



AGENDA

COUNCIL

*meeting to be held on 23 July 2018 at 6:30 pm
in the Council Chamber, 12 James Street, Salisbury*

Elected Members

Mayor G Aldridge

Cr L Caruso (Deputy Mayor)

Cr D Balaza, Cr S Bedford, Cr B Brug, Cr D Bryant, Cr C Buchanan,
Cr G Caruso, Cr R Cook, Cr E Gill, Cr D Pilkington, Cr D Proleta,
Cr S Reardon, Cr G Reynolds, Cr S White, Cr J Woodman, Cr R Zahra

Apologies:

Leave of Absence: Nil

Prayer

Father in heaven

We thank you for the wondrous resources of our City, for its people, its environment and its sense of community. We thank you for the opportunity to now deliberate over how best to help our community. Please bless that we will respect one another and that we will all do our best to make decisions that will help our community to grow and prosper. Bless our efforts this day in God's name. Amen.

Kaurna Acknowledgement

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

ITEM 1: PUBLIC QUESTION TIME

ITEM 2: DEPUTATIONS

ITEM 3: PETITIONS

ITEM 4: CONFIRMATION OF MINUTES

25 June 2018 Council Minutes
25 June 2018 Confidential Council Minutes

ITEM 5: COMMITTEE REPORTS

5.1 Policy and Planning Committee – 16 July 2018

Cr D Pilkington (Chair)

Page 45

- 1.0.1 Future Reports for the Policy and Planning Committee
- 1.1.1 Community Wellbeing Strategy
- 1.1.2 Salisbury Sport and Recreation Network Review
- 1.3.1 Statutes Amendment (Decriminalisation of Sex Work) Bill 2018
- 1.5.1 The Paddocks Masterplan

5.2 Works and Services Committee – 16 July 2018

Cr G Reynolds (Chair)

Page 49

- 2.0.1 Future Reports for the Works and Services Committee
- 2.3.1 Outcome of the “YourTutor” Trial
- 2.5.1 Minutes of the Strategic Property Development Sub Committee Meeting held on Monday 9 July 2018
- 2.6.1 Capital Works Report – July 2018

** See Further Information Item 2.6.1FI*

Page 53

OB1 Installation of Slow Points on Daniel Avenue, Globe Derby

5.3 Resources and Governance Committee – 16 July 2018

Cr S Bedford (Chair)

Page 57

- 3.0.1 Future Reports for the Resources and Governance Committee
 - 3.5.1 Charges for Use of Council Owned Land for Business Purposes
 - 3.6.1 Land Disposal Policy Section 49 Local Government Act
 - 3.6.2 Review of the Respecting Community Diversity – Access and Equity Policy
 - 3.6.3 Media Policy Review
- * See Further Information Item 3.6.3FI*
- Page 61**
- 3.6.4 Annual Report on Internal Reviews of Council Decisions in the Year Ending 30 June 2018 under Section 270 of the Local Government Act 1999
 - 3.6.5 Summary of Elected Member Training and Development Expenditure and Outstanding Summary Reports

5.4 Audit Committee – 10 July 2018

Page 79

Cr G Reynolds (Chair)

- 4.0.1 Future Reports for the Audit Committee
- 4.0.2 Actions List
- 4.2.1 Bentley's Interim Report on Audit Findings
- 4.2.2 Annual Report 2017/2018 – Internal Controls Framework and Audit Committee Sections
- 4.2.3 Audit Committee Self-Assessment Questionnaire and Process
- 4.2.4 Internal Audit Plan
- 4.2.5 Update on the Risk Management and Internal Controls Activities for the 2017/2018 financial year and outstanding Internal Audit Actions; Schedule of Risk Management and Internal Controls Activities for the 2018/2019 financial year

5.5 Council Assessment Panel

Council notes the minutes of the Council Assessment Panel meeting held on 22 May 2018.

5.6 Budget and Finance Committee – 16 July 2018

Cr R Zahra (Chair)

Page 83

- 6.0.1 Future Reports for the Budget and Finance Committee
- 6.0.2 Minutes of the Innovation and Business Development Sub Committee meeting held on Monday 9 July 2018
- 6.1.1 Council Finance Report – June 2018
- 6.1.2 Certification of the 2018 Annual Financial Statements
- 6.6.1 Financial Hardship Policy and Procedure for Rating and Sundry Debtor Customers

5.7 Sport, Recreation and Grants Committee – 9 July 2018

Cr J Woodman (Chair)

Page 87

- 7.0.1 Future Reports for the Sport, Recreation and Grants Committee
- 7.0.2 Minor Capital Works Grant Program Applications Financial Process Recommendation
- 7.2.1 Youth Sponsorship Applications – June 2018
- 7.2.2 Community Grants Program Applications for July 2018
- 7.2.3 10/2018: The Mawson Lakes Football Club Inc. – Community Grants Program Application
- 7.2.4 12/2018: Association of Himalayan Buddhist of South Australia Inc. – Community Grants Program Application
- 7.2.5 14/2018: Supreme Football Group – Community Grants Program Application

5.8 CEO Review Committee – 17 July 2018

Mayor G Aldridge (Chair)

Page 91

- 8.0.1 Future Reports for the Audit Committee
- 8.1.2 CEO Personal Evaluation system 2017/2018
- 8.1.3 Annual Review of CEO Total Remuneration 2017/2018

ITEM 6:	GENERAL BUSINESS REPORTS	
6.1	Rate Capping Update	Page 95
6.2	2018 Aussie Era Salisbury Car Show	Page 167
ITEM 7:	MOTIONS ON NOTICE	Page 191
7.1	Motion on Notice – Basketball Court – Cascade Estate, Mawson Lakes Cr B Brug	
7.2	Motion on Notice – Parking in the Salisbury City Centre Cr C Buchanan	
ITEM 8:	MAYOR’S DIARY	Page 193
ITEM 9:	ELECTED MEMBER REPRESENTATION ACTIVITIES	
ITEM 10:	QUESTIONS WITHOUT NOTICE	
ITEM 11:	QUESTIONS ON NOTICE	Page 195
11.1	Question on Notice – Collaborative Policy for Community Houses Cr D Proleta	
11.2	Question on Notice – Wetlands Affected by Edinburgh Air Base Cr D Pilkington	
ITEM 12:	OTHER BUSINESS / MOTIONS WITHOUT NOTICE	Page 197

ITEM 13: CONFIDENTIAL ITEMS

13.1 Confidential Works and Services Committee – 16 July 2018
Cr G Reynolds (Chair) Page 197

2.9.1 Salisbury Bowling Club – Acquisition of Land

2.9.2 Minutes of the Confidential Strategic Property
Development Sub Committee meeting held on
Monday 9 July 2018

13.2 Confidential Audit Committee of Council – 10 July 2018
Cr G Reynolds (Chair) Page 198

4.4.1 Business Systems and Solutions Audit –
Cyber Security

13.3 Confidential Budget and Finance Committee – 16 July 2018
Cr R Zahra (Chair) Page 199

6.9.1 Update on Action on Rates Assessments
Outstanding Under Section 184 of the Local
Government Act 1999

CLOSE



John Harry
CHIEF EXECUTIVE OFFICER



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

25 JUNE 2018

MEMBERS PRESENT

Mayor G Aldridge
Cr L Caruso (Deputy Mayor)
Cr D Balaza
Cr B Brug
Cr D Bryant (*until 11.33 pm*)
Cr C Buchanan (*from 7.05 pm*)
Cr G Caruso
Cr E Gill
Cr D Pilkington
Cr D Proleta (*from 6.44 pm*)
Cr S Reardon
Cr G Reynolds
Cr S White
Cr J Woodman
Cr R Zahra

STAFF

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

The meeting commenced at 6.32 pm.

OPENING PRAYER AND WELCOME

The Mayor welcomed the members, staff and the gallery to the meeting.
The Chief Executive Officer read the Opening Prayer.
The Mayor read the Kaurna Acknowledgement.

APOLOGIES

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

LEAVE OF ABSENCE

Nil

ITEM 1: PUBLIC QUESTION TIME

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

ITEM 2: PRESENTATIONS / DEPUTATIONS

DEP1 Future of the Northern Business Breakfast (NBB) and support for Salisbury based small and medium businesses

Mr Colin Willington, incoming Vice President, Rotary Club of Salisbury addressed Council in relation to the future of the Northern Business Breakfast (NBB) and support for Salisbury based small and medium businesses.

DEP2 Aussie Era Salisbury Car Show

Cr D Proleta entered the meeting at 6.44 pm.

Cr D Balaza left the meeting at 06:59 pm.

Cr D Balaza returned to the meeting at 06:59 pm.

Cr D Bryant left the meeting at 06:59 pm.

Cr G Reynolds left the meeting at 07:02 pm.

Cr G Reynolds returned to the meeting at 07:02 pm.

Mr David Waylen, Executive Officer of the Salisbury Business Association Inc addressed Council in relation to reviewing a decision by Council staff in which a request to hold the Aussie Era Salisbury Car Show at Pitman Park was declined.

ITEM 3: PETITIONS

No Petitions were received.

ITEM 4: CONFIRMATION OF MINUTES

Moved Cr J Woodman
Seconded Cr R Zahra

The Minutes of the Council Meeting held on 28 May 2018, be taken as read and confirmed.

CARRIED
2526/2018

Moved Cr D Pilkington
Seconded Cr D Proleta

The Minutes of the Confidential Council Meeting held on 28 May 2018, be taken as read and confirmed.

CARRIED
2527/2018

Bring Forward Item 1.2.1 to this point on the Agenda

Moved Cr R Zahra
Seconded Cr S White

That Item 1.2.1 – Approach to Supporting Business Growth and Investment, be brought forward to this point on the agenda.

CARRIED
2528/2018

Cr D Bryant returned to the meeting at 07:05 pm.

Cr C Buchanan entered the meeting at 7.05 pm.

1.2.1 Approach to Supporting Business Growth and Investment

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

Cr E Gill declared a perceived conflict of interest on the basis of being a member of Salisbury Rotary. Cr Gill managed the conflict by remaining in the meeting and voting in the best interest of the businesses of Salisbury. Remained in the meeting.

Cr D Bryant declared a perceived conflict of interest on the basis of advertising his business in the Northern Business Breakfast Rotary Connector magazine and also the Polaris magazine, and having used their services in the past. Cr Bryant managed the conflict by remaining in the meeting and voting in the best interest of the community.

Cr J Woodman declared a perceived conflict of interest on the basis of being an honorary member of the Rotary Club of Salisbury.

Cr Woodman managed the conflict by remaining in the meeting to represent the best interests of the residents of Salisbury.

Moved Cr R Zahra

Seconded Cr G Reynolds

1. That the report be noted.
2. That it be noted that further individual reports will be provided for consideration in respect to:
 - a) Footpath Trading Policy to be considered by the Resources and Governance Committee on 18 June 2018.
 - b) Charging for Use of Council Land – a report and policy will be provided in Council in July 2018 for consideration.
 - (c) The Northern Business Breakfast.
3. That the Green Infrastructure Plan identify sites for landscaping of commercial precincts for consideration as part of the budget bid process for 2018/19 including development of precinct-based landscape standards.

**CARRIED
2529/2018**

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

Cr D Balaza voted FOR of the MOTION.

Cr E Gill voted FOR the MOTION.

Cr D Bryant voted FOR the MOTION.

Cr J Woodman voted IN FAVOUR of the MOTION.

ITEM 5: COMMITTEE REPORTS**ITEM 5.1 Sport Recreation and Grants Committee - Recommendations for Council Ratification**

Moved Cr J Woodman

Seconded Cr R Zahra

1. That Council adopt the recommendations of the Sport Recreation and Grants Committee meeting on 12 June 2018, contained in the report to Council (Item No. 5.1 on the agenda for the Council meeting held on 25 June 2018), and listed below:

Item 7.0.1 – Future Reports for the Sport, Recreation and Grants Committee

Item 7.0.2 – Community Event Sponsorship Program

Item 7.1.1 – Cross Keys BMX Club – Minor Capital Works Grant Program Application

Item 7.2.1 – Youth Sponsorship Applications – May 2018

Item 7.2.2 – Phoebe Wanganen Aboriginal And Torres Strait Islander Scholarship Program 2018

Item 7.2.3 – Community Grants Program Applications – May 2018

Item 7.2.4 – 11/2018: Mawson Lakes Cricket Club Inc. - Community Grants Program Application

**CARRIED
2530/2018**

ITEM 5.2 Policy and Planning Committee - Recommendations for Council Ratification

Cr S White left the meeting at 7:26 pm.

Cr S White returned to the meeting at 7:28 pm.

Moved Cr R Zahra

Seconded Cr S Reardon

1. That Council adopt the recommendations of the Policy and Planning Committee meeting on 18 June 2018, contained in the report to Council (Item No. 5.2 the agenda for the Council meeting held on 25 June 2018), and listed below, with the exception of Items 1.1.3, 1.1.4, 1.2.1, 1.3.2, 1.3.3 and 1.3.4 which will be considered separately.

Item 1.0.1 – Future Reports for the Policy and Planning Committee

Item 1.0.2 – Minutes of the Tourism and Visitor Sub Committee meeting held on Tuesday 12 June 2018

Item 1.1.1 – Minutes of the Youth Council Sub Committee meeting held on Tuesday 12 June 2018

Item 1.1.2 – Smartphone Charging Stations

Item 1.3.1 – Actions to Optimise Parking in the Urban Core Zone

CARRIED
2531/2018

1.1.3 Community Art Program

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

Moved Cr B Brug

Seconded Cr G Reynolds

1. Note the information contained in the report.
2. Endorse Option 2, where local artists would be contracted direct to undertake artwork, in addition to mentorship of aspiring artists.
3. Authorise staff to prepare a bid for inclusion in the 2018/19 Budget for \$50,000 per annum for three years to deliver a community and public art mural program including contracting artists direct, staff coordination and maintenance.
4. Note that a further report regarding the Public Art Framework will be brought back to Council in February 2019.

CARRIED
2532/2018

*The majority of members present voted IN FAVOUR of the MOTION.
Cr G Caruso DID NOT VOTE on the MOTION.*

1.1.4 Belgravia Fees and Charges

Cr L Caruso declared an actual conflict of interest on the basis of owning a par 3 golf course. Cr L Caruso left the meeting at 07:42 pm.

Moved Cr C Buchanan
Seconded Cr G Reynolds

1. That the information contained in the report is noted.
2. a. Council determine that the lowest rate for the 2017/18 fees for like services be applied as contained in Attachment 1, 2 and 3.
- b. The 2018/19 Budget be updated to reflect additional expenditure of \$70,938 to accommodate the change in 4.5.
- c. Note that future budgets may be impacted by the compounding effect of the 2018/19 fee structure proposed.

**CARRIED
2533/2018**

Cr L Caruso returned to the meeting at 07:47 pm.

1.3.2 National Airports Safeguarding Framework - Proposal for Public Safety Zones

Cr G Caruso declared a perceived conflict of interest on the basis of family members owning land within the DPA. Cr G Caruso left the meeting at 7:48 pm.

Cr L Caruso declared a perceived conflict of interest on the basis of being a resident of Diment Road, which is involved in the DPA. Cr L Caruso left the meeting 7.48 pm.

Cr G Reynolds declared a perceived conflict of interest on the basis of his employment. Cr G Reynolds left the meeting at 7:48 pm.

Moved Cr S White
Seconded Cr R Zahra

1. The information be received.
2. That the requirements for and implications of the proposed National Airports Safeguarding Framework Public Safety Zones be considered as part of Council's review of the current Rural (Aircraft Noise) Direk Industry and Residential Interface Development Plan Amendment (DPA) in conjunction with a review of the public consultation outcomes for the DPA.
3. That the Minister for Planning and the Department of Transport Infrastructure and Planning be advised that the proposed Planning and Design Code should include relevant airport related matters and the NASAF Guidelines and Department of Defence controls where considered appropriate, in recognition of the importance of aviation to the State economy, that it affects multiple communities and is not a single Council issue, and accordingly requires a standardised policy approach and leadership from the State

Government on these matters.

4. The General Manager City Development be delegated the authority to make a submission on the Draft Guideline – Managing the Risk in Public Safety Zones at the Ends of Runways, incorporating the commentary under paragraph 4.1 of the report to the 18 June 2018 Policy and Planning Committee meeting (Agenda item 1.3.2) summarised as relating to the following matters:
 - a. The need for NASAG to investigate land value impacts on existing land owners and businesses within the designated areas if Public Safety Zones are applied.
 - b. Recognition of the need for authorities (including Councils) to have access to relevant information and expertise, and the need for funding for modelling to understand the relevance to specific airports.
 - c. NASAG obtain legal advice regarding councils' potential legal liability.
 - d. How changing operations at airports are consulted on, managed and incorporated into the identified public safety zones.
 - e. Rights and triggers for Councils and Authorities to impose future restrictions on airports should the Public Safety Zones result in unreasonable impacts upon affected properties.
 - f. Clear and unambiguous information is relayed to the affected communities and businesses by the Federal authorities that this is a result of a Federal direction.
 - g. Recognition and acceptance by the Federal Government that compulsory acquisition, compensation and relocation is available to the affected property owners and occupiers from Federal funding, with an agreed framework of eligibility.
 - h. Recognition that a long term Council Development Plan Amendment has been significantly impacted as a result of this Guideline.
 - i. Recognition by the Federal Government, NASAG, and the State Planning Ministers that the incremental release of the various Guidelines, and regulations for the protection of airports have a significant incremental and increasing impact on the communities around airports, and are multiplied in the City of Salisbury due to the presence of two significant airports in the City.

CARRIED
2534/2018

Cr G Caruso returned to the meeting at 7:49 pm.

Cr G Reynolds returned to the meeting at 7:49 pm.

Cr L Caruso returned to the meeting at 7:49 pm.

1.3.3 Salisbury Community Hub - Signage and Wayfinding

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

Moved Cr G Reynolds

Seconded Cr L Caruso

1. That the information be received.
2. That Option A for the building name façade sign be endorsed.
3. That the Salisbury Community Hub Signage and Wayfinding “Look and Feel” provided as Attachment 1 (Item 1.3.3, Policy and Planning, 18/06/2018) be endorsed, incorporating the changes contained in Attachment 1 to the Further Information report 1.3.3FI, Council meeting 25/6/18.

**CARRIED
2535/2018**

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

Cr D Balaza voted IN FAVOUR of the MOTION.

1.3.4 RV Park at Pioneer Park

Cr D Balaza declared a material conflict of interest on the basis of being a member of the Salisbury Business Association. Cr D Balaza left the meeting at 7:49 pm.

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

Moved Cr R Zahra

Seconded Cr S Reardon

1. That the use of Pioneer Park for a RV Park or Non-commercial caravan park not be pursued further.
2. That the investigation of other sites for the use of an RV Park or Non-commercial caravan park not proceed, having consideration to existing and proposed Council RV facilities available at St Kilda, and commercial RV park and caravan park facilities available within the Council area.
3. That the CMCA be thanked for their proposal and advised of Council’s decision.
4. A further report be brought back to council if the Caravan Park and Motorhome industry undertake detailed investigation and feasibilities that identifies suitable alternative sites and operations models within northern Adelaide that may facilitate the development of a non-commercial RV/caravan park.
5. That Council investigate short term parking options for RV vehicles across the city.

**CARRIED
2536/2018**

Cr D Balaza returned to the meeting at 7:59 pm.

ITEM 5.3 Budget and Finance Committee - Recommendations for Council Ratification

Moved Cr S White

Seconded Cr J Woodman

1. That Council adopt the recommendations of the Budget and Finance Committee meeting on 4 June 2018, contained in the report to Council (Item No. 5.3 on the agenda for the Council meeting held on 25 June 2018), and listed below:

Item 6.0.1 – Future Reports for the Budget and Finance Committee

Item 6.4.1 - Annual Plan Public Consultation Report

Item 6.6.1 – Budget Update

Item 6.6.2 – Rating Strategy 2018/19

Item 6.6.3 – Globe Derby Community Club 2018/19 Separate Rates

Item 6.7.1 – Salisbury Memorial Park General Reserve Surplus Income

**CARRIED
2537/2018**

ITEM 5.4 Resources and Governance Committee - Recommendations for Council Ratification

The Mayor sought declarations of any perceived conflicts of interest in any items recommended by the Resources and Governance Committee.

Cr D Balaza declared a perceived conflict of interest on Item 3.3.2 – Footpath Trading Policy Review - on the basis of being a member of the Salisbury Business Association. Cr Balaza managed the conflict by remaining in the meeting and voting in the best interest of the community.

Moved Cr G Caruso

Seconded Cr B Brug

1. That Council adopt the recommendations of the Resources and Governance Committee meeting on 18 June 2018, contained in the report to Council (Item No. 5.4 on the agenda for the Council meeting held on 25 June 2018), and listed below, with the exception of Items 3.0.2 and 3.4.1 which will be considered separately.

Item 3.0.1 – Future Reports for the Resources and Governance Committee

Item 3.3.1 – Update on Expanding Narrow Street Parking Procedures to all Council Verges

Item 3.3.2 – Footpath Trading Policy Review

Item 3.6.1 – Review of Caretaker Policy

Item 3.6.2 – Review of Safe Environment Policy

**CARRIED
2538/2018**

3.0.2 Website Publication of Audio Recordings of Council and Standing Committee Meetings

Moved Cr D Pilkington

Seconded Cr B Brug

That:

1. At such time that the audio recording quality becomes acceptable, then audio recordings of the public component for all Council and Standing Committee meetings be uploaded and be available on the City of Salisbury website.
2. The reference to “RECORDING OF MEETINGS” in Council’s Code of Practice for Meeting Procedures be modified to read as follows:

“S.REC RECORDING OF MEETINGS/PUBLICATION OF AUDIO

1. *Public meetings of Council and Council Standing Committees will be recorded for the following purposes:*
 - *to assist the Minute Secretary with the preparation of the minutes following the meeting, and*

-
- *to ‘upload’ the audio to the Council website in pursuit of objectives of enhanced transparency and accountability in local government.*
2. *All recordings of public meetings will be available on the City of Salisbury website for a period of 12 months following the meeting and will, thereafter, be retained within the City of Salisbury record keeping system in accordance with the requirements of the State Records Act 1997 with the retention period as determined by the General Disposal Schedule 20.*
 3. *The City of Salisbury will display notices at all meetings in areas where the public are entitled to attend, advising of the fact that the public component of the meeting is being recorded and, in accordance with these provisions, that the audio recording will, subsequently, be ‘uploaded’ to the City of Salisbury website and, thereafter, be retained in accordance with its record keeping system.*
 4. *Any person who is not an elected or staff member of the City of Salisbury and who appears at a Council or Standing Committee meeting to address the Council or the Committee in public session, whether as a deputation or otherwise, will be expressly advised by the presiding member of the meeting that the meeting is being recorded and that the audio recording will, subsequently, be ‘uploaded’ to the City of Salisbury website and, thereafter, be retained in accordance with its record keeping system.*
 5. *In ‘publishing’ the audio recording of public meetings of the Council and Standing Committees by ‘uploading’ to the City of Salisbury website, the Council will ensure that any content which captures ‘personal information’ (as understood for the purposes of the Commonwealth Privacy Act 1988) of any person that is not an elected or staff member of the City of Salisbury is appropriately redacted from the recording.”*
3. *The Council’s privacy policy be amended to recognize and document exemptions that ensure that not every word recorded is ‘published’ in the uploading of audio recordings of Council and Standing Committee meetings, as discussed paragraphs 2.9 and 2.10 of the report to Item no. 3.0.2 on the agenda for the Resources and Governance Committee meeting on 18 June 2018.*

**CARRIED
2539/2018**

3.4.1 Nominations Sought for SA Country Arts Trust

Moved Cr L Caruso
Seconded Cr C Buchanan

1. Cr D Balaza be nominated for the South Australian Country Arts Trust.

*Cr D Balaza then declared a material conflict of interest on the basis of being nominated for the position which has a monetary gain.
Cr D Balaza left the meeting at 8:24 pm.*

**CARRIED
2540/2018**

Cr D Balaza returned to the meeting at 8:25 pm.

ITEM 5.5 Works and Services - Committee Resolutions for Council Ratification

The Mayor sought declarations of any perceived conflicts of interest on any items recommended by the Works and Services Committee.

Cr G Caruso declared a perceived conflict of interest on Item 2.5.1 – Grant of Easement to SA Power Networks – Portion of Liberator Drive Reserve, Paralowie, on the basis of his employment. Cr G Caruso managed the conflict by remaining in the meeting and not voting on the item.

Moved Cr S Reardon

Seconded Cr B Brug

1. That Council adopt the recommendations of the Works and Services Committee meeting on 18 June 2018, contained in the report to Council (Item No. 5.5 on the agenda for the Council meeting held on 25 June 2018), and listed below, with the exception of Items 2.5.1 and 2.8.1 which will be considered separately:

Item 2.0.1 – Future Reports for the Works and Services Committee

Item 2.4.1 – Automated 24 Hour Public Toilets

Item 2.5.1 – Grant of Easement to SA Power Networks – Portion of Liberator Drive Reserve, Paralowie

Item 2.6.1 – Greater Edinburgh Parks Interim Drainage

Item 2.6.2 – Capital Works Report - June 2018

**CARRIED
2541/2018**

2.8.1 Provision of General Waste and Green Bins

Cr D Balaza declared a perceived conflict of interest on the basis of being a member of the NAWMA Board. Cr Balaza managed the conflict by remaining in the meeting and not voting on the item.

Cr G Reynolds declared a perceived conflict of interest on the basis of being a deputy member of the NAWMA Board. Cr Reynolds managed the conflict by remaining in the meeting and not voting on the item.

Cr E Gill declared a perceived conflict of interest on the basis of being a deputy member of the NAWMA Board. Cr Gill managed the conflict by remaining in the meeting and voting on the item.

Cr J Woodman declared a perceived conflict of interest on the basis of being a member of the NAWMA Board. Cr Woodman managed the conflict by remaining in the meeting and not voting on the item.

Moved Cr C Buchanan

Seconded Cr B Brug

1. That the information be received.
2. The current arrangements of an annual fee for service for general waste bin upgrades continue with a new criteria to be developed for concession holders for a once-off fee effective 1 July 2018.
3. This amendment be included in the second quarter budget review as may be required.
4. The provision of green waste bins be considered in accordance with NAWMA's transformational waste strategy in 2018/19.
5. The fees and charges be updated to reflect this resolution.

**CARRIED
2542/2018**

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

Cr D Balaza DID NOT VOTE on the MOTION.

Cr G Reynolds DID NOT VOTE on the MOTION.

Cr E Gill voted AGAINST the MOTION.

Cr J Woodman DID NOT VOTE on the MOTION.

BREAK

In accordance with the Code of Practice for Meeting Procedures, the presiding member provided a break to all present. The meeting was suspended at 8.47 pm.

The meeting reconvened at 8.57 pm.

GENERAL BUSINESS

GB1 Budget Status Report

Cr C Buchanan left the meeting at 9:00 pm.

Cr C Buchanan returned to the meeting at 9:02 pm.

Moved Cr G Caruso

Seconded Cr G Reynolds

1. The Consolidated Budget (direct cost) in Attachment 1 (Item No. GB1, Council, 25/06/2018) be noted, which reflects all budget decisions excluding the Community Arts Program late bid (considered in recommendation 6 below) and Belgravia fees adjustment (considered in Item “Adoption of Annual Plan, Budget and Declaration of Rates”).
2. The Four Year Capital Works Program in Attachment 4 (Item No. GB1, Council, 25/06/2018) be endorsed.
3. The Plant, Furniture and Equipment Budget Bids in Attachment 5 (Item No. GB1, Council, 25/06/2018) be endorsed.
4. The Information Technology Budget Bids in Attachment 6 (Item No. GB1, Council, 25/06/2018) be endorsed.
5. The Operating Budget Bids in Attachment 7 (Item No. GB1, Council, 25/06/2018) be endorsed.
6. The Budget Bid for Community Arts Program be included in the 2018/19 Budget, and financials adjusted accordingly, including the increase in Cash Advance Debenture draw down of a further \$50,000 which is offset by cash reserves with no new borrowings required.

