



AGENDA

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

**19 MARCH 2018 AT THE CONCLUSION OF THE 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, Mr M Petrovski
Manager Communications and Customer Relations, Mr M Bennington

APOLOGIES

LEAVE OF ABSENCE

PRESENTATION OF MINUTES

Presentation of the Minutes of the Resources and Governance Committee Meeting held on 19 February 2018.

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OTHER BUSINESS

CLOSE



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

19 FEBRUARY 2018

MEMBERS PRESENT

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

STAFF

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

The meeting commenced at 7:28 pm.

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

APOLOGIES

Apologies were received from Cr D Bryant, Cr R Cook and Cr D Proleta.

LEAVE OF ABSENCE

Nil

PRESENTATION OF MINUTES

Moved Cr L Caruso
Seconded Cr D Pilkington

The Minutes of the Resources and Governance Committee Meeting held
on 22 January 2018, be taken and read as confirmed.

CARRIED

REPORTS

Administration

3.0.1 Future Reports for the Resources and Governance Committee

Moved Cr D Pilkington
Seconded Cr L Caruso

1. The information be received.

CARRIED

Health, Animal Management and By-laws

3.3.1 Abandoned Shopping Trolleys

Moved Cr B Brug
Seconded Mayor G Aldridge

1. The information be received.
2. Staff engage with collection agencies and/or relevant retailers to:
 - a. Investigate the development of an agreement whereby trolleys collected and impounded by Council and returned to collection companies and/or retailers can be subjected to a fee for service; and
 - b. Develop educational materials on abandoned trolleys to encourage their reporting via apps and phone numbers for collection agencies, and to inform of the litter laws relating to abandoned shopping trolleys.

CARRIED

Corporate Governance

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

Moved Cr D Pilkington
Seconded Cr L Caruso

1. The information be received.
2. The Representation of the City of Salisbury by Elected Members Policy as set out in Attachment 1 to this report (Resources and Governance 3.6.1, 19/02/2018), be endorsed.

CARRIED

**3.6.2 Local Government Association Ordinary General Meeting
31/04/2018 - Call for Notices of Motion**

Moved Cr D Pilkington
Seconded Mayor G Aldridge

1. No Notices of Motion be submitted to the Local Government Association Ordinary General Meeting being held on 13 April 2018.

CARRIED

3.6.3 Mobile Food Vendors Policy

Cr D Balaza declared a perceived conflict of interest on the basis of being a member of the governing body of the Salisbury Business Association. Cr Balaza managed the conflict by remaining in the meeting and voting in the best interests of the community.

Mayor G Aldridge sought leave of the meeting to speak for a second time and leave was granted.

Moved Mayor G Aldridge
Seconded Cr D Pilkington

1. This report be received.
2. The Draft Mobile Food Vendors Policy as set out in attachment 1 to this report (Resources and Governance 3.6.3, 19 February 2018) be endorsed.
3. Council endorse the following fees and charges for Mobile Food Vendor Permits as follows:
 - Annual Fee - \$2,000 plus GST (if applicable); or
 - Monthly Fee - \$200 plus GST (if applicable)
4. That Council's Fees and Charges Register be updated to reflect the Mobile Food Vendor Permit Fees as endorsed by Council.
5. The Draft Mobile Food Vendors Policy as set out in attachment 1 to this report (Resources and Governance 3.6.3, 19 February 2018) be monitored over the next 12 months seeking feedback from traders and the community.

CARRIED

*The majority of members present voted IN FAVOUR of the MOTION.
Cr D Balaza voted AGAINST the MOTION*

3.6.4 Variations to Delegations

Moved Mayor G Aldridge
Seconded Cr B Brug

1. Having conducted a review of Delegations in accordance with Section 44(6) of the *Local Government Act 1999*, the Council hereby revokes its previous delegations to the Chief Executive Officer, effective from 5 March 2018 of those powers and functions under the following:
 - 1.1 *Development Act, Development (Development Plans) Amendment Act 2006 and Development Regulations 2008*
 - Regulation 82(4) – Attachment 2
 - 1.2 *Food Act 2001*
 - Sections 51(1) and 52(4) – Attachment 3
 - 1.3 *Safe Drinking Water Act 2011*
 - Sections 10(1) and 14(4) – Attachment 4
 - 1.4 *Heavy Vehicle National Law (South Australia) Act 2013*
 - Entire Instrument of Delegation – Attachment 5

Delegations made under Development Act 1993

2. 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 proposed Instrument of Delegation forming attachment to this report (Attachment 2, Item No. 3.6.4, Resources and Governance Committee, 19/02/2018) are hereby delegated from 6 March 2018 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 contained in the proposed Instrument of Delegation under the *Development Act 1993* and the *Development Regulations 2008* as follows:
 - Regulations 80(1a) 82(4) and 82(4a)
3. 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* and the *Development Regulations 2008*.

Delegations Made under Food Act 2001

4. 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 proposed Instrument of Delegation forming attachment to this report (Attachment 3, Item No. 3.6.4, Resources and Governance Committee, 19/02/2018) are hereby delegated from 6 March 2018 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* as follows:
 - Sections 51(1) and 52(4)
5. 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 Safe Drinking Water Act 2011 (of enforcement agency)

6. 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 proposed Instrument of Delegation forming attachment to this report (Attachment 4, Item No. 3.6.4, Resources and Governance Committee, 19/02/2018) are hereby delegated from 6 March 2018 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*.
 - Sections 10(1) and 14(4)
7. 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 the Heavy Vehicle National Law (South Australia) Act 2013

8. In exercise of the power contained in Section 44 of the *Local Government Act 1999* and Section 22B of the (as relevant) the powers and functions under the *Heavy Vehicle National Law (South Australia) Act 2013* contained the proposed Instrument of Delegation forming attachment to this report (Attachment 5, Item No. 3.6.4, Resources and Governance Committee, 19/02/2018) are hereby delegated from 6 March 2018 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 *Heavy Vehicle National Law (South Australia) Act 2013* as follows:

- Entire Instrument of Delegation

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 *Heavy Vehicle National Law (South Australia) Act 2013*.

CARRIED

3.6.5 Facilitation of externally web-hosted video recordings of Council and committee meetings

Moved Mayor G Aldridge
Seconded Cr D Pilkington

That the intention to facilitate externally web-hosted video recordings of Council and committee meetings and associated publishing by accommodating the requirement in the Salisbury Community Hub design and within the overall budget for the Hub, be noted.

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

CARRIED

OTHER BUSINESS

Nil

The meeting closed at 7:59 pm.

CHAIRMAN.....

DATE.....

ITEM	3.0.1
	RESOURCES AND GOVERNANCE COMMITTEE
DATE	19 March 2018
HEADING	Future Reports for the Resources and Governance Committee
AUTHOR	Michelle Woods, Projects Officer Governance, CEO and Governance
CITY PLAN LINKS	4.3 Have robust processes that support consistent service delivery and informed decision making.
SUMMARY	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 Due:	Amendments to the Dog and Cat Management Act 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 Due:	Review of Provision of Elected Member IT Equipment 2. A revised Elected Member Allowances, Facilities and Support Policy be brought back to Council in July 2018. July 2018	Joy Rowett
28/08/2017 NOM3 Due:	Provision of telephone for use in case of domestic violence/other emergency situations 1. That, as part of the consideration of White Ribbon Australia Workplace Accreditation (refer Council resolution 1893/2017), staff investigate options and costs associated with the establishment of a telephone(s) located outside of council buildings which can be used by people fleeing domestic violence or other emergencies situations to obtain assistance from relevant emergency service providers. May 2018	Julie Douglas
26/02/2018 NOM5 Due:	Audio Recordings of Committee and Council Meetings 1. That a report be brought forward advising Council about uploading audio recordings of Committee and Council meetings to the City of Salisbury website and include information about any legal implications or risks with doing so. April 2018	Mick Petrovski
26/02/2018 Cnl-OB2 Due:	Review of Media Policy That Council review the Media Policy passed in February 2017. April 2018	Michael Bennington

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
Date: 13/03/2018

ITEM	3.2.1
	RESOURCES AND GOVERNANCE COMMITTEE
DATE	19 March 2018
HEADING	Lighting and Public Safety in Shopping Centre Carparks
AUTHOR	George Pantelos, Principal Planner, City Development
CITY PLAN LINKS	3.2 Have interesting places where people want to be.
SUMMARY	At the Council meeting on the 23 rd October 2017, Council requested a staff report on what principles of development control and other provisions in the Development Plan, Building Code or Development Act are in relation to enforcing conditions on shopping centres to provide safe, lit areas for shoppers, staff including provision of CCTV.

