



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

21 AUGUST 2017

MEMBERS PRESENT

Mayor G Aldridge (ex officio)
Cr D Balaza
Cr B Brug
Cr D Bryant
Cr L Caruso
Cr D Pilkington
Cr D Proleta

STAFF

General Manager Business Excellence, Mr C Mansueto
General Manager City Development, Mr T Sutcliffe
Manager Governance, Ms T Norman
Manager Strategic Procurement, Mr M Harris
Team Leader General Inspectorate, Mr B Scholefield

The meeting commenced at 7.45 pm.

In the absence of the Chairman and the Deputy Chairman the Manager Governance called for a nomination to the position of Chairman for this meeting.

Appointment of Chairman for the duration of this meeting

Moved Mayor G Aldridge
Seconded Cr D Proleta

1. That Cr Damien Pilkington be appointed as Chairman for the duration of this meeting.

CARRIED

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

APOLOGIES

Apologies were received from Cr S Bedford and Cr R Cook.

LEAVE OF ABSENCE

Nil

PRESENTATION OF MINUTES

Moved Cr L Caruso
Seconded Mayor G Aldridge

The Minutes of the Resources and Governance Committee Meeting held on 17 July 2017, be taken and read as confirmed.

CARRIED

REPORTS

Administration

3.0.1 Future Reports for the Resources and Governance Committee

Moved Cr D Proleta
Seconded Cr L Caruso

1. The information be received.

CARRIED

3.2.1 Appointment of the Council Assessment Panel and Options for a Regional Assessment Panel

Moved Mayor G Aldridge
Seconded Cr D Proleta

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.

CARRIED

3.2.2 Appointment of an Elected Member and Deputy Elected Member to the Council Assessment Panel

Cr L Caruso declared a material conflict of interest due to being nominated as the Elected Member to be appointed to the Council Assessment Panel. Cr L Caruso left the meeting at 7:50 pm.

Moved Cr D Balaza
Seconded Mayor G Aldridge

1. That Cr Linda Caruso be appointed as the Elected Member appointment to the Council Assessment Panel for the term 1 October 2017 to 30 November 2018.
2. That Cr Steve White be appointed as the Deputy Elected Member appointment to the Council Assessment Panel for the term 1 October 2017 to 30 November 2018.

**CARRIED
UNANIMOUSLY**

Cr L Caruso returned to the meeting at 7:51 pm.

Health, Animal Management and By-laws

3.3.1 St Kilda Dog Signs

Moved Mayor G Aldridge
Seconded Cr D Bryant

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.

With leave of the meeting and consent of the seconder Mayor G Aldridge VARIED the MOTION as follows:

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 with a further 3 signs to be installed in the Northern car park.

CARRIED

FURTHER MOTION – Dedicated Dog Park at St Kilda

Moved Cr L Caruso
Seconded Cr D Proleta

1. That staff report back on options for installation of a dedicated dog park at St Kilda.

CARRIED

External Relations

3.4.1 Nominations Sought for the South Australian Boating Facility Advisory Committee

Moved Cr D Proleta
Seconded Cr D Balaza

1. Cr Chad Buchanan be nominated as a Local Government Member on the South Australian Boating Facility Advisory Committee.

CARRIED

3.4.2 Nominations Sought for the Dog and Cat Management Board

Cr D Balaza declared a material conflict of interest due to being nominated for the position. Cr D Balaza left the meeting at 08:05 pm.

Mayor G Aldridge declared a conflict of interest due to being nominated for the position. Mayor G Aldridge left the meeting at 08:05 pm.

Moved Cr D Proleta
Seconded Cr D Bryant

1. Cr David Balaza and Mayor Gillian Aldridge be nominated as a Local Government Member on the Dog and Cat Management Board.

CARRIED

Cr D Balaza returned to the meeting at 08:06 pm.

Mayor G Aldridge returned to the meeting at 08:06 pm.

3.4.3 Nominations Sought for the Local Government Transport Advisory Panel

Moved Cr D Proleta
Seconded Cr D Balaza

1. No nomination be made as a 'Metro Council' Member on the Local Government Transport Advisory Panel.

CARRIED

3.4.4 Nominations Sought for the South Australian Heritage Council

Moved Cr L Caruso
Seconded Cr D Balaza

1. Cr Shiralee Reardon be nominated as a Local Government member on the South Australian Heritage Council.

**CARRIED
UNANIMOUSLY**

Corporate Management

3.5.1 Elected Member Development Program - Evaluation Report

Moved Cr L Caruso
Seconded Cr B Brug

1. The information be received.

**CARRIED
UNANIMOUSLY**

3.5.2 Strategic Procurement - Procurement Policy

Moved Cr B Brug
Seconded Cr D Bryant

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.

CARRIED

Corporate Governance

3.6.1 Annual Review of Delegations

Moved Mayor G Aldridge
Seconded Cr B Brug

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

Revocations

- a. Hereby revokes its previous delegations to the Chief Executive Officer, effective from 18th day of 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

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- b. Hereby revokes its previous delegations to its Development Assessment Panel, effective from 18th 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 19th 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)

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- 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 19th 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 19th 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 19th 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 19th 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 19th 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 19th 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.

**CARRIED
UNANIMOUSLY**

3.6.2 Annual Report on Internal Reviews of Council decisions in the year ending 30 June 2017 under Section 270 of the Local Government Act 1999

Moved Cr D Bryant
Seconded Cr L Caruso

1. The information be received.

CARRIED

3.6.3 Summary Report for Attendance at Training and Development Activity - Cr Linda Caruso

Moved Cr L Caruso
Seconded Mayor G Aldridge

1. The information be received.

CARRIED

3.6.4 Summary of Elected Member Training and Development Expenditure and Outstanding Summary Reports

Moved Mayor G Aldridge
Seconded Cr D Proleta

1. The information be received.

**CARRIED
UNANIMOUSLY**

3.6.5 Purchasing of Vehicles

Moved Mayor G Aldridge
Seconded Cr D Proleta

1. Information be received.

CARRIED

3.6.6 Local Government Finance Authority Annual General Meeting: 16 November 2017 - Council Representatives and Notices of Motion

Moved Mayor G Aldridge
Seconded Cr B Brug

1. The information be received.
2. Cr Linda Caruso be appointed as Council Representative (Voting Delegate) to the 16 November 2017 Local Government Finance Authority Annual General Meeting, with Cr Sean Bedford 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.

**CARRIED
UNANIMOUSLY**

OTHER BUSINESS

Nil

CONFIDENTIAL ITEMS

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

Moved Mayor G Aldridge
Seconded Cr D Balaza

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.*

CARRIED

The meeting moved into confidence at 8.21 pm.

The meeting moved out of confidence and closed at 8.23 pm.

CHAIRMAN.....

DATE.....