CARRIED
2543/2018

GB2 Adoption of Annual Plan, Budget and Declaration of Rates

Moved Cr G Caruso
Seconded Cr L Caruso

a. Adoption of Annual Plan

The 2018/19 Draft Annual Plan used for the purposes of public consultation be adopted as the 2018/19 Annual Plan after adjusting for changes resolved by Council subsequent to the adoption of the draft annual plan on 23 April 2018 and incorporation of any other minor editorial changes or presentation improvements.

b. Approval of Estimates of Expenditure

The Estimates of Expenditure for the 2018/2019 financial year as they are prepared by the Council of the City of Salisbury and contained in Council Budget Summary – Direct Cost (Appendix 1, Item No GB2, Council Meeting 25/06/2018) which provide for an expenditure of a total of \$162,812,117 (including Community Arts Program & Belgravia Fee Adjustment), and Loan Principal Repayments of \$2,141,752 are hereby approved by the Council.

c. Adoption of the Budgeted Financial Statements

The following budgeted financial statements be adopted:

- Budgeted Statement of Comprehensive Income depicted in Attachment 1 (Item No. GB2, Council Meeting 25/06/2018)
- Budgeted Statement of Financial Position depicted in Attachment 2 (Item No. GB2, Council Meeting 25/06/2018)

and staff be authorised to update these statements to reflect the decisions of Council in relation to other parts of this recommendation, and decisions made in relation to separate rate declarations and the endorsement of Budget Bids.

d. Adoption of Valuation

The Council for the 2018/2019 financial year adopt the Valuer General's Assessment of Capital Values of all rateable land constituting the area of the Council totalling \$21,814,344,360 which represents the sum of all separately owned and/or occupied rateable land set forth in the Assessment Record of the Council for the 2018/2019 financial year, and specifies the 25th day of June 2018 as the day upon which such adoption of such Valuations shall become the Valuations of the Council.

e. Minimum Rate

Council has determined that the said sum of **\$987** shall be the minimum amount payable by way of general rates for the 2018/2019 financial year.

f. Declaration of Rate

The Council, for the financial year ending on 30 June 2019, having

- Adopted the Annual Plan
- Adopted estimates of expenditure of \$162,812,117 (including Community Arts Program & Belgravia Fee Adjustment, for the 2018/2019 financial year, AND
- Adopted Budgeted Financial Statements as depicted in Attachments 1 and 2 (Item No. GB2, Council Meeting 25/06/2018)
- Adopted its Valuation Assessments of \$21,814,344,360 for such year, AND
- Fixed a Minimum Amount Payable by way of Rates of **\$987**.

The Council declares Differential General Rates on land within its area for the financial year ending 30 June, 2019 which rates vary by reference to the use of the land as follows:

- (a) In respect of rateable land which is used for "Commercial – Shop", "Commercial – Office", "Commercial – Other", "Industrial - Light", "Industrial – Other", "Marina Berth" land uses a Differential General Rate of **0.6419** cents in the dollar for the assessed capital value of such land.
- (b) In respect of rateable land which has a "Vacant Land" land use a Differential General Rate of **0.5569** cents in the dollar for the assessed capital value of such land.
- (c) In respect of all other rateable land in the area used for purposes other than as stated in paragraph (a) and (b), a Differential General Rate of **0.4284** cents in the dollar on the assessed capital value of such land.

g. Rebate to Cap Rate Increase – General

The Council has determined that it will fix a maximum increase in the general rate to be charged on rateable land that constitutes the principal ratepayers principal place of residence where the principal ratepayer is a natural person, to cap any increase in general rates levied to 12.5% of that paid in the previous financial year, where that increase is as a result of significant valuation movements but not as a result of:

- improvements made to the property, or
- a change to the land use or zoning of the property, or
- a change in ownership of the rateable property, or
- a correction to the previously undervalued property by the Valuer General.

h. Additional Supporting Financial Statements

The following additional supporting financial statements be adopted:

- Budget Summary – Direct Cost depicted in Attachment 3 (Item No. GB2 Council Meeting 25/06/2018)
- Budgeted Statement of Cash Flows depicted in Attachment 4 (Item No. GB2, Council Meeting 25/06/2018)
- Budgeted Statement of Changes in Equity in Attachment 5 (Item No. GB2, Council Meeting 25/06/2018)
- Budgeted Uniform Presentation of Finances in Attachment 6 (Item No. GB2, Council Meeting 25/06/2018)
- Budgeted Financial Indicators in Attachment 7 (Item No. GB2, Council Meeting 25/06/2018)
- Budget Summary – Full Cost Attribution in Attachment 8 (Item No. GB2, Council Meeting 25/06/2017)

and staff be authorised to update these statements to reflect the decisions of Council in relation to other parts of this recommendation, and decisions made in relation to separate rate declarations and the endorsement of Budget Bids.

**CARRIED
2544/2018**

GB3 Declaration of Globe Derby Community Club Separate Rate

Moved Cr D Proleta

Seconded Cr C Buchanan

1. For the purposes of raising revenue for the activity of the maintenance of the Land and management of the facilities on the Land, being Lot 65 in deposited plan no. 9832, and in exercise of the power contained in section 154 of the *Local Government Act 1999*, a separate rate of \$100 for each share of Common Land (Lot 65 in deposited plan no. 9832) being

- 1 share for each allotment numbered Lots 1-23 & Lots 26-32 of DP9830,
- 1 share for each allotment numbered Lots 50-51 DP18972,
- 1 share for each allotment numbered Lots 33-34 & Lots 38-64 of DP9831,
- 1 share for allotment numbered lot 2 of FP14624, and
- 1 share in total for Lots 1 on FP14624 and 37 on DP9831 combined

of portion of section 3070 of Hundred Port Adelaide (laid out as Bolivar) is declared for the year ending 30 June 2019.

**CARRIED
2545/2018**

GB4 Declaration of Salisbury Business Association Separate Rate

Cr D Balaza declared a material conflict of interest on the basis of being a member of the Salisbury Business Association. Cr D Balaza left the meeting at 9:07 pm.

Moved Cr C Buchanan
Seconded Cr S White

1. The request by the Salisbury Business Association for Council to raise a differential separate rate in the area delineated in the map attached to this report, in order to promote and enhance business viability, profitability, and trade commerce and industry for that area, be supported.
2. Pursuant to Section 154 of the *Local Government Act 1999*, a differential separate rate of 0.066116 cents in the dollar of the Capital Value of rateable land in that area with a land use classified as Commercial Shop, Commercial Office and Commercial Other, be declared on that land for the year ending 30 June 2019.
3. Funds raised by way of the separate rate be paid to the Association in one or more instalments, and the activities of the Association be periodically reviewed to ensure that the funds are used for the intended purposes of generally promoting, marketing and improving the image of the Salisbury City Centre.
4. The Salisbury Business Association be supported to keep its member database up to date through the provision of assessment record details of those properties subject to the separate rate at the time of generating the first quarter rates notice at no charge to the Association, and periodically throughout the year as may be requested by the Association.

CARRIED
2546/2018

GB5 Declaration of the Adelaide and Mount Lofty Ranges Natural Resources Management (NRM) Board Separate Rate

Cr D Balaza returned to the meeting at 09:24 pm.

Moved Cr G Caruso
Seconded Cr J Woodman

1. Pursuant to Section 95 of the *Natural Resources Management Act 2004* and Section 154 of the *Local Government Act 1999*, Council, in order to reimburse to the Council the amount contributed to the Adelaide and Mount Lofty Ranges Natural Resources Management Board levy of \$2,014,099, declares for the year ending 30 June 2019 a separate rate of 0.009790 cents in the dollar on the capital valuation of all rateable properties within the area of the City of Salisbury.

CARRIED
2547/2018

GB6 Nominations Sought for the South Australian Boating Facility Advisory Committee

Moved Cr C Buchanan
Seconded Cr S Reardon

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

Cr S White then declared a conflict of interest on the basis of being nominated to the position which has a monetary gain. Cr S White left the meeting at 9:31 pm.

**CARRIED
2548/2018**

Cr S White returned to the meeting at 09:32 pm.

MOTIONS ON NOTICE

MON1 Eradicating Graffiti and Improving Storefronts

Cr B Brug indicated that he would not move the Motion, being satisfied with the Administration comment provided in the Agenda papers to his proposed Motion.

MON2 Mawson Lakes Carp Fishing Competition

Cr D Balaza declared a perceived conflict of interest on the basis of his employment. Cr Balaza managed the conflict by remaining in the meeting and voting in the best interest of the community.

Moved Cr B Brug
Seconded Cr C Buchanan

1. Staff provide a report in July into options and costs to run a carp fishing competition in Mawson Lakes in Spring 2018.

With leave of the meeting and consent of the seconder Cr B Brug
VARIED the MOTION as follows.

1. Staff provide a report in August 2018 into options and costs to run a carp fishing competition in Mawson Lakes in April 2019.

**CARRIED
2549/2018**

MON3 Mawson Lakes Crime

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

Moved Cr B Brug

Seconded Cr S White

1. That City of Salisbury note a public meeting was held and attended by residents, the Mayor, Councillor Beau Brug, a representative of the local State Member of Parliament Michael Brown and South Australia Police (SAPOL).
2. That City of Salisbury note instances of crime and a lack of CCTV cameras in Mawson Lakes, where properties border Parafield Airport and the DPTI train line.
3. That City of Salisbury staff report and implement initiatives to improve the safety and security of residents within Mawson Lakes.
4. That City of Salisbury work with Parafield Airport, SAPOL, State and Federal Governments where necessary.
5. That City of Salisbury explore and apply for any available grant funding from State and Federal Governments to support these initiatives, such as but not limited to CCTV camera funding.

With leave of the meeting and consent of the seconder Cr B Brug VARIED the MOTION as follows:

1. That City of Salisbury note a public meeting was held and attended by residents, the Mayor, Councillor Beau Brug, a representative of the local State Member of Parliament Michael Brown and South Australia Police (SAPOL).
2. That Council note instances of crime and a lack of CCTV cameras in Mawson Lakes, where properties border Parafield Airport and the DPTI train line, and other areas of Salisbury.
3. That staff report and implement initiatives to improve the safety and security of residents within the City of Salisbury.
4. That City of Salisbury work with Parafield Airport, SAPOL, State and Federal Governments where necessary.
5. That City of Salisbury explore and apply for any available grant funding from State and Federal Governments to support these initiatives, such as but not limited to CCTV camera funding.

LOST

*A **DIVISION** was requested by Cr Brug and the following members responded to the Mayor's call as having voted in favour of the **MOTION**:*

Crs L Caruso, D Balaza, B Brug, C Buchanan, S White and R Zahra

*The following members responded to the Mayor's call as having voted against the **MOTION**:*

Crs D Bryant, G Caruso, E Gill, D Pilkington, D Proleta, S Reardon, G Reynolds and J Woodman

*The Mayor declared the **MOTION** was **LOST***

MON4 Withdrawal from Rate Capping Campaign

Cr C Buchanan sought leave of the meeting to speak for a further five minutes and leave was granted.

Cr G Caruso declared a perceived conflict of interest on the basis of being a member of the Australian Services Union who are public opposed to rate capping. Cr G Caruso managed the conflict by remaining in the meeting and voting in the best interest of the community.

Cr D Bryant left the meeting at 10:38 pm.

Cr D Bryant returned to the meeting at 10:40 pm.

Moved Cr D Pilkington

Seconded Cr D Bryant

1. That the Salisbury Council withdraws its support for the LGA campaign against rate capping for local government.

LOST

BREAK

In accordance with the Code of Practice for Meeting Procedures, the presiding member provided a break to all present. The meeting was suspended at 10.50 pm.

The meeting reconvened at 11.00 pm.

MON5 Opposition to the Statutes Amendment (Decriminalisation of Sex Work) Bill 2018

Cr G Reynolds entered the meeting at 11.03 pm.

Moved Cr B Brug

Seconded Cr S White

1. Council oppose the Statutes Amendment (Decriminalisation of Sex Work) Bill 2018, currently before the South Australian Parliament.
2. The Mayor, on behalf of Council, write to all Members of the House of Assembly and Legislative Council informing them of Council's decision to oppose the Bill.

With leave of the meeting and consent of the seconder Cr B Brug
VARIED the MOTION as follows:

1. Council oppose the Statutes Amendment (Decriminalisation of Sex Work) Bill 2018, in its current form, currently before the South Australian Parliament.
2. The Mayor, on behalf of Council, write to all Members of the House of Assembly and Legislative Council informing them of Council's decision to oppose the Bill.

With leave of the meeting and consent of the seconder Cr B Brug
VARIED the MOTION as follows:

1. That a report be brought forward providing advice to Council about the Statutes Amendment (Decriminalisation of Sex Work) Bill 2018, in its current form, currently before the South Australian Parliament.

**CARRIED
2550/2018**

MON6 Shop Trading Hours

Cr D Bryant declared a perceived conflict of interest on the basis of being a member of Northern Economic Leaders. Cr D Bryant left the meeting at 11:33 pm and did not return.

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

Moved Cr B Brug

Seconded Cr C Buchanan

1. That City of Salisbury Council on behalf of its small businesses formally oppose shopping hours deregulation in SA and as such write to all State MPs advising them of this decision and to request that oppose deregulation.
2. That City of Salisbury Council write to the Salisbury Business Association seeking their support opposing deregulation of shop trading hours.

FORMAL MOTION:

Cr D Proleta moved a FORMAL MOTION that the MOTION be PUT.

CARRIED

*A **DIVISION** was requested by Cr C Buchanan and the following members responded to the Mayor's call as having voted in favour of the **MOTION** that the **MOTION** be **PUT**:*

Crs L Caruso, G Caruso, E Gill, D Pilkington, D Proleta and S White

*The following members responded to the Mayor's call as having voted against the **MOTION**:*

Crs B Brug, C Buchanan, S Reardon, G Reynolds, J Woodman and R Zahra

*The MAYOR declared the **MOTION** was **TIED***

*The Mayor exercised her casting vote and declared the **MOTION** that the **MOTION** be **PUT** was **CARRIED**.*

The MOTION on being PUT was

LOST

*A **DIVISION** was requested by Cr C Buchanan and the following members responded to the Mayor's call as having voted in favour of the **MOTION**:*

Crs B Brug, C Buchanan and R Zahra

*The following members responded to the Mayor's call as having voted against the **MOTION**:*

Crs L Caruso, G Caruso, E Gill, D Pilkington, D Proleta, S Reardon, G Reynolds, S White and J Woodman

*The MAYOR declared the **MOTION** was **LOST***

MON6 Further Motion: Shop Trading Hours

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

Moved Cr C Buchanan
Seconded Cr D Proleta

The City of Salisbury write to the Salisbury Business Association asking their position on the Government's proposed deregulation of shop trading hours.

**CARRIED
2551/2018**

*The majority of members present voted IN FAVOUR of the MOTION.
Cr D Balaza DID NOT VOTE on the MOTION.*

MON7 Congratulations to Mayor - Queen's Birthday Honours Awards

Moved Cr C Buchanan
Seconded Cr D Balaza

1. That Council publicly acknowledges and congratulates Mayor Gillian Aldridge on receiving a Medal of the Order of Australia in recognition of her service and hard work for the Salisbury community.

**CARRIED
2552/2018**

Cr C Buchanan left the meeting at 11.58 pm, Monday 25 June 2018.

MAYOR'S DIARY

MD1 Mayor's Diary

Moved Cr R Zahra
Seconded Cr G Reynolds

1. That this information be noted.

**CARRIED
2553/2018**

Cr C Buchanan returned to the meeting at 12.00 am, Tuesday 26 June 2018.

ELECTED MEMBER REPRESENTATION ACTIVITIES

Cr S Reardon:

05/06/18	Board NHWV meeting City
07/06/18	Meet with resident - Gulfview Heights
09/06/18	Meet with Local sport club committee
11/06/18	Volunteers Day function
14/06/18	JP sign documents for resident
16/06/18	Paddocks Community Celebration Event
18/06/18	Remembrance Day Workshop - RSL
18/06/18	Public Hearing
18/06/18	Council standing committees
20/06/18	Para Hills High School Governing Council Meeting
22/06/18	State Bushfire Coordination Committee – LGA rep

Cr E Gill:

- Numbers of meals served at Jack Young Centre have dropped off slightly but have picked up at Para Hills.
- Australian Local Government Association - Gender Equity meeting announced that there will be a national award next year in the name of Susan Grace Benney, the first elected female in any level of Government in Australia
- Have been working with a group which included Cr J Woodman and Mayor G Aldridge, holding eight sessions across the state encouraging women to run for local government. Well over 100 women attended these groups.

Cr S White:

- Attended the John Harvey commemoration service on Friday 22 June 2018

Cr D Balaza:

- Salisbury Park Primary School Governing Council meeting – children will be making and providing the gifts to take to Mobarra

Cr J Woodman:

- Multicultural Refugee morning in Salisbury, followed by the Citizenship Ceremony on Wednesday 20 June 2018

Cr G Reynolds:

- Purchased some Twelve25 artwork which will be taken to Mobarra as gifts

QUESTIONS WITHOUT NOTICE

QWON1 Collaborative Policy for Community Houses

Cr D Proleta asked a question in relation to:

Is anything being done toward the collaborative policy for the community houses which should have been done by the end of the financial year, and how long since it has been looked at, and have any meetings been organised with the community centres, and when will this policy be brought up to date?

The General Manager Community Development took the question on notice

QWON2 Wetlands Affected by Edinburgh Air Base

Cr D Pilkington asked a question in relation to whether anything had been looked at to divert the water before it gets into the contaminated area for capture and storage to the east of the airport?

The General Manager City Infrastructure took the question on notice.

QWON3 Elected Members Training Workshop – Clash with Mobara Event

Cr D Pilkington asked a question in relation to the Mobara event clashing with the Elected Member training workshop.

The Manager Governance advised that the Elected Members training workshop will be rescheduled.

QUESTIONS ON NOTICE

QON1 Questions on Notice - ANZAC Day Trading

Cr Beau Brug had submitted the following questions:

1. Concerns have been raised from residents concerning some businesses opening on ANZAC Day. What City of Salisbury Council by-laws and laws permit or restrict brick and mortar businesses from opening or closing on ANZAC Day?
2. What City of Salisbury Council by-laws and laws permit or restrict “pop up” businesses from opening or closing on ANZAC Day?
3. Does the City of Salisbury need to approve the markets?
4. What are the consequences of businesses that do not comply with the by-laws and legislation regarding trading hours, and whom enforces this?
5. If traders or residents have concerns about illegal trading, whom is the most appropriate organisation/person to report it too?

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

1. Trading hours for retailers in South Australian shopping districts are regulated by the [Shop Trading Hours Act 1977](#) and [Shop Trading Hours Regulations 2003](#).

This is administered by Safework SA, contact details are as follows:

Telephone: Help Centre 1300 365 255
Email: help.safework@sa.gov.au
Postal: GPO Box 465, Adelaide SA 5001

Some land uses may also have a condition of approval relating to operating hours applied by Council under the *Development Act 1993*. Specific details of the premises are required for Council to determine if trading hours conditions apply.

2. For fixed premises, as above – not controlled by Council, unless a development approval issued by Council specifies trading hours.

Exempt shops under the *Shop Trading Hours Act 1977* are listed here https://www.safework.sa.gov.au/show_page.jsp?id=2329

For “pop-up” businesses not operating out of a fixed premises, Council controls may apply under either the *Development Act 1993* or the *Local Government Act 1999* if on Council Land or a Public Road.

3. Dependant upon location, the activity of establishing and running a “market” may require development approval under the *Development Act 1993*.

-
4. The maximum penalty under the *Shop Trading Hours Act 1977* is \$100,000; however enquiries should be made to Safework SA for more information. In relation to a business operating in breach of a condition of Development Approval relating to operating hours various compliance/enforcement options are available to Council under the Development Act, including issue of a Notice, issue of an expiation for breach of a Notice, seeking an Order from the Court, or prosecution through the Courts. For a business that is operating under a Permit under the Local Government Act, penalties can include an expiation or if prosecuted for a breach, a fine imposed by the Court.
 5. As outlined in the response to question 2 above, Safework SA, contact details are as follows:

Telephone: Help Centre 1300 365 255

Email: help.safework@sa.gov.au

Postal: GPO Box 465, Adelaide SA 5001

If the matter relates to a premises or business that is subject to an approval or permit under the Development Act and/or Local Government Act, Council should be contacted and provided with the details of the matter for investigation

QON2 Transport Needs of Globe Derby Park

Mr Gareth Heron attended the 28 May 2018 Council Meeting and as part of Public Question Time asked the following questions:

1. In its deliberations of the rezoning of Globe Derby Park, could Council consider the transport needs of the community in regards to the lack of public transport at Globe Derby Park, and vehicle movement through Globe Derby Park which would be astronomically increased if there were to be a development there such as is proposed?
2. Could Council also consider the consultation process with the community at Globe Derby Park, as at this point in time none has been undertaken regarding needs of the residents of the area to train their horses and have access to the existing facilities?

The Questions were Taken on Notice

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

1. Should Council proceed with a Development Plan Amendment for Globe Derby Park, it will include a comprehensive assessment of traffic movement and impacts on local roads, and Port Wakefield Road as a DPTI road. An initial high-level traffic assessment has been requested of the proponents as part of the further information sought as part of the proponent's Statement of Justification.

-
2. Public consultation on the DPA will occur should Council determine to proceed further with the proposed DPA. There is a statutory consultation process under the Development Act 1993 that forms part of an agreement with the Minister for Planning as to the DPA investigations and extent of consultation, which will be specified in the documentation put to the Minister for Planning should Council proceed with the proposed DPA. In addition Council prepares an engagement plan which sets out in detail the consultation process to be undertaken to support the statutory DPA consultation process.

QON3 Damage Cause by Tree on Park Terrace Brahma Lodge

Cr D Balaza asked the following question at the 28 May 2018 Council Meeting:

1. Can Council staff please confirm that the tree outside 161 Park Terrace, Brahma Lodge, was brought up to Committee for discuss and removal was rejected.
2. In regards to the removal request if it did go ahead, can Council staff also, as part of the response, bring back whether or not the width of the existing footpath between the tree and the main road that is Park Terrace, including the slope of the footpath, was taken into consideration, and whether said footpath complied with our footpath policy to ensure disability safety as people are going through.

The Question was Taken on Notice

General Manager City Infrastructure, Mark van der Pennen has provided the following responses:

1. The tree was presented and considered at Tree Removal Committee on 14 March 2018. The response to the tree removal request was refusal. Noting that the tree is a significant tree and is notable within the immediate landscape and being in fair and reasonable condition with pruning undertaken.
2. In considering the request for removal of the tree, the footpath that runs at the base was noted but did not factor in the decision of the committee. Within the city there are numerous locations where Significant Trees within the verge conflict with footpath infrastructure. Staff are working through a solution to develop a raised access path to bridge over the uneven surface adjacent significant trees within the verge so that a continuous path of travel is maintained

QON4 Air Services Amendment Bill 2018

Cr D Pilkington asked the following question at the 28 May 2018 Council Meeting:

1. Is Council aware of the Air Services Amendment Bill 2018 currently before the Parliament and that submissions are due by 30 May 2018. The above Bill mentioned hasn't appeared in our notifications but is seeking feedback of local communities to airports with regards to amending air services Australia Authority over the public amenity caused by aircraft movements. Residents have asked if we were aware of the Bill and if we have made a submission, and if not, why not?

The Question was Taken on Notice

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

On Wednesday 30 May 2018, Council made a submission on the Air Services Amendment Bill via email as it had not been provided with formal notification about the matter, and was only made aware of it through the Elected Member on the 28th May. Parafield Airport Ltd was also not made aware of the draft Bill. The Senate Committee has acknowledged receipt of the submission. The submission on behalf of Council is as follows:

Committee Secretary

Senate Standing Committees on Rural and Regional Affairs and Transport

Please accept the following submission on behalf of the City of Salisbury on this matter.

The City of Salisbury is a suburban Council in metropolitan Adelaide, South Australia and is home to both Parafield Airport and Edinburgh Defence Base. We only became aware of the Air Services Amendment Bill and the Inquiry on the 28th May 2018 and we are disappointed, as a significant stakeholder in airport operations, that we were not made aware of the Bill and Inquiry in any formal manner that would allow proper consideration of the proposed Bill and its implications for the Salisbury Community.

The City of Salisbury has within it a significant general aviation and flight training airport, Parafield Airport, which is managed by the Adelaide Airport. Its approved 2017 Master Plan indicates that the runway capacity is 450,000, and has a current movement of 214,000, with the 2037 forecast being 340,000 movements. I have attached the submission Council made on the Master Plan for the Inquiry information and use. It should be noted that the submission makes comments on reviewing the voluntary curfew, flight training circuits, and provision of a noise attenuation program. The submission also comments on the community feedback on

investigating and resolving noise complaints, and seeks a review of the consultation methodology of Master Plans, and improvements to the complaint system and the membership selection process of the Consultative Committee.

Council receives frequent complaints from residents under or near the Parafield Airport flight paths about the impacts of aircraft movements upon their amenity. We refer these matters to the relevant authority given that Council does not have jurisdiction over the airport.

In addition this Council also contains the RAAF Base Edinburgh which is home to the Air Warfare Centre and Surveillance operations, and has had the flight path designations reflect the new Joint Strike Fighter use. This is identified by Council in order to raise the awareness that policy must recognise both types of airport operations.

As to the proposed draft Bill, I would like to make the following comments on behalf of the City of Salisbury:

- *Council supports the intention to review the community input into airport master plans, and also the complaints system.*
- *There is no reference in the draft Bill to Defence Airports and recognition of their operations and impacts*
- *There is a specific reference to Melbourne in the draft Bill. It should be recognised that the issues may apply to all other airports around the country.*
- *It is noted that there is a current Airport Noise Ombudsman, which is apparently set up under a Charter, and not legislation. Council would support the Ombudsman's role being enshrined in legislation.*
- *First impressions of the proposed draft Bill wording are that clarification is required on how Airservices Australia is expected to establish community groups, the technical language associated with the Bill's clauses referencing flight paths and airspace, what is a new flight path, and how it would be possible to resolve individual complaints without creating new impacts on other residents if flight paths have to be moved.*
- *The proposed references to various levels of Departmental employees as delegated officers in the Bill are inappropriate.*

Council would consider that there is a likelihood that a significant number of requests would be received to review flight path routes because of the impacts of take-off and landing and flyover.

Council does not wish to appear before the Inquiry.

Council wishes the Inquiry well in its investigations and recommendations

QON5 Traffic Lights - Corner of Waterloo Corner Road and Windsor Street, Salisbury

Cr D Bryant asked the following question at the 28 May 2018 Council Meeting:

1. Are there any plans to put traffic lights at the intersection of Waterloo Corner Road and Windsor Street?

The Question was Taken on Notice

The General Manager City Infrastructure, Mr Mark van der Pennen has provided the following response:

The intersection is managed by DPTI, and Council following the enquiry has discussed this with DPTI and there are no proposals to put traffic lights into the intersection. There is neither the crash data nor volume to justify traffic lights at this stage.

QON6 Transitional Arrangements with Belgravia

Cr C Buchanan asked a further question at the Council meeting on 28 May 2018 in relation to the transitional arrangements with Belgravia and the level of subsidy Council is providing and for how long?

Noting the answer provided to his question asked on 23 April, Cr Buchanan further clarified that his question specifically related to the golf course part of the arrangement.

The Question was Taken on Notice

The General Manager Community Development, Ms Pippa Webb has provided the following response:

As at March 2018, a total of \$161,000 has been paid to Belgravia Leisure to operate the Little Para Golf Course. This includes a management fee and maintenance costs. In addition, the Salisbury Water Business Unit has been paid \$84,000 for water. The contractual arrangements include parties taking a share profit and loss. A budget of \$16,000 to cover any loss has been also been allocated.

QON7 Disability Accessible Playgrounds

Cr Pilkington had submitted the following questions:

1. Does the council list clearly on the website disability accessible playgrounds?
2. Does the new playground policy recently passed include provision for disability accessible playground construction?
3. Which policies and budget areas need to be reviewed to ensure more playgrounds in Salisbury are suitable for children in wheelchairs or with disabilities?

The General Manager City Infrastructure and General Manager Community Development have provided the following responses:

1. There is not a list specifically for disability accessible playgrounds. On the City of Salisbury website under Community Facilities and Parks there is a link to Parks and Facilities which identify reserves which are identified as accessible (with the wheelchair symbol).
2. Council does not have a playground policy, however this will be developed in the next iteration of Council's Ability Inclusion Strategy Plan and the implementation action plan, due to be presented to council in December 2018.

Ability Inclusion Strategy Plan will be Council's Disability Discrimination Action (DDA) plan which will comply with requirements under the soon to be SA Disability Inclusion Act 2018.

