caruso	Cr Cook
<b>Whole of Council Training &amp; Development</b>	\$ 71.47	\$ 71.47	\$ 71.47		\$ 71.47	\$ 71.47	\$ 71.47	\$ 71.47	\$ 71.47
(details & date provided)	2/8/16 - Conflict of Interest Follow Up Training	2/8/16 - Conflict of Interest Follow Up Training	2/8/16 - Conflict of Interest Follow Up Training (did not attend)		2/8/16 - Conflict of Interest Follow Up Training	2/8/16 - Conflict of Interest Follow Up Training (did not attend)	2/8/16 - Conflict of Interest Follow Up Training (did not attend)	2/8/16 - Conflict of Interest Follow Up Training	2/8/16 - Conflict of Interest Follow Up Training
	\$ 139.16	\$ 139.16	\$ 139.16		\$ 139.16	\$ 139.16	\$ 139.16	\$ 139.16	\$ 139.16
	18 + 19/2/17 - EM Weekend Workshop: room hire, food & equipment (Mawson Lakes)	18 + 19/2/17 - EM Weekend Workshop: room hire, food & equipment (Mawson Lakes)	18 + 19/2/17 - EM Weekend Workshop: room hire, food & equipment (Mawson Lakes)		18 + 19/2/17 - EM Weekend Workshop: room hire, food & equipment (Mawson Lakes)	18 + 19/2/17 - EM Weekend Workshop: room hire, food & equipment (Mawson Lakes) did not attend Sat	18 + 19/2/17 - EM Weekend Workshop: room hire, food & equipment (Mawson Lakes)	18 + 19/2/17 - EM Weekend Workshop: room hire, food & equipment (Mawson Lakes)	18 + 19/2/17 - EM Weekend Workshop: room hire, food & equipment (Mawson Lakes)
<b>Council Delegate Activities</b>	\$ 200.00							\$ 2,982.18	
(details & date attended)	21/10/16 - LGA AGM							18-21/6/17 - National General Assembly of Local Government, Canberra	
	\$ 190.00								
	21/4/17 - LGA OGM								
<b>Individual Elected Member Development</b>	\$ 70.58	\$ 70.58	\$ 70.58	\$ 396.00	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58
(includes activity, accommodation & travel)	17/8/16 - Third Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Third Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Third Monthly Group Coaching Session as part of EM Development Program	16/6/17 - LGA myLearning on-line training - four modules	17/8/16 - Third Monthly Group Coaching Session as part of EM Development Program (did not attend)	17/8/16 - Third Monthly Group Coaching Session as part of EM Development Program (did not attend)	17/8/16 - Third Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Third Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Third Monthly Group Coaching Session as part of EM Development Program
(details & date attended)									
	\$ 70.58	\$ 70.58	\$ 70.58		\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58
	17/8/16 - Fourth Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Fourth Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Fourth Monthly Group Coaching Session as part of EM Development Program (did not attend)		17/8/16 - Fourth Monthly Group Coaching Session as part of EM Development Program (did not attend)	17/8/16 - Fourth Monthly Group Coaching Session as part of EM Development Program (did not attend)	17/8/16 - Fourth Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Fourth Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Fourth Monthly Group Coaching Session as part of EM Development Program
	\$ 70.58	\$ 70.58	\$ 70.58		\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58
	17/8/16 - Fifth Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Fifth Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Fifth Monthly Group Coaching Session as part of EM Development Program		17/8/16 - Fifth Monthly Group Coaching Session as part of EM Development Program (did not attend)	17/8/16 - Fifth Monthly Group Coaching Session as part of EM Development Program (did not attend)	17/8/16 - Fifth Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Fifth Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Fifth Monthly Group Coaching Session as part of EM Development Program
	\$ 70.58	\$ 70.58	\$ 70.58		\$ -	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58
	17/8/16 - Sixth Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Sixth Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Sixth Monthly Group Coaching Session as part of EM Development Program (did not attend)		6/3/17 - LG Electricity Forum	17/8/16 - Sixth Monthly Group Coaching Session as part of EM Development Program (did not attend)	17/8/16 - Sixth Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Sixth Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Sixth Monthly Group Coaching Session as part of EM Development Program
	\$ 132.40	\$ 132.40	\$ 132.40		\$ 70.58	\$ 132.40	\$ 132.40	\$ 132.40	\$ 132.40
	6/2/17 - EM Development Program Evaluation Report	6/2/17 - EM Development Program Evaluation Report	6/2/17 - EM Development Program Evaluation Report		17/8/16 - Sixth Monthly Group Coaching Session as part of EM Development Program (did not attend)	6/2/17 - EM Development Program Evaluation Report	6/2/17 - EM Development Program Evaluation Report	6/2/17 - EM Development Program Evaluation Report	6/2/17 - EM Development Program Evaluation Report
					\$ 132.40				
					6/2/17 - EM Development Program Evaluation Report				
	\$ 1,015.35	\$ 625.35	\$ 625.35	\$ 396.00	\$ 414.72	\$ 625.35	\$ 625.35	\$ 3,607.53	\$ 625.35