RECOMMENDATION

1. That this report be received.

ATTACHMENTS

There are no attachments to this report.

1. BACKGROUND

- 1.1 At the Council meeting on the 23rd October 2017, Council resolved:

That staff report on what current principles of development control and other provisions within the Development Plan, Building Code or Development Act are in relation to enforcing conditions on shopping centres to provide safe, light areas for shoppers, staff including provision of CCTV. (Item OB2, resolution no. 2133/2017)

- 1.2 This report provides information in response to this resolution., noting also that the genesis for the report was a Deputation to the Council meeting of 23 October 2017 from staff of Parabanks and Union representatives

“in relation to safety concerns in the Parabanks Shopping Centre Carpark and asked for Council to consider how it can assist in improving safety for staff in the Parabanks carpark”.

- 1.3 Accordingly, whilst the report contains general commentary in response to the Council resolution it also provides an update on this issue in relation to Parabanks specifically.

2. CITY PLAN CRITICAL ACTION

2.1 The revitalisation of the Salisbury City Centre is a critical action of the City Plan.

3. CONSULTATION / COMMUNICATION

3.1 External

3.1.1 Staff have sought advice from both the architects for the recent upgrades to the Parabanks Shopping Centre and the operators of the Parabanks Shopping Centre in relation to lighting and the provision of CCTV.

4. REPORT

4.1 The Development Plan is the principal policy document that requires consideration to be given to the provision of safe places in relation to new development. The Development Plan encourages a safe and secure crime resistant environment where land uses are integrated and designed to facilitate community surveillance. The requirements generally seek design measures to maximise surveillance, including:

- Design buildings to overlook public and communal areas.
- Provision of lighting for frequently used public areas.
- Landscaping that maintains open sight lines.

4.2 There are no provisions in the Development Plan, Development Act 1993, Development Regulations 2008 nor the National Construction Code that make mandatory the installation and operation of CCTV in public areas. The installation and operation of CCTV is at the discretion of owners. In addition, the application of the Development Plan provisions is triggered by a development application for new development – it cannot be applied retrospectively or unilaterally to existing development.

4.3 The relevant lighting standard for public car parks and other public areas is AS/NZS.1158.3.1- Lighting for Roads and Public Spaces. In relation to the Parabanks Shopping Centre compliance with this standard was imposed on the most recent redevelopment of the Parabanks Shopping Centre in DA 361/1563/2014/2B. Condition 3 of the consent relating to the lighting reads as follows:

The car parking layout including internal roads, car park spaces and aisle widths are to be designed and constructed to comply with AS 2890.1 – Off-street Parking, Part 1 and Austroads “Guide to Traffic Engineering Practice Part 11 – Parking”.

Lighting within all carpark areas shall comply with Australian Standard AS1158.3.1 Part 11A (Lighting for Roads and Public Spaces).

The condition contained an error referring to Part 11A of AS/NZS 1158.3.1 (Lighting for Roads and Public Spaces) and not Part 11B which was the relevant lighting level standard for car parks within the Parabanks Shopping Centre (given the night time occupancy rate of the car park is below 75%).

4.4 The lighting category 11B requires a minimum lighting level throughout the car parks of 7 lux.

- 4.5 In order to satisfy the requirements of this condition of approval, the applicant engaged Meinhardt Engineers to review lighting throughout the Parabanks Shopping Centre carpark driveways. The consultant noted six lights throughout the carpark were not operating, and that when replaced together with additional lighting provided through the upgrade of the centre, would provide lux levels throughout the carpark and driveways in the order of 8-10 lux, in excess of the 7 lux requirement outlined in 11B of the standard. The centre management is in the process of replacing the faulty lights.
- 4.6 In response to the concerns, the Parabanks representative has advised that they carry out security patrols external to the building in the after trading hours period. These patrols are at random times to avoid patterns and deter any criminal activity. Furthermore, centre management has advised that safety concerns of staff and patrons of the shopping centre should be raised directly with them in order to better understand and manage any concerns.

5. CONCLUSION / PROPOSAL

- 5.1 There are provisions within the Development Plan that encourage a safe and secure crime resistant environment through the facilitation of surveillance and adequate lighting in frequently used public spaces including those around carpark.
- 5.2 Lighting throughout the Parabanks Shopping Centre carpark and driveway areas complies with the relevant *Australian Standard AS1158-3.1 Part 11B (Lighting for Roads and Public Spaces)*.
- 5.3 The installation and operation of CCTV is not a requirement that is able to be reasonably imposed under the Development Act in relation to the Parabanks Shopping Centre in this particular circumstance. It should also be noted that CCTV is only one of a number of potential responses to public safety in shopping centre carpark. Other elements of a broader crime prevention/public safety agenda can include, but are not limited to, Crime Prevention Through Environmental Design (CPTED), place activation to increase passive surveillance, employer Work Health and Safety initiatives for their employees, and Police and security patrol presence.

CO-ORDINATION

Officer: EXECUTIVE GROUP
Date: 13.03.18

ITEM	3.3.1
	RESOURCES AND GOVERNANCE COMMITTEE
DATE	19 March 2018
PREV REFS	Resources and Governance 3.3.1 Committee 19/06/2017
HEADING	Update on Proposal to Amend the Australian Road Rules to enable parking on Council verges
AUTHOR	John Darzanos, Manager Environmental Health & Safety, City Development
CITY PLAN LINKS	4.3 Have robust processes that support consistent service delivery and informed decision making.
SUMMARY	Further to previous Item 3.3.1 Resources and Governance Committee presented in June 2017 on the proposal to amend the Australian Road Rules to enable parking on Council verges, it was recommended that staff report on the impact of the proposed changes as set out in the Council's recommended submission to existing Council's policies. This report presents the outcome of the Local Government Association Ordinary General Meeting on this proposal, which did not result in any legislated change and as such does not affect Council policies.

RECOMMENDATION

1. The information be received.

ATTACHMENTS

There are no attachments to this report.

1. BACKGROUND

- 1.1 At its meeting held on 26 June 2017 Council resolved the following with respect to the proposal to amend the Australian Road Rules to enable parking on Council verges:

1. *The information be received.*
2. *A response to the LGA be prepared and submitted advising that Council supports the proposed amendment under Section 63(2) of the Road Traffic (Miscellaneous) Regulations 2014, to include Australian Road Rule 197 enabling each Council to exempt this provision as required in areas that Council deems suitable and enable the development of standards for the application of any exemptions to ARR 197, subject to the following considerations:*

2.1 Standards to include but not be limited to:

Approximately 50% of the left hand side of the vehicle can be driven onto the verge provided that:

- *The tyres are not placed on a footpath, unless the footpath is immediately adjacent to the kerb and there is more than 1 metre of clear space available for pedestrian access.*
- *If there isn't a footpath then there must be at least 1 metre of clear space available for pedestrian access.*
- *Residents can only park this way directly in front of their own property or with the permission of the property owner.*
- *The vehicles must be facing in the direction of travel.*
- *The exemption does not apply to commercial or heavy vehicles*
- *The property owner/resident and or vehicle owner/driver is liable for any damage to the verge and will be responsible for repairs.*

2.2 Standards to acknowledge that some locations are not suitable for parking in this manner due to visibility, other safety concerns for road users or pedestrians, and the presence of verge infrastructure and as such this may result in this guide not being applicable and the property owner/resident will be advised accordingly.

2.3 Consideration being given in the standards to accommodation of cyclists and pedestrians on footpaths adjacent to verges on which parking is permitted.

3. The Local Government Association be advised that Council does not support the proposed amendment to Australian Road Rule 197 allowing verge parking on all Council roads without any limitations.

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.

CARRIED 1854/2017

- 1.2 Further to the consultation and submission made by Council on the proposal to amend the road rules to allow for the legal parking of vehicles on the nature strip (verge) or road related area, the matter has been addressed by the Local Government Association and they have received legal advice on the proposals.