A Council-wide policy on Universal Design across physical and ICT infrastructure and in programs, services and events, is in development. Universal design which is a world-wide movement creating environments, products, services and technology that can be used by as many people as possible without adaptation.

The concept of universal design is increasingly evident in Australian policy and planning documents at all levels of government.

Number of staff over the last two years received training on Understanding Access Legislation and Universal Design in Buildings.

The training provided practical application of the broad concepts of universal design and access to equip staff with the knowledge, skills and attitudes to perform their roles effectively regarding diversity, access and inclusion.

-
3. Adoption of Council-wide policy on Universal Design and Ability Inclusion Strategic Plan will provide future direction for the organisation in relation to accessibility issues.

Among policies and budget areas to be considered in this are:

1. Change to the Landscape Policy to provide, wherever the topography allows an accessible gradient, for wheelchair accessible path design and materials and a remedial program for inaccessible existing paths
2. Footpath Policy needs to be modified

OTHER BUSINESS / MOTIONS WITHOUT NOTICE

MWON1 Safety in the City of Salisbury

Moved Cr G Reynolds
Seconded Cr D Balaza

That a report be provided to Council that provides advice on safety issues in the City of Salisbury and provides advice, with input from SAPOL, on whether there are measures that need to be implemented to improve safety where needed.

**CARRIED
2554/2018**

MWON2 Cultural Advisory Committee

Moved Cr D Balaza
Seconded Cr E Gill

That Staff provide a report to Council regarding the benefits and requirements for reforming the Cultural Advisory Committee (or similar) to provide advice and recommendations in regards to artworks to be undertaken by the City of Salisbury.

**CARRIED
2555/2018**

OB1 Deputation from Salisbury Business Association

Cr D Pilkington asked that staff work closely with the Salisbury Business Association to ensure that this year's Aussie Car Era show goes ahead.

CONFIDENTIAL ITEMS

C1 Request for Extension of Confidentiality Orders in Relation to Emerald Green (Ryans Rd)

Moved Cr R Zahra
Seconded Cr L Caruso

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

*On that basis the public's interest is best served by not disclosing the **Request for Extension of Confidentiality Orders in Relation to Emerald Green (Ryans Rd)** 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
2556/2018**

The meeting moved into confidence at 12.19 am, Tuesday 26 June 2018.
The meeting moved out of confidence and closed at 12.21 am, Tuesday 26 June 2018.

CHAIRMAN.....

DATE.....

ITEM 5.1
COUNCIL
DATE 23 July 2018

HEADING Policy and Planning Committee - Recommendations for Council Ratification

AUTHOR Joy Rowett, Governance Coordinator, CEO and Governance

APPROVING OFFICER Chief Executive Officer

EXECUTIVE SUMMARY

The Policy and Planning Committee met on 16 July 2018 to consider 5 items on its Agenda. The Policy and Planning Committee agenda and reports were distributed to all Elected Members and made available to the public prior to the Committee meeting.

The recommendations of the Committee are provided in this report to Council. The corresponding Executive Summary of each report to the Committee is also provided as a prompt.

The Council may wish to adopt all the Committee recommendations by way of a single resolution, having given due consideration to each matter, OR, Elected Members may identify individual items/s to be withdrawn for separate discussion and resolution by Council.

A draft recommendation has been provided for each approach and is subject to the will of the Council meeting.

RECOMMENDATION

1. That Council adopt the recommendations of the Policy and Planning Committee meeting on 16 July 2018, contained in the report to Council (Item No. 5.1 on the agenda for the Council meeting held on 23 July 2018), and listed below:

1. Item 1.0.1 – Future Reports for the Policy and Planning Committee
2. Item 1.1.1 – Community Wellbeing Strategy
3. Item 1.1.2 – Salisbury Sport and Recreation Network Review
4. Item 1.3.1 – Statutes Amendment (Decriminalisation of Sex Work) Bill 2018
5. Item 1.5.1 – The Paddocks Masterplan

OR

2. That Council adopt the recommendations of the Policy and Planning Committee meeting on 16 July 2018, contained in the report to Council (Item No. 5.1 on the agenda for the Council meeting held on 23 July 2018), and listed below, with the exception of Items ## and ## which will be considered separately:

(to be determined at meeting as necessary)

ATTACHMENTS

There are no attachments to this report.

1. COMMITTEE RECOMMENDATIONS FOR COUNCIL RATIFICATION

COMMITTEE AGENDA ITEM NO. and TITLE	EXECUTIVE SUMMARY AND COMMITTEE RECOMMENDATION TO COUNCIL
<p>Item No. 1.0.1 Future Reports for the Policy and Planning Committee</p>	<p>EXECUTIVE SUMMARY: This item details reports to be presented to the Policy and Planning 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.</p> <p>COMMITTEE RECOMMENDATION: That the information be received.</p>
<p>Item No. 1.1.1 Community Wellbeing Strategy</p>	<p>EXECUTIVE SUMMARY: This report outlines the connection between public health and wellbeing in the context of the development of the State Public Health Plan; it's implications for the development of Council's Wellbeing Strategy as a critical action in the City Plan 2030; and the implications for the development of Council's second Regional Public Health Plan.</p> <p>COMMITTEE RECOMMENDATIONS:</p> <ol style="list-style-type: none"> 1. That this report be received. 2. The next Regional Public Health Plan be combined with the proposed Wellbeing Strategy. 3. Staff bring forward the scheduling of the review and redevelopment of its Regional Public Health Plan to commence in early 2019 after the finalisation of the new State Public Health Plan.
<p>Item No. 1.1.2 Salisbury Sport and Recreation Network Review</p>	<p>EXECUTIVE SUMMARY: The Salisbury Sport and Recreation Network, administered through the Community Planning and Vitality Division, provides development opportunities for local sport and recreation organisations. A review has been conducted as per Council resolution (2364/2018) and further information is provided within this report regarding the future direction of the network.</p> <p>COMMITTEE RECOMMENDATIONS:</p> <ol style="list-style-type: none"> 1. The information be received and noted. 2. The annual \$22 Salisbury Sport and Recreation Network membership fee be removed from club leases. 3. The Sport and Recreation Network continue to operate in partnership, where there are mutual benefits, with the City of Tea Tree Gully and potentially expanding the relationship to include the City of Playford in order to build the regional significance of the Network. 4. That staff bring back a further report within the next six months outlining activities and the potential for

	<p>establishing a network between the Cities of Salisbury, Tea Tree Gully and Playford</p>
<p>Item No. 1.3.1 Statutes Amendment (Decriminalisation of Sex Work) Bill 2018</p>	<p>EXECUTIVE SUMMARY: Council made a submission on a 2013 version of the proposed Statutes Amendment (Decriminalisation of Sex Work) Bill which still applies to the current 2018 version that is now before Parliament. The only changes to the versions of the Bills are clause numbering and name changes to reference the replacement of an affected Act. It is considered there are no additional comments to be made in this matter. There is no formal consultation process by the State Government or Parliament on this version of the Bill.</p> <p>COMMITTEE RECOMMENDATIONS:</p> <ol style="list-style-type: none"> 1. The information be received and noted. 2. Council oppose the Statutes Amendment (Decriminalisation of Sex Work) Bill 2018 in its current form, currently before the South Australian Parliament. 3. The Mayor, on behalf of Council, write to all Members of State Parliament advising Council's decision and its reasons for doing so, as paraphrased in the report in paragraph 1.2 and sub paragraphs a to f.
<p>Item No. 1.5.1 The Paddocks Masterplan</p>	<p>EXECUTIVE SUMMARY: Consultation on The Paddocks draft masterplan was undertaken in May and June 2018. This report provides a summary of feedback and the changes recommended in response to this feedback.</p> <p>The proposed first four years of investment will begin this financial year subject to Council endorsement of the final masterplan, with an approved budget of \$600k. Proposed planning and works in financial year 18/19 include improved safety to the wetlands, detailed planning and concept design of the carparks, access and sporting clubs, and detailed design of projects proposed for year 2.</p> <p>COMMITTEE RECOMMENDATIONS:</p> <ol style="list-style-type: none"> 1. That the report be noted. 2. That the final Paddocks masterplan, also incorporating an indicative staging plan, forming Attachment 1 to Policy and Planning Committee Agenda 16 July 2018 Item No. 1.5.1, be endorsed, noting that the staging plans in Attachment 1 are indicative and will be subject to future budget decisions by Council. 3. That staff investigate the option to add an additional hard wicket for cricket in the Master Plan.

CO-ORDINATION

Officer: MG
Date: 19/07/2018

ITEM 5.2
COUNCIL
DATE 23 July 2018

HEADING Works and Services - Committee Recommendations for Council Ratification

AUTHOR Joy Rowett, Governance Coordinator, CEO and Governance
APPROVING OFFICER Chief Executive Officer

EXECUTIVE SUMMARY

The Works and Services Committee met on 16 July 2018 to consider 5 items on its Agenda. The Works and Services Committee agenda and reports were distributed to all Elected Members and made available to the public prior to the Committee meeting.

3 recommendations and 1 further recommendation of the Committee are provided in this report together an Other Business item as recommendations to Council. The corresponding Executive Summary of each report to the Committee is also provided as a prompt. A 4th recommendation and further recommendation concerning Item 2.6.1 is now the subject of a Further Information item directly following this report. The 5th item, presented to the Committee in confidence, forms part of Council's Confidential Agenda.

The Council may wish to adopt all the Committee recommendations by way of a single resolution, having given due consideration to each matter, OR, Elected Members may identify individual items/s to be withdrawn for separate discussion and resolution by Council.

A draft recommendation has been provided for each approach and is subject to the will of the Council meeting.

RECOMMENDATION

1. That Council adopt the recommendations of the Works and Services Committee meeting on 16 July 2018, contained in the report to Council (Item No. 5.2 on the agenda for the Council meeting held on 23 July 2018), and listed below:

1. Item 2.0.1 – Future Reports for the Works and Services Committee
2. Item 2.3.1 – Outcome of the ‘Your Tutor’ Trial
3. Item 2.3.1 – Outcome of the ‘Your Tutor’ Trial – FURTHER RECOMMENDATION
4. Item 2.5.1 – Minutes of the Strategic Property Development Sub Committee meeting held on Monday 9 July 2018.
6. Item W & S – OB1 – Slow Points – David Avenue, Globe Derby Park

OR

2. That Council adopt the recommendations of the Works and Services Committee meeting on 16 July 2018, contained in the report to Council (Item No. 5.2 on the agenda for the Council meeting held on 23 July 2018), and listed below, with the exemption of Items ## and ## which will be considered separately:

(to be determined at meeting as necessary)

ATTACHMENTS

There are no attachments to this report.

1. COMMITTEE RECOMMENDATIONS FOR COUNCIL RATIFICATION

COMMITTEE AGENDA ITEM NO. and TITLE	EXECUTIVE SUMMARY AND COMMITTEE RECOMMENDATION TO COUNCIL
Item No. 2.0.1 Future Reports for the Works and Services Committee	<p>EXECUTIVE SUMMARY:</p> <p>This item details reports to be presented to the Works and Services 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.</p> <p>COMMITTEE RECOMMENDATION:</p> <p>That:</p> <ol style="list-style-type: none">1. The information be received.
Item No. 2.3.1 Outcome of the 'Your Tutor' Trial	<p>EXECUTIVE SUMMARY:</p> <p>This information report presents the outcomes of the 'YourTutor' trial conducted in 2016/17, and review in 2017/18 financial year.</p> <p>COMMITTEE RECOMMENDATION:</p> <p>That information be received and noted.</p> <p>FURTHER COMMITTEE RECOMMENDATION:</p> <p>That a further report be brought back on the potential of continuing the Your Tutor program or similar programs through our community centres and libraries, and staff also advise of any alternative programs being offered.</p>
Item No. 2.5.1 Minutes of the Strategic Property Development Sub Committee meeting held on Monday 9 July 2018	<p>EXECUTIVE SUMMARY:</p> <p>The minutes and recommendations of the Strategic Property Development Sub Committee meeting held on Monday 9 July 2018 are presented for Works and Services Committee's consideration.</p> <p>COMMITTEE RECOMMENDATIONS:</p> <p>That:</p> <ol style="list-style-type: none">1. The information contained in the Strategic Property Development Sub Committee Minutes of the meeting held on 9 July 2018 be received and noted and that the following recommendations contained therein be adopted by Council: <p style="text-align: center;">SPDSC1 Future Reports for the Strategic Property Development Sub Committee</p> <p style="text-align: center;">The information be received.</p>

	<p>SPDSC2 Tranche 2 - Boardwalk at Greentree Project Update</p> <p>That the report be received and the update on the project delivery status for Boardwalk at Greentree, Walpole Road Stage 3, be noted.</p> <p>SPDSC3 Strategic Property Projects Tranche 2 and Salisbury Oval Update</p> <p>That the report be received, and the status of the Hoyle Green, Lake Windemere and Salisbury Oval projects and revised timelines be noted and endorsed.</p>
<p>Item W & S – OB1 Slow Points – Daniel Avenue Globe Derby Park</p>	<p>COMMITTEE RECOMMENDATION:</p> <p>That staff bring back a report on the feasibility of installation of 1-2 slow points on Daniel Avenue in Globe Derby, similar to those on Trotters Drive.</p>

CO-ORDINATION

Officer: MG
Date: 19/07/2018

ITEM	2.6.1FI
	WORKS AND SERVICES COMMITTEE
DATE	16 July 2018
HEADING	Capital Works Report - July 2018
AUTHORS	Christy Martin, Team Leader Project Support, City Infrastructure Mark van der Pennen, General Manager City Infrastructure, City Infrastructure
CITY PLAN LINKS	3.2 Have interesting places where people want to be.
SUMMARY	As requested further information is provided to support a second quarter non-discretionary bid to fund the inclusion of the re-wire required at Dry Creek Linear Park, Mawson Lakes, within the 2018/19 Irrigation Renewal Program.

RECOMMENDATION

1. The combined balance of \$91k from PR22380 Budget Bid System and PR23470 Business Planning Software be retained for further corporate system enhancements in relation to project and contract management.
2. The Ingle Farm Recreation Centre be included within the 2018/19 Building Renewal Program, encompassing the replacement of a failing air-conditioning unit to Court 1.
3. The construction of a new footpath at Stanley Avenue, Salisbury, as part of PR14498 Council Funded New Footpath Program, be deferred and reconsidered in future years.
4. The renewal of Patterson Court Reserve, Paralowie within PR17040 Irrigation Renewal Program be retained and a second quarter capital non-discretionary budget bid of \$60k be submitted to enable the urgent re-wire of the Dry Creek Linear Park, Mawson Lakes, irrigation system to proceed.
5. The Street Tree Program, Dog Parks for Small Dogs and Road Reseal / Reconstruction Program in section 4 of this report (Works and Services, 16/07/2018, Item 2.6.1FI) be noted.

ATTACHMENTS

There are no attachments to this report.

1. BACKGROUND

- 1.1 The Works & Services Committee, at its meeting on the 16th July 2018, requested that the General Manager City Infrastructure comment to the Committee regarding the Mawson Lakes walkway servicing the interchange on the western side of the railway line be noted as follows:

“With regard to the Mawson Lakes overpass and the staircase that is currently closed off, accommodating works still need to be done in terms of a path network to allow safe pedestrian access on to Augustine Street. Procurement of those

works have commenced to connect a path and modify the road. This particular portion is to be expedited. Staff will keep Council informed of progress.”

- 1.2 The Committee also made a further recommendation that further information be provided to Council when it considers this matter at its July meeting as follows:

“That a Further Information report be provided to Council, for its meeting on 23 July 2018, advising how the re-wiring of the irrigation system at Dry Creek Linear Park, Mawson Lakes, which has become a priority for 2018/19, can proceed without the need to defer the 2018/19 irrigation renewal of Patterson Court Reserve, Paralowie.”

2. CONSULTATION / COMMUNICATION

2.1 Internal

- 2.1.1 Field Services and Infrastructure Management have provided the primary information to support this report.

2.2 External

- 2.2.1 Nil

3. REPORT

- 3.1 As reported to Works and Services Committee, 16th July 2018, staff sought to defer the 2018/19 irrigation renewal of Patterson Court Reserve, Paralowie, to address the re-wire of the irrigation system at Dry Creek Linear, Mawson Lakes, which had become a greater priority for 2018/19. The Works and Services Committee requested staff reconsider this and provide the option of a quarterly budget bid to fund the urgent works at Mawson Lakes and therefore retaining the original scope including Patterson Court Reserve.
- 3.2 Upon decommissioning of the irrigation system at Dry Creek Linear Park, Mawson Lakes, for Winter 2018, staff noted an increased number of faults in the control system. This control system is located within the very harsh environment of Dry Creek, which experiences storm water flows with such force that water ingress to the wiring has occurred and is now causing maintenance concerns. The quantum of faults occurring has been increasing as a result.
- 3.3 This system is located in the high profile area of Dry Creek, Mawson Lakes which is utilised by the community daily. With the system experiencing increased faults inefficient operation has been seen in the landscape, with an increase in customer queries being received seeking action to maintain the service level and amenity of the area.

- 3.4 Approval is sought to undertake this \$60k re-wire in 2018/19 as the system will not efficiently run for the next irrigation period without significant maintenance. Doing the rewire prior to peak warm weather conditions, will ensure that the system is in optimum operating state (reduced likelihood of faults/ breaks) and able to maintain the service level and amenity of the area through the coming summer.
- 3.5 To fund this work it is proposed to submit a second quarter non-discretionary budget bid. This will enable the urgent re-wire work to be completed without deferring any of the original 2018/19 Irrigation Renewal Program, which was endorsed by Council as part of the annual budget process.

4. CONCLUSION / PROPOSAL

- 4.1 This further information report be received and noted to complement the Works and Services Committee, Report 2.6.1 presented on the 16th July 2018.
- 4.2 In lieu of a project deferral, a \$60k second quarter capital non-discretionary budget bid be submitted to enable the urgent re-wire of Dry Creek Linear Park, Mawson Lakes, as part of the 2018/19 PR17040 Irrigation Renewal Program.

CO-ORDINATION

Officer: GMCI
Date: 19/07/2018

ITEM 5.3
COUNCIL
DATE 23 July 2018

HEADING Resources and Governance Committee - Recommendations for Council Ratification

AUTHOR Joy Rowett, Governance Coordinator, CEO and Governance

APPROVING OFFICER Chief Executive Officer

EXECUTIVE SUMMARY

The Resources and Governance Committee met on 16 July 2018 to consider 7 items on its Agenda. The Resources and Governance Committee agenda and reports were distributed to all Elected Members and made available to the public prior to the Committee meeting.

The recommendations of the Committee are provided in this report to Council. The corresponding Executive Summary of each report to the Committee is also provided as a prompt.

The Council may wish to adopt all the Committee recommendations by way of a single resolution, having given due consideration to each matter, OR, Elected Members may identify individual items/s to be withdrawn for separate discussion and resolution by Council.

Council should note that specifically in relation to Item No. 3.6.3 - Media Policy Review, the Committee recommendation directed that the Policy, as amended by the Committee, be provided in full to Council for consideration. Accordingly, a further information report has been provided separately for Council consideration.

A draft recommendation has been provided for each approach and is subject to the will of the Council meeting.

RECOMMENDATION

1. That Council adopt the recommendations of the Resources and Governance Committee meeting on 16 July 2018, contained in the report to Council (Item No. 5.3 on the agenda for the Council meeting held on 23 July 2018), and listed below:
 1. Item 3.0.1 – Future Reports for the Resources and Governance Committee
 2. Item 3.5.1 – Charges for use of Council Owned Land for Business Purposes
 3. Item 3.6.1 - Land Disposal Policy Section 49 Local Government Act
 4. Item 3.6.2 - Review of the Respecting Community Diversity - Access and Equity Policy
 5. Item 3.6.3 – Media Policy Review
 6. Item 3.6.4 - Annual Report on Internal Reviews of Council decisions in the year ending 30 June 2018 under Section 270 of the Local Government Act 1999

7. Item 3.6.5 - Summary of Elected Member Training and Development Expenditure and Outstanding Summary Reports

OR

That Council adopt the recommendations of the Resources and Governance Committee meeting on 16 July 2018, contained in the report to Council (Item No. 5.3 on the agenda for the Council meeting held on 23 July 2018), and listed below, with the exemption of Items ## and ## which will be considered separately:

(to be determined at meeting as necessary)

ATTACHMENTS

There are no attachments to this report.

1. COMMITTEE RECOMMENDATIONS FOR COUNCIL RATIFICATION

COMMITTEE AGENDA ITEM NO. and TITLE	EXECUTIVE SUMMARY AND COMMITTEE RECOMMENDATION TO COUNCIL
<p>Item No. 3.0.1 Future Reports for the Resources and Governance Committee</p>	<p>EXECUTIVE 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 it.</p> <p>COMMITTEE RECOMMENDATION: That the information be received.</p>
<p>Item No. 3.5.1 Charges for use of Council Owned Land for Business Purposes</p>	<p>EXECUTIVE SUMMARY: Council previously resolved to develop a policy to guide charges for the use of Council land for business purposes. This report presents the ‘Charges for use of Council Land for Business Purposes’ Policy for Council’s endorsement.</p> <p>COMMITTEE RECOMMENDATION: That:</p> <ol style="list-style-type: none"> 1. The information be received and noted. 2. The ‘Charges for use of Council Land for Business Purposes’ Policy included as Attachment 1 to this report (Works & Services Committee, 16/07/2018, Item 3.5.1) be endorsed.
<p>Item No. 3.6.1 Land Disposal Policy Section 49 Local Government Act</p>	<p>EXECUTIVE SUMMARY: This report presents the Disposal of Land Policy to Council for Consideration and endorsement.</p> <p>COMMITTEE RECOMMENDATION: That:</p> <ol style="list-style-type: none"> 1 The information be received. 2. The Disposal of Land Policy as set out in Attachment 1 to this report (Resources and Governance Committee, 16/07/2018, Item 3.6.1) be endorsed.

	3. The Surplus Community Land Policy is discontinued.
Item No. 3.6.2 Review of the Respecting Community Diversity - Access and Equity Policy	<p>EXECUTIVE SUMMARY: This report presents the reviewed Community Diversity – Access and Inclusion Policy to Council for endorsement.</p> <p>COMMITTEE RECOMMENDATION: That the Community Diversity – Access and Inclusion Policy as set out in Attachment 1 to this report (Resources and Governance Committee, 16/07/2018, Item 3.6.2) be endorsed.</p>
Item No. 3.6.3 Media Policy Review	<p>EXECUTIVE SUMMARY: Following a request from Council, a revised Media Policy has been developed for consideration following a review of the existing City of Salisbury Media Policy.</p> <p>COUNCIL RESOLUTION REQUIRED: That the Media Policy, as set out at Attachment 1 to this report (Resources and Governance Committee, 16/07/2018, Item 3.6.3), subject to the changes proposed by Committee members be amended and submitted to Council in full for adoption.</p>
Item No. 3.6.4 Annual Report on Internal Reviews of Council decisions in the year ending 30 June 2018 under Section 270 of the Local Government Act 1999	<p>EXECUTIVE SUMMARY: This report provides information concerning the number of Council decisions reviewed as part of the Internal Review of Council Decisions process in the year ending 30 June 2018.</p> <p>COMMITTEE RECOMMENDATION: That the information be received.</p>
Item No. 3.6.5 Summary of Elected Member Training and Development Expenditure and Outstanding Summary Reports	<p>EXECUTIVE SUMMARY: The Elected Member Training and Development Policy requires staff to report on progress against the expenditure of the Elected Member Training and Development budget on an annual basis. This report presents information on progress against the expenditure for the 2017/2018 financial year. .</p> <p>COMMITTEE RECOMMENDATION: That the information be received.</p>

CO-ORDINATION

Officer: MG
Date: 19/07/2018

ITEM	3.6.3FI
	RESOURCES AND GOVERNANCE COMMITTEE
DATE	16 July 2018
HEADING	Media Policy Review
AUTHOR	Michael Bennington, Manager Communications & Customer Relations, Business Excellence
CITY PLAN LINKS	4.2 Develop strong capability and commitment to continually improve Council's performance.
SUMMARY	Following a request from Council, a revised Media Policy has been developed for consideration following a review of the existing City of Salisbury Media Policy.

RECOMMENDATION

1. The Media Policy, as set out at Attachment 2 to this report (Resources and Governance Committee, 16/07/2018, Item 3.6.3FI) be endorsed.

ATTACHMENTS

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

1. Draft Media Policy - Track Changes Version
2. Draft Media Policy - Clean Version

1. BACKGROUND

- 1.1 A revised Media Policy was presented to the Resource and Governance Committee at the 16 July 2018 meeting.
- 1.2 Further amendments to the draft policy were requested by the Committee prior to consideration by Council.

2. CONSULTATION / COMMUNICATION

- 2.1 Internal
 - 2.1.1 Governance
- 2.2 External
 - 2.2.1 N/A

3. REPORT

- 3.1 A revised Media Policy was presented to the Resource and Governance Committee at the 16 July 2018 meeting.
- 3.2 Further amendments to the draft policy were requested by the Committee, as outlined below:

(E - POLICY STATEMENT)

Previous

6. Elected Members and employees must also advise the Communications & Customer Relations team where they are aware of an event or issue that is likely to generate significant public and/or media interest. This ensures Council is prepared to respond to public and media enquiries in a timely manner with the accurate information.

Revised

6. Elected Members and employees should advise the Communications & Customer Relations team where they are aware of an event or issue that is likely to generate significant public and/or media interest. This ensures Council is prepared to respond to public and media enquiries in a timely manner with the accurate information.

(G – MEDIA MONITORING)

Previous

4. During election periods, social media accounts will be carefully monitored for risk management and adherence to the Caretaker Policy. Where content or online behaviour is identified as being contrary to the Caretaker Policy, it should be referred to the Manager, Governance.

Revised

4. During election periods, the City of Salisbury official social media accounts will be monitored for risk management and adherence to the Caretaker Policy. Where content or online behaviour is identified as being contrary to the Caretaker Policy, it should be referred to the Manager, Governance.

(J – SOCIAL MEDIA – OFFICIAL ELECTED MEMBER ACCOUNTS)

Previous

- 2.5 Elected Members need to be aware that they are directly and legally responsible for any comments that are posted to their own social media accounts by members of the public. If a member of the public posts material that is defamatory, obscene, racist, sexist or likely to cause offence, it is in the Elected Member's best interest to immediately remove such material to avoid possible legal action being taken against them. This includes any comments or differing opinions that might lead to bullying by other social media members because of content posted by an Elected Member or others.

Revised

- 2.5 Elected Members need to be aware that they are directly and legally responsible for any comments that are posted to their own social media accounts by members of the public. If a member of the public posts material that is defamatory, obscene, racist, sexist, bullying or likely to cause offence, it is in the Elected Member's best interest to immediately remove such material to avoid possible legal action being taken against them.

(J – SOCIAL MEDIA – OFFICIAL ELECTED MEMBER ACCOUNTS)**Previous**

- 2.9 If a resident raises a query or request via an Elected Member's social media account or other social media forum, Elected Members should refer them to Council's CRM system and not respond that they will resolve the issue, e.g. 'Hi, if you have a request for service, please call our customer centre on 8406 8222 or fill out our online request form at www.salisbury.sa.gov.au/Services/Lodge_a_request and our friendly support staff will be able to get this resolved as quickly as possible for you – Cr John Smith'.

Revised

- 2.9 If a resident raises a query or request via an Elected Member's social media account or other social media forum, Elected Members are encouraged to refer them to Council's CRM system, example reply could be 'Hi, if you have a request for service, please call our customer centre on 8406 8222 or fill out our online request form at www.salisbury.sa.gov.au/Services/Lodge_a_request and our friendly support staff will be able to get this resolved as quickly as possible for you – Cr John Smith'.

(L - BREACHES TO THIS POLICY)**Previous**

1. Breaches made by or referring to an Elected Member, employees, independent members, volunteer or contractor in the media or social media will be treated as breaches to the Code of Conduct and will be investigated in line with the appropriate process.
2. If an individual (member of the community, Elected Member, employee) wishes to report a breach, they must follow the process outlined in the relevant Policy and any action taken will be based upon that process.
3. A failure to comply with any of this policy by an employee can constitute a ground for disciplinary action against the employee, including dismissal, under the Procedures for Managing Unacceptable Performance.