Elected Member Training & Development Policy entitlements  
(Council resolution 1788/2017)



**Elected Member Training and Development Budget  
2016/17 Summary of Expenditure**

	Cr Gill	Cr Pilkington	Cr Proleta	Cr Reardon	Cr Reynolds	Cr Vermeer resigned Feb 2017	Cr White	Cr Woodman	Cr Zahra
<b>Whole of Council Training &amp; Development</b>	\$ 71.47	\$ 71.47	\$ 71.47	\$ 71.47	\$ 71.47	\$ 71.47	\$ 71.47	\$ 71.47	\$ 71.47
(details & date provided)	2/8/16 - Conflict of Interest Follow Up Training	2/8/16 - Conflict of Interest Follow Up Training (did not attend)	2/8/16 - Conflict of Interest Follow Up Training (did not attend)	2/8/16 - Conflict of Interest Follow Up Training	2/8/16 - Conflict of Interest Follow Up Training	2/8/16 - Conflict of Interest Follow Up Training	2/8/16 - Conflict of Interest Follow Up Training	2/8/16 - Conflict of Interest Follow Up Training	2/8/16 - Conflict of Interest Follow Up Training (did not attend)
	\$ 139.16	\$ 139.16	\$ 139.16	\$ 139.16	\$ 139.16		\$ 139.16	\$ 139.16	\$ 139.16
	18 + 19/2/17 - EM Weekend Workshop: room hire, food & equipment (Mawson Lakes) did not attend	18 + 19/2/17 - EM Weekend Workshop: room hire, food & equipment (Mawson Lakes)	18 + 19/2/17 - EM Weekend Workshop: room hire, food & equipment (Mawson Lakes) did not attend	18 + 19/2/17 - EM Weekend Workshop: room hire, food & equipment (Mawson Lakes)	18 + 19/2/17 - EM Weekend Workshop: room hire, food & equipment (Mawson Lakes) did not attend Sunday		18 + 19/2/17 - EM Weekend Workshop: room hire, food & equipment (Mawson Lakes)	18 + 19/2/17 - EM Weekend Workshop: room hire, food & equipment (Mawson Lakes)	18 + 19/2/17 - EM Weekend Workshop: room hire, food & equipment (Mawson Lakes)
<b>Council Delegate Activities</b>									
(details & date attended)									
<b>Individual Elected Member Development</b>	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58
(includes activity, accommodation & travel)	17/8/16 - Third Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Third Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Third Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Third Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Third Monthly Group Coaching Session as part of EM Development Program (did not attend)	17/8/16 - Third Monthly Group Coaching Session as part of EM Development Program (did not attend)	17/8/16 - Third Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Third Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Third Monthly Group Coaching Session as part of EM Development Program (did not attend)
(details & date attended)									
	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58
	17/8/16 - Fourth Monthly Group Coaching Session as part of EM Development Program (did not attend)	17/8/16 - Fourth Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Fourth Monthly Group Coaching Session as part of EM Development Program (did not attend)	17/8/16 - Fourth Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Fourth Monthly Group Coaching Session as part of EM Development Program (did not attend)	17/8/16 - Fourth Monthly Group Coaching Session as part of EM Development Program (did not attend)	17/8/16 - Fourth Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Fourth Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Fourth Monthly Group Coaching Session as part of EM Development Program (did not attend)
	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58
	17/8/16 - Fifth Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Fifth Monthly Group Coaching Session as part of EM Development Program (did not attend)	17/8/16 - Fifth Monthly Group Coaching Session as part of EM Development Program (did not attend)	17/8/16 - Fifth Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Fifth Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Fifth Monthly Group Coaching Session as part of EM Development Program (did not attend)	17/8/16 - Fifth Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Fifth Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Fifth Monthly Group Coaching Session as part of EM Development Program (did not attend)
	\$ 550.00	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58	\$ 70.58
	21/10/16 - LGA Conference + Dinner	17/8/16 - Sixth Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Sixth Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Sixth Monthly Group Coaching Session as part of EM Development Program	17/8/16 - Sixth Monthly Group Coaching Session as part of EM Development Program (did not attend)	17/8/16 - Sixth Monthly Group Coaching Session as part of EM Development Program (did not attend)	17/8/16 - Sixth Monthly Group Coaching Session as part of EM Development Program (did not attend)	17/8/16 - Sixth Monthly Group Coaching Session as part of EM Development Program (did not attend)	17/8/16 - Sixth Monthly Group Coaching Session as part of EM Development Program (did not attend)
	\$ 70.58	\$ 132.40	\$ 132.40	\$ 132.40	\$ 132.40	\$ 132.40	\$ 132.40	\$ 132.40	\$ 132.40
	17/8/16 - Sixth Monthly Group Coaching Session as part of EM Development Program	6/2/17 - EM Development Program Evaluation Report	6/2/17 - EM Development Program Evaluation Report	6/2/17 - EM Development Program Evaluation Report	6/2/17 - EM Development Program Evaluation Report	6/2/17 - EM Development Program Evaluation Report	6/2/17 - EM Development Program Evaluation Report	6/2/17 - EM Development Program Evaluation Report	6/2/17 - EM Development Program Evaluation Report
	\$ 132.40			\$ 78.00			\$ 430.00	\$ 1,900.29	
	6/2/17 - EM Development Program Evaluation Report			25/2/17 - WEA 'Communication Secrets' training session			17/3/17 - Council and Committee Meeting Procedures and Chairing Skills	11-14/4/17 - ALGWA Conference, Hobart	
	\$ 2,031.49			\$ 198.00					
	11-14/4/17 - ALGWA Conference, Hobart			10/3/17 - WEA 'The Influential Communicator' training session					
				\$ 198.00					
				24/3/17 - WEA 'Leadership 2017' training session					
				\$ 60.00					
				9/6/17 - Local Government Tourism, Festival and Events Workshop					
<b>TOTAL</b>	\$ 1,175.35	\$ 625.35	\$ 625.35	\$ 703.35	\$ 625.35	\$ 486.19	\$ 1,055.35	\$ 2,525.64	\$ 625.35
									\$ 17,007.63