2. CONSULTATION / COMMUNICATION

2.1 Internal

2.1.1 Craig Johansen, Team Leader Landscape Design, City Infrastructure

2.2 External

2.2.1 Local Government Association

3. REPORT

- 3.1 Legal advice was received by the LGA advising that changes to amend Section 63(2) of the Road Traffic (Miscellaneous) Regulations 2014, were not permitted under the legislation as they contradicted the existing provisions which allowed verge parking.
- 3.2 Under the Australian Road Rules (ARR) verge parking is permitted if the driver stops at a place on a length of road, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under the ARR.
- 3.3 What this effectively allows is for Council to allow parking on verges if it is adequately sign posted with a parking control sign that is recognised under the ARR.
- 3.4 Council applies signage for high demand areas where verge parking may be permitted such as events or at venues. However installing and maintaining widespread signage across the City to identify where verge parking is permitted within residential zones is potentially costly and would not be recommended, and is able to be effectively managed through the alternative of an operating procedure for enforcement (see paragraph 3.7 below).
- 3.5 Verge parking is enforced as a breach of ARR 197 and penalties apply. The only variation is that staff do not issue expiations where vehicles meet the below criteria and are located in areas with narrow streets. Verge parking is enforced upon complaint and/or during random patrols and observations. As a result there are no additional resource implications utilising this approach.
- 3.6 Narrow streets have been defined by Councils Traffic Management Section as streets that have a carriageway 6.0 metres or less in width. This is utilised as a guiding principle because on-street parking on one or both sides of a road which is 6.0 metres wide or less can restrict access for other vehicles to pass.
- 3.7 The criteria to manage verge parking in narrow streets has been amended to reflect part 2.3 of the resolution of Council on 26 June 2017 (relating to provision for cyclists and pedestrians), and also recognising that no other road rule can be breached:
 - 3.7.1 *The enforcement of verge parking in narrow streets is subject to the following criteria (narrow streets have been defined as any residential street that has a vehicle carriageway of six metres wide or less):*
 - *Approximately 50% of the left hand side of the vehicle can be driven onto the verge provided that:*
 - *No other Australia Road rule is being breached.*
 - *The tyres are not placed on a footpath, unless the footpath is immediately adjacent to the kerb and there is more than 1 metre of clear space available for pedestrian access and cycle access.*
 - *If there isn't a footpath then there must be at least 1 metre of clear space available for pedestrian access.*
 - *Residents can only park this way directly in front of their own property or with the permission of the property owner.*
 - *The vehicles must be facing in the direction of travel.*

- *The exemption does not apply to commercial or heavy vehicles.*
 - *The property owner/resident and or vehicle owner/driver is liable for any damage to the verge and will be responsible for repairs.*
 - *Some locations are not suitable for parking in this manner due to visibility, other safety concerns for road users or pedestrians, high pedestrian access and or cycling areas and the presence of verge infrastructure or approved verge developments, and as such this may result in this guide not being applicable and the property owner/resident will be advised accordingly.*
- 3.8 The above operating procedure allows for enforcement to be applied consistently and provides guidelines to residents should they have the need to park on a verge to facilitate traffic movement on a narrow road.
- 3.9 The above criteria does not apply where there is an approved verge parking bay (eg indented bay or roll-over kerb bay). Any resident affected by someone illegally parking in front of their property or on the verge can notify Council and enforcement action can be taken. Anyone responsible for damage can be ordered to reinstate the verge and advised that enforcement will be carried out and verge parking should cease completely at that location. Assessment of verge damage can be undertaken by Inspectorate and/or City Infrastructure staff, with any orders for remedial action issued by Inspectorate. Any damage to private infrastructure such as storm water pipes is the property owner's responsibility.

4. CONCLUSION / PROPOSAL

- 4.1 A proposal for an amendment to the Australian Road Rules to allow for verge parking is not able to be implemented due to existing legislative provisions allowing for verge parking through the provision of signage. However this is not considered to be practical and would be cost prohibitive to implement city-wide.
- 4.2 Applying the current operating procedures criteria in narrow streets allows for consistent application of the road rules and enforcement action, and gives consideration to relevant parts of Council's verge development policy which would take precedence over allowing verge parking.

CO-ORDINATION

Officer: EXECUTIVE GROUP

Date: 13.03.18

ITEM	3.4.1
	RESOURCES AND GOVERNANCE COMMITTEE
DATE	19 March 2018
PREV REFS	
HEADING	Nominations Sought for the Dog and Cat Management Board
AUTHOR	Joy Rowett, Governance Coordinator, CEO and Governance
CITY PLAN LINKS	4.3 Have robust processes that support consistent service delivery and informed decision making.
SUMMARY	The Minister for Sustainability, Environment and Conservation, Hon Ian Hunter MLC, is seeking local government nominations for four member positions on the Dog and Cat Management Board for terms of up to 3 years commencing June 2018. Nominations must be forwarded with a current CV to the Local Government Association by COB 5 April 2018.

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, is seeking local government nominations for four member positions on the Dog and Cat Management Board for terms of up to 3 years commencing June 2018.
- 1.2 Nominations must be forwarded with a current CV to the Local Government Association (LGA) by COB 5 April 2018.

2. CONSULTATION / COMMUNICATION

2.1 Internal

- 2.1.1 Circular 10.5 dated 2 March 2018 from the LGA was circulated to Elected Members, the Executive Group, Manager Environmental Health and Safety and Team Leader General Inspectorate on 2 March 2018. 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 four member positions on the Dog and Cat Management Board for a term of up to three years commencing June 2018.
- 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 has advised he will not be re-nominating.
- 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;
 - (ga) to fix fees and charges for the purposes of this Act;
 - (h) 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, holding approximately 4 of their meetings at metropolitan and regional councils. Depending on location, regional Council meetings can be a full day commitment with some including overnight stays.
- 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 Thursday 5 April 2018. The LGA Board will consider nominations received at its meeting on Thursday 19 April 2018.

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

Name of Body	Dog and Cat Management Board	
Legal Status of Body	Statutory Authority	
Summary Statement	The Dog and Cat Management Board operates under the Dog and Cat Management Act 1995 and its functions include monitoring the administration and enforcement of this Act by Councils.	
<u>SELECTION CRITERIA FOR MEMBERSHIP ON OUTSIDE BODIES</u> The following selection criteria must be addressed when completing Part B		
Qualifications Required <i>(formal qualifications relevant to the appointment)</i>	No formal qualifications required.	
Industry Experience	Relevant knowledge of dog and cat management issues as they impact local government.	
Board / Committee Experience	Relevant experience serving on high level intergovernmental boards, committees or funding allocation bodies is highly desirable.	
Key Expertise <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> <p>(a) practical knowledge of and experience in local government, including local government processes, community consultation and the law as it applies to local government;</p> <p>(b) experience in the administration of legislation;</p> <p>(c) experience in financial management;</p> <p>(d) experience in education and training.</p> <p>The priority attribute for people nominating for this position is experience in education and training.</p>	
<u>LIABILITY AND INDEMNITY COVER</u> 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)		
Insurance information (Certificates of Currencies or equivalent) supplied by the Outside Body	Yes	
Insurance Policies are Valid & Current	Yes	

ECM XXX

ITEM	3.6.1
	RESOURCES AND GOVERNANCE COMMITTEE
DATE	19 March 2018
HEADING	Delegations to Issue By-Law Permits
AUTHOR	John Darzanos, Manager Environmental Health & Safety, City Development
CITY PLAN LINKS	4.3 Have robust processes that support consistent service delivery and informed decision making.
SUMMARY	The purpose of this report is to seek a Council resolution in respect to the delegations of Council's powers under By Law 1 - Permits and Penalties, to the Chief Executive Officer and the instrument of sub delegation. The sub delegation will allow staff to effectively issue permission under the By-Laws to ensure operational matters can be maintained and permits issued in a timely manner to ensure effective customer service.

RECOMMENDATION

1. The information be received.
2. In exercise of the power contained in Section 44 of the *Local Government Act 1999* the powers and functions under the Council's *By-Law No. 1 – Permits and Penalties By-Law 2015* contained hereunder are hereby delegated from 2 April 2018 to the person occupying the office of Chief Executive Officer (and anyone acting in that position), subject to the conditions and / or limitations indicated in the Schedule of Conditions contained in the attached proposed Instrument of Delegation (Attachment 1, Item No. 3.6.1, Resources and Governance Committee, 19/03/2018):
 - the power to grant or refuse an application for permission to undertake an activity or engage in conduct regulated by a Council By-law, or to otherwise grant permission under a Council By-law subject to any conditions the delegate sees fit to impose;
 - the power to attach any conditions that the delegate sees fit to a grant of permission issued under a By-law and to vary or revoke such conditions or impose new conditions by notice in writing to the person(s) to whom permission was granted;
 - the power to revoke or suspend a grant of permission that has been issued under a Council By-law by notice in writing to the person(s) to whom permission was granted; and
 - the power to commence proceedings to prosecute an offence under a Council By-law.
3. Such powers and functions may be further delegated by the Chief Executive Officer as the Chief Executive Officer sees fit and in accordance with the relevant legislation unless otherwise indicated in the conditions and/or limitations specified in the Delegations Register.