Revised

1. Breaches made by an Elected Member, employees, independent members, volunteer or contractor in the media or social media will be treated as breaches to the Code of Conduct and will be investigated in line with the appropriate process.
2. If an individual (member of the community, Elected Member, employee) wishes to report a breach, they must follow the process outlined in the relevant Policy and any action taken will be based upon that process.
3. A failure to comply with any of this policy by an employee can constitute a ground for disciplinary action against the employee, including dismissal, under the Procedures for Managing Unacceptable Performance.

4. CONCLUSION / PROPOSAL

- 4.1 A proposed new Media Policy has been drafted for consideration as the basis of management of Council's media and communications activity into the future.
- 4.2 The proposed policy has been amended to reflect both informal feedback and information resulting from a desktop review and an independent assessment of the policy.

CO-ORDINATION

Officer: GMBE
Date: 18/07/2018



Media Policy

Policy Type:	Policy		
Approved By:	Council	Decision No:	1605/2017
Approval Date:	27/02/2017	Last Reapproval Date:	
Review Date:	27/02/2019	Internal Reference No.:	4309373
Department:	Business Excellence	Division:	Communications & Customer Relations
Function:	2 - Community Media Relations	Responsible Officer:	Manager, Communications and Customer Relations

A - PREAMBLE

1. The City of Salisbury communicates and engages with our community and stakeholders utilising various digital and traditional channels. It is important to manage these to ensure the City of Salisbury's messaging is consistent, accurate, appropriate to the target audience, and that our corporate brand principles are upheld.
2. The Communications & Customer Relations Division is responsible for managing and initiating Council's media relations and corporate communications.

B - SCOPE

1. This policy sets out Elected Member responsibilities in relation to [authorised](#) interactions with the media and media representatives, dealings with staff, and the use of both the City of Salisbury and private social media accounts.
2. This policy also details [staffemployee, volunteer and contractor](#) responsibilities in regards to media relations, and use of private social media accounts from any location, network or device, at any time.

C – POLICY PURPOSE/OBJECTIVES

1. To ensure all media liaison [on behalf of Council](#) takes place via a central point of contact so that the City of Salisbury is able to actively monitor and respond to media issues.
2. To ensure a single spokesperson is providing comment to individual media outlets, so that the Council has a better opportunity to provide [an accurate and](#) consistent message and image.
3. To provide guidance and support to Elected Members identified as an approved spokespersons; and
4. To provide guidance to Elected Members in both best practice and appropriate use of social media accounts.
5. To provide guidelines for [staffemployees](#) about the City of Salisbury's expectations regarding

use and appropriate conduct when engaging in social media.

D - DEFINITIONS

1. Corporate Social Media Accounts – Refers to all official City of Salisbury social media accounts such as ~~the City of Salisbury Facebook page, Twitter account, YouTube channel, Pinterest account, Instagram account, City of Salisbury LinkedIn, Discover Salisbury Facebook, Youth in Salisbury Facebook, Salisbury Library Service Facebook, St Kilda Adventure Playground Facebook page e.t.e, Polaris Centre Facebook, City of Salisbury Twitter, Discover Salisbury Twitter, City of Salisbury Instagram, Discover Salisbury Instagram~~

E - POLICY STATEMENT

1. All authorised media contact should be coordinated via the Communications & Customer Relations Division.
2. Only authorised spokespersons may speak to the media or respond to media requests.
3. General Managers via the Communications & Customer Relations Division can approve responses to incoming media enquiries and authorise proactive media approaches where both the risk is determined to be low and attributable quotes are not required.
4. Staff other than the ~~CEO~~Chief Executive Officer must not present themselves as official City of Salisbury spokespersons unless authorised to do so by the Chief Executive Officer.
5. Employees, volunteers and contractors must report any media enquiries to the Manager, Communications & Customer Relations; who is authorised to liaise with the media as part of their role but would generally not make comment on behalf of the organisation.
6. Elected Members and employees should advise the Communications & Customer Relations team where they are aware of an event or issue that is likely to generate significant public and/or media interest. This ensures Council is prepared to respond to public and media enquiries in a timely manner with the accurate information.
- 5-7. All official City of Salisbury social media accounts must be authorised by the Manager, Communications & Customer Relations.
- 6-8. All communication via the City of Salisbury's social media accounts (including responding to public queries) is ~~the responsibility of~~ managed through the Communications & Customer Relations team and will be undertaken in line with Council's Customer Relationship Management (CRM) system.

F - SPOKESPERSONS

1. Official spokespeople for the City of Salisbury are:
 - 1.1. The Mayor and ~~CEO~~Chief Executive Officer - The Mayor is the default principal spokesperson in accordance with section 58 (1)(c) of the Local Government Act 1999, however where appropriate the ~~CEO~~Chief Executive Officer in consultation with the Mayor may be the preferred spokesperson.
 - 1.2. The Deputy Mayor - If the Mayor is unavailable, the Deputy Mayor will assume the responsibilities as described for the Mayor.
 - 1.3. Standing Committee Chairs - If neither the Mayor ~~or~~ Deputy Mayor is available, the spokesperson will be the Standing Committee Chair for issues concerning the deliberations and decisions made by that Committee and subsequently endorsed by Council. For matters unrelated to committee decisions, the ~~CEO~~Chief Executive

Officer will determine who the nominated spokesperson will be.

2. Official spokesperson will receive support from the Communications & Customer Relations team in the form of drafting and dissemination of media releases, arranging of photo and interview opportunities, and briefings before interviews.
3. As Local Government representatives, Elected Members are entitled to speak on any topic, but may not act as an authorised Council spokesperson except in the circumstances outlined above. ~~In accordance with the requirements of the Code of Conduct for Council Members,~~ Elected Members must ensure that personal comments to the media or Letters to the Editor are clearly identified as being their own private view, and not that of the Council.
4. Once Council has reached a decision on a matter, any official comments to media by ~~Elected Members Council's Official Spokesperson~~ must support Council's endorsed position. Comments published by Elected Members on social media or any other media channels should support Council's endorsed position and if not clearly be identified as their own.
5. ~~Staff/Employees~~ can be interviewed by media on a private basis on matters not directly related to Council business or an employee's work. ~~Staff/Employees~~ can only speak on matters regarding Council if authorised to do so by the CEO/Chief Executive Officer as outlined above, and only on the subject that the authorisation relates to.

G – MEDIA MONITORING

1. Monitoring of media activity is conducted by the Communications & Customer Relations team as well as a contracted media monitoring agency on a daily basis. The outcomes are distributed on weekdays to the Mayor, Deputy Mayor, Elected Members, Executive Group and Divisional Managers, ~~as well as the~~ Customer Centre may be included for circumstances where any media activity is likely to be raised by callers ~~for~~ customers at the reception desk. If coverage relates to a specific officer and / or manager, the daily monitor will also be forwarded to them.
2. The Communications & Customer Relations team will endeavour to make Elected Members aware of any potential media stories that are likely to generate significant public and/or media interest.
3. Monitoring of Council's social media channels is conducted by the Communications & Customer Relations team. The Communications & Customer Relations team will retain the right to remove content that does not adhere to the guidelines identified in this policy or other associated policies. Posts containing the following will not be responded to, and will likely be removed from the relevant page:
 - 3.1. Racist, sexist or sexual discrimination,
 - 3.2. Harassment or bullying,
 - 3.3. Profanity,
 - 3.4. Personal, confidential, or copyrighted material,
 - 3.5. Potential defamatory material or threatening or abusive behaviour.
4. During election periods, the City of Salisbury official social media accounts will be monitored for risk management and adherence to the Caretaker Policy. Where content or online behaviour is identified as being contrary to the Caretaker Policy, it should be referred to the Manager, Governance.

H – MEDIA REPORTING ON COUNCIL ACTIVITY

1. Media representatives are welcome to report on Council projects, events and decisions, and to

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interview nominated Council spokesperson. All ~~inquiries~~enquiries should be directed to the Communications & Customer Relations team.

2. Media representatives are not permitted to film or record the proceedings of a Council meeting unless prior permission has been sought from the Mayor or Committee Chairperson through the Manager Communications & Customer Relations.
3. Media must check-in with the facility ~~for~~ event manager and be accompanied on-site during their visit, where required.
4. Council expects that all media taking photographs ~~for~~ filming at Council facilities and events abide by privacy laws, especially those relating to photographing minors, and seek permission from anyone they wish to photograph ~~for~~ film, including non-Council employees.

I – SOCIAL MEDIA –PRIVATE ACCOUNTS (Elected Members and Employees)

1. The City of Salisbury logo or official corporate colours must not be used on any private social media accounts.
2. Private social media accounts must not, in any way, give the appearance that it is an official City of Salisbury presence or that the individual is speaking publicly on behalf of the Council or in their capacity as an Elected Member or employee of the City of Salisbury.
3. Ensure that no copyrighted or trademarked material is published without permission.
4. Comments or posts must not damage the City of Salisbury's reputation, commercial interests, or bring the City of Salisbury into disrepute.
5. Comments or posts must not breach Council policies and must not be illegal, libellous, defamatory, abusive, obscene, or infringe Equal Employment Opportunity.
6. Council's Code of Conduct/Employee Code of Conduct Policy and Fair Treatment Policy apply to online activity. All Council employees and Elected Members are expected to treat their colleagues with respect and dignity, and must ensure their behaviour does not constitute bullying and/or harassment.
7. As such, individuals should ensure comments are not:
 - 7.1. So harsh or extreme in their criticism of the City of Salisbury, that they raise questions about their capacity to work professionally, efficiently or impartially as an Elected Member or employee;
 - 7.2. So strong in criticism of the City of Salisbury that it could seriously disrupt the workplace. Elected Members and employees are encouraged instead to resolve concerns by informal discussion with the CEO, General Manager or by using the internal dispute resolution.
- ~~3.1. Publicly visible comments or posts must not damage the City of Salisbury's reputation, commercial interests, or bring the City of Salisbury into disrepute.~~
- ~~4.1. Publicly visible comments or posts must not breach Council policies and must not be illegal, libellous, defamatory, abusive, obscene, or infringe Equal Employment Opportunity.~~

J – SOCIAL MEDIA – OFFICIAL ELECTED MEMBER ACCOUNTS

1. Elected Members wanting to utilise social media in their capacity as a Councillor are encouraged to set up an official Elected Member social media account that is separate from their private account/s for interactions with the community and Council's social media presences.
2. It is recommended that:

- 2.1. Official Elected Member social media accounts are clearly labelled as being owned by an Elected Member. For Facebook, it is advisable to use a Facebook Page instead of a personal account to engage the public, as per Facebook’s own rules.
- 2.2. Where Elected Members do not wish to create separate social media accounts they must always identify themselves as being an Elected Member when interacting with any of the City of Salisbury social media accounts, i.e. *“I think there should be more recreation spaces – Cr John Smith”*, or when speaking to a member of the public in their capacity as an Elected Member, i.e. *“Thank you for bringing this to my attention, I’ll definitely raise it at the next Council meeting – Cr John Smith”*. This must also be taken into account when commenting on other social media platforms and pages not owned by the City of Salisbury, including private pages and closed groups.
- 2.3. Elected Members should refrain from tagging or @mentioning the City of Salisbury in their posts or tweets unless it is in direct relation to their role as an Elected Member.
- 2.4. Social media accounts should contain advice to the public that views expressed are the author’s own and not that of the City of Salisbury, i.e. *This is the personal opinion of John Smith, City of Salisbury Councillor for Central Ward*
- 2.5. Elected Members need to be aware that they are directly and legally responsible for any comments that are posted to their own social media accounts by members of the public. If a member of the public posts material that is defamatory, obscene, racist, sexist, bullying –or likely to cause offence, it is in the Elected Member’s best interest to immediately remove such material to avoid possible legal action being taken against them.
- 2.6. Elected Members are encouraged to share content from City of Salisbury social media accounts to their own accounts.
- 2.7. Elected Members may tag themselves in any City of Salisbury photo where they appear.
- ~~2.8. All a resident requesting service raises a query or work requests via social media should be encouraged to lodge the request by contacting with Council via the City of Salisbury’s social media accounts, the query will be managed by the Communications & Customer Relations team in accordance with Council’s CRM system.~~
- ~~2.8.2.9. If a resident raises a query or request via an Elected Member’s social media account or other social media forum, Elected Members are encouraged to refer them to Council’s CRM system, example reply could be ‘Hi, if you have a request for service, please call our customer centre on 8406 8222 or fill out our online request form at www.salisbury.sa.gov.au/Services/Lodge_a_request, and our friendly support staff will be able to get this resolved as quickly as possible for you – Cr John Smith’.~~
- ~~2.9.1. Elected Members are able to engage with residents through social media as outlined in this policy.~~
- 3. The City of Salisbury logo or official corporate colours are not to be used on any private social media accounts. However, if an Elected Member has established a social media account specifically for their role as an Elected Member and they are identified as such, then the corporate logo can be utilised.
- 4. All Elected Member social media ~~account/saccounts~~ should be deactivated as soon as an individual is no longer an elected representative of the City of Salisbury, and return to utilising their personal social media ~~account/saccounts~~.
- 5. Publicly visible comments or posts must not damage the City of Salisbury’s reputation, commercial interests, or bring the City of Salisbury into disrepute.

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6. Publicly visible comments or posts must not breach Council policies and must not be illegal, libellous, defamatory, abusive, obscene, or infringe Equal Employment Opportunity.
7. Council's Code of Conduct/Employee Code of Conduct Policy and Fair Treatment Policy apply to online activity. All Council employees and Elected Members are expected to treat their colleagues with respect and dignity, and must ensure their behaviour does not constitute bullying and/or harassment.
8. As such individuals should ensure comments are not:
 - 8.1. So harsh or extreme in their criticism of the City of Salisbury, that they raise questions about their capacity to work professionally, efficiently or impartially as an Elected Member or employee;
9. Elected Members are able to engage with residents through social media as outlined in this policy.

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K – SOCIAL MEDIA – ELECTED MEMBER TRAINING

1. Elected Members can access training in the use of social media tools in accordance with the Elected Member Training & Development Policy.

L – BREACHES TO THIS POLICY

1. Breaches made by an Elected Member, employees, independent members, volunteer or contractor in the media or social media will be treated as breaches to the Code of Conduct and will be investigated in line with the appropriate process.
2. If an individual (member of the community, Elected Member, employee) wishes to report a breach, they must follow the process outlined in the relevant Policy and any action taken will be based upon that process.
3. A failure to comply with any of this policy by an employee can constitute a ground for disciplinary action against the employee, including dismissal, under the Procedures for Managing Unacceptable Performance.

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~~Breaches made by or referring to an Elected Member, employees, independent members, volunteer or contractor in the media or social media will be treated as breaches to the Code of Conduct and will be investigated in line with the appropriate process.~~

~~If an individual (member of the community, Elected Member, employee) wishes to report a breach, they must follow the process outlined in the relevant Policy and any action taken will be based upon that process.~~

~~Examples of failure to adhere to the Council's Code of Conduct/Employee Code of Conduct Policy in a social media setting include:~~

- ~~— Making derogatory or obscene posts about an employee, resident or Elected Member and/or the City of Salisbury workplace on Facebook.~~
- ~~— Tweeting derogatory or an obscene comment about Elected Members, employees or residents from personal or official Twitter accounts.~~
- ~~— Sending private messages to colleagues that include derogatory, defamatory, racist, sexist or obscene remarks.~~
- ~~— Disclosing non-publicly available confidential information in a public forum.~~
- ~~— Posting or sharing any social media comments or differing opinions that might lead to bullying by other social media members because of content posted.~~

M – ASSOCIATED POLICIES

1. Council's Code of Conduct

- 2. [Employee Code of Conduct Policy](#)
- 3. [Managing Unacceptable Performance Procedures \(Employees\)](#)
- 4. [Fair Treatment Policy](#)

Document Control

Document ID	City of Salisbury Media Policy
Prepared by	Craig Ffeloar, Michael Bennington
Release	1.00
Document Status	Approved February 2017
Date Printed	18/07/2018

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Media Policy

Policy Type:	Policy	Decision No:	
Approved By:	Council	Last Reapproval Date:	
Approval Date:		Internal Reference No.:	4309373
Review Date:		Division:	Communications & Customer Relations
Department:	Business Excellence	Responsible Officer:	Manager, Communications and Customer Relations
Function:	2 - Media Relations		

A - PREAMBLE

1. The City of Salisbury communicates and engages with our community and stakeholders utilising various digital and traditional channels. It is important to manage these to ensure the City of Salisbury's messaging is consistent, accurate, appropriate to the target audience, and that our corporate brand principles are upheld.
2. The Communications & Customer Relations Division is responsible for managing and initiating Council's media relations and corporate communications.

B - SCOPE

1. This policy sets out Elected Member responsibilities in relation to authorised interactions with the media and media representatives, dealings with staff, and the use of both the City of Salisbury and private social media accounts.
2. This policy also details employee, volunteer and contractor responsibilities in regards to media relations, and use of private social media accounts from any location, network or device, at any time.

C – POLICY PURPOSE/OBJECTIVES

1. To ensure all media liaison on behalf of Council takes place via a central point of contact so that the City of Salisbury is able to actively monitor and respond to media issues.
2. To ensure a single spokesperson is providing comment to individual media outlets, so that the Council has a better opportunity to provide an accurate and consistent message and image.
3. To provide guidance and support to Elected Members identified as an approved spokespersons; and
4. To provide guidance to Elected Members in both best practice and appropriate use of social media accounts.
5. To provide guidelines for employees about the City of Salisbury's expectations regarding use

and appropriate conduct when engaging in social media.

D - DEFINITIONS

1. Corporate Social Media Accounts – Refers to all official City of Salisbury social media accounts such as City of Salisbury Facebook, City of Salisbury LinkedIn, Discover Salisbury Facebook, Youth in Salisbury Facebook, Salisbury Library Service Facebook, St Kilda Adventure Playground Facebook, Polaris Centre Facebook, City of Salisbury Twitter, Discover Salisbury Twitter, City of Salisbury Instagram, Discover Salisbury Instagram

E - POLICY STATEMENT

1. All authorised media contact should be coordinated via the Communications & Customer Relations Division.
2. Only authorised spokespersons may speak to the media or respond to media requests.
3. General Managers via the Communications & Customer Relations Division can approve responses to incoming media enquiries and authorise proactive media approaches where both the risk is determined to be low and attributable quotes are not required.
4. Staff other than the Chief Executive Officer must not present themselves as official City of Salisbury spokespersons unless authorised to do so by the Chief Executive Officer.
5. Employees, volunteers and contractors must report any media enquiries to the Manager, Communications & Customer Relations; who is authorised to liaise with the media as part of their role but would generally not make comment on behalf of the organisation.
6. Elected Members and employees should advise the Communications & Customer Relations team where they are aware of an event or issue that is likely to generate significant public and/or media interest. This ensures Council is prepared to respond to public and media enquiries in a timely manner with the accurate information.
7. All official City of Salisbury social media accounts must be authorised by the Manager, Communications & Customer Relations.
8. All communication via the City of Salisbury's social media accounts (including responding to public queries) is managed through the Communications & Customer Relations team and will be undertaken in line with Council's Customer Relationship Management (CRM) system.

F - SPOKESPERSONS

1. Official spokespeople for the City of Salisbury are:
 - 1.1. The Mayor and Chief Executive Officer - The Mayor is the default principal spokesperson in accordance with section 58 (1) (c) of the Local Government Act 1999, however where appropriate the Chief Executive Officer in consultation with the Mayor may be the preferred spokesperson.
 - 1.2. The Deputy Mayor - If the Mayor is unavailable, the Deputy Mayor will assume the responsibilities as described for the Mayor.
 - 1.3. Standing Committee Chairs - If neither the Mayor nor Deputy Mayor is available, the spokesperson will be the Standing Committee Chair for issues concerning the deliberations and decisions made by that Committee and subsequently endorsed by Council. For matters unrelated to committee decisions, the Chief Executive Officer will determine who the nominated spokesperson will be.
2. Official spokespeople will receive support from the Communications & Customer Relations team in the form of drafting and dissemination of media releases, arranging of photo and

interview opportunities and briefings before interviews.

3. As Local Government representatives, Elected Members are entitled to speak on any topic, but may not act as an authorised Council spokesperson except in the circumstances outlined above. In accordance with the requirements of the Code of Conduct, Elected Members must ensure that personal comments to the media are clearly identified as being their own private view, and not that of the Council.
4. Once Council has reached a decision on a matter, any official comments to media by Council's Official Spokesperson must support Council's endorsed position. Comments published by Elected Members on social media or any other media channels should support Council's endorsed position and if not clearly be identified as their own.
5. Employees can be interviewed by media on a private basis on matters not directly related to Council business or an employee's work. Employees can only speak on matters regarding Council if authorised to do so by the Chief Executive Officer as outlined above, and only on the subject that the authorisation relates to.

G – MONITORING

1. Monitoring of media activity is conducted by the Communications & Customer Relations team as well as a contracted media monitoring agency on a daily basis. The outcomes are distributed on weekdays to the Mayor, Deputy Mayor, Elected Members, Executive Group and Divisional Managers. Customer Centre may be included for circumstances where any media activity is likely to be raised by callers or customers at the reception desk. If coverage relates to a specific officer and / or manager, the daily monitor will also be forwarded to them.
2. The Communications & Customer Relations team will endeavour to make Elected Members aware of any potential media stories that are likely to generate significant public and/or media interest.
3. Monitoring of Council's social media channels is conducted by the Communications & Customer Relations team. The Communications & Customer Relations team will retain the right to remove content that does not adhere to the guidelines identified in this policy or other associated policies. Posts containing the following will not be responded to, and will likely be removed from the relevant page:
 - 3.1. Racist, sexist or sexual discrimination,
 - 3.2. Harassment or bullying,
 - 3.3. Profanity,
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4. During election periods, the City of Salisbury official social media accounts will be monitored for risk management and adherence to the Caretaker Policy. Where content or online behaviour is identified as being contrary to the Caretaker Policy, it should be referred to the Manager, Governance.

H – MEDIA REPORTING ON COUNCIL ACTIVITY

1. Media representatives are welcome to report on Council projects, events and decisions, and to interview nominated Council spokespeople. All enquiries should be directed to the Communications & Customer Relations team.
2. Media representatives are not permitted to film or record the proceedings of a Council meeting unless prior permission has been sought from the Mayor or Committee Chairperson

through the Manager Communications & Customer Relations.

3. Media must check-in with the facility or event manager and be accompanied on-site during their visit, where required.
4. Council expects that all media taking photographs or filming at Council facilities and events abide by privacy laws, especially those relating to photographing minors, and seek permission from anyone they wish to photograph or film, including non-Council employees.

I – SOCIAL MEDIA –PRIVATE ACCOUNTS (Elected Members and Employees)

1. The City of Salisbury logo or official corporate colours must not be used on any private social media accounts.
2. Private social media accounts must not, in any way, give the appearance that it is an official City of Salisbury presence or that the individual is speaking publicly on behalf of the Council or in their capacity as an Elected Member or employee of the City of Salisbury.
3. Ensure that no copyrighted or trademarked material is published without permission.
4. Comments or posts must not damage the City of Salisbury’s reputation, commercial interests, or bring the City of Salisbury into disrepute.
5. Comments or posts must not breach Council policies and must not be illegal, libellous, defamatory, abusive, obscene, or infringe Equal Employment Opportunity.
6. Council’s Code of Conduct/Employee Code of Conduct Policy and Fair Treatment Policy apply to online activity. All Council employees and Elected Members are expected to treat their colleagues with respect and dignity, and must ensure their behaviour does not constitute bullying and/or harassment.
7. As such, individuals should ensure comments are not:
 - 7.1. So harsh or extreme in their criticism of the City of Salisbury, that they raise questions about their capacity to work professionally, efficiently or impartially as an Elected Member or employee;

J – SOCIAL MEDIA – OFFICIAL ELECTED MEMBER ACCOUNTS

1. Elected Members wanting to utilise social media in their capacity as a Councillor are encouraged to set up an official Elected Member social media account that is separate from their private account/s for interactions with the community and Council’s social media presences.
2. It is recommended that:
 - 2.1. Official Elected Member social media accounts are clearly labelled as being owned by an Elected Member. For Facebook, it is advisable to use a Facebook Page instead of a personal account to engage the public, as per Facebook’s own rules.
 - 2.2. Where Elected Members do not wish to create separate social media accounts they must always identify themselves as being an Elected Member when interacting with any of the City of Salisbury social media accounts, i.e. *“I think there should be more recreation spaces – Cr John Smith”*, or when speaking to a member of the public in their capacity as an Elected Member, i.e. *“Thank you for bringing this to my attention, I’ll definitely raise it at the next Council meeting – Cr John Smith”*. This must also be taken into account when commenting on other social media platforms and pages not owned by the City of Salisbury, including private pages and closed groups.
 - 2.3. Elected Members should refrain from tagging or @mentioning the City of Salisbury in

their posts or tweets unless it is in direct relation to their role as an Elected Member.

- 2.4. Social media accounts should contain advice to the public that views expressed are the author's own and not that of the City of Salisbury, .i.e *This is the personal opinion of John Smith, City of Salisbury Councillor for Central Ward*
- 2.5. Elected Members need to be aware that they are directly and legally responsible for any comments that are posted to their own social media accounts by members of the public. If a member of the public posts material that is defamatory, obscene, racist, sexist, bullying or likely to cause offence, it is in the Elected Member's best interest to immediately remove such material to avoid possible legal action being taken against them.
- 2.6. Elected Members are encouraged to share content from City of Salisbury social media accounts to their own accounts.
- 2.7. Elected Members may tag themselves in any City of Salisbury photo where they appear.
- 2.8. If a resident raises a query or request with Council via the City of Salisbury's social media accounts, the query will be managed by the Communications & Customer Relations team in accordance with Council's CRM system.
- 2.9. If a resident raises a query or request via an Elected Member's social media account or other social media forum, Elected Members are encouraged to refer them to Council's CRM system, example reply could be *'Hi, if you have a request for service, please call our customer centre on 8406 8222 or fill out our online request form at www.salisbury.sa.gov.au/Services/Lodge_a_request and our friendly support staff will be able to get this resolved as quickly as possible for you – Cr John Smith'*.
3. The City of Salisbury logo or official corporate colours are not to be used on any private social media accounts. However, if an Elected Member has established a social media account specifically for their role as an Elected Member and they are identified as such, then the corporate logo can be utilised.
4. All Elected Member social media accounts should be deactivated as soon as an individual is no longer an elected representative of the City of Salisbury, and return to utilising their personal social media accounts.
5. Publicly visible comments or posts must not damage the City of Salisbury's reputation, commercial interests, or bring the City of Salisbury into disrepute.
6. Publicly visible comments or posts must not breach Council policies and must not be illegal, libellous, defamatory, abusive, obscene, or infringe Equal Employment Opportunity.
7. Council's Code of Conduct/Employee Code of Conduct Policy and Fair Treatment Policy apply to online activity. All Council employees and Elected Members are expected to treat their colleagues with respect and dignity, and must ensure their behaviour does not constitute bullying and/or harassment.
8. As such individuals should ensure comments are not:
 - 8.1. So harsh or extreme in their criticism of the City of Salisbury, that they raise questions about their capacity to work professionally, efficiently or impartially as an Elected Member or employee;
9. Elected Members are able to engage with residents through social media as outlined in this policy.

K – SOCIAL MEDIA – ELECTED MEMBER TRAINING

1. Elected Members can access training in the use of social media tools in accordance with the Elected Member Training & Development Policy.

L – BREACHES TO THIS POLICY

1. Breaches made by an Elected Member, employees, independent members, volunteer or contractor in the media or social media will be treated as breaches to the Code of Conduct and will be investigated in line with the appropriate process.
2. If an individual (member of the community, Elected Member, employee) wishes to report a breach, they must follow the process outlined in the relevant Policy and any action taken will be based upon that process.
3. A failure to comply with any of this policy by an employee can constitute a ground for disciplinary action against the employee, including dismissal, under the Procedures for Managing Unacceptable Performance.

M – ASSOCIATED POLICIES

1. Council’s Code of Conduct
2. Employee Code of Conduct Policy
3. Managing Unacceptable Performance Procedures (Employees)
4. Fair Treatment Policy

Document Control

Document ID	City of Salisbury Media Policy
Prepared by	Michael Bennington
Release	1.00
Document Status	
Date Printed	18/07/2018

ITEM 5.4
COUNCIL
DATE 23 July 2018

HEADING Audit Committee - Recommendations for Council Ratification

AUTHOR Joy Rowett, Governance Coordinator, CEO and Governance

APPROVING OFFICER Chief Executive Officer

EXECUTIVE SUMMARY

The Audit Committee met on 10 July 2018 and considered 8 items on its Agenda. The Audit Committee agenda and reports were distributed to all Elected Members and made available to the public prior to the Committee meeting.