Elected Member Training & Development Policy entitlements  
(Council resolution 1788/2017)



**Elected Member Training and Development Budget  
Summary of Individual Allocations including Carry Forwards to 2017/18**

	Mayor Aldridge	Cr Balaza	Cr Bedford	Cr Brug <small>commenced 22/5/2017</small>	Cr Bryant	Cr Buchanan	Cr G Caruso	Cr L Caruso	Cr Cook
15/16 funds carried fwd to 16/17	\$ 1,800.00	\$ 1,589.59	\$ 1,800.00	\$ -	-\$ 458.37	\$ 1,219.59	\$ 1,800.00	\$ 1,800.00	\$ 839.59
spent in 16/17	\$ 604.72	\$ 414.72	\$ 414.72	\$ 396.00	\$ 414.72	\$ 414.72	\$ 414.72	\$ 414.72	\$ 414.72
balance from 15/16 funds carried forward is lost	\$ 1,195.28	\$ 1,174.87	\$ 1,385.28	\$ -	-\$ 873.09	\$ 804.87	\$ 1,385.28	\$ 1,385.28	\$ 424.87
16/17 allocation	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 193.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00
debit balance carried fwd to 16/17	\$ -	\$ -	\$ -	\$ -	-\$ 873.09	\$ -	\$ -	\$ -	\$ -
funds to be carried fwd to 17/18	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	-\$ 203.00	\$ 926.91	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00
17/18 allocation	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00
<b>17/18 available balance</b>	<b>\$ 3,600.00</b>	<b>\$ 3,600.00</b>	<b>\$ 3,600.00</b>	<b>\$ 1,597.00</b>	<b>\$ 2,726.91</b>	<b>\$ 3,600.00</b>	<b>\$ 3,600.00</b>	<b>\$ 3,600.00</b>	<b>\$ 3,600.00</b>