ATTACHMENTS

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

1. Instrument of Delegation Under Council's By-Law No 1 - Permits and Penalties

1. BACKGROUND

1.1 At its meeting held on 22 April 2013 Council resolved the following with respect to the authorisation of Council Officers to issue permits in accordance with By-Law 1 made by the Council on 28 May 2012:

1. *The information has been received and noted.*
2. *That Council resolved that:*
 - a. *In accordance with the Council's By-Law No 1 – Permits and Penalties made by the Council on 28 July 2008, where the Council's permission is required under any of the By Laws made by the Council on that date, the Council authorises the following officers of the Council for such term as they remain officers of the Council or such earlier term as the Council may determine:*
 - *Chief Executive Officer, John Harry*
 - *General Manager, City Development, Greg Waller*
 - *General Manager, City Infrastructure, Mark Van Der Pennen*
 - *Manager, Environmental Health and Safety, John Darzanos*
 - *Manager, Property and Buildings, Karen Pepe*
 - *Team Leader, General Inspectorate, Darren Hurst*
 - *Customer Centre Coordinator, Michelle Little-Simpson*
3. *Each of the officers named in paragraph 2 of this resolution may grant permission, attach conditions to a grant of permission, vary, revoke or impose new conditions or suspend or revoke a grant of permission individually in respect of any matter where the officer is proposing in the course of their duties to exercise the authorisation hereby granted by the Council.*

Resolution Number 1612/2013

1.2 In the previous resolution, specific officers were authorised to issue permits in accordance with By-Laws. The concern with a list of officers is that the authority is specific to that officer and not the position, requiring update of delegations when staff are acting in positions whilst the incumbent is on leave, or staff depart the organisation.

1.3 This report is recommending that these powers be delegated to the Chief Executive Officer in the first instance and then sub-delegated to position titles, so that the delegation links to the relevant position, providing relevant staff the ability to effectively issue permission under the By-Laws.

2. CONSULTATION / COMMUNICATION

2.1 Internal

2.1.1 Joy Rowett, Governance Coordinator

2.2 External

2.2.1 Council's Lawyers

3. REPORT

- 3.1 The City of Salisbury's By-Law 1 (Permits and Penalties) provides for the issuing of permits as follows:

Clause 7.2 In any By-law of the Council (or such other person as the Council may, by resolution, authorise for that purpose) unless the contrary intention appears permission means permission of the Council, granted in writing prior to the act, event or activity to which it relates.

- 3.2 Under clause 8 Permits of City of Salisbury's By-Law 1 (Permits and Penalties) , the following conditions apply in relation to the issuing of permits, and it is envisaged that the issuing of permits will be in line with the current arrangements as resolved by Council on 22 April 2013.

- 3.3 Clause 8 states:

3.3.1 *Where a by-law requires that permission be obtained any person seeking the grant of permission must submit a written application to the Council in the form (if any) and accompanied by the fee (if any) prescribed by the Council.*

3.3.2 *The Council (or such other person as the Council may, by resolution, authorise for that purpose) may attach such conditions as it thinks fit to a grant of permission, and may vary or revoke such conditions or impose new conditions by notice in writing to the person granted permission.*

3.3.3 *A person granted permission must comply with every such condition, and failure to do so is an offence.*

3.3.4 *The Council or such other person as the Council may by resolution authorise for that purpose, may suspend or revoke a grant of permission at any time by notice in writing to the person granted permission.*

- 3.4 As indicated above, Council must resolve to delegate these powers to Council officers to grant permission on behalf of the Council, to attach such conditions to a grant of permission, to vary, revoke or impose new conditions, or suspend or revoke a grant of permission individually in respect of any matter where the officer is proposing in the course of their duties to exercise the delegation hereby granted by Council.

- 3.5 Staff issue permits for a number of clauses in the By-Laws and the ability for staff to grant permission is to ensure operational matters can be maintained and permits issued in a timely manner to ensure effective customer service.

- 3.6 The permission applies to a variety of matters including moveable signs, activities on roads and local government land such as hoarding permits for mini skips and developments that may encroach onto roads, and permits to keep more than the prescribed number of dogs.

- 3.7 The authority for staff to grant permission does not provide staff with the authority to declare portions or portions of area to which some of the by laws apply. This authority remains with Council and these requirements are subject to further reports and resolution of Council. Examples include declaring areas for no fishing, dogs on leash, and boat launching.

- 3.8 Any Council officers to whom these powers are sub-delegated to by the Chief Executive Officer will be at the senior level and will undergo relevant training to ensure staff have followed due process, any relevant policies and procedures.

3.9 Process to be followed

- 3.9.1 As the deputations required under Council's *By-Law No. 1 – Permits and Penalties By-Law 2015* are new, there are no existing delegations to revoke. Council need only adopt the new delegations contained in the shaded sections of the relevant Instrument of Delegation attached to this report (Attachment 1).
- 3.9.2 Delegations under *By-Law No. 1 – Permits and Penalties By-Law 2015* will come into force from Monday 2 April 2018. The new delegations will take effect immediately prior to the Chief Executive Officer's approval of the sub-delegations.
- 3.9.3 The exercise of powers and functions delegated by Council shall be undertaken in accordance with existing Council Policies and procedures. Even though Council may delegate its powers, functions and duties, this does not prevent Council from acting in the same matters at any time should the need arise.

4. CONCLUSION / PROPOSAL

- 4.1 Given the requirements of Council's By-Laws, it is recommended that Council resolve to delegate the powers to grant permission under *By-Law No. 1 – Permits and Penalties By-Law 2015* to the Chief Executive Officer (including any person acting in that position) and the Chief Executive Officer is authorised to sub-delegate these powers to other employees of the Council as the Chief Executive Officer considers fit.

CO-ORDINATION

Officer: EXECUTIVE GROUP

Date: 13.03.18

ATTACHMENT 1

INSTRUMENT OF DELEGATION UNDER COUNCIL BY-LAW 1 – PERMITS AND PENALTIES

NOTES

1. Conditions or Limitations: conditions or limitation may apply to the delegations contained in this instrument. Refer to Schedule of Conditions at the back of this document.
2. Refer to the relevant Council resolution(s) to identify when these delegations were made, reviewed and/or amended.

POWERS AND FUNCTIONS DELEGATED IN THIS INSTRUMENT

Power/Function Delegated by Council
1. The power to grant or refuse an application for permission to undertake an activity or engage in conduct regulated by a Council By-law or, to otherwise grant permission under a Council By-law subject to any conditions the delegate sees fit to impose.
2. The power to attach any conditions that the delegate sees fit to a grant of permission issued under a By-law and to vary or revoke such conditions or impose new conditions by notice in writing to the person(s) to whom permission was granted.
3. The power to revoke or suspend a grant of permission that has been issued under a Council By-law by notice in writing to the person(s) to whom permission was granted.
4. The power to commence proceedings to prosecute an offence under a Council By-law.

SCHEDULE OF CONDITIONS

**CONDITIONS OR LIMITATIONS
APPLICABLE TO DELEGATIONS
CONTAINED IN THIS INSTRUMENT**

Paragraph(s) in instrument to which conditions/limitations apply	Conditions / Limitations
	Nil

ITEM	3.6.2
	RESOURCES AND GOVERNANCE COMMITTEE
DATE	19 March 2018
HEADING	Cessation of Negotiations on Kurna Indigenous Land Use Agreement (ILUA) - Local Government Association Update
AUTHOR	Julie Kalms, Community Planning Project Officer, Community Development
CITY PLAN LINKS	4.1 Strengthen partnerships that enable us to better address our community's priorities. 4.3 Have robust processes that support consistent service delivery and informed decision making.
SUMMARY	This report informs Council of advice received from the Local Government Association that negotiations on the Kurna Indigenous Land Use Agreement (ILUA) have ceased. It outlines the process for return and recommendations for use of outstanding monies paid by the City of Salisbury to support the ILUA negotiations

RECOMMENDATION

1. That this report be received and noted.
2. That the LGA be invoiced for the outstanding amount of \$11,965.72.
3. That the returned money be allocated to the Reconciliation Action Plan budget to support reconciliation outcomes within the City of Salisbury.