7 recommendations of the Committee are provided in this report as recommendations to Council. The corresponding Executive Summary of each report to the Committee is also provided as a prompt. The 8th recommendation, presented to the Audit Committee in confidence forms part of Council's Confidential Agenda.

The Council may wish to adopt all the Committee recommendations by way of a single resolution, having given due consideration to each matter, OR, Elected Members may identify individual items/s to be withdrawn for separate discussion and resolution by Council.

A draft recommendation has been provided for each approach and is subject to the will of the Council meeting.

RECOMMENDATION

1. That Council adopt the recommendations of the Audit Committee meeting on 10 July 2018, contained in the report to Council (Item No. 5.4 on the agenda for the Council meeting held on 23 July 2018), and listed below:
 1. Item 4.0.1 – Future Reports of the Audit Committee of Council
 2. Item 4.0.2 – Actions List
 3. Item 4.2.1 – Bentley's Interim Report on Audit Findings
 4. Item 4.2.2 – Annual Report 2017/2018 - Internal Controls Framework and Audit Committee sections
 5. Item 4.2.3 – Audit Committee Self-Assessment Questionnaire and Process
 6. Item 4.2.4 – Internal Audit Plan
 7. Item 4.2.5 - Update on the Risk Management and Internal Controls Activities for the 2017/18 financial year and outstanding Internal Audit actions. Schedule of Risk Management and Internal Controls Activities for the 2018/2019 financial year

OR

2. That Council adopt the recommendations of the Audit Committee meeting on 10 July 2018, contained in the report to Council (Item No. 5.4 on the agenda for the Council meeting held on 23 July 2018), and listed below, with the exemption of Items ## and ## which will be considered separately:
(to be determined at the meeting as necessary).

ATTACHMENTS

There are no attachments to this report.

1. COMMITTEE RECOMMENDATIONS FOR COUNCIL RATIFICATION

COMMITTEE AGENDA ITEM NO. and TITLE	EXECUTIVE SUMMARY AND COMMITTEE RESOLUTION RECOMMENDED TO COUNCIL
Item No. 4.0.1 Future Reports for the Audit Committee of Council	<p>EXECUTIVE SUMMARY: This item details reports to be presented to the Audit Committee of Council as a result of a previous Council resolution. If reports have been deferred to a subsequent meeting, this will be indicated, along with a reason for the deferral.</p> <p>COMMITTEE RECOMMENDATION: That the information be received.</p>
Item No. 4.0.2 Actions List	<p>EXECUTIVE SUMMARY: An action list has been developed to capture any actions arising out of the City of Salisbury Audit Committee meetings. These actions do not replace the minutes from the Audit Committee, or the recommendations of the Committee that were submitted to Council for endorsement. They are included in this report as an aid to the Audit Committee.</p> <p>COMMITTEE RECOMMENDATION: That the information be noted.</p>
Item No. 4.2.1 Bentley's Interim Report on Audit Findings	<p>EXECUTIVE SUMMARY: City of Salisbury has engaged Bentleys to provide external audit services. The initial phase of that process comprises the conduct of an interim audit. This report attaches the presentation which will be given by Bentleys at the Audit Committee meeting in July 2018.</p> <p>COMMITTEE RECOMMENDATION: That the information be received.</p>

<p>Item No. 4.2.2 Annual Report 2017/2018 - Internal Controls Framework and Audit Committee sections</p>	<p>EXECUTIVE SUMMARY: The City of Salisbury Annual Report refers to the operations and financial activities of Council in the previous financial year. It also contains sections which detail the operations and membership of the Audit Committee of Council and the Financial Internal Controls Framework. This report contains the draft text for these sections of the Annual Report for the information of the Audit Committee.</p> <p>COMMITTEE RECOMMENDATION: That the proposed inclusions in the annual report relating to the operations and membership of the Audit Committee of Council for the 2017/18 financial year be noted, including feedback from members.</p>
<p>Item No. 4.2.3 Audit Committee Self-Assessment Questionnaire and Process</p>	<p>EXECUTIVE SUMMARY: Best practice indicates that the performance of the Audit Committee of Council should be reviewed on a regular basis. One method of doing this is through a self-assessment process. This report outlines the proposed methodology for self-assessment of the Audit Committee and seeks endorsement for the conduct of the assessment following the July 2018 Audit Committee Meeting.</p> <p>COMMITTEE RECOMMENDATION: The self-assessment questionnaire, as set out in Attachment 1 to this report (Item No. 4.2.3, Audit Committee, 10/07/2018) be issued to members of the Audit Committee for completion after the July 2018 meeting, and to cover the period from 1 January 2017 to 30 June 2018, with results to be collated and presented at the next Audit Committee meeting.</p>
<p>Item 4.2.4 Internal Audit Plan</p>	<p>EXECUTIVE SUMMARY An Internal Audit Plan outlining the internal audit work to be undertaken in the calendar years 2017-2019 has been developed by analyzing the risks in the Strategic Risk Register and identifying issues that should be the focus of the Internal Audit function for the relevant period. In addition, some updates have been made to the Internal Audit Plan since it was presented to the Audit Committee in May 2018; the changes are highlighted in this report.</p> <p>COMMITTEE RECOMMENDATIONS That:</p> <ol style="list-style-type: none"> 1. the updates made to the 2016-2018 Internal Audit Plan be noted. 2. the 2017-2019 Internal Audit Plan, as set out in Attachment 1 to this report (Item No. 4.2.4, Audit Committee 10 July 2018), be endorsed and adopted.

<p>Item 4.2.5 Update on the Risk Management and Internal Controls Activities for the 2017/18 financial year and outstanding Internal Audit actions. Schedule of Risk Management and Internal Controls Activities for the 2018/2019 financial year</p>	<p>EXECUTIVE SUMMARY This report provides a summary of the planned risk management and internal controls activities completed in the 2017/2018 financial year and those proposed for the 2018/2019 financial year. The report also includes an update on the outstanding actions from internal audits.</p> <p>COMMITTEE RECOMMENDATIONS</p> <ol style="list-style-type: none"> 1. The Update on Risk Management and Internal Controls Activities, as set out in Attachment 1 to this report (Item No. 4.2.5, Audit Committee 10/07/2018) be endorsed for approval by Council. 2. The schedule of Risk Management and Internal Controls Activities 2018/2019, as set out in Attachment 2 to this report (Item No. 4.2.5, Audit Committee 10/07/2018), be endorsed.
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CO-ORDINATION

Officer: MG
Date: 11/07/2018

ITEM 5.6
COUNCIL
DATE 23 July 2018

HEADING Budget and Finance Committee - Recommendations for Council Ratification

AUTHOR Joy Rowett, Governance Coordinator, CEO and Governance

APPROVING OFFICER Chief Executive Officer

EXECUTIVE SUMMARY

The Budget and Finance Committee met on 16 July 2018 to consider 6 items on its Agenda. The Budget and Finance Committee agenda and reports were distributed to all Elected Members and made available to the public prior to the Committee meeting.

5 recommendations of the Committee are provided in this report as recommendations to Council. The corresponding Executive Summary of each report to the Committee is also provided as a prompt. The 6th recommendation, presented to the Budget and Finance Committee in confidence forms part of Council's Confidential Agenda.

The Council may wish to adopt all the Committee recommendations by way of a single resolution, having given due consideration to each matter, OR, Elected Members may identify individual items/s to be withdrawn for separate discussion and resolution by Council.

A draft recommendation has been provided for each approach and is subject to the will of the Council meeting.

RECOMMENDATION

1. That Council adopt the recommendations of the Budget and Finance Committee meeting on 16 July 2018, contained in the report to Council (Item No. 5.6 on the agenda for the Council meeting held on 23 July 2018), and listed below:
 1. Item 6.0.1 – Future Reports for the Budget and Finance Committee
 2. Item 6.02 - Minutes of the Innovation and Business Development Sub Committee meeting held on Monday 9 July 2018
 3. Item 6.1.1 – Council Finance Report – June 2018
 4. Item 6.1.2 – Certification of the 2018 Annual Financial Statements
 5. Item 6.6.1 – Financial Hardship Policy and Procedure for Rating and Sundry Debtor Customers

OR

2. That Council adopt the recommendations of the Budget and Finance Committee meeting on 16 July 2018, contained in the report to Council (Item No. 5.6 on the agenda for the Council meeting held on 23 July 2018), and listed below, with the exemption of Items ## and ## which will be considered separately:

(to be determined at meeting as necessary)

ATTACHMENTS

There are no attachments to this report.

1. COMMITTEE RECOMMENDATIONS FOR COUNCIL RATIFICATION

COMMITTEE AGENDA ITEM NO. and TITLE	EXECUTIVE SUMMARY AND COMMITTEE RESOLUTION RECOMMENDED TO COUNCIL
<p>Item No. 6.0.1 Future Reports for the Budget and Finance Committee</p>	<p>EXECUTIVE SUMMARY: This item details reports to be presented to the Budget and Finance 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.</p> <p>COMMITTEE RECOMMENDATION: That: 1. The information be received</p>
<p>Item No. 6.0.2 Minutes of the Innovation and Business Development Sub Committee meeting held on Monday 9 July 2018</p>	<p>EXECUTIVE SUMMARY: The minutes and recommendations of the Innovation and Business Development Sub Committee meeting held on Monday 9 July 2018 are presented for Budget and Finance Committee's consideration.</p> <p>COMMITTEE RECOMMENDATION: That: 1. The information contained in the Innovation and Business Development Sub Committee Minutes of the meeting held on 9 July 2018 be received and noted and that the following recommendations contained therein be adopted by Council:</p> <p>IBDSC1 Future Reports for the Innovation and Business Development Sub Committee 1. The information be received.</p> <p>IBDSC2 Presentation - Marketing and Communication Service Review 1. The presentation be noted.</p>
<p>Item No. 6.1.1 Council Finance Report – June 2018</p>	<p>EXECUTIVE SUMMARY: This report provides some key financial data as at 30 June 2018 for Council's consideration.</p> <p>COMMITTEE RECOMMENDATION: 1. The information be received.</p>
<p>Item No. 6.1.2 Certification of the 2018 Annual Financial Statements</p>	<p>EXECUTIVE SUMMARY: This report provides a summary of the 2018 end of financial year reporting process and seeks Council's authorisation for both the Mayor and the Chief Executive Officer to sign the certificate certifying the 2018 Annual Financial Statements in their final form once completed.</p>

	<p>COMMITTEE RECOMMENDATION: That:</p> <ol style="list-style-type: none"> 1. The information be received. 2. The Mayor and the Chief Executive Officer be authorised by Council to sign the Council Certificate certifying the Annual Financial Statements for the financial year ended 30 June 2018, following the Audit Committee’s review of these Statements on 9 October 2018.
<p>Item No. 6.6.1 Financial Hardship Policy and Procedure for Rating and Sundry Debtor Customers</p>	<p>EXECUTIVE SUMMARY: This report provides details of the proposed Financial Hardship Policy and Procedure for our Rating and Sundry Debtor customers.</p> <p>The policy demonstrates that Council is committed to working in partnership to support families and individuals who are experiencing temporary and/or ongoing financial hardship to manage their payments in regards to rates and/or sundry debtor charges. The report provides details of the application and assessment of Financial Hardship for these charge types.</p> <p>COMMITTEE RECOMMENDATION: That:</p> <ol style="list-style-type: none"> 1. The information be received. 2. The Financial Hardship Policy as set out in Attachment 1 to this report (Budget and Finance, 16/07/2018, Item 6.6.1) be endorsed. 3. The Financial Hardship Procedure as set out in Attachment 2 to this report (Budget and Finance, 16/07/2018, Item 6.6.1) be noted.

CO-ORDINATION

Officer: MG
Date: 19/07/2018

ITEM	5.7
	COUNCIL
DATE	23 July 2018
HEADING	Sport Recreation and Grants Committee - Recommendations for Council Ratification
AUTHOR	Joy Rowett, Governance Coordinator, CEO and Governance
APPROVING OFFICER	Chief Executive Officer

EXECUTIVE SUMMARY

The Sport Recreation and Grants Committee met on 9 July 2018 to consider 7 items on its Agenda. The Sport Recreation and Grants Committee agenda and reports were distributed to all Elected Members and made available to the public prior to the Committee meeting.

The recommendations of the Committee are provided in this report as recommendations to Council. The corresponding Executive Summary of each report to the Committee is also provided as a prompt.

The Council may wish to adopt all the Committee recommendations by way of a single resolution, having given due consideration to each matter, OR, Elected Members may identify individual items/s to be withdrawn for separate discussion and resolution by Council.

A draft recommendation has been provided for each approach and is subject to the will of the Council meeting.

RECOMMENDATION

1. That Council adopt the recommendations of the Sport Recreation and Grants Committee meeting on 9 July 2018, contained in the report to Council (Item No. 5.7 on the agenda for the Council meeting held on 23 July 2018), and listed below:
 1. Item 7.0.1 – Future Reports for the Sport, Recreation and Grants Committee
 2. Item 7.0.2 – Minor Capital Works Grant Program - Applications Financial Process Recommendation
 3. Item 7.2.1 – Youth Sponsorship Applications - June 2018
 4. Item 7.2.2 – Community Grants Program Applications for July 2018
 5. Item 7.2.3 – 10/2018: The Mawson Lakes Football Club Inc. - Community Grants Program Application
 6. Item 7.2.4 – 12/2018: Association of Himalayan Buddhist of South Australia Inc. - Community Grants Program Application
 7. Item 7.2.5 - 14/2018: Supreme Football Group - Community Grants Program Application

OR

2. That Council adopt the recommendations of the Sport Recreation and Grants Committee meeting on 9 July 2018, contained in the report to Council (Item No. 5.7 on the agenda for the Council meeting held on 23 July 2018), and listed below, with the exemption of Items ## and ## which will be considered separately:
(to be determined at meeting as necessary)

ATTACHMENTS

There are no attachments to this report.

1. COMMITTEE RECOMMENDATIONS FOR COUNCIL RATIFICATION

COMMITTEE AGENDA ITEM NO. and TITLE	EXECUTIVE SUMMARY AND COMMITTEE RECOMMENDATION TO COUNCIL
<p>Item No. 7.0.1 Future Reports for the Sport, Recreation and Grants Committee</p>	<p>EXECUTIVE SUMMARY: This item details reports to be presented to the Sport, Recreation and Grants 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.</p> <p>COMMITTEE RECOMMENDATION: That: 1. The information be received.</p>
<p>Item No. 7.0.2 Minor Capital Works Grant Program - Applications Financial Process Recommendation</p>	<p>EXECUTIVE SUMMARY: Recent changes to the administration of the grants process recently highlighted that approval amounts (up to \$30,000), may be out of step with quotes being received. As a result it is proposed that the quote amounts plus 20% contingency be approved by the Committee with any costs over the approved amount to be borne by the club.</p> <p>COMMITTEE RECOMMENDATION: That: 1. Apply a 20% contingency to grant application amounts for approval by the Committee and; where the application of 20% takes the grant amount over the Grants upper limit that recommendations for grants approval amounts be set at \$30,000. 2. Note that the following conditions continue to apply to applicants <ul style="list-style-type: none"> • any amounts over the approved amount would be borne by the club; and • any significant departures in scope of original intent would require approval by the committee. 3. Procedures for staff be amended to ensure that only current quotations are presented to the committee.</p>

<p>Item No. 7.2.1 Youth Sponsorship Applications – June 2018</p>	<p>EXECUTIVE SUMMARY: This report provides a listing of all Youth Sponsorship grants approved for June 2018. COMMITTEE RECOMMENDATION: That: 1. The information be received.</p>
<p>Item No. 7.2.2 Community Grants Program Applications for July 2018</p>	<p>EXECUTIVE SUMMARY: This report outlines the Community Grants Program Applications for the July 2018 round. Two Applications are submitted for consideration by the Sport, Recreation and Grants Committee in an individual report. One Application is submitted for information in an individual report. COMMITTEE RECOMMENDATION: That: 1. The information be received and noted.</p>
<p>Item No. 7.2.3 10/2018: The Mawson Lakes Football Club Inc. – Community Grants Program Application</p>	<p>EXECUTIVE SUMMARY: The Mawson Lakes Football Club Inc. Application is submitted to the Sport, Recreation and Grants Committee for consideration. COMMITTEE RECOMMENDATION: That: 1. It be noted that, in accordance with delegated powers set out in the endorsed Terms of Reference, the Sport, Recreation and Grants Committee assessed and allocated funding for the July 2018 round of Community Grants as follows: a. Grant No. 10/2018: The Mawson Lakes Football Club Inc. be awarded the amount of \$2,500.00 to assist with the purchase of Guernsey’s and a scoop stretcher for ongoing use as outlined in the initial and revised Community Grant Applications.</p>
<p>Item No. 7.2.4 12/2018: Association of Himalayan Buddhist of South Australia Inc. – Community Grants Program Application</p>	<p>EXECUTIVE SUMMARY: The Association of Himalayan Buddhist of South Australia Inc. (AHIMBSA) Community Grants Program Application is submitted to the Sport, Recreation and Grants Committee for consideration. COMMITTEE RECOMMENDATION: That: 1. It be noted that, in accordance with delegated powers set out in the endorsed Terms of Reference, the Sport, Recreation and Grants Committee assessed and allocated funding for the July 2018 round of Community Grants as follows: a. Grant No. 12/2018: Association of Himalayan Buddhist of South Australia Inc. (AHIMBSA) be awarded the amount of \$2,500.00 to assist with the</p>

	purchase of hall hire, sound system hire and beverages for the Observing Foundation Day by AHIMBSA Member event as outlined in the Community Grant Application.
Item No. 7.2.5 14/2018: Supreme Football Group – Community Grants Program Application	<p>EXECUTIVE SUMMARY: The Supreme Football Group Community Grants Program Application is submitted to the Sport, Recreation and Grants Committee for information.</p> <p>COMMITTEE RECOMMENDATION: That:</p> <ol style="list-style-type: none"> 1. The information be received and noted..

CO-ORDINATION

Officer: MG
Date: 10/07/2018

ITEM 5.8
COUNCIL
DATE 23 July 2018

HEADING CEO Review Committee - Recommendations for Council Ratification

AUTHOR Joy Rowett, Governance Coordinator, CEO and Governance

APPROVING OFFICER Chief Executive Officer

EXECUTIVE SUMMARY

The CEO Review Committee met on 17 July 2018 and considered 3 items on its Agenda. The CEO Review Committee agenda and reports were distributed to all Elected Members and made available to the public prior to the Committee meeting.

The recommendations of the Committee are provided in this report as recommendations to Council. The corresponding Executive Summary of each report to the Committee is also provided as a prompt.

The Council may wish to adopt all the Committee recommendations by way of a single resolution, having given due consideration to each matter, OR, Elected Members may identify individual items/s to be withdrawn for separate discussion and resolution by Council.

A draft recommendation has been provided for each approach and is subject to the will of the Council meeting.

RECOMMENDATION

1. That Council adopt the recommendations of the CEO Review Committee meeting on 17 July 2018, contained in the report to Council (Item No. 5.8 on the agenda for the Council meeting held on 23 July 2018), and listed below:

1. Item 8.0.1 – Future Reports for the CEO Review Committee
2. Item 8.1.2 – CEO Personal Evaluation System 2017/2018
3. Item 8.1.3 – Annual Review of CEO Total Remuneration 2017/2018

OR

2. That Council adopt the recommendations of the CEO Review Committee meeting on 17 July 2018, contained in the report to Council (Item No. 5.8 on the agenda for the Council meeting held on 23 July 2018), and listed below, with the exemption of Items ## and ## which will be considered separately:

(To be determined at the meeting)

ATTACHMENTS

There are no attachments to this report.

1. COMMITTEE RECOMMENDATIONS FOR COUNCIL RATIFICATION

COMMITTEE AGENDA ITEM NO. and TITLE	EXECUTIVE SUMMARY AND COMMITTEE RESOLUTION RECOMMENDED TO COUNCIL
<p>Item No. 8.0.1 Future Reports for the CEO Review Committee</p>	<p>EXECUTIVE SUMMARY: This item details reports to be presented to the CEO Review 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.</p> <p>COMMITTEE RECOMMENDATIONS: That:</p> <ol style="list-style-type: none"> 1. The information be received
<p>Item No. 8.1.2 CEO Personal Evaluation System 2017/2018</p>	<p>EXECUTIVE SUMMARY: This report provides details of the CEO Personal Evaluation System for 2017/2018.</p> <p>COMMITTEE RECOMMENDATIONS:</p> <ol style="list-style-type: none"> 1. It be acknowledged that the CEO has, to the satisfaction of CEO Review Committee: <ul style="list-style-type: none"> • delivered the requirements of his position; • successfully achieved 2017/18 Key Performance Indicators; • for the seventh year achieved consistently positive results (in broad terms, performing in the “very good or above” category), in relation to the Performance Appraisal Survey; and as a result • achieved Rating 4 as a result of the assessment of CEO Performance according to the Personal Evaluation System. 2. The CEO Position Description as set out in Attachment 2 to this Report, remains unchanged. 3. A Report is provided on possible new Key Result Areas incorporating key observations and feedback from the CEO Performance Appraisal Report 2018.

<p>Item No. 8.1.3 Annual Review of CEO Total Remuneration 2017/2018</p>	<p>EXECUTIVE SUMMARY: This report provides details of the 2017/2018 CEO Remuneration Review.</p> <p>COMMITTEE RECOMMENDATIONS: That:</p> <ol style="list-style-type: none"> 1. In accordance with Clause 13 of the Employment Agreement and the delegation of authority granted by Council to the CEO Review Committee, an amendment to the CEO Total Remuneration be made, with that amendment being 2.2% to apply from the 2018 anniversary of the CEO Commencement Date (effective 9 May 2018).
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CO-ORDINATION

Officer: MG
Date: 19/07/2018

ITEM 6: GENERAL BUSINESS REPORTS

6.1 Rate Capping Update

PREV REFS	Resources and Governance Committee	3.5.2	15/06/2015
	Budget and Finance Committee	6.0.2	15/08/2016
	Budget and Finance Committee	6.6.2	18/04/2017

HEADING Rate Capping Update

AUTHOR Charles Mansueto, General Manager Business Excellence, Business Excellence

CITY PLAN LINKS 4.3 Have robust processes that support consistent service delivery and informed decision making.

RECOMMENDATION

1. Council note and receive the report
2. That the LGA be advised that Council
Opposes the Local Government (Rate Oversight) Amendment Bill 2018; **OR**
Supports the Local Government (Rate Oversight) Amendment Bill 2018.
3. That the LGA is also advised that in addition to the issues raised by the LGA our concerns with the proposed legislation, in particular
 - a. That the legislation does not appear to factor appropriately the impact of growth beyond the increase in allotments
 - b. The timeframe for implementation of the legislation should it pass through parliament, and
 - c. The detrimental financial impact on Council's financial sustainability even though Council has proactively managed its expenditure to minimise current rate increases on its community
 - d. Limited information on the proposed ESCOSA guidelines.

ATTACHMENTS

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

1. Local Government (Rate Oversight) Amendment Bill 2018

2. LGA Agenda & Discussion Paper - 13 July 2018

1. BACKGROUND

- 1.1 The issue of rate capping being implemented in South Australia has been a discussion point for some time, with the Liberal Government pushing for its implementation.
- 1.2 An inquiry into Local Government Rate Capping Policies was completed in 2015 by the Economics and Finance Committee with the outcome being:
 - 1.2.1 Local Councils retain full authority to set their own rates and that no rate cap be introduced
 - 1.2.2 Local Councils continue to set rates after full consultation with their communities
 - 1.2.3 Councils be subject to a thorough auditing process under the auspices of the Auditor General
 - 1.2.4 Councils be required to publish, on an annual basis these audits
- 1.3 A minority report supported by the Liberal Party was also tabled noting:
 - 1.3.1 That a local government rate capping regime be introduced in South Australia to reduce cost pressures to households
- 1.4 The City of Salisbury has previously resolved (Item 6.6.2, Resolution 1753/2017, 24/04/2017). not to support rate capping and also made a submission to the Inquiry reflecting concerns with a rate capping framework (Item 6.0.2, Resolution 1277/2016, 22/08/2016).
- 1.5 The Liberal Party following the recent State election, tabled the Local Government (Rate Oversight) Amendment Bill 2018 (Attachment 1) in parliament on the 20 June 2018.
- 1.6 The Local Government Association of South Australia (LGA) has been actively lobbying against rate capping with the majority of Councils including the City of Salisbury supporting the campaign (Item 6.6.2, Resolution 1753/2017, 24/04/2017).
- 1.7 On the 13 July 2018 the LGA held a forum and a Special Meeting to discuss rate capping and seek Council's support for a series of recommendations (Attachment 2).
- 1.8 This report seeks Council's consideration of its position on rate capping, in particular whether it supports or not the Local Government (Rate Oversight) Amendment Bill 2018.
- 1.9 Advice of Council's decision is required by the 3 August 2018 to allow the LGA board to consider the council responses.

2. CITY PLAN CRITICAL ACTION

2.1 Not applicable

3. CONSULTATION / COMMUNICATION

3.1 Internal

3.1.1 Executive, Financial Services.

3.2 External

3.1.2 LGA

4. RATE CAPPING RESEARCH

4.1 Rate capping was first proposed by the Liberal Party prior to the 2014 State Election. On the basis of evidence that rate capping results in negative impacts on communities, and the absence of any evidence that it results in more efficient councils, the LGA and the majority of South Australian councils have consistently voted to oppose the introduction of rate capping in South Australia.

4.2 The LGA has undertaken a range of advocacy, policy and reform activities to highlight the risks of rate capping while developing alternative local government reforms that will deliver benefits and value for communities. A summary of the research the LGA has undertaken on council rate capping policies and their impacts in other jurisdictions was presented in the report to the LGA Special General Meeting held on 13 July 2018, which is provided within Attachment 2.

4.3 As reported by Professor Roberta Ryan from the University of Technology Sydney at the LGA Special General Meeting, there is little Australian empirical evidence available to back up the claims about the purported advantages on rate capping. The research that is available provides evidence that rate capping is associated with:

- Higher levels of debt;
- Lower level of infrastructure maintenance; and
- Lower levels of inter-jurisdictional revenue effort equity (creating inequity in individual councils' ability to raise revenue).

4.4 The research does not provide any evidence of higher levels of efficiency being associated with rate capping.

5. PROPOSED LEGISLATION

5.1 Key elements of the legislation as summarized by the LGA include

5.1.1 The Essential Services Commission of South Australia (ESCOSA) will be responsible for making rate cap determinations, assessing applications from councils for variations to the rate cap and reporting on the outcomes of the system.

- 5.1.2 ESCOSA will determine the basis of the rate cap. For example, whether it will relate to a price or particular index (CPI, LGPI etc) and whether the cap will include any efficiency or productivity component. The details of how the rate cap will be determined will be subject to ESCOSA guidelines that are yet to be developed.
 - 5.1.3 A cap may be determined for councils generally, a class of councils or individual councils. There is no definition provided of a 'class' of councils.
 - 5.1.4 The cap will be applied to a 'base standard rate', which is a nominal rate that is arrived at by dividing the total annualised general rate revenue for a council area by the number of rateable properties in that area at the end of a base year (30 June). This model accounts for growth in the number of rateable properties over the course of a year.
 - 5.1.5 A council may apply to ESCOSA for a variation from the rate cap for a maximum period of up to 5 years. In applying for a variation, councils will need to provide the reasons for the variation application, evidence of community consultation, an assessment of the likely impact on ratepayers.
 - 5.1.6 Councils will be expected to make efficiencies across their operations before applying for a rate cap and will need to demonstrate they have considered funding priorities and alternative sources of revenue.
 - 5.1.7 Consistency with long term financial plans and infrastructure and asset management plans will be a critical component of an application for a variation.
 - 5.1.8 ESCOSA may charge councils a fee for assessing a variation application and applications will need to be lodged by 31 March.
 - 5.1.9 Further details of the variation process will be provided through ESCOSA guidelines that are yet to be developed.
 - 5.1.10 Separate rates and service rates and charges are excluded from the rate cap calculation, but a council must inform ESCOSA if they proposed to introduce a separate rate or service rate or charge as this will be taken into consideration when they set the primary rate cap for that council.
 - 5.1.11 ESCOSA must monitor and review councils' compliance with the system and prepare reports on the effects of rate capping on councils and any trends that may arise as a result of the rate capping scheme.
 - 5.1.12 The Minister may take action in relation to a council under Section 273 on the basis of a report by ESCOSA. Currently this provision includes ICAC, the Auditor-General and/or the Ombudsman.
 - 5.1.13 A review of the legislation will be required before 31 December 2023 (five years from the proposed commencement).
- 5.2 The LGA has also identified various issues with the legislation with details provided in Attachment 2.

- 5.3 Of note are:
- 5.3.1 Although Councils already extensively consult on annual plans and budgets, the legislation is likely to require an increased level of consultation, particularly if a Council is seeking a variation to the rate cap
 - 5.3.2 The annual plan and budget consultation will need to occur prior to 31 March of each year should a variation be required and therefore will require budgets to be considered by Councils up to 6 months before the completion of the current year's budget. Council's generally consult around May and June.
 - 5.3.3 No ability in the current legislation for an automatic review should other legislation be implemented that has an impact on Council's costs.
 - 5.3.4 Potential for greater influence by ESCOSA on services delivered by Councils due to the rate capping system
 - 5.3.5 In determining the primary rate cap, ESCOSA is required to consider a number of factors and will also be required to consider matters raised by the Minister.
 - 5.3.6 There is a lack of information on how much the rate capping system will cost to administer or how it will be funded.
- 5.4 Additional to the LGA consideration of the legislation council staff have identified the following matters that need to be further investigated through the LGA or ESCOSA.
- 5.4.1 Although the legislation allows for Councils to include new growth (allotments) known at the beginning of the financial year which the primary rate cap will apply, the legislation does not factor in the capital investment that may arise through a vacant allotment being developed.
 - 5.4.2 The current rating system works on the capital value of properties and should a vacant allotment be developed, which in turn creates additional costs to Council to service the allotment, then Councils will have no ability to factor this in their rating policy unless Council seeks a variation to the rate cap.
 - 5.4.3 This has a compounding impact on Councils rate revenue further reducing the ability for Councils to continue to fund the delivery of existing or new services.
 - 5.4.4 This system is independent of the capital value and caps total rate revenue.
 - 5.4.5 Council's will then be required to adjust the various rate in the dollar to collect up to the capped rate revenue.

- 5.4.6 It is understood that ESCOSA will be issuing guidelines around August seeking feedback from stakeholders. The unknown detail of these guidelines makes it difficult to plan and consider the implications of the proposed legislation in any detail. This is compounded by the intention to have a primary rate determined by 31 December 2018 and effective 1 July 2019.
- 5.4.7 Councils that have already undertaken broader reforms to service levels and/or cost structures will be disadvantaged by the legislation as it does not recognize this and focuses just on total rate revenue.
- 5.4.8 The cost of a rate cap variation request is unknown and based on experience interstate can be expensive and Councils incurring costs that they currently don't have.
- 5.4.9 Currently during a financial year any new allotments created are charged on a prorated basis. It is unclear if this will be allowed under the proposed legislation. It is also likely to have further implications when applying the formula to calculate the Base Standard Rate as this takes into account the number of assessments at 30 June but not the rate revenue for a full year (due to pro-rata), resulting in a lower Base Standard Rate that is then used to calculate the general rate revenue for the preceding year.
- 5.4.10 It is understood that Councils will be unable to seek a rate cap variation for a single project, but this needs to be confirmed once the draft guidelines are issued for consultation.

6. IMPACTS OF RATE CAPPING

- 6.1 The LGA's research confirms that there is overwhelming evidence that shows rate capping is not an effective public policy. The New South Wales and Victorian experience show that rate capping:
 - undermines local democracy, centralises decision making about council rate revenue and shifts accountability from community representatives to an unelected bureaucracy;
 - limits councils' ability to provide local services – putting discretionary services at risk;
 - leads to higher user pays fees, charges and fines;
 - creates asset renewal and infrastructure backlogs; and
 - does not make councils more efficient or financially sustainable – in fact council debt increases as councils struggle to meet community expectations.
- 6.2 The lack of detail in the Local Government (Rate Oversight) Amendment Bill 2018 means that it is challenging to forecast and model the specific impacts on council services and the long-term financial sustainability of the local government sector.
- 6.3 LGA modelling that assumes a rate cap aligned with LGPI the previous year, shows the potential loss of rates revenue across the local government sector would have been:

- \$65.2 million and 2014-15;
 - \$42.7 million in 2015-16; and
 - \$15.8 million in 2016-17
- 6.4 The impact to the City of Salisbury over that past four years would have seen a reduction in general rate revenue of approximately \$14.6M. This has been based on the annual September Local Government Price Index compared to the actual rate increase endorsed by Council.
- 6.5 It is recognized that the actual Primary Rate Cap determined by ESCOSA will likely differ given the various matters that they need to consider, and therefore the actual impact will be different.
- 6.6 Over the 10 year Long Term Financial Plan it is estimated that the impact will be around \$60M in lower rate revenue. This is based on estimates of the Primary Rate Cap that would be applied based on historical LTPI. Noting that future modelling becomes even more complex given the uncertainty of what the actual Primary Rate Cap will be.
- 6.7 Previous modelling against a CPI rate capping model saw Council unable to meet its Operating Surplus Ratio which showed that Council will move into a deficit position from around 2025, even though council has been able to deliver ongoing annual expenditure savings of more than \$3M through the Program Review initiative.

Council has also actively generated additional income through initiatives like Salisbury Water and Strategic Property Development.

7. PROCESS TO RESOLVE A SECTOR POSITION

- 7.1 At the LGA Special General Meeting, councils voted that South Australian councils should review the Local Government (Rate Oversight) Amendment Bill 2018 and advise the LGA by Friday 3 August 2018 of council's endorsed position based on the following options:
- Council supports the Local Government (Rate Oversight) Amendment Bill 2018; or
 - Council opposes the Local Government (Rate Oversight) Amendment Bill 2018.
- 7.2 Following the receipt of responses from councils by 3 August, a special meeting of the LGA Board will be called to consider the endorsed positions of member councils. As rate capping would impact on councils differently depending on size, services, budget and rate base; the LGA Board will consider the endorsed positions of member councils on the basis of both a 'one vote, one value' counting method and a weighted voting method (using the same weighting system applied at LGA General Meetings).

- 7.3 The Board will also use the following criteria to inform and resolve a position:
- A merits-based assessment of the proposed legislation;
 - The best interests of the communities of South Australia and their confidence in the local government sector;
 - Current LGA policy positions and whether there is a mandate from members for an amended policy to be adopted;
 - Potential impacts on the long-term financial sustainability of the local government sector, and how any negative impacts could be mitigated;
 - Potential amendments and concessions that are in the best interest of councils and the community they serve;
 - Positions of political parties in the Legislative Council and the impact this would have on the outcomes that can feasibly be achieved through the parliamentary process; and
 - The number of responses received and the number of councils that did not participate in the voting process.
- 7.4 The LGA has requested that Council provides advice on an endorsed position by Friday 3 August to enable the LGA Board to finalise a position and advise political parties of the sector's response in preparation for the spring session of Parliament.
- 7.5 It is critical for the LGA Board's decision making process that councils indicate whether they support or oppose the Bill irrespective of potential amendments and concessions.
- 7.6 Once the Board has resolved a position on behalf of the sector, the LGA will use best endeavours in the Parliament to secure an outcome reflective of the sector's position and in the interests of the communities they serve.

8. PARLIAMENTARY PROCESS

- 8.1 The Local Government (Rate Oversight) Amendment Bill 2018 has been introduced in the House of Assembly by the Minister for Transport, Infrastructure and Local Government, Hon Stephan Knoll MP.
- 8.2 The Government holds the majority in the House of Assembly (lower house), so it is likely the Bill will progress through the House of Assembly (lower house) to the Legislative Council (upper house) despite independent MPs in the lower house - Frances Bedford MP, Geoff Brock MP and Troy Bell MP (and potentially SA Labor) - all publicly stating that they will vote against the legislation. The Bill is expected to be passed in the House of Assembly in July 2018, before the winter recess of Parliament.
- 8.3 However, the Bill must pass in both Houses of Parliament to become law and the Government does not hold a majority in the Legislative Council.

- 8.4 If the Labor Party (ALP) honours its pre-election commitment to oppose rate capping, the government must secure support from three out of five crossbench members in order for the Bill to pass. The crossbench currently comprises two members from SA-BEST, two members from the Greens, and one member from Advance SA.
- 8.5 The ALP is considering the detail of the Bill and is yet to confirm a position. However, the Shadow Minister for Local Government, Hon Tony Piccolo MP told the LGA's Special Meeting that he has a number of concerns about rate capping and is reluctant to recommend it to the Shadow Cabinet. SA-BEST and Greens are both on record post-election opposing rate capping based on the detrimental impacts it has had interstate and its lack of policy merit. Therefore, the possibility of successfully opposing rate capping in the upper house remains available if this is ultimately the decision of councils.
- 8.6 The Government has indicated that the Bill will be scheduled for debate in the Legislative Council in the first or second sitting week of Parliament, following the winter recess

9. CONCLUSION / PROPOSAL

- 9.1 This report provides Council with an overview of the proposed legislation and issues identified by the LGA that need to be considered in determining if the current legislation is supported or not.
- 9.2 Staff have also reviewed the legislation and based on the information available have estimated that there will be a material impact on Council's financial sustainability.
- 9.3 Council are asked to consider the information provided and determine if the LGA should be advised of Council's support or not to the Local Government (Rate Oversight) Amendment Bill 2018.

CO-ORDINATION

Officer:	CEO	GMBE
Date:	19/07/2018	19/07/2018

Advance

South Australia

**Local Government (Rate Oversight) Amendment
Bill 2018**

A BILL FOR

An Act to amend the *Local Government Act 1999*.

Local Government (Rate Oversight) Amendment Bill 2018Contents

Contents**Part 1—Preliminary**

- 1 Short title
- 2 Commencement
- 3 Amendment provisions

Part 2—Amendment of *Local Government Act 1999*

- 4 Amendment of section 3—Objects
- 5 Amendment of section 123—Annual business plans and budgets
- 6 Insertion of Chapter 10 Part 1A

Part 1A—Rate oversight

- 187C Objects of Part
 - 187D Interpretation
 - 187E Primary rate cap determinations
 - 187F Rate cap variation determinations
 - 187G Rate cap variation determination applications
 - 187H Publication of Ministerial requests and directions
 - 187I Council must notify ESCOSA of certain matters
 - 187J Compliance with rate cap determinations
 - 187K Administration
 - 7 Amendment of section 273—Action on report
 - 8 Amendment of section 303—Regulations
 - 9 Review
-

The Parliament of South Australia enacts as follows:**Part 1—Preliminary****1—Short title**

- 5 This Act may be cited as the *Local Government (Rate Oversight) Amendment Act 2018*.

2—Commencement

This Act will come into operation on a day to be fixed by proclamation.

3—Amendment provisions

- 10 In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Local Government Act 1999***4—Amendment of section 3—Objects**

- 15 Section 3(f)—after "communities" insert:
 - and to provide for appropriate financial contributions by ratepayers to those services and facilities

5—Amendment of section 123—Annual business plans and budgets

Section 123—after subsection (2) insert:

- (2a) A council must ensure that, if relevant, an annual business plan also contains a statement—
 - 5 (a) that the council intends to apply for a rate cap variation determination to increase the primary rate cap determination applying to the council for the financial year under Chapter 10 Part 1A; or
 - 10 (b) that the council has made an application to ESCOSA for a rate cap variation determination but that a determination has not been made in relation to the application; or
 - (c) that a rate cap variation determination made by ESCOSA for the financial year applies to the council.

6—Insertion of Chapter 10 Part 1A

15 Chapter 10—after Part 1 insert:

Part 1A—Rate oversight

187C—Objects of Part

The objects of this Part are to ensure—

- 20 (a) that the financial contribution of ratepayers to the provision of services and infrastructure by local government to meet the present and future needs of local communities is subject to appropriate oversight; and
- (b) that a council has the financial capacity to perform its duties and functions and exercise its powers.

25 **187D—Interpretation**

(1) In this Part—

- base standard rate*—see subsection (2);
- base year* means the financial year before the capped year;
- capped standard rate* see subsection (3);
- 30 *capped year* means the financial year specified in a primary rate cap determination;
- ESCOSA* means the Essential Services Commission established under the *Essential Services Commission Act 2002*;
- 35 *primary rate cap* means the primary rate cap (expressed as a percentage) specified by ESCOSA in a primary rate cap determination;
- primary rate cap determination*—see section 187E(1);
- rate cap variation determination*—see section 187F(1);

Local Government (Rate Oversight) Amendment Bill 2018
 Part 2—Amendment of *Local Government Act 1999*

varied rate cap means the varied rate cap (expressed as a percentage) specified by ESCOSA in a rate cap variation determination.

- (2) The *base standard rate*, in relation to a council, means the rate calculated in accordance with the following formula:

$$BSR = \frac{Rb}{N}$$

Where—

BSR is the base standard rate;

Rb is the total annualised revenue recoverable from general rates on rateable properties within the area of the council as at 30 June in the base year;

N is the number of rateable properties within the area of the council as at 30 June in the base year.

- (3) The *capped standard rate*, in relation to a council, means the rate calculated in accordance with the following formula:

$$CSR = \frac{Rc}{N}$$

Where—

CSR is the capped standard rate;

Rc is the total annualised revenue recoverable from general rates on rateable properties within the area of the council as at 1 July in the capped year;

N is the number of rateable properties within the area of the council as at 1 July in the capped year.

187E—Primary rate cap determinations

- (1) ESCOSA may, on its own initiative or at the request of the Minister, by notice in the Gazette, determine that the capped standard rate for a specified financial year must not exceed the base standard rate by more than the primary rate cap specified in the notice (a *primary rate cap determination*).
- (2) A primary rate cap determination may apply to—
- (a) councils generally; or
 - (b) a class of councils; or
 - (c) a particular council.
- (3) Before making a primary rate cap determination that is to apply to councils generally or a class of councils, ESCOSA must consider the following:
- (a) the basis of the primary rate cap (for example, a relevant price or cost index);

Local Government (Rate Oversight) Amendment Bill 2018
Amendment of Local Government Act 1999—Part 2

- (b) whether the primary rate cap should include an efficiency or productivity component;
 - (c) the amount of the primary rate cap (including, if relevant, any efficiency or productivity component);
 - (d) any matter that the Minister directs ESCOSA to consider;
 - (e) any other matter considered relevant by ESCOSA.
- (4) The following provisions apply to the making of a primary rate cap determination that is to apply to a particular council:
- (a) ESCOSA may only make a primary rate cap determination that is to apply to a particular council if ESCOSA considers it appropriate to do so taking into account—
 - (i) the council's record of compliance with 1 or more previous primary rate cap determinations or rate cap variation determinations; or
 - (ii) a proposal by the council to—
 - (A) change the basis on which rates are assessed against land under section 148; or
 - (B) declare a separate rate under section 154 or impose a service rate or an annual service charge under section 155 in relation to a financial year; or
 - (iii) the level of other fees or charges imposed or proposed to be imposed by the council other than under Part 1; or
 - (iv) any other matter that ESCOSA thinks fit;
 - (b) before making a primary rate cap determination that is to apply to a particular council, ESCOSA must—
 - (i) consider the following:
 - (A) the matter or matters set out in subsection (4)(a)(i) to (iv) based on which ESCOSA considers it appropriate to make the determination;
 - (B) if ESCOSA proposes to make a primary rate cap determination that is to apply to councils generally for the relevant financial year, the amount of the primary rate cap (including, if relevant, any efficiency or productivity component);
 - (C) any matter that the Minister directs ESCOSA to consider;
 - (D) any other matter considered relevant by ESCOSA; and

Local Government (Rate Oversight) Amendment Bill 2018Part 2—Amendment of *Local Government Act 1999*

- (ii) give the council a reasonable opportunity to make submissions in relation to the proposed determination.
- 5 (5) A primary rate cap determination does not have effect in relation to a capped year unless it is published in the Gazette—
- (a) on or before 31 December in the financial year before the capped year; or
- (b) on or before another date specified by ESCOSA by notice in the Gazette in the financial year before the capped year.
- 10 (6) A primary rate cap under a primary rate cap determination may be a positive or negative amount.

187F—Rate cap variation determinations

- (1) ESCOSA may, on application by a council the subject of a primary rate cap determination applying to councils generally or a class of councils, make a determination specifying a varied rate cap (being a cap that is different from the primary rate cap applying to the council under the primary rate cap determination) for 1 or more specified financial years (up to a maximum of 5 years) (a *rate cap variation determination*).
- 15 (2) ESCOSA may only make a rate cap variation determination on an application under this section if satisfied that the varied rate cap is appropriate, having regard to—
- (a) the matters set out in section 187G(2); and
- (b) the council's record of compliance with any previous primary rate cap determination or rate cap variation determination; and
- 25 (c) whether requirements given by ESCOSA under section 29 of the *Essential Services Commission Act 2002* relating to the council giving information relevant to the application (if any) have been complied with; and
- 30 (d) any matter that the Minister directs ESCOSA to consider; and
- (e) any other matter determined by ESCOSA.
- (3) If ESCOSA makes a rate cap variation determination under this section, ESCOSA must publish a notice in the Gazette specifying—
- 35 (a) the fact that a rate cap variation determination has been made; and
- (b) the council to which the rate cap variation determination applies; and
- 40 (c) the varied rate cap applying under the rate cap variation determination (which may be the varied rate cap proposed by the council or another cap set by ESCOSA); and

Local Government (Rate Oversight) Amendment Bill 2018
Amendment of *Local Government Act 1999*—Part 2

- (d) each financial year to which the varied rate cap applies.
- (4) A varied rate cap under a rate cap variation determination may be a positive or negative amount.

187G—Rate cap variation determination applications

- 5 (1) An application by a council for a rate cap variation determination must—
 - (a) be made by—
 - 10 (i) 31 March before the first capped year to which the application relates; or
 - (ii) by such other date fixed by ESCOSA by notice in the Gazette; and
 - (b) be made in the form and manner determined by ESCOSA; and
 - 15 (c) be accompanied by the fee determined by ESCOSA, which must not exceed the reasonable costs of determining the application.
- (2) The application must specify—
 - 20 (a) the number of financial years (up to a maximum of 5 years) that the council proposes that it be subject to a rate cap variation determination; and
 - (b) the proposed varied rate cap for each specified financial year; and
 - (c) the reasons the council seeks a varied rate cap; and
 - 25 (d) the community engagement process that has been undertaken by the council on the proposed varied rate cap; and
 - (e) the likely impact of the proposed varied rate cap on ratepayers, including their capacity and willingness to pay rates in accordance with the proposed varied rate cap; and
 - 30 (f) whether consideration has been given to reprioritising proposed spending measures and alternative funding options and, if so, why those options are not adequate; and
 - (g) how the varied rate cap represents value for money for the council and its ratepayers and promotes the efficient use of council resources; and
 - 35 (h) how the proposal is consistent with the council's long term financial plan and infrastructure and asset management plan under Chapter 8 Part 1; and
 - (i) any other information required by ESCOSA.

Local Government (Rate Oversight) Amendment Bill 2018
Part 2—Amendment of *Local Government Act 1999*

- (3) A council must, as soon as is reasonably practicable after making an application for a rate cap variation determination, publish a copy of the application (including any accompanying information and documents) on its website.

5 **187H—Publication of Ministerial requests and directions**

- (1) If the Minister makes a request under section 187E(1), ESCOSA must publish a copy of the request on its website as soon as is reasonably practicable after its receipt.

- (2) If the Minister gives—

- 10 (a) a direction under section 187E(3)(d) or (4)(b)(i)(C); or
(b) a direction under section 187F(2)(d),

ESCOSA must publish a copy of the direction on its website as soon as is reasonably practicable after its receipt.

187I—Council must notify ESCOSA of certain matters

- 15 (1) A council must not—

- (a) change the basis on which rates are assessed against land under section 148; or
(b) declare a separate rate under section 154 or impose a service rate or an annual service charge under section 155,

20 unless the council notifies ESCOSA, in the manner and form determined by ESCOSA, of the proposal before 31 October of the year before the first financial year in which the change, rate or charge (as the case may be) is to apply.

- (2) If a council notifies ESCOSA under subsection (1) of a—

- 25 (a) proposed change of a kind referred to in subsection (1)(a); or
(b) proposed rate or charge of a kind referred to in subsection (1)(b),

30 the council must provide ESCOSA with any information or document required by ESCOSA in relation to the change, rate or charge (as the case requires).

- (3) A failure to comply with this section does not affect the validity of any of the following rates or charges recoverable under this Chapter (or any fine or interest relating to such rates or charges):

- 35 (a) a rate or charge assessed against land on a changed basis of a kind referred to in subsection (1)(a); or
(b) a separate rate, service rate or annual service charge of a kind referred to in subsection (1)(b).

187J—Compliance with rate cap determinations

- (1) A council must comply with a primary rate cap determination.

Local Government (Rate Oversight) Amendment Bill 2018
Amendment of *Local Government Act 1999*—Part 2

- 5
- (2) If a rate cap variation determination is made in respect of a council—
- (a) the rate cap variation determination applies to the council for the financial year or years specified in the determination (instead of the primary rate cap determination applying during that year or those years); and
 - (b) the council must comply with the rate cap variation determination.
- 10
- (3) A failure to comply with a primary rate cap determination or a rate cap variation determination does not affect the validity of any rate, charge, interest or fine recoverable under this Chapter in respect of the financial year in relation to which the failure occurred.

187K—Administration

- 15
- (1) ESCOSA has such functions and powers as are necessary or expedient to give effect to this Part, including the following functions:
- (a) to monitor and review councils' compliance with this Part and, in particular, to monitor and review compliance with primary rate cap determinations and rate cap variation determinations;
 - 20 (b) to assess the effect of primary rate cap determinations and rate cap variation determinations on the provision of services and infrastructure by councils and the sustainability of the financial performance and position of councils;
 - 25 (c) to identify trends across the local government sector arising from the operation of primary rate cap determinations and rate cap variation determinations, and any other impacts arising from the operation of this Part.
- 30
- (2) ESCOSA must, in relation to each financial year, give an annual report to the Minister on the compliance of councils with any primary rate cap determination and rate cap variation determination applying in that year.
- 35
- (3) ESCOSA must prepare a biennial report on—
- (a) the matters referred to in subsection (1)(b) and (c); and
 - (b) any other matter relating to the operation of this Part that ESCOSA considers appropriate.
- 40
- (4) A report under subsection (3) must be given to the Minister within 3 months after the end of the second financial year to which the report relates.
- (5) The Minister must cause a copy of a report given to the Minister under this section to be laid before both Houses of Parliament within 12 sitting days after receiving the report.

Local Government (Rate Oversight) Amendment Bill 2018
Part 2—Amendment of *Local Government Act 1999*

- (6) ESCOSA may, as soon as is reasonably practicable after giving a report under this section to the Minister, publish a copy of the report on its website.

7—Amendment of section 273—Action on report

5 Section 273(1)—after paragraph (c) insert:

; or

- (d) a report of ESCOSA under Chapter 10 Part 1A,

8—Amendment of section 303—Regulations

- (1) Section 303(8a)—delete "additional"

10 (2) Section 303(8a)—delete "enactment of the *Statutes Amendment (Boards and Committees—Abolition and Reform) Act 2015*" and substitute:

amendment of this Act by another Act

9—Review

15 (1) The Minister responsible for the administration of the *Local Government Act 1999* must cause a review of the operation of Chapter 10 Part 1A of that Act (as to be inserted into the *Local Government Act 1999* by section 6 of this Act) to be conducted and a report on the results of the review to be prepared and submitted to the Minister.

- (2) The review and report must be completed by 31 December 2023.

20 (3) The Minister must cause a copy of the report to be laid before both Houses of Parliament within 6 sitting days after receiving the report.

Notice of Meeting

Notice is hereby given that a LGA Special General Meeting will be held on

Friday 13 July 2018 at 12.30pm

In the Adelaide Town Hall

128 King William Street, Adelaide



Matt Pinnegar
Chief Executive Officer

5 July 2018

Agenda

Item	Page
1. Open & Welcome	
2. Apologies	
3. Notice & Arrangements	
4. Discussion Reports from the LGA Board	
4.1 Local Government (Rate Oversight) Amendment Bill 2018	3
5. Next Meeting	
The LGA Annual General Meeting will be held on Friday 26 October 2018 at Adelaide Entertainment Centre, 98 Port Road Hindmarsh.	
6. Close	

4.1 Local Government (Rate Oversight) Amendment Bill 2018

Discussion Reports from the LGA Board

From:	Matt Pinnegar, Chief Executive Officer	
Key Initiative:	K.I 1 Leadership and advocacy	
Strategy:	1B Contribute to state-wide and local policy	
Meeting	Special General Meeting	13 July 2018
ECM:	662513	Attachment: 661596, 659207, 662329

Recommendation

That the Special General Meeting

1. notes the report;
2. notes the policy position unanimously adopted by LGA Members at the 2016 Ordinary General Meeting that decisions concerning council rates are better informed, and the impacts better understood, when made by the respective councils in consultation with their communities;
3. requests that all South Australian councils carefully review the Local Government (Rate Oversight) Amendment Bill 2018 and advise the Local Government Association by Friday 3 August 2018 of the council's endorsed position based on the following options:
 - a. Council supports the Local Government (Rate Oversight) Amendment Bill 2018; or
 - b. Council opposes the Local Government (Rate Oversight) Amendment Bill 2018.
4. supports the LGA using best endeavours to secure the best possible outcome for local government and the communities they serve and requests that councils provide to the LGA a list of the priority issues, amendments and concessions they would seek to address in the LGA's discussions with political parties about this rate capping legislation;
5. notes that the Local Government Association Board will hold a special meeting to consider the endorsed positions of member councils; and
6. notes that the LGA Board will consider the matter on the basis of both a 'one vote, one value' counting method and a weighted voting method (using the same weighting system applied at LGA General Meetings). The Board will also use identified criteria to inform and resolve a position.

Discussion

The state government introduced the Local Government (Rates Oversight) Amendment Bill 2018 in the House of Assembly on 20 June 2018 following a Liberal Party election commitment to introduce rate capping legislation in the Parliament within their first 100 days of government.

Rate capping became a policy of the Liberal Party (SA Branch) in 2014. The LGA has undertaken extensive research on council rate capping policies and their impacts in other jurisdictions. On the basis of the evidence that rate capping results in negative impacts on communities, a majority of LGA member councils have consistently voted to oppose the introduction of rate capping in South Australia.

As a result of this sector-wide policy position, the LGA has undertaken a range of advocacy, policy and reform activities to highlight the problems with rate capping while developing alternative reforms that will deliver benefits and value for communities. These activities are summarised within this report.

This report also provides analysis of the Local Government (Rates Oversight) Amendment Bill 2018 and identifies some of the key issues that councils are encouraged to consider in developing a position on this proposed legislation.

It is not intended that councils will make a decision at this Special General Meeting about their position on the proposed legislation. Rather, the intent of this meeting is to discuss a suite of options that can be formally considered by members at their council meetings to make an informed decision about whether to accept or reject this rate capping legislation.

Background

The following commentary provides an overview of key events and issues in recent years.

- Rate capping was first proposed by the Liberal Party prior to the 2014 State Election. On the basis of a long standing existing LGA policy that '*State Governments must not interfere with the autonomy of Local Government by imposing limits on rating*', the LGA publicly opposed this policy and has been consistent in opposing rate capping.
- In May 2015, there was a Parliament of South Australia Economic and Finance Committee Inquiry into Rate Capping. The LGA, and a number of councils, made submissions and gave evidence to the inquiry highlighting the negative impacts that rate capping has had on communities and councils interstate.
- The South Australian Economic and Finance Committee handed down its final report in July 2016 and its recommendation was that councils should continue to set rates after full consultation with their communities and that rate capping should not be introduced in South Australia. The Liberal Party members of the Committee handed down a minority report in support of their pre-election commitment to introduce rate capping.
- The former Shadow Minister for Local Government, Steven Griffiths MP introduced a Private Members Bill into the Parliament in March 2016 for a rate capping system in South Australia. The Bill was defeated in the House of Assembly after being opposed by the Labor Government on the basis that rate capping is poor public policy and the Bill lacked merit.
- In 2017, the Liberal Party again tried to introduce a rate capping scheme by proposing amendments to the Local Government (Boundary Adjustment) Amendment Bill. The proposed amendments were not allowed to be introduced on the basis that they did not relate to the primary subject of the Bill.
- The Liberal Party formed a majority government following the March 2018 State Election and has followed through on their commitment to introduce rate capping legislation in the Parliament within their first 100 days of Government.
- Legislation that is not supported by the Opposition will require the support of 3 out of 5 crossbench members in the Legislative Council. Labor, SA-BEST and the Greens took an anti-rate capping policy to the 2018 state election.

LGA Advocacy

With support from the majority of members, the LGA launched a three-phase, sector-wide campaign in December 2016 to raise awareness of the services provided by councils, how they contribute to the everyday life of South Australians, and the risks to local services and local decision making from rate capping. This campaign followed the unanimous vote of the LGA members present at the Ordinary General Meeting held in April 2016 to oppose rate capping and a formal resolution by some 50 councils to support an LGA-led public campaign against rate capping.

Policy and Reform

As reported to members at the Ordinary General Meeting in November, the LGA has undertaken extensive research to provide an evidence base to policy positions and reform options relating to rate capping. This work has informed the development of advocacy through submissions, correspondence and media. The numerous actions undertaken by the LGA are summarised as follows:

- LGA submission to the South Australian Parliament's Economic and Finance Committee Inquiry into Rate Capping (2015);
- Collecting evidence into the impact of rate capping in New South Wales and Victoria, including reports of the Parliament of Victoria's Environment and Planning Committee Inquiry into the Rate Capping Policy;
- Research and third-party reports such as the *Empirical Assessment of the Impact of Rate-Pegging on South Australian Local Government (Dollery)* report. This report found that SA local government (without rate-capping) has performed much better than NSW (with rate-capping) and concluded that there is no practical basis for introducing rate-capping into SA local government;
- A comparative study of fees and charges applied by councils in Victoria and New South Wales with those applied by South Australian councils;
- A 10-year data study of council rates in South Australia. This data shows that while on average the increase in council rates was higher than CPI or LGPI, the average rate per property was well below price index trends prior to 2010. This suggests that some councils were conservatively rating between 2005 and 2010;
- Scoping, consulting on and promoting a local government reform package as part of the LGA's state election campaign, to provide a sensible alternative to rate capping;
- Analysis of the SA Liberal Party's rate capping policy and failed 2016 Bill to amend the Local Government Act 1999, including third party analysis by local government academic, Dr Joseph Drew from the University of Technology Sydney;
- Creation of a rate capping information page on the LGA website to provide a one-stop-shop for information relating to policy;
- Presentation by Municipal Association of Victoria (MAV) Vice President Cr David Clark at the 2017 LGA Conference on rate capping in Victoria and its impact on councils;
- Panel session at the 2017 LGA Conference with party leaders and cross-bench members all confirming their opposition to rate capping;
- Multiple briefings to all political parties on the negative impacts of rate capping in communities;
- Correspondence to party leaders and candidates in the 2018 State Election on rate capping and cost shifting, including an informative and evidence-based rate capping information pack;

- Correspondence to all political parties seeking commitments on the future of discretionary council services under a future rate capping regime. These letters also highlight the impact of cost shifting on councils and rate payers;
- Correspondence to the Federal government to highlight the additional pressure that state government imposed rate capping policies place on federal resources;
- A motion developed with the City of Maribyrnong (Victoria) to condemn rate capping policies passed by the ALGA National General Assembly including a photo opportunity with councils from around Australia uniting to oppose council rate capping with the '*don't cap our communities*' message;
- Briefing papers on local government rate setting provided to every electorate office in South Australia in 2017 with the offer for electorate staff to meet with LGA staff for further information; and
- Correspondence, meetings and discussions with key stakeholder groups that would be impacted by the introduction of rate capping in South Australia.

South Australia Economic and Finance Committee Inquiry

As outlined previously in this report, the Parliament of South Australia's Economic and Finance Committee initiated an inquiry into Local Government Rate Capping policies in 2015. Submissions were made by 11 South Australian councils and the Local Government Association. A copy of the LGA's submission can be downloaded [here](#).

Local Government Submissions

Some of the key issues raised by local government in submissions and evidence to the Inquiry included the following:

Local democracy means local decision making

- Council members are elected by the community to make local decisions, and the community holds them to account through the democratic council elections process.
- Setting rates in consultation with the community is the most important local decision made by councils each year.
- Councils work with their communities to strike a balance between expenditure, revenue and service standards.
- Any externally imposed rate cap will reduce a Council's capacity to get this balance right.
- Handing decision making to an un-elected state-wide regulator diminishes local democracy and local decision making.

Rate capping risks declining service standards and intergenerational cost shifting

- Councils raise sufficient revenue to pay for the services and facilities expected by (and used by) the current generation; and comply with State and Federal Government legislation, policy and other requirements.
- Without access to sufficient revenue to meet community needs and preferences for services, councils would have to either:
 - Reduce or cut funding for community services, including maintenance of infrastructure; e.g. lower-quality roads; and/or
 - defer part-payment to future generations;
- Some pressures are totally outside councils' control. Legislation continually imposes either greater costs on councils, and/or restrains councils' power to charge fees to effect cost recovery for mandated legislated activities.

Rate capping increases red tape and does not improve cost of living

- In NSW (and now Victoria also) rate capping comes at a significant cost to councils and involves complexity, costs and constraints at both council and State level to administer.
- The Independent Local Government Review Panel (NSW) reported that as a result of rate capping the financial sustainability of many Councils and their capacity to deliver community services had declined, and a significant number were near crisis point.
- In an environment of increasing cost pressures and community demand, councils interstate have increased rate-cap exempt fees and charges to cope with the impacts of the rate cap. This does not improve the cost of living for communities.

Final report

The Committee handed down its final report in July 2016, which included the following four (4) recommendations:

1. *Local Councils retain full authority to set their own rates and that no rate cap be introduced;*
2. *Local Councils continue to set rates after full consultation with their communities;*
3. *Councils be subject to a thorough auditing process under the auspices of the Auditor-General, consistent with section 36 of the Public Finance and Audit Act 1987; and*
4. *Councils be required to publish, on an annual basis, these audits.*

Appended to the report was a contrasting minority report authored by David Speirs MP, Stephan Knoll MP, and Vincent Tarzia MP. The minority report featured only a single recommendation:

1. *That a local government rate capping regime be introduced in South Australia to reduce cost pressures on households and property owners.*

The minority report dismissed the evidence of numerous witnesses about the negative effect of rate-capping in New South Wales, and the financial sustainability of local government in South Australia.

In supporting their case, the minority report assigned more contemporary weight to three reports:

- a report prepared by Price Waterhouse Coopers (PWC) in November 2006: *“National Financial Sustainability Study of Local Government”*; and
- the (2005) report of South Australia’s Financial Sustainability Review Board (FSRB) *“Rising to the Challenge”*
- Access Economics Pty Ltd (2006), *“Local Government Finances in New South Wales: An Assessment”* (AE report).

These reports all pre-dated financial sustainability reforms introduced in South Australia in 2006-07, and subsequently in other States, to address what was, at the time, the relatively inconsistent financial sustainability of local government.

Both the Financial Sustainability Review Board and Price Waterhouse Coopers reports effectively laid the groundwork for what became a significant reform and enhancement of local government financial and asset management across Australia.

Further Research- Impacts in Victoria and NSW

Since the 2015 Economic and Finance Committee submission was made, the LGA has continued to research the impacts of rate capping in Victoria and NSW to understand what a rate capping policy would mean for South Australian communities.

A summary of this research is attached to this report (ECM 661596), and includes information regarding:

- the caps that have been applied interstate and how they are calculated
- the cost of administering rate capping interstate
- services and programs that have been cut or reduced by Victorian councils as a result of rate capping
- considerations of the Parliament of Victoria's Inquiry into Rate Capping Policy
- the 2017 report by Professor Brian Dollery, '*An Empirical Assessment of the Impact of Rate-Pegging on South Australian Local Government*', which concluded that:
 1. There is no evidence to suggest that rate-capping will increase efficiency at councils
 2. Rate-capping leads to a decline in financial sustainability of councils
 3. SA councils perform better than NSW local government on three key issues:
 - Reliance on rate revenue as income
 - Financial sustainability
 - Efficiency

This research has been used by the LGA to inform discussions with political parties and stakeholders about the lack of public policy merit and potential risks of rate capping being introduced in South Australia.

Local Government Reform- Alternative Options

While the LGA's policy position has consistently been to oppose rate capping, this should not be mistaken as opposition to reform in local government. The LGA has worked with member councils to identify opportunities to address community expectations about strengthening and enhancing transparency, accountability and engagement.

The LGA advocated during the state election campaign for sensible local government reforms that will have a positive impact on communities. These reforms include:

- Implementing a state-wide benchmarking program
- Ensuring high standards from elected members through a stronger code of conduct
- Giving broader responsibilities to more independent, skills-based audit committees
- Implementing measures to ensure that council's external audits are undertaken in a consistent manner and to a consistent standard
- Introducing a revenue policy to build community awareness of how council will raise the revenue required to fund community services and facilities
- Implementing a best practice service review process for councils to regularly review the costs and standards of the services provided to communities
- Implementing a sector-wide industrial relations framework to reduce duplicated costs and effort
- Supporting new processes for considering councils boundary changes and reviewing how representation reviews are undertaken
- Changes to local government elections, including a move towards electronic voting.

A copy of the LGA's local government reform agenda is provided as an attachment to this report (ECM 659207).

Analysis of the Bill

The LGA's preliminary analysis of the Bill is attached to this report (ECM 662329). This analysis provides an outline of the key elements of the Bill, as well as detailed commentary on potential issues and areas where further detail is required from the Government. The LGA appreciates that member councils are also carefully looking at the Bill and we will update our analysis further as more details and issues emerge.

Key elements of the Bill include:

- The Essential Services Commission of South Australia (ESCOSA) will be responsible for making rate cap determinations, assessing applications from councils for variations to the rate cap and reporting on the outcomes of the system.
- The details of how the rate cap will be determined will be subject to ESCOSA guidelines that are yet to be developed. The Bill gives ESCOSA flexibility to determine a formula that may, or may not, include a particular index (CPI, LGPI) and whether the cap will include any efficiency or productivity component.
- The cap will be applied to a 'base standard rate', which is a nominal rate that is arrived at by dividing the total annualized general rate revenue for a council area by the number of rateable properties in that area at the end of a base year (30 June).
- While this model intends to account for growth in the number of rateable properties over the course of a year, some councils have indicated that this will require a closer look to ensure that growth in different types of land use are properly accounted for relevant to their council areas.
- A council may apply to ESCOSA for a variation from the rate cap for a maximum period of up to 5 years. In applying for a variation, councils will need to provide the reasons for the variation application, evidence of community consultation, an assessment of the likely impact on ratepayers.
- Councils will be expected to make efficiencies across their operations and undertake service reviews before applying for a rate cap and will need to demonstrate they have considered funding priorities and alternative sources of revenue.
- Further details of the variation process will be provided through ESCOSA guidelines that are yet to be developed.

Parliamentary Process

The Local Government (Rate Oversight) Amendment Bill has been introduced in the House of Assembly by the Minister for Local Government, Hon Stephan Knoll MP.

The Government holds the majority in the House of Assembly (lower house), so it is likely the Bill will progress to the Legislative Council (upper house) despite independent MPs in the lower house - Frances Bedford MP, Geoff Brock MP and Troy Bell MP - all publicly stating that they will vote against the legislation.

However, the Bill must pass in both Houses of Parliament to become law and the Government does not hold a majority in the Legislative Council.

If the Labor Party honours its pre-election commitment to oppose rate capping, the government must secure support from 3 out of 5 crossbench members in order for the Bill to pass.

The crossbench currently comprises 2 members from SA-BEST, 2 members from the Greens, and 1 member from Advance SA.

SA-BEST and Greens are both on record post-election opposing rate capping based on the detrimental impacts it has had interstate and its lack of policy merit. Therefore, the option of successfully opposing rate capping in the upper house remains available if this is ultimately the decision of the membership.

Council Decision Making

As outlined in the recommendation, all councils are requested to carefully review the Local Government (Rate Oversight) Amendment Bill 2018 and advise the LGA of their position by Friday 3 August 2018.

The LGA will provide councils with a model council report and proposed resolutions around the options of supporting or opposing the Bill. Councils will also be asked to clearly specify the priority amendments and concessions they would ask the LGA to use best endeavours to achieve in any negotiations with political parties about the legislation.

In seeking any amendments or concessions, councils must bear in mind that they will be subject to negotiations through the parliamentary process and that ultimately the Parliament will make the decision about whether the legislation is passed, and in what form.

Councils should also bear in mind that the State Government is yet to commit to any relief from the pressures of cost shifting, with significant rises to the Solid Waste Levy going ahead in 2018/19 despite strong advocacy from the LGA and councils.

Advice from councils about their endorsed position is requested by Friday 3 August to enable the LGA Board to finalise a position and advise political parties of the sector's response in preparation for the spring session of Parliament.

LGA Board Decision Making Process

Following the receipt of responses from councils by 3 August, a special meeting of the LGA Board will be called to consider the endorsed positions of member councils. As rate capping would impact on councils differently depending on size, services, budget and rate base; the LGA Board will consider the endorsed positions of member councils on the basis of both a 'one vote, one value' counting method and a weighted voting method (using the same weighting system applied at LGA General Meetings). The Board will also use the following criteria to inform and resolve a position:

- A merits-based assessment of the proposed legislation;
- The best interests of the communities of South Australia and their confidence in the local government sector;
- Current LGA policy positions and whether there is a mandate from members for an amended policy to be adopted;
- Potential impacts on the long-term financial sustainability of the local government sector, and how any negative impacts could be mitigated;
- Potential amendments and concessions that are in the best interest of councils and the community they serve;
- Positions of political parties in the Legislative Council and the impact this would have on the outcomes that can feasibly be achieved through the parliamentary process; and
- The number of responses received and the number of councils that did not participate in the voting process.

Financial and Resource Implications

Advocacy on key issues for the sector, such as rate capping, cost shifting and progressing positive local government reforms has been anticipated in the LGA's 2018/19 Annual Business Plan and Budget and resources are available to progress this work.



Impact of rate capping on South Australian councils – evidence from Victoria and NSW

Increases in South Australian council rates

- In 2016-17 (the last full year), the percentage increase in general rate revenue for across all councils in South Australia was 3.68 percent¹.
- The percentage increase in the average rate per property was 2.9 percent.
- This includes upwards pressure from the Consumer Price Index (CPI) of 1.5% and the Local Government Price Index (LGPI) of 1.8% in 2016-17.
- The revenue from general rates also accounts for mandatory and discretionary rebates, write offs and remissions.

Rate-capping is an externally imposed maximum percentage council rates revenue may increase from one financial year to the next. In this form, it has been in place since 1977 in New South Wales and was re-introduced in Victoria in 2016.

The LGA SA has carefully studied the impacts of rate capping in New South Wales and Victoria and the evidence is clear:

1. Rate capping undermines local democracy, centralises decision making about council rate revenue and shifts accountability from community representatives to an unelected bureaucracy.

Should rate capping be introduced, it would impose an extra layer of bureaucracy and two extra decision makers – the Essential Services Commission of SA (ESCOSA) and the Minister for Local Government on top of what is already a legislative requirement for councils to consult with their communities. However, unlike Councils, neither ESCOSA nor the Minister would be directly accountable to the affected ratepayers.

The role of councils to work with communities to develop an annual business plan and budget would be duplicated at the state level, where a rate cap will be determined with no community input.

In Victoria, each year the Essential Services Commission provides advice to the Minister for Local Government on what the average rate cap should be. Each year, the Minister has ignored this advice and set the rate cap lower than the recommendation, equal to CPI as per an election commitment.

2. Rate capping limits councils' ability to provide local services – putting discretionary services at risk

Rate-capping interstate has resulted in more red tape and bureaucracy and has increased administration costs for councils and state government, diverting funds away from core services.

The level of council services currently provided would be less likely to be offered if rate-capping was introduced.

Many of the services councils provide are discretionary. They are provided at the request of the community and require income, through rates, fees, charges and grants to deliver.

¹ This includes residential and business rates. The methodology is General Rates (Gross) plus Penalties for late payment minus Discretionary Rebates, Remissions and Write-Offs minus Mandatory Rebates as provided from Councils to the Commission. Note this data includes growth in rateable properties and excludes Other rates/service charges (ie NRM Levy, Waste Collection, Water Supply, CWMS, Separate & Special, Electricity Supply).

For example, there is no legal requirement for councils to have a library, provide recreation and sporting facilities, maintain the local jetty, parks, gardens, open spaces or public toilets. They don't have to plant or maintain street trees, or facilitate community events and festivals. These services delivery great benefits to the community, but would be at risk under rate capping if councils are unable to generate the revenue required to maintain them.

3. Rate capping leads to higher user pays fees, charges and fines

Rate-capping decreases rates revenue to councils, but serves to increase revenue from other sources, such as fees and charges. It is often the case that councils do not set the level of fees and charges on services (these are usually prescribed in State legislation and set below cost), there are examples of councils increasing fees and charges in user pays services such as parking and additional waste collections.

4. Rate capping creates infrastructure backlogs

Rate-capping shifts costs to future generations as many councils will not be able to raise the revenue required for the maintenance and renewal of assets forecast in long term management plans.

5. Rate-capping does not make councils more efficient or financially sustainable – in fact council debt increases as councils struggle to meet community expectations

Rate capping does nothing to address the shifting of costs and responsibilities between state and local government and the pressure this creates on local government rates.

Rate capping in Victoria

Council rates are capped according to the cap that is set each year by the Minister for Local Government. This cap limits the maximum amount that councils may increase rates in a year unless councils seek approval from the commission for a higher cap.

The Essential Services Commission undertakes a role to

- provide advice to the Minister for Local Government on what the average rate cap should be;
- consider, approve or reject applications from councils for exemptions to the rate cap; and
- monitor council compliance with the cap

Levels of rate cap in Victoria

2016/17

- ESC recommendation – 2.8%
- Ministerial cap applied – 2.5% at Consumer Price Index
- Exemptions – 9 applications, of which 6 approved. Note one council put the cost of preparing and submitting their application for a rate cap variation at \$250,000. Another spent over \$10,000 putting together an application, by contrast their population is only 6822.

2017-18

- ESC recommendation – 2.15%
- Ministerial cap applied – 2% at CPI
- Exemptions – 5 applications, of which 4 were approved

2018-19

- ESC recommendation – 2.35% (based on CPI and Wage Price Index forecasts)

- Ministerial cap applied – 2.25% at CPI
- Exemptions – 1 application, outcome yet to be determined by ESC

Cost to ESC to administer rate cap system

- 2014-15 = \$0.83 million
- 2015-16 = \$2.53 million
- 2016-17 = \$2.94 million

Impact of rate capping on Victorian councils

In 2017 many Victorian councils have begun cutting services to their communities, or putting off costs to future generations, in response to the new rate-capping regime in Victoria.

In the first year of rate-capping (2016/17), some councils have managed to make efficiencies and find savings, including by re-negotiating enterprise bargaining agreements, a hiring freeze, but not all have been able to do so. Those that have managed the impact in the first year may be unable to do the same, year after year.

The table in Appendix A outlines the examples of reduction in spending and future measures identified by councils in Victoria in 2017, as submitted to the Parliament of Victoria's Inquiry into the Rate Capping Policy.

Summary of issues considered in the fourth report from Parliament of Victoria's Inquiry into Rate Capping Policy²

Quote (from Chair's forward, page vii)

"The process remains cumbersome and costly for councils and the variation process is unwieldy.... There are a number of emerging issues impacting on the sustainability of rural and regional councils that the Committee will follow in the next six months. These include waste levies and the impact of changes to valuation policy."

Note; the Committee will produce one final report by 30 September 2018.

Comment on setting of rate cap

The Minister set a rate cap for the 2017-18 financial year of 2 per cent. This cap is not in line with the advice provided by the Essential Services Commission (ESC) which recommended 2.15 per cent utilising both Consumer Price Index (CPI) and the Wage Price Index (WPI). The Minister set the rate at 2 per cent to fulfil an election commitment to keep rate rises in line with the forecast CPI.

Note that under the SA proposal ESCOSA would set the final cap, not the Minister

Evidence received to the Inquiry regarding impacts of first year (2016-17) of rate capping.

The Municipal Association of Victoria (MAV) consulted with councils to determine the impacts of the first year of rate capping. During this consultation it was indicated that "some councils were beginning to experience financial pressure as a result of rate capping and that some councils were considering a reduction in the services they provide" (page 15).

The Inquiry also heard that some small rural and regional councils and some growing interface councils were experiencing financial challenges that were heightened by the rate capping policy" (page 15).

As a result of rate capping, some councils in Victoria were beginning to consider service reduction in:

² <https://www.parliament.vic.gov.au/epc/article/2644>

- road maintenance and construction
- the school crossings program
- the State Emergency Service (SES)
- home and community care
- maternal and child health, and
- roadside weeds and pests.

Note that there are some differences in the services provided by councils in Victoria and South Australia.

MAV advised that already there are emerging risks to the financial sustainability of small rural and regional councils. The Auditor General has reiterated these concerns stating in the Local Government: 2015-16 Audit Snapshot report that:

Overall, small shire councils are facing additional pressures due to smaller year-on-year revenue increases, and steady increases in expenditure. This has a direct impact on the level of funds these councils have available for capital infrastructure that councils are able to offer to their communities.

The Auditor General specifically noted that some councils under financial pressure were postponing renewal and maintenance of existing infrastructure assets.

The ESC echoed these concerns and acknowledged the risks to financial sustainability faced by small rural and regional councils. They further acknowledged that metropolitan councils have a greater flexibility in finding alternative sources of revenue in comparison. Rural councils are also subject to huge infrastructure such as large road networks that need to be maintained. These issues are further exacerbated by the fact that these councils have "a rate base that is either small or shrinking" (page 17).

Inquiry comments regarding Road Maintenance

Councils in Victoria are responsible for approximately 85 per cent of Victoria's roads. The poor quality and shortfall in maintenance of state owned roads has resulted in higher traffic use of local roads which is resulting in their rapid deterioration. In the May state budget, \$75 million was announced for restoration and road surface replacement of VicRoads. It is hoped that "this will go some way to reducing the amount of traffic diverted to municipal roads" (page 20).

While the Committee notes recent increases in roads to recovery funding from the Commonwealth as well as re-indexation of Commonwealth financial assistance grants, they are aware that the long-term effect or rate-capping on Victoria's municipal roads is yet to be seen. The experience from New South Wales has "produced the unintended consequence of councils not having the ability to maintain the local government road network" (page 20).

Rate pegging (capping) in New South Wales

The Independent Pricing and Regulatory Tribunal (IPART) sets the maximum amount NSW councils can collect in general revenue through an annual 'rate peg' and considers council requests to set higher charges with special variations.

Rates are pegged giving consideration to a Local Government Cost Index (calculated annually), which measures price changes over the previous year for the goods and labour an average council will use. However, IPART also have regard for productivity changes.

2018-19

- Rate peg set at 2.3%
- IPART calculated the rate peg for 2018-19 by taking the increase in the LGCI for the year to September 2017 of 2.3%, and setting the productivity factor to 0.0%.
- Exemptions; 13 council applications considered for special variation and three minimum rate applications. To date 13 applications have been approved, with other determinations pending.

2017-18

- IPART pegged rates at 1.5% for 2017/18. This was calculated taking the increase in the LGCI for the year to September 2016 of 1.47% and deducting a productivity factor of 0.001%. This results in a figure of 1.47%, which was rounded to 1.5%.
- Exemptions; 8 council applications considered for special variations:
 - 4 – approved in full ranging between 5.39% and 7.5%
 - 2 – approved in part at 4.9% and 13.2%
 - 2 – not approved

Impact of Rate Capping on NSW councils

In September 2017, a report from University of New England Professor Brian Dollery confirmed that almost four decades of rate capping has failed NSW councils and their communities.

Overview

The “**An Empirical Assessment of the Impact of Rate-Pegging on South Australian Local Government**” report presented a comparative analysis between SA and NSW local government to determine whether almost four decades of municipal tax limits in NSW had produced any measurable differences in equity, sustainability or efficiency relative to SA.

Professor Dollery’s study is a comparative analysis between NSW and South Australian councils looking at whether rate capping in NSW has produced measurable differences in equity, sustainability or efficiency relative to South Australia.

This research showed that there is no evidence in NSW of rate capping improving efficiency in local government. It shows that rate capping leads to a decline in the financial sustainability of councils, and particularly smaller councils.

NSW councils with capped rates have higher levels of debt and larger infrastructure backlogs than those in SA (without rate-capping) and also have higher fees and charges that they pass on to their communities.

*Key findings of the report***1. It is difficult to determine an effective limit on rate rises**

“since rate-pegging targets the ‘tax-price’ of a basket of local public services, many of which possess the properties of public goods or quasi-public goods, which are mostly unpriced, it is hard to determine the optimal rate increases limit in practice.” Page 4.

2. There are 4 broad areas of criticism of rate-pegging

According to the regulatory agency Independent Pricing and Regulation Tribunal (IPART)

- “(a) Rate-capping has generated severe local infrastructure backlogs in NSW local government.
- (b) Rate-pegging has induced local authorities levy ‘higher user pays charges’ to recover revenue foregone.
- (c) Rate-capping has restricted councils’ ability to provide local services.
- (d) Rate-pegging has contravened ‘local democracy’.” Page 5.

3. Councils do not seek special variation to rate-pegging due to political pressure of community expectations

“The NSW Local Government and Shires Association states, “Rate-capping has shaped ‘public expectations about maximum rate increases, placing political pressure on councils to stay within the limit and not seek special variations’.” Page 5.

Evidence comparing NSW (with rate-pegging) to Victorian councils (prior to rate capping) has found that:

4. Rate-capping decreases rates revenue to councils, but serves to increase revenue from other sources, such as fees and charges.