**Item 3.6.4 - Attachment 2 - 2017/18 Individual Elected Member Allocations  
for Training and Development**

**Elected Member Training and Development Budget  
Summary of Individual Allocations including Carry Forwards to 2017/18**

	Cr Gill	Cr Pilkington	Cr Proleta	Cr Reardon	Cr Reynolds	Cr Vermeer <small>resigned Feb 2017</small>	Cr White	Cr Woodman	Cr Zahra
15/16 funds carried fwd to 16/17	\$ 940.77	\$ 1,490.59	\$ 1,800.00	\$ 1,589.59	\$ 1,508.59	\$ 1,589.59	\$ 1,468.59	\$ 1,800.00	\$ 1,800.00
spent in 16/17	\$ 2,996.21	\$ 414.72	\$ 414.72	\$ 948.72	\$ 414.72	\$ 414.72	\$ 844.72	\$ 2,315.01	\$ 414.72
balance from 15/16 funds carried forward is lost	-\$ 2,055.44	\$ 1,075.87	\$ 1,385.28	\$ 640.87	\$ 1,093.87	\$ 1,174.87	\$ 623.87	-\$ 515.01	\$ 1,385.28
16/17 allocation	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00
debit balance carried fwd to 16/17	-\$ 2,055.44	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-\$ 515.01	\$ -
funds to be carried fwd to 17/18	-\$ 255.44	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ -	\$ 1,800.00	\$ 1,284.99	\$ 1,800.00
17/18 allocation	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00	\$ -	\$ 1,800.00	\$ 1,800.00	\$ 1,800.00
<b>17/18 available balance</b>	<b>\$ 1,544.56</b>	<b>\$ 3,600.00</b>	<b>\$ 3,600.00</b>	<b>\$ 3,600.00</b>	<b>\$ 3,600.00</b>	<b>\$ -</b>	<b>\$ 3,600.00</b>	<b>\$ 3,084.99</b>	<b>\$ 3,600.00</b>

\$ 25,153.46

Item 3.6.4 - Attachment 2 - 2017/18 Individual Elected Member Allocations for Training and Development



<b>ITEM</b>	3.6.5
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	21 August 2017
<b>HEADING</b>	Purchasing of vehicles
<b>AUTHOR</b>	Karen Pepe, Manager Property and Buildings, City Infrastructure
<b>CITY PLAN LINKS</b>	4.3 Have robust processes that support consistent service delivery and informed decision making.
<b>SUMMARY</b>	With the closure of the Holden plant at Elizabeth this year there will be no vehicles manufactured in SA. Purchasing of Holden vehicles is now very limited due to vehicle availability and is impacting on meeting organisational requirements. This report provides Council with an update and noting the need to modify the vehicle policy. The policy requires updating to enable future purchases of fleet to be line with Council's procurement principles and the Plant and Fleet Replacement Strategy.

## RECOMMENDATION

1. Information be received.

## ATTACHMENTS

There are no attachments to this report.

## 1. BACKGROUND

- 1.1 Council, at its meeting in April 2013 moved a motion (minute 1586) which included item 4 *"For all future light vehicle fleet purchases Council directly support Holden and its employees by purchasing/leasing Holden made vehicles where they are fit for purpose for Council needs and offer value for money."*
- 1.2 Since this resolution the Vehicle Policy was updated and staff have been purchasing Holden vehicles wherever possible.
- 1.3 As this motion was made by the previous Council it is not required to be rescinded.
- 1.4 Holden will cease manufacturing on 20 October 2017. There will no longer be any vehicle manufacturing in Australia from this date.

## 2. CONSULTATION / COMMUNICATION

- 2.1 Internal
  - 2.1.1 Governance and Strategic Procurement Divisions
- 2.2 External
  - 2.2.1 N/A

### 3. REPORT

- 3.1 On 13th January 2017 Holden announced that the closure of the Elizabeth plant would take effect in October 2017. Since this announcement Holden has been decreasing manufacture of vehicles and in particular more recently.
- 3.2 Due to the reduction in manufacturing over the past several months it has become difficult to order a vehicle from the dealers when it is not deemed to be a standard vehicle. The dealers have been allocated their allocation of vehicles until the plant closure.
- 3.3 As a result of the reduction in vehicles available, Council is unable to meet the current policy specifically in a number of business need areas. To meet the Holden requirement at present, Council can only access vehicles via dealer stocks which may not meet our 'fit for purpose or value for money' requirements.
- 3.4 In preparation for future purchasing, staff developed a Plant and Fleet Replacement Strategy. The strategy addressed Council's plant and fleet supply needs over the next five years based on the Asset Management Plan.
- 3.5 Acquisition will be undertaken in line with the following five procurement principles:

Key Procurement Principle	Aligned to Fleet Strategy
Work, Health & Safety	ANCAP rating
Value for Money	Fit for Purpose Innovation
Accountability & Transparency <ul style="list-style-type: none"> <li>- Open &amp; Effective Competition</li> <li>- Ethical Behaviour &amp; Fair Dealing</li> </ul>	Accountability & Transparency
Environmental Preference	Minimise emissions
Sustainable	Supporting Economic Development of the Northern Region

### 4. CONCLUSION / PROPOSAL

- 4.1 As the motion was made by the previous Council it does not require a rescission motion.
- 4.2 All future purchases of fleet will be made in line with the procurement principles and the Plant & Fleet Replacement Strategy.

### CO-ORDINATION

Officer: Executive Group  
Date: 14/08/2017

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<b>ITEM</b>	3.6.6
	<b>RESOURCES AND GOVERNANCE COMMITTEE</b>
<b>DATE</b>	21 August 2017
<b>HEADING</b>	Local Government Finance Authority Annual General Meeting: 16 November 2017 - Council Representatives and Notices of Motion
<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 presents information in relation to the date and location of the 2017 Annual General Meeting (AGM) of the Local Government Finance Authority (LGFA) of South Australia and seeks to appoint Council representatives and submit any Notices of Motion for that meeting.

#### **RECOMMENDATION**

1. The information be received.
2. \_\_\_\_\_ be appointed as Council Representative (Voting Delegate) to the 16 November 2017 Local Government Finance Authority Annual General Meeting, with \_\_\_\_\_ as their deputy.
3. No Notice of Motion be submitted to the Local Government Finance Authority Annual General Meeting being held on 16 November 2017.

#### **ATTACHMENTS**

There are no attachments to this report.

#### **1. BACKGROUND**

- 1.1 Correspondence has been received from the Local Government Finance Authority (LGFA) advising their Annual General Meeting (AGM) will be held on Thursday 16 November 2017 at Adelaide Oval. This meeting will again coincide with the Annual General Meeting of the Local Government Association of SA, with the commencement time to be advised.
- 1.2 The LGFA are seeking advice on a Council appointed representative (voting delegate) and submission of any notices of motion.

#### **2. CONSULTATION / COMMUNICATION**

- 2.1 Internal
  - 2.1.1 General Manager Business Excellence
- 2.2 External
  - 2.2.1 Nil

**3. REPORT****3.1 Council Appointed Representative (Voting Delegate)**

3.1.1 Section 15(1) of the *Local Government Finance Authority of South Australia Act 1983* provides that ‘Every Council is entitled to appoint a person to represent it at a general meeting of the Authority’.

3.1.2 In August last year Council resolved:

- *Cr Damien Pilkington be appointed as Council Representative (Voting Delegate) to the Local Government Finance Authority Annual General Meetings, with Cr David Bryant as his deputy.*

3.1.3 As the AGM of the Local Government Association (LGA) will be held on the same day, it is suggested the same person be appointed to represent both the LGA and LGFA. The Mayor and Deputy Mayor are current representatives to the LGA.

**3.2 Notices of Motion**

3.2.1 Council has the opportunity to submit a notice of motion to the LGFA AGM, which must be received prior to Friday 15 September 2017 stating the motion, the reason for the motion and any suggested action.

3.2.2 The General Manager Business Excellence is not aware of any issue that warrants a notice being submitted.

**3.3 Nominations for Members of the Board**

3.3.1 A representative member of the Board currently holds office for a term of two years and, as an election took place last year, nominations for members of the Board are not being sought this year.

**4. CONCLUSION**

4.1 Council is asked to appoint a voting delegate and a deputy to the LGFA AGM.

4.2 Council is asked to consider whether any Notice of Motion should be submitted to the LGFA AGM on 16 November 2017.

**CO-ORDINATION**

Officer:	EXEC GROUP	GMBE	MG
		16/8/17	16/8/17