ATTACHMENTS

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

1. Letter from LGA advising of cease of Kurna ILUA negotiations

1. BACKGROUND

- 1.1 An Indigenous Land Use Agreement (ILUA) is a voluntary agreement between a native title group and others about the use of land and waters. These agreements allow people to negotiate flexible, pragmatic agreements to suit their particular circumstances. When registered with the National Native Title Tribunal, ILUAs bind all parties and all native title holders to the terms of the agreement.
- 1.2 In 2005, an ILUA began to be initiated between the Kurna Yerta Aboriginal Corporation and the Kurna Nation Cultural Heritage Association Incorporated and relevant councils. The Local Government Association assisted by helping to facilitate the development of a group to coordinate consideration of the ILUA, which was funded through financial contributions made from affected Councils.

- 1.3 The negotiation of the Kurna ILUA has been an extremely large and complex operation involving 28 of the 68 councils in South Australia, covering 83 per cent of the population of the state. These 28 councils are all the councils within the boundaries of the Kurna native title claim.
- 1.4 This report summarises a letter received from the LGA advising that the ILUA negotiations were unsuccessful and have now ceased.

2. CONSULTATION / COMMUNICATION

- 2.1 Internal
 - 2.1.1 N/A
- 2.2 External
 - 2.2.1 Local Government Association of South Australia

3. REPORT

- 3.1 The Local Government Association has written to Council to advise that, following protracted negotiations over approximately 10 years, regrettably the negotiations with the Kurna community on the establishment of an ILUA have ultimately been unsuccessful. A copy of the letter is attached to this report as attachment 1.
- 3.2 The Local Government Association's Local Government Leadership Group (LGLG) members, who have been negotiating on Council's behalf with Kurna, have considered legal advice and concluded that there does not appear to be an immediate resolution to negotiating this ILUA. As a result the ILUA negotiations have concluded. An outline of the circumstances that led to the conclusion of negotiations is contained within the letter from the Local Government Association (attachment 1).
- 3.3 Norman Waterhouse has been engaged by a number of Council's, including the City of Salisbury, to act on their behalf in relation to the native title claim made against the State. Advice has been received from Norman Waterhouse that the claim between the Kurna and the State has been finalised and that there are no parcels subject to a native title claim within the City of Salisbury.
- 3.4 Although the City of Salisbury has no native title claim there is still responsibility under the Aboriginal Heritage Act. Where Aboriginal Heritage matters are known or become known these should be dealt with on a case-by-case basis with the Recognised Aboriginal Representative Body (RARB). Confirmation on the RARB for the Kurna people is still being finalised.
- 3.5 Project funds remaining from the amount contributed by participating Councils will be returned to each Council upon receipt of an invoice, calculated as a proportion of the amounts originally paid. For the City of Salisbury this amount is \$11,965.72.
- 3.6 The LGLG recommends that Councils consider using the returned funds to assist in delivering their own reconciliation outcomes within their communities. For the City of Salisbury this would support the implementation of the Reconciliation Action Plan and associated activities.

4. CONCLUSION / PROPOSAL

- 4.1 This report summarises advice received from the Local Government Association that negotiations with the Kurna community for the establishment of an ILUA have been unsuccessful.
- 4.2 This report summarises advice received from Norman Waterhouse that there are no parcels subject to a native title claim within the City of Salisbury, however there is still responsibility under the Aboriginal Heritage Act.
- 4.3 Remaining project funds will be returned to councils and for the City of Salisbury this amount is \$11,965.72.
- 4.4 Local Government Leadership Group has respectfully suggested these funds are applied to assist reconciliation outcomes within the community. For the City of Salisbury this would support the implementation of the Reconciliation Action Plan and associated activities.

CO-ORDINATION

Officer: Executive Group
Date: 13/03/2018

In reply please quote our reference: ECM 657782 LB/AH

29 January 2018

Mayor Gillian Aldridge
City of Salisbury
PO Box 8
SALISBURY SA 5108

Dear Mayor Aldridge

Conclusion of Kurna Indigenous Land Use Agreement Negotiations

I am writing to formally advise you of the conclusion of negotiations relating to the Indigenous Land Use Agreement (ILUA) between the Kurna people and those South Australian councils within the area to be represented by the Agreement.

As you are aware, over the past 10 years, the Local Government Leadership Group (comprising eight councils) has been negotiating with the Kurna people on behalf of the councils involved. During this period Mr Tony Lawson was engaged to provide management and administrative services for this process and Finlaysons have provided legal advice. The Local Government Association (LGA) has acted as host for routine administration processes, such as financial receipts and payments.

Mr Lawson's final advisory note to participating councils (attached) provides further details and an outline of the circumstances that have led to the conclusion of the negotiations. The remaining project funds that have been contributed by participating councils will be returned to each council, calculated as a proportion of the amounts originally paid to the LGA.

The amount now payable to City of Salisbury is \$11,965.72 inclusive of GST. Please provide a tax invoice to the LGA at the below address to facilitate repayment of these funds.

I have attached a draft report that can be provided to your Council, which includes a discretionary recommendation that the returned funds be directed towards other council activities that support Aboriginal South Australians.

I appreciate that there will be a sense of disappointment among councils and I would like to thank you for your time and commitment to these efforts during the past 10 years.

Yours sincerely



Mayor Lorraine Rosenberg
President

Telephone: (08) 8224 2022
Email: lga-president@lga.sa.gov.au

Attach: ECM 657784 – Kurna LGA Newsletter, June 2017
ECM 652453 – Draft Council Report: Kurna ILUA / Local Government Association Update

LOCAL GOVERNMENT LEADERSHIP/NEGOTIATION GROUP
KAURNA CLAIM NEGOTIATIONS

ADVISORY TO PARTICIPATING COUNCILS

June 2017

The purpose of this Advisory is to bring Councils up to date with the latest developments in relation to the Kurna Native Title Indigenous Land Use Agreement (ILUA) negotiations.

Following protracted negotiations over approximately 10 years I regrettably inform you that negotiations with the Kurna community on the establishment of an Indigenous Land Use Agreement (ILUA) between the Kurna community and Local Government have been unsuccessful. This is most disappointing as we held a high level meeting with the Kurna in December 2016 (just prior to Christmas) and there was quite a positive feeling from the meeting that we may be able to finally reach agreement.

However, on 21 February 2017 our ILUA legal adviser (George McKenzie of Finlaysons) received a letter from Kurna's lawyer (Tim Campbell of Campbell Law) advising that they had been advised not to carry out any further work on the ILUA and that the matter is now closed. Campbell indicated that each party had received instructions which are at odds to negotiation of a final ILUA document. To this date we have not been advised of the matters and advice which are at odds. However, we did advise that given that all parties agreed to the agreement in 2013 we did not believe it was necessary or practical to amend the agreement and that given the passage of time we would have extreme difficulty in achieving full agreement from 25 Councils for any changes plus the logistical exercise of briefing all Councils on the changes would be very challenging. We also stated that Councils had been acting in good faith that agreement would be reached by contributing to the capacity building fund already.

The Local Government Leadership Group members who have been negotiating on your behalf with Kurna have considered this latest advice and have regrettably come to the conclusion that there does not appear to be any further point in trying to progress negotiations for the execution of the ILUA with the Kurna or Campbell Law.

Our legal adviser has sought advice from South Australian Native Title Services, the native title representative body for South Australia, who are the umbrella organisation acting for all Indigenous native title claimants, to ascertain whether there was anything they could do to support the negotiations. The advice has been in the negative.

Accordingly, a final decision will need to be made by the appropriate decision making bodies of the LGA and when this occurs, arrangements will need to be made to repay the funds Councils have deposited with the LGA to build the capacity building fund under the ILUA to undertake projects of mutual benefit. It is respectfully suggested that Councils apply these funds to assist in delivering their own Reconciliation Action Plans.

We would like to thank all Councils for their support and patience in seeking a satisfactory outcome for the positive negotiation of an LG/Kurna ILUA; a great opportunity which has been lost.

Tony Lawson
Native Title Adviser

Page 1 of 1

Draft

Draft Council Report: Kurna ILUA / Local Government Association Update**Recommendation****That the Council:**

- 1. notes the conclusion of local government's negotiations on an Indigenous Land Use Agreement (ILUA) with the Kurna people; and**
- 2. requests that any relevant funds to be returned by the LGA are directed towards other Council activities that support Aboriginal South Australians.**

Discussion*Background*

An Indigenous Land Use Agreement (ILUA) is a voluntary agreement between a native title group and others about the use of land and waters. These agreements allow people to negotiate flexible, pragmatic agreements to suit their particular circumstances. When registered with the National Native Title Tribunal, ILUAs bind all parties and all native title holders to the terms of the agreement. In 2005, an ILUA began to be initiated between the Kurna Yerta Aboriginal Corporation and the Kurna Nation Cultural Heritage Association Incorporated and relevant councils. The Local Government Association (LGA) assisted by helping to facilitate the development of a group to coordinate consideration of the ILUA.

The negotiation of the Kurna ILUA has been an extremely large and complex operation involving 28 of the 68 councils in South Australia, covering 83 per cent of the population of the state. These 28 councils are all the councils within the boundaries of the Kurna native title claim.

Local Government Leadership Group

Given the large number of participating councils it was necessary to streamline the negotiation process, with the LGA assisting by facilitating the development of a group to coordinate consideration of the ILUA. The Local Government Leadership Group (LGLG) was established in late 2006, with LGA Board endorsement.

ILUA Negotiations

Following protracted negotiations over approximately 10 years, regrettably the negotiations with the Kurna community on the establishment of an ILUA have ultimately been unsuccessful.

The *LGLG Advisory to Participating Councils, June 2017* (attached) provides further details and an outline of the circumstances that have led to the conclusion of the negotiations.

The LGLG members who have been negotiating on councils' behalf with Kurna have considered this latest advice and have come to the conclusion that there does not appear to be an immediate resolution in negotiating this ILUA. The LGLG has respectfully suggested that councils apply these funds to assist in delivering their own reconciliation outcomes within their communities.

The LGA is now seeking to repay the remaining funds councils have deposited with the LGA to build the capacity building fund. This will be done by way of Council invoicing the LGA for the amount of \$11,965.72.

ITEM	3.6.3
	RESOURCES AND GOVERNANCE COMMITTEE
DATE	19 March 2018
HEADING	Utilisation of Australian Steel in Construction Projects
AUTHOR	Matt Harris, Manager Strategic Procurement, Business Excellence
CITY PLAN LINKS	1.2 Be the place of choice for businesses to invest and grow within South Australia, nationally and internationally. 1.3 Have a thriving business sector that supports community wellbeing, is globally oriented and creates job opportunities. 2.1 Capture economic opportunities arising from sustainable management of natural environmental resources, changing climate, emerging policy direction and consumer demands.
SUMMARY	This report provides an update following the change to Council's procurement processes that considers the purchase of Australian steel for projects above a certain threshold.

RECOMMENDATION

1. Information be received and noted

ATTACHMENTS

There are no attachments to this report.

1. BACKGROUND

- 1.1 At the 24 October 2016 Council meeting, Council resolved the following:

A review of the Procurement Policy be conducted to investigate the implications of adopting an obligation for Council to use only Australian made steel, where there is an existing Australian made source, in all construction projects.

Resolution No. 1371/2016

- 1.2 As an outcome from the above resolution a report was considered at the Council meeting on the 23 January 2017, which resulted in the following

Where value for money can be demonstrated by Total Value of Ownership and Australian made steel is applicable and available for the goods, services and works for:

- a) *Contracts above \$1m that involve the purchase of significant amounts of structural and/or reinforcing steel; or*
- b) *Contracts above \$220,000 that involve significant fabrication of structural steelwork.*

The following shall apply:

- i) A minimum of 15% Australian steel industry participation weighting will form part of the overall evaluation criteria, this includes the Northern Economic Participation weighting; and*
- ii) Inclusion of relevant Australian Standards (or equivalent) into the Council's scopes, specifications and designs.*

Note: Contractors must be certified and comply with the relevant Australian Standards, and must be able to demonstrate compliance.

- 1.3 The endorsed position above (1.2) incorporates elements of the South Australian Steel Economic Participation Policy.

2. CONSULTATION / COMMUNICATION

2.1 Internal

2.1.1 Infrastructure Delivery

3. REPORT

- 3.1 Since adopting the recommendation into the Procurement Policy, one major construction project has met the abovementioned criteria, namely the construction of the Para Hills Community Hub.
- 3.2 The abovementioned requirements were considered and assessed as part of the selection criteria for the Para Hills Hub project.
- 3.3 During the Request for Tender (RFT) process and at the time of Contract Execution, the successful Contractor committed to supplying 85% of the Structural Steel and 100% of the Reinforcement from Australia.
- 3.4 Unfortunately during the construction phase the contractor was not able to source the required Australian steel due to inability to procure within the required project time frames.
- 3.5 Staff are currently in discussion with the contractor to assess the impact if any on project pricing.
- 3.6 Apart from the above situation the change to our procurement process as resolved by Council has not had any adverse impact and should continue to be applied where appropriate.
- 3.7 It is noted that projects that may fall below the spend thresholds are still assessed for their local content which not only includes materials but also labour.

4. CONCLUSION / PROPOSAL

- 4.1 Since the inclusion of Australian Steel into our procurement process there has only been one instance that provided the opportunity to assess the impact of procuring Australian Steel.
- 4.2 The circumstances that resulted in not achieving the preferred outcome was a result of issues outside the control of Council and therefore should not be seen as a failure of the process.

- 4.3 The use of Australian steel is still an important factor in procuring for large projects like the Para Hills and the Salisbury City Centre Community Hub and should continue to be used in procurement activities.

CO-ORDINATION

Officer: Executive Group
Date: 13/03/2018

ITEM	3.6.4
	RESOURCES AND GOVERNANCE COMMITTEE
DATE	19 March 2018
HEADING	2018 National General Assembly of Local Government - Call for Motions and Attendance at Assembly
AUTHOR	Michelle Woods, Projects Officer Governance, CEO and Governance
CITY PLAN LINKS	4.1 Strengthen partnerships that enable us to better address our community's priorities.
SUMMARY	The National General Assembly (NGA) of Local Government will take place in Canberra from 17 to 20 June 2018. Motions are being called for the NGA and close 30 March 2018.

RECOMMENDATION

That:

1. Council nominate an Elected Member to attend the 2018 National General Assembly of Local Government to be held in Canberra from 17 to 20 June 2018 as the City of Salisbury voting delegate.
2. Due to time constraints arising from the timing of the public release of motions to be considered at the NGA, Council's position on each motion be determined as follows:
 - The CEO and Mayor meet with the voting delegate and provide guidance on voting for NGA motions in the best interest of the City of Salisbury.
 - 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.

ATTACHMENTS

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

1. 2018 National General Assembly Program
2. Correspondence from the Australian Local Government Association CEO, Mr Adrian Wylie

1. BACKGROUND

- 1.1 The National General Assembly (NGA) of Local Government will be held 17 to 20 June 2018 at the National Convention Centre, Canberra. The theme for the 2018 NGA is 'Australia's Future: Make it Local' (program is attached).

- 1.2 The Australian Local Government Association Board has called for motions from Councils. They must be relevant to the work of local government nationally and must complement or build on the policy objectives of state and territory associations.
- 1.3 The deadline for submitting motions to the NGA is Friday 30 March 2018.

2. CONSULTATION / COMMUNICATION

2.1 Internal

- 2.1.1 Advice was provided to Elected Members via email on 7 March asking for registrations of interest for attendance at the NGA.
- 2.1.2 At the time of writing this report, no Elected Members had registered an interest in attending.

2.2 External

- 2.2.1 Nil.

3. REPORT

- 3.1 The Australian Local Government Association (ALGA) is the national peak advocacy body for local government. ALGA's work includes, but is not limited to the establishment of national policy and extensive liaison and lobbying with departments, Ministers and other parliamentarians at the Commonwealth level to achieve better outcomes for local councils.
- 3.2 The ALGA Board is comprised of delegates from each member association who refer matters of national relevance to the ALGA Board for consideration at regular Board meetings.
- 3.3 The 2018 National General Assembly (NGA) of Local Government, to be held in Canberra from 17 to 20 June is an opportunity for individual councils to identify matters of national relevance to the sector and for these matters to be considered by ALGA as national policy, for its advocacy role or for more immediate action by ALGA on behalf of the sector.

Submission of Motions for Debate

- 3.4 The ALGA Board is calling for motions for the NGA under the theme of 'Australia's Future: Make it Local'. The primary focus of all motions should be to strengthen the capacity of local government to provide services and infrastructure in Australia.
- 3.5 To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:
 - 3.5.1 Be relevant to the work of local government nationally;
 - 3.5.2 Be consistent with the themes of the NGA;
 - 3.5.3 Complement or build on the policy objectives of our state local government association;
 - 3.5.4 Be from a council which is a financial member of our state local government association;
 - 3.5.5 Propose a clear action and outcome; and

- 3.5.6 Not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.
- 3.6 Once all motions have been received, they are reviewed by the NGA Committee as well as by State and Territory Local Government Associations to determine their eligibility for inclusion in the NGA Business Papers. When reviewing motions, the Committee considers the importance and relevance of the issue to local government. It should be noted that motions should not be prescriptive in directing how the matter should be pursued. Any motion deemed to be primarily concerned with local or state issues will be referred to the relevant state/territory local government association, and will not be included in the Business Papers.
- 3.7 Motions that are accepted and placed on the Agenda for the NGA will be debated throughout the conference.

Attendance and Appointment of Voting Delegate

- 3.8 Elected Members were advised of the upcoming NGA via email on 7 March 2018 asking to register their interest in attending.
- 3.9 At the time of writing this report, no responses have been received.
- 3.10 Anticipated costs for an Elected Member to attend the NGA from 17 to 20 June 2018, are as follows:

Full Registration

Anticipated costs	Registration (early bird rego req by 4/5)	\$ 969.00	\$1,290 if after 4/5
	Regional Development Forum (Sun 17/6)	\$ 245.00	if registered for NGA
	Welcome Reception (Sun 17/6)	\$ -	included in full rego
	ALGWA Breakfast (Mon 18/6)	\$ 80.00	cost to be confirmed
	Networking Dinner (Mon 18/6)	\$ 100.00	
	General Assembly Dinner (Tues 19/6)	\$ 130.00	
	Return airfare	\$ 600.00	approx
	Accommodation x 3	\$ 750.00	approx
	Meals + incidentals	\$ 150.00	approx
	CabCharge vouchers		?
		\$ 3,024.00	approx

Day registrations are available for Monday and Tuesday at a cost of \$529 per day and if only attending the Wednesday, it would be at a cost of \$320.

Voting on Motions

- 3.11 This will only be applicable if an Elected Member will be attending the NGA.
- 3.12 Each Council is entitled to one voting delegate in the debating sessions. While it is not necessary for Council to advise the ALGA of the name of the voting delegate, it will be necessary for Council to appoint the voting delegate.

- 3.13 Based on the release of NGA Business papers last year, it is anticipated they will not be available until late May. This will not provide enough time for presentation of the motions to the 28/05/2018 Council meeting. The timing of the NGA also means that there is unlikely to be an opportunity to present the motions to the Resources and Governance Committee in June (Resources and Governance Committee meeting is scheduled for 18/06/2018) to enable Council to direct the voting delegate via that meeting.
- 3.14 There are three options available to Council in order to provide guidance to the voting delegate in relation to NGA motions:
- 3.14.1 The CEO and Mayor (and other relevant staff if required) could meet with the voting delegate and provide guidance on voting for NGA motions that is in the best interest of the City of Salisbury.
- 3.14.2 Council could authorise the voting delegate to review the NGA motions and determine voting for each motion in the best interest of the City of Salisbury. This would enable the voting delegate to also give consideration to information provided by other delegates during any debate on the motions. The voting delegate may wish to seek guidance from the CEO in relation to the motions if this is Council's preferred option.
- 3.14.3 Council could determine that a Special Council Meeting be convened following receipt of the NGA business papers to enable Council to direct the voting delegate in relation to voting for each motion.

4. CONCLUSION / PROPOSAL

- 4.1 Council is asked to determine if there are any issues that warrant a motion being submitted to the 2018 NGA of Local Government.
- 4.2 Council is also asked to nominate an Elected Member to attend the NGA, and represent the City of Salisbury.
- 4.3 The NGA motions are intended to provide the basis of policy setting and representations to the Federal Government for the ALGA Board on issues of national significance to Local Government. They are not motions that, if passed, become binding on the ALGA Board.
- 4.4 On that basis, it does not seem necessary for a Special Council meeting to be convened as there is no direct negative consequence from Council not specifying how the voting delegate must vote.
- 4.5 The two remaining options all have merit and would all result in a City of Salisbury vote being cast at the NGA.
- 4.6 For reference, last year Council resolved 'that the voting delegate provide a report to Council in relation to the votes cast on each item.'

CO-ORDINATION

Officer:	Exec Group	MG
Date:	13/03/2018	08/03/2018



- HOME (index.html) SPONSORSHIP & EXHIBITION (Exhibition.html)
- PROGRAM ▾ MOTIONS (Motions.html) REGISTRATIONS ▾

2018 NGA PROGRAM

Sunday 17 June 2018

- 8.00am Registration Opens
- 5.00pm **Service NSW Welcome Reception**
- 
- (<https://www.service.nsw.gov.au/>)

Monday 18 June 2018

- 8.00am Registration Opens
- 9.00am **Opening Ceremony**
- 9.20am ALGA President's Opening
- 9.30am **Government Address**
- The Hon Malcolm Turnbull MP, Prime Minister (invited)
- 10.00am **MORNING TEA**
- 10.30am **Keynote Address: The Australian Political Landscape**
- David Speers, Political Editor, SKY NEWS
- 11.00am **Keynote Address: The Case of Gender Diversity in Local Government**
- Virginia Haussegger, Australian Journalist, Media Commentator and Television Presenter

Tuesday 19 June 2018

- 8.00am Registration Opens
- 9.00am **Keynote Address: Population and the Policy Imperative**
- Bernard Salt, Author and Columnist
- 9.45am **Panel Session - Building Tomorrow's Communities: Livability**
- 10.30am **MORNING TEA**
- 11.00am Debate on Motions
- 12.30pm **LUNCH - Sponsored by BMW**
- 
- (<https://www.bmw.com.au/>)
- 1.30pm **Concurrent Sessions**
- Energy and climate Change
- Arts and Culture
- Digital Technology
- Recycling and Waste
- 3.00pm **AFTERNOON TEA**
- 3.30pm The Hon Bill Shorten MP, Leader of the Opposition
- 4.00pm Debate on Motions

https://www.conferenceco.com.au/ALGA_NGA/Program.html

7/03/2018

11.30am **Panel Session - Changing Political Culture**

5.00pm Close Day 2

12.30pm **LUNCH - Sponsored by JLT**

7.00pm **NGA DINNER, Australian Institute of Sport**



(<http://www.au.jlt.com/>)

1.30pm **Panel Session - Balancing Innovation and the Public Interest**

Wednesday 20 June 2018

9.00am **Setting ALGA's Election Priorities**

3.00pm **AFTERNOON TEA**

9.30am Panel of Mayors - Local Government and the Federal Election

3.30pm Debate on Motions
Stephen Jones MP, Shadow Minister for Shadow Minister for Regional Services, Territories and Local Government (invited)

10.30am **MORNING TEA**

11.00am Panel Session - How to Create Resilient Local Communities

5.00pm Close Day 1

12.30pm ALGA President's Close

7.00pm **NETWORKING DINNER, National Arboretum**

LUNCH



INNOVATIVE LIGHTING SOLUTIONS
(<https://greenfrogsystems.com.au/>)



AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION

7 March 2018

City of Salisbury
PO Box 8
SALISBURY SA 5108

To the Mayor, Councillors and CEO (please distribute accordingly)

The Australian Local Government Association is pleased to invite you and your Council colleagues to attend this year's National General Assembly of Local Government (NGA) in Canberra from 17 - 20 June.

This year's theme, *Australia's Future, Make it Local*, reflects not just the wide scope and importance of Local Government, but its ability to influence and effect fundamental change and improvement at the community level.

The 2018 theme also hints at the strong possibility of a federal election being called later this year or early next. That being the case, Local Government will need to be ready and able to speak up on behalf of our constituents.

ALGA has developed an exciting program for the 2018 National General Assembly of Local Government, which includes commentator and columnist Bernard Salt as a Keynote Speaker.

Mr Salt, a former partner at KPMG, has gained national prominence with his astute observations on demography, housing affordability and the evolution of consumer cultures.

With his unique ability to analyse data and turn that analysis into entertaining and informative commentary, Mr Salt's address promises to be insightful and relevant for everybody working in Local Government.

Communications specialist Virginia Haussegger will also be a Keynote Speaker at NGA18. A highly experienced journalist and newspaper columnist, Ms Haussegger is now the Director of the 50/50 by 2030 Foundation at the University of Canberra's Institute for Governance and Policy Analysis.

Her keynote address will canvass initiatives and strategies to increase gender diversity in Local Government – work with which she has been actively involved since 2016.

There is strong likelihood of a federal election being called this year, and David Speers – who is Political Editor at Sky News and another NGA18 Keynote Speaker – will provide delegates with an up-to-date reading of the political maneuverings on Capital Hill.

Prime Minister Malcolm Turnbull, Opposition Leader Bill Shorten and Federal Minister for Regional Development, Territories and Local Government John McVeigh are among the federal politicians who have been invited to NGA18, along with the Shadow Minister for Infrastructure, Transport, Cities and Regional Development Anthony Albanese, and Shadow Minister for Regional Services, Territories and Local Government Stephen Jones.

Enclosed is the NGA Registration Brochure which contains full details of the program, business agenda and associated events.

Please take time to note this year's Regional Forum agenda with the Minister for Regional Development, Territories and Local Government, The Hon Dr John McVeigh MP confirmed to speak at the Regional Forum. We also have confirmed two keynote presenters; Saul Eslake, Leading Australian Economist and Katherine O'Regan, Executive Director, Cities Leadership Institute.

The National General Assembly and the Regional Forum are key events which should not be missed. For those of you with a specific interest in transport, ALGA's 2018 National Local Roads and Transport Congress will take place in Alice Springs from 20-22 November.

We look forward to seeing you at this year's events.



Adrian Beresford Wylie
Chief Executive Officer

ITEM	3.6.5
	RESOURCES AND GOVERNANCE COMMITTEE
DATE	19 March 2018
PREV REFS	
HEADING	Review of Transfer of Cemetery Licences Policy
AUTHORS	Brian Gillies, Contracts and Project Officer, Community Development Joy Rowett, Governance Coordinator, CEO and Governance
CITY PLAN LINKS	4.4 To ensure informed and transparent decision-making that is accountable and legally compliant
SUMMARY	This report presents the Transfer of Cemetery Licences Policy to Council for consideration and endorsement. The Policy has been reviewed by the Policy Owner and only minor editorial changes are required.

RECOMMENDATION

1. The Information be received.
2. The Transfer of Cemetery Licences Policy as set out in Attachment 1 to this report (Resources and Governance Committee Item No.19/03/2018) be endorsed.

ATTACHMENTS

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

1. The Transfer of Cemetery Licences Policy

1. BACKGROUND

- 1.1 Council's Policy Framework provides for Council Policies to be reviewed within 12 months of a general election and thereafter every two years.
- 1.2 The Transfer of Cemetery Licences Policy, last reviewed in March 2016, is now due for review.

2. CONSULTATION / COMMUNICATION

- 2.1 Internal
 - 2.1.1 Contracts and Project Officer
- 2.2 External
 - 2.2.1 Nil

3. REPORT

- 3.1 The Transfer of Cemetery Licences Policy has been reviewed by the Policy Owner. Apart from minor editorial changes, including change of title of Responsible Officer, no changes of substance are required in the content of the Policy to ensure its continuing relevance.

4. CONCLUSION / PROPOSAL

- 4.1 The Transfer of Cemetery Licences as contained within Attachment 1 is recommended to Council for endorsement.

CO-ORDINATION

Officer: EXECUTIVE GROUP
Date: 13/03/2018



The Transfer of Cemetery Licences Policy

Policy Type:	Policy		
Approved By:	Council	Decision No:	1397, 2009/1633, 2011/327, 2013/1611, 2016/970
Approval Date:	29 March 2005	Most Recent Approval:	29 March 2016 26 March 2018
Review Date:	29 March 2018 March 2020	Internal Reference No.:	
Department:	Community Development	Division:	Business Supports
Function:	17 - Social Cultural and Community Services	Responsible Officer:	Manager, Business Support Contracts and Project Officer, Business Support

A - PREAMBLE

1. Cemetery licences have a commercial value. When a licence is transferred to another party, all of the rights that are applicable to that licence are also transferred. Current State Government legislation does not effectively address this matter, therefore the City of Salisbury has developed this Policy to set out its management of the transfer of Cemetery Licences.

B - SCOPE

1. This policy only applies to cemetery licences issued by the City of Salisbury for rights to Salisbury Memorial Park.

C – POLICY PURPOSE/OBJECTIVES

1. To clearly define a recognised lineage for the purpose of transferring a licence from one person to another person.
2. To adopt “best practice” as prescribed by the Cemeteries Association of South Australia, when transferring a cemetery licence.
3. To incorporate within the Regulations of Salisbury Memorial Park, section 8, ‘The conditions and transfer of licence.’

D - DEFINITIONS

1. **Entombment** – the disposition of the remains of a deceased person in a mausoleum or crypt, constructed for such purpose by Salisbury Memorial Park.
2. **Interment** – the disposition of the remains of a deceased person by burial in the earth.
3. **Inurnment** – the disposition of the cremated remains of a deceased person either by burial in the earth or by placement within a cremation space.
4. **Licencee** – any person in whose name a space is currently recorded in the records of Salisbury Memorial Park as the owner of the exclusive right to interment, inurnment or entombment.
5. **Memorial Plaque or Monument** – the type of plaque or memorial stone allowed by Salisbury Memorial Park to be placed on a space.

6. **Park**- the cemetery to which the Regulations relate.
7. **Space** – the space in which interments, inurnments or entombments may be made.

E - POLICY STATEMENT

1. The right and responsibility of a licence transfer resides with the licensee.
2. The rights granted to the licensee may be transferred upon the death or legal incapacity of the licensee to any one of the following people in descending order of entitlement:
 - a. The sole executor or administrator of the licensee
 - b. A joint executor or administrator (with the permission of all others) of the licensee
 - c. The spouse of the licensee (including a putative or common law spouse)
 - d. The eldest living and legally capable child of the licensee
 - e. The eldest living and legally capable grandchild of the licensee
 - f. The eldest living and legally capable sibling of the licensee
 - g. The eldest living and legally capable blood relative of the licensee
3. In the context of this Policy the City of Salisbury defines legally capable to be 18 years of age and over.
4. The substituted right may be devolved to one or more persons in succession in the event of the subsequent death or legal incapacity of such person.
5. The City of Salisbury may determine the criteria necessary to demonstrate the relationship and entitlement of a person claiming a substituted right and the City of Salisbury retains unfettered discretion to determine which person will be entitled to exercise the substituted rights in the event of a dispute between one or more persons.
6. A transfer can be affected at any time while the licence is current.
7. To affect a transfer, it is necessary to complete a Transfer of Right of Burial Declaration and provide the required documentation.
8. Licensees are responsible for advising the City of Salisbury of change of address.
9. Only the licensee has the right to relinquish the licence.
10. The licensee may relinquish the licence for a grave and/or cremation garden memorial anytime except where a grave contains a burial. Removal of buried remains requires the consent in writing of the Attorney-General.
11. The monument or plaque may be reclaimed by the licensee upon relinquishment, or will be disposed of at the City of Salisbury's discretion.
12. Any fee paid on the licence will not be refunded.
13. The City of Salisbury may extend, renew, relinquish or transfer the licence upon application.
14. The right to extend licences is perpetual and may be exercised in multiples of five (5) years. Fees are based on charges prevailing at the time of extensions.
15. Landscaping of grave and cremation memorial sites is not permitted (including placement of jars, bottles and potted plants) in accordance with Salisbury Memorial Park's Regulations.
16. Salisbury Memorial Park accepts no responsibility for the quality of metal or granite plaques supplied by the manufacturer.

F - LEGISLATION

1. The *Local Government Act 1999*
2. The *Local Government (Cemetery) Regulations 2010*

G - REFERENCES

1. Salisbury Memorial Park Regulations (revised 22 January 2010)
2. Salisbury Memorial Park Specifications (revised 23 June 2010)
3. Transfer of Licence Declaration.

H - ASSOCIATED PROCEDURES

Document Control

Document ID	Transfer of Cemetery Licences Policy
Prepared by	Brian Gillies
Release	56
Document Status	Endorsed Draft
Issue Date	