“Limitations on property taxes can cause councils to increase income from revenue sources other than rates.” Page 8

5. Rate-capping impacts more on smaller councils

“the effects of rate-pegging depend on the characteristics of local councils. For example, Brown (2000) established that in the Colorado local government system the impact of these limitations were contingent on council size and were more marked in small councils.” Page 8

6. Councils with capped rates have higher levels of debt and larger infrastructure backlogs than those without rate-capping

“NSW had much higher levels of council debt per household. They also examined the average infrastructure renewal ratio in NSW and Victoria as a measure of the infrastructure backlog and established that NSW had by far a much larger backlog.” Page 9

7. Rate revenue represents large revenue for councils, but a small proportion of local resident income.

“For the typical council rate revenue often exceeds 50% of total revenue, and can be as high as 96% of total revenue, yet for a typical resident rate revenue effort represents only between 3% and 8% of income.” Page 12

8. Revenue from rates is just as important to SA councils as NSW councils

“It is evident that revenue effort and relative importance of rates are fairly similar in the NSW and SA local government systems.” Page 12

9. Despite rate-pegging in NSW, councils in NSW have significantly more debt than SA councils

10. Rate-capping is an ineffective tool to reduce council debt and may lead to increased debt

“At the least, this result suggests that rate-capping is ineffective as a means of reducing municipal debt and it may possibly be a contributing factor to the relatively higher debt held by NSW councils.” Page 14

11. Rate-capping does not make councils become more efficient.

“In each of the four years under analysis the efficiency of NSW councils was well below that of their SA counterparts. While the expenditure per capita of NSW councils fell between 2013 and 2016 - indicating an increase in efficiency for these municipalities on average - this trend was also evident in SA local government. Moreover, average expenditure per household was appreciably higher in NSW. It follows that rate-capping has not been successful in creating superior performance in terms of the efficiency of NSW councils as measured by average expenditure per household.” Page 15

Conclusions of NSW experience relevant to rate capping in South Australia

1. There is no evidence to suggest that rate-capping will increase efficiency at councils
2. Rate-capping leads to a decline in financial sustainability of councils
3. SA councils perform better than NSW local government, notwithstanding rate-pegging in NSW on three key issues:
 - Reliance on rate revenue as income
 - Financial sustainability
 - Efficiency

Appendix A

Impact of rate capping in Victoria in 2017 – overview³

Among the serious consequences experienced in the first year of rate capping, is a reported deterioration in optimal infrastructure maintenance (and hence reduced service levels) at:

- Baw Baw
- Buloke
- Golden Plains
- Kingston
- Towong
- West Wimmera

A host of other Councils have deferred or cancelled new capital works or previously-planned infrastructure improvements. These councils include:

- Frankston,
- Gannawarra,
- Hobson's Bay
- Manningham
- Maroondah
- Mildura
- Moira
- Nillumbik
- South Gippsland
- West Wimmera
- Whittlesea
- Wodonga
- Yarra

Cuts to services include:

- Bass: Visitor information
- Brimbank: Community events and tree planting
- Central Goldfields: Reduced expenditure in areas of assistance to community organisations, events and activities
- Corangamite: Reduced contribution to the local SES
- Manningham: aged care services
- Mitchell: reduced operating hours for customer service/library and pool facilities, removal of community, tourism and environmental grants program
- Monash: community grants frozen
- Moyne: reduction in maternal & child health hours; closure or decrease in operating hours of waste transfer stations
- Northern Grampians: No longer subsidising children's crossings, no direct provision of visitor information in Halls Gap, Stawell and St Arnaud
- Swan Hill: Phased reduction in council funded Home care for the aged
- Towong: End of mobile library, council kindergartens, cuts to hours of maternal and child health, swimming pool hours, toilet cleaning, end to SES contributions, school crossing supervisors
- West Wimmera: closed a public hall and likely to divest more
- Yarriambiack: closure of a council office

Some Councils have increased (or intend to increase) fees and charges to make up for a shortfall in revenue. These Councils include:

- Central Goldfields
- Moreland
- Port Phillip
- Queenscliff (waste services now a separate charge)

³ <https://www.parliament.vic.gov.au/epc/article/3186>

Council	Reduction in spending examples	Future measures to reduce spending
Alpine	<ul style="list-style-type: none"> Organisational restructure and simplifications of processes Relinquish HACCC to state government Demand reduction (utilities and materials) Review of memberships and subscriptions 	<ul style="list-style-type: none"> Council directed the CEO to save \$600,000 in employee costs by negotiating a three year wage freeze for staff to demonstrate restraint. Market test a savings of \$2,000,000 by outsourcing or restricting major parts of the organisation. Dissolved the High Country Library Corporation and brought it in house Demand reduction
Ararat	<ul style="list-style-type: none"> No conscious decisions have been made to reduce services that will directly affect service delivery to the public. 	<ul style="list-style-type: none"> Service reviews to be undertaken but no decisions have been made as the council elections were in October 2016. However, by 2019/20 there will be a \$6.828 million deficit from, what is currently, a balanced budget.
Ballarat	<ul style="list-style-type: none"> No answer 	<ul style="list-style-type: none"> No answer
Banyule	<ul style="list-style-type: none"> Minimal opportunity to reduce staff Strategic property sales Efficiencies through lighting, water and solar installations Renegotiation of tenders for water, property insurance and library contributions Increase building permit fee income 	<ul style="list-style-type: none"> Consolidating staff into one headquarter which will improve efficiencies.
Bass	<ul style="list-style-type: none"> Reduced staff and outsourcing municipal valuations. Restructure local laws and emergency management 	<ul style="list-style-type: none"> Undertake service review Reduce the visitor information services Reduce fleet vehicles Reduce staff and senior management Delay major projects including shared pathways
Baw Baw	<ul style="list-style-type: none"> Organisational restructure and reduction of 18.8 FTEs 	<ul style="list-style-type: none"> The rate cap will place restrictions on future capital works programs including reducing the current infrastructure backlog.
Bayside	<ul style="list-style-type: none"> Service reviews but there is no deferral or cancelation of infrastructure 	<ul style="list-style-type: none"> They will need to find \$2 million in recurrent savings to ensure ongoing financial sustainability. Councils' capacity to identify these savings without impacting

		service delivery is diminishing.
Benalla	<ul style="list-style-type: none"> • Nine positions made redundant and new EBA reduced from 3.8 to 2% increase 	<ul style="list-style-type: none"> • Organisational review
Boroondara	<ul style="list-style-type: none"> • Created one EBA • Paid off debt quicker to reduce interest costs • Budget review to remove discretionary funds not directly aligned to a specific service provision 	<ul style="list-style-type: none"> • Moving to a digital environment to streamline customer experience, ensure increased accessibility and minimise red tape in the provision of council services.
Brimbank	<ul style="list-style-type: none"> • \$24 million will need to be saved from the budget over the next four years. • Will make material and environmental efficiencies • Will maintain current levels of service but reduce operational costs and reviewing the way events are provided. • Extra plants and mulch for some main road tree planting have been scrapped. • Some community events and programs were scaled back 	<ul style="list-style-type: none"> • Looking at shared services models
Buloke	<ul style="list-style-type: none"> • Reduce operating expenditure by \$4 million per year but needed to still raise rates by 6% to get to a financially sustainable position. • Have reduced services to the community and a widening of the renewal gap 	<ul style="list-style-type: none"> • Reviewing all services over three years. • Will maintain and renew assets rather than creating new ones.
Campaspe	<ul style="list-style-type: none"> • Productivity and efficiency gains through implementation of modern ICT system and improved processes. 	<ul style="list-style-type: none"> • Continue to improve productivity and efficiency. Review of halls and other infrastructure including aquatic centre. Looking at energy efficiencies, consolidation of the office accommodation and continuing sale of identified land assets that are surplus to requirements.
Cardinia	<ul style="list-style-type: none"> • Reviewed the 12,000 lines of expenditure. Non-essential services were not given CPI increases. Supplier contracts were renegotiated. Staffing freeze was put in place and senior management roles were reduced. 	<ul style="list-style-type: none"> • Unknown. A lot will depend on the introduction of the Growth area's interface fund as to what cuts will be required.
Casey	<ul style="list-style-type: none"> • Review grass cutting contracts and service levels. Review of vehicle/plant trade-in periods and investment in energy efficient lamp conversion. 	<ul style="list-style-type: none"> • Achieved efficiency

Central Goldfields	<ul style="list-style-type: none"> Council adopted a larger rate increase the year prior to rate capping. Made adjustments to loan repayments which in effect reduces council's capacity to borrow and therefore reduces infrastructure works 	<ul style="list-style-type: none"> Council increased significantly a range of fees and charges although in all cases the new figures were within industry standards and comparable with other municipalities Reduced expenditure in areas of assistance to community organisations, events and activities Undertook some staff restructuring which will result in service cuts
Colac	<ul style="list-style-type: none"> Business improvement initiatives such as reducing fuel consumption, savings in utility costs, streamlining postal services 	<ul style="list-style-type: none"> Hired a business improvement coordinator to find ways to reduce costs
Corangamite	<ul style="list-style-type: none"> No prep undertaken 	<ul style="list-style-type: none"> Must find a recurrent \$500,000 to fund gap. SES contributions will reduce. Increase fees and charges
Darebin	<ul style="list-style-type: none"> Council will draw down on cash reserves 	<ul style="list-style-type: none"> Council will draw down on cash reserves
East Gippsland	<ul style="list-style-type: none"> Shared services agreement with neighbouring councils Installation of solar systems and changes of street lighting 	<ul style="list-style-type: none"> Looking at further shared services opportunities.
Frankston	<ul style="list-style-type: none"> Had to cut \$2.6m 	<ul style="list-style-type: none"> Savings made through cutting employee costs by negotiating a new EB with lower increases in raises Reduce capital expenditure
Gannawarra	<ul style="list-style-type: none"> Restructure 	<ul style="list-style-type: none"> Service review to identify efficiencies Greater reliance on grant funding for capital works Some deferral of capital projects Staffing hire freeze Reduce staff wage increase (will be 1/3 of current increase)
Glen Eira	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> Business efficiencies review
Glenelg	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> None
Golden Plains	<ul style="list-style-type: none"> Held maintenance expenditure at 2013/14 levels No increase in staff Reduced capital expenditure 	<ul style="list-style-type: none"> One year freeze on staff numbers, IT equipment replacement, fleet vehicle replacement. Held maintenance at 2013/14 levels in dollar terms
Greater Bendigo	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> None
Greater	<ul style="list-style-type: none"> Reduction in EBA awarded wage increases 	<ul style="list-style-type: none"> None

Dandenong	<ul style="list-style-type: none"> Had received higher level forecast rates in previous years 	
Greater Geelong	<ul style="list-style-type: none"> \$0.9m in operational efficiencies were identified 	<ul style="list-style-type: none"> Operational improvements in road maintenance. Review of filling positions
Greater Shepparton	<ul style="list-style-type: none"> No changes as a result of rate capping as work was already being done. Procurement reviews – contracts for cleaning buildings Internal cost reviews such as electronic agendas 	<ul style="list-style-type: none"> Increased user fees Increased contributions from project stakeholders Reduction in consultants Lower EBA Utilisation of borrowings for capital projects
Hepburn	<ul style="list-style-type: none"> Made efficiency savings through contracts, reduction in interest/legal fees etc Service reviews 	<ul style="list-style-type: none"> Procurement and service reviews
Hindmarsh	<ul style="list-style-type: none"> Budget was insulated from the impact of rate capping and the reduction in the Local Roads and Bridges funding removal due to an increase in roads funding through the Roads to Recovery 	<ul style="list-style-type: none"> Unknown but will be undertaking review
Hobsons Bay	<ul style="list-style-type: none"> Efficiencies and cost saving program in 2014-15 resulted in \$3 million in underspend Savings identified both of an operational and capital nature, are being quarantined in an infrastructure reserve to fund future capital works and reduce any funding shortfalls identified in council's long term financial plan 	<ul style="list-style-type: none"> \$13.8 million capital works will need to be deferred between 2019-2020 and 2025-26. There is significant increase in unfunded capital works in the last three years of their LTFP
Horsham	<ul style="list-style-type: none"> Hire freeze, have delayed appointments for replacement staff and tried to reduce staff numbers through natural attrition if possible. Have discontinued software contracts and some sub-contractor payments. 	<ul style="list-style-type: none"> Hiring freeze. Have set maximum increase of 2% increase on all non-salary operational costs but have managed to save around 1%. Will review all fee for service charges. Seeking more sources for grant income.
Hume	<ul style="list-style-type: none"> They have contained the level of staff growth 	<ul style="list-style-type: none"> Pay-out interest bearing debt Review of organisational memberships
Indigo	<ul style="list-style-type: none"> Council consistently ensures costs only increase no greater than 2% year on year 	<ul style="list-style-type: none"> Looking to either remove or reduce costs related to services affected by cost shifting
Kingston	<ul style="list-style-type: none"> Employee cost reductions No CPI increases in any goods and services except for 	<ul style="list-style-type: none"> No "CPI" increases in any Goods and Services except for contractual obligations. \$1.2M saving against

	<ul style="list-style-type: none"> contractual obligations Reduce workcover premium 	<p>2015/16 LTFS</p> <ul style="list-style-type: none"> Labour productivity 2% equates to \$1M saving Workcover Premium – no change from prior year at \$950K Saved \$200K by centralising overall printing, design, advertising costs within Communications 2.85 EFT reductions in Infrastructure, Family Youth and Children saving \$210K Civil Maintenance spend ↓ \$200K Ongoing productivity improvement focus
Knox	<ul style="list-style-type: none"> Undertaking service delivery review 	<ul style="list-style-type: none"> Undertaking service delivery review
Latrobe	<ul style="list-style-type: none"> Completed a restructure in the lead up to the rate capping being introduced 	<ul style="list-style-type: none"> Ability to undertake major infrastructure projects in the future will be significantly curtailed
Loddon	<ul style="list-style-type: none"> Organisation restructure Lean Thinking 	<ul style="list-style-type: none"> Service delivery review No borrowings Reduce salary and wage increases
Macedon	<ul style="list-style-type: none"> Council has restricted its growth in operational expenses to about 1% per annum and reduced its expenditure to new initiatives by about 50% over the last three years. This has enabled council to increase its contributions to infrastructure spending by 14% 	<ul style="list-style-type: none"> Will look at other revenue sources other than rates to maximise total available revenue opportunities
Manningham	<ul style="list-style-type: none"> Council has had an ongoing focus on restricting the level of growth in operating costs each year. This has been achieved through setting strong budget targets at the start of the year, collaborative tendering with adjoining councils, delayed recruitment of vacancies and reviewing (and where possible reducing) the banding level of advertised positions. 	<ul style="list-style-type: none"> Capital funding reduced by \$202,000 resulting in parts of the capital program being deferred to future periods. Operational funding reduced by \$404,000 in 2016/17. The primary operational measure was to reduce rate funding to Aged Care Services (HACC) funding. This was completed through service redesign, improved efficiencies and council reducing service hours in a process of working towards achieving funded service target hours only (Council is providing more hours than it is funded for).
Mansfield	<ul style="list-style-type: none"> Reduced wage increases Only solution into the future is service reductions and staff layoffs. Both actions will impact significantly in Mansfield and other rural communities 	<ul style="list-style-type: none"> Capping wage growth through the EBA

Maribyrnong	<ul style="list-style-type: none"> Service level reviews 	<ul style="list-style-type: none"> Hiring freeze Infrastructure renewal levy of 2% of rates was removed
Maroondah	<ul style="list-style-type: none"> Undertook a review 	<ul style="list-style-type: none"> Reducing drainage infrastructure planned for future years
Melbourne	<ul style="list-style-type: none"> Long term financial planning and reviews process 	<ul style="list-style-type: none"> Council sets an efficiency target of approximately 1% of operating costs annually compounding
Melton	<ul style="list-style-type: none"> Exited Disability Respite Service and Early Intervention Program 	<ul style="list-style-type: none"> Council has focussed on non-rate income generation
Mildura	<ul style="list-style-type: none"> Have been undertaking a sustainability review since 2012 and have systematically reviewed council services 	<ul style="list-style-type: none"> Not refilling jobs when people leave. Procurement contracts have been renegotiated. Plant and fleet items have had their replacement life extended if suitable. Changes to project management to better incorporate whole of life costs. A number of projects proposed for 2016/17 including drainage spur line expansion, sporting ground lighting upgrades and reserve car park renewals were not approved.
Mitchell	<ul style="list-style-type: none"> Was already in a process of identifying savings. Service reviews with potential for fee increases. Vacancies were left unfilled to undertake staff restructure. 	<ul style="list-style-type: none"> To be achieved by way of reduced operating hours for customer service/library and pool facilities, removal of community, tourism and environmental grants program for 2016/17, a reduction in strategic planning, external condition audits, and other minor reductions.
Moira	<ul style="list-style-type: none"> Some road projects deferred 	<ul style="list-style-type: none"> Contain wage growth through new EBA, defer road projects, no increase in any budget items.
Monash	<ul style="list-style-type: none"> Service and efficiency reviews for three years. They withdrew from Aged Residential Care (not rate cap related). Community grants frozen. Review of contracts. Catering budgets reduced. Freeze on staffing levels. 	<ul style="list-style-type: none"> Reviewing legal services; streamlining payroll systems; audit of mobile phone usage; community grants frozen; review consultancy use.
Moonee	<ul style="list-style-type: none"> No reductions used 	<ul style="list-style-type: none"> No new initiatives.
Moorabool	<ul style="list-style-type: none"> Service reviews, service planning, business excellence program, implementing stringent budget controls. 	<ul style="list-style-type: none"> Service reviews, service planning, business excellence program, implementing stringent budget controls.
Moreland	<ul style="list-style-type: none"> Focusing on cost reduction and increasing revenue in the short-medium term. 	<ul style="list-style-type: none"> Service and efficiency review Continued review of all fees and charges with view to

	<ul style="list-style-type: none"> Reduced wage increases in EBA. All fees and charges have been reviewed with the aim to reach cost recovery 	<ul style="list-style-type: none"> reach cost recovery Intent is not to defer any works.
Mornington Peninsula	<ul style="list-style-type: none"> Council restructure in the lead up to this year. Now developing a long term financial plan to analyse the impact of rate capping on services and develop a strategy to minimise its impact 	<ul style="list-style-type: none"> Centralisation of procurement
Mount Alexander	<ul style="list-style-type: none"> Reduction in insurance premiums, number of photocopiers, electricity savings and full review of the Aged and Disability Services. No CPI increases for projects. Any increases must be found in operational budgets. 	<ul style="list-style-type: none"> Service review
Moyne	<ul style="list-style-type: none"> Service review 	<ul style="list-style-type: none"> Decrease in gravel road sheeting by \$80,000 per annum; Closure of Waste Transfer stations and decrease in operating hours of Waste Transfer Stations; Increase in HACCC full cost recovery charge; Decrease in sponsorship budget \$20,000; Reduction in Maternal & Child Health hours.
Murrindindi	<ul style="list-style-type: none"> Service review continuation which has been occurring for four years. 	<ul style="list-style-type: none"> No new initiatives for the community and 84% of all capital expenditure is to be allocated to renewal of existing infrastructure. Applied for and received a special rates variation. Reduced allocation to seed funding for new business development initiatives within the council but \$20,000.
Nillumbik	<ul style="list-style-type: none"> Council has made significant changes to prioritising of projects which has resulted in delaying works to future financial years. Delayed replacement of staff vacancies. 	<ul style="list-style-type: none"> Operational savings across the organisation including IT costs, publications, reductions in materials. Savings from collaborative procurement and tender processes. Projects previously planned for 2015-16 and 2016-17 were re-scheduled to future financial years. Council borrowings for capital projects have been reduced to zero for future years in the long term financial plan.
Northern Grampians	<ul style="list-style-type: none"> Cessation of the provision of children's services in Stawell. Withdrawing from subsidising children's crossings in the Shire. 	<ul style="list-style-type: none"> Reduced operating hours St Arnaud Customer Service Centre. Realisation of savings from solar panel installation on many Council buildings.

	<ul style="list-style-type: none"> • Cessation of the direct provision of visitor information services in Halls Gap, Stawell and St Arnaud. • Shared Services for GIS, EHO, Engineering. • Moved to Activity Based Working, reducing office space and rental costs. • Reformed rostering to reduce wage costs in Leisure Services. • Renegotiate and rationalise photocopiers to save significant cost. • Moved to reduce paper based offices through the use of electronic document processes and software. • Mercury Vapour streets lights changed to LED. • Hand the responsibility for Standpipes in St Arnaud back to GWM Water. • 11. Ongoing building rationalisation, dispersal or demolition. 	<ul style="list-style-type: none"> • Further shared services planned, ie further health, planning and building. • Continued building rationalisation, dispersal or demolition.
Port Phillip	<ul style="list-style-type: none"> • Operating efficiencies of \$1.35m through competitive tendering, decommissioning unused or superseded technology, reviewing costs, minor reorganisation of staff and efficiencies review. 	<ul style="list-style-type: none"> • Competitive tendering, reduction in IT contracts, removal of management positions. • Should rates capping continue the cumulative rates cap challenge over the period of 2016/17 to 2019/20 at \$6.8 million. To meet and close the rates gap over the remaining years of the Strategic Resource Plan, savings will be achieved by identifying: • efficiencies identified through improvements in processes, procurement and project planning and delivery user fees and charges that reflect the benefit that individual community members receive • service delivery review
Pyrenees	<ul style="list-style-type: none"> • Savings have been found through service review efficiencies, improved procurement practices, shared services and a continuous improvement program. 	<ul style="list-style-type: none"> • Rate cap and freezing of FAGS has been absorbed by council through operation savings and capital reprioritising. • Savings have been achieved in management of council fleet, reduction in staff and consultant costs, utilisation and efficiency of plant, shared services, improved procurement processes.

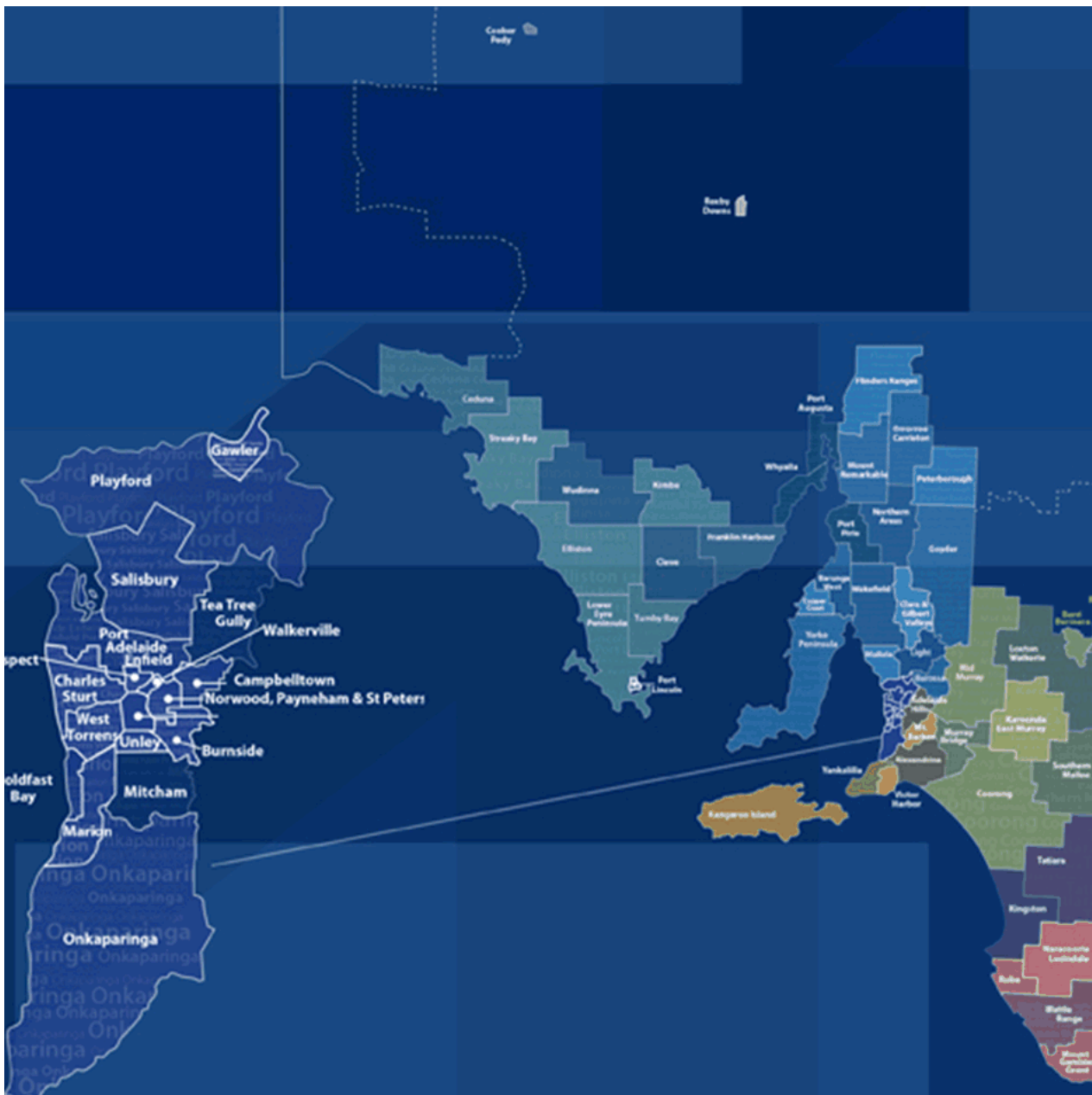
		<ul style="list-style-type: none"> No more opportunities in the operational budget to trade off the rate cap variance without negatively impacting on the level of services provided to the community such as reducing capital spending or reducing service provision.
Queenscliff	<ul style="list-style-type: none"> Reprioritise operational project initiatives and identified other operation efficiencies 	<ul style="list-style-type: none"> Full cost recovery on waste management through separating the waste management charges from general rates Renegotiate the EBA under rate capping regime
South Gippsland	<ul style="list-style-type: none"> Council's Safer intersections program has been deferred indefinitely. Bridge replacement has been deferred in favour of undertaking major maintenance to extend bridge lives. The paths and trails program has also been deferred indefinitely. 	<ul style="list-style-type: none"> Due to increase in Roads to Recovery grant funding no additional work has been deferred. However, assuming that funding is reduced there will be impacts on work due to rate capping.
Southern Grampians	<ul style="list-style-type: none"> Service review. 	<ul style="list-style-type: none"> New revenue sources to be identified where possible. Salaries and wages to be maintained in line with average weekly earnings. Contractors limited Service review
Stonnington	<ul style="list-style-type: none"> Reduce one general manager position 	<ul style="list-style-type: none"> Borrowings will increase to part-finance the capital works program, thereby increasing debt for future ratepayers.
Strathbogie	<ul style="list-style-type: none"> Resources of depots to save operating and wage costs 	<ul style="list-style-type: none"> Resources of corporate services to save wage costs
Surf Coast	<ul style="list-style-type: none"> Business improvement program including service reviews, investigating opportunities for business efficiency. 	<ul style="list-style-type: none"> Continue the business improvement program. Focus on longer term financial planning to better understand future challenges.
Swan Hill	<ul style="list-style-type: none"> Phased reduction in council funded Home care, energy efficiency measures, non-replacement of some staff positions. Utilise MAV Local Government Funding Vehicle to obtain lower interest rates 	<ul style="list-style-type: none"> Phased reduction in council funded Home care, energy efficiency measures, non-replacement of some staff positions. Utilise MAV Local Government Funding Vehicle to obtain lower interest rates Staged redevelopment of Pioneer Settlement to increase revenue from tourist facility
Towong	<ul style="list-style-type: none"> Swimming pool season reduced by one week 	<ul style="list-style-type: none"> SES contribution ceased

	<ul style="list-style-type: none"> • Roads maintenance workforce reduced • Mobile library services discontinued • Health Alliance partnership position terminated • Library and council office hours reduced • Public toilet cleaning suspended on weekends • Change telecommunications provider • Reduction in fleet • Street lights changed to LED 	<ul style="list-style-type: none"> • Maternal and Child Health ceased contribution reducing hours from 3280 to 2193 per year • School Crossing supervisors contribution ceased • Ceased Kindergartens • Swimming pools reduced hours • Eskdale community pool contributions ceased which means it will likely close • State-wide community satisfaction survey participation ceased • School leaver scholar ship ceased • Reduced youth workshops • Ceased Seniors events • Ceased memberships with Timber Towns and Murray Darling Association • Reduction in staff training
Wangaratta	<ul style="list-style-type: none"> • Procurement strategies and improved technologies 	<ul style="list-style-type: none"> • Voluntary redundancy and restructure to reduce FTE and labour costs across council
Warrnambool	<ul style="list-style-type: none"> • Not answered 	<ul style="list-style-type: none"> • Not answered
Wellington	<ul style="list-style-type: none"> • Implemented improvements in ICT, business systems software and processes 	<ul style="list-style-type: none"> • Continue to review ICT • Shared ICT services with other councils • Negotiate EBA to reduce annual wage increases
West Wimmera	<ul style="list-style-type: none"> • Reduced EBA from 4.5% to 2.7%. Deferral of non-essential capital works while long term capital plans are developed. Council has closed one public hall and is likely to divest more where the service can be provided by another facility within 50km 	<ul style="list-style-type: none"> • Has budgeted to reduce expenditure on roads by \$0.65m and bridges by \$0.4m in 2016/17. • Reviewing service levels • Reviewed administrative costs and reduced stationary and printing costs • Council is reluctant to undertake borrowings as it is already in an operating deficit position and not in a growth area. This would mean that borrowings would exacerbate council's operating deficit and place pressure on council cash reserves.
Whitehorse	<ul style="list-style-type: none"> • Nothing 	<ul style="list-style-type: none"> • Has priorities infrastructure renewal and maintenance expenditure
Whittlesea	<ul style="list-style-type: none"> • Removed \$1m from budget (no information is provided) 	<ul style="list-style-type: none"> • Reduced budget allocation for new initiatives/projects

	about how though)	from \$3m to \$500,000
Wodonga	<ul style="list-style-type: none"> • Internal restructure • Service reviews • Reduced contractor costs through negotiation and efficiencies 	<ul style="list-style-type: none"> • Service review • Service reviews • Put in application for rate variation but if unsuccessful they will defer capital works projects
Wyndham	<ul style="list-style-type: none"> • Continuous improvement through process reviews and improving operations • Implementation of e-services and apps to improve customer experience, access to information 	<ul style="list-style-type: none"> • Productivity and efficiency gains of around \$1.4m. Reduction in new staff and a reduction in insurance premiums • Restructure
Yarra	<ul style="list-style-type: none"> • Deferred infrastructure • Brunswick street bike path • Brunswick street drainage project • Cecil street drainage project 	<ul style="list-style-type: none"> • Saved employee expenses (doesn't say how) • Materials and services (doesn't say how)
Yarra Ranges	<ul style="list-style-type: none"> • Efficiency reviews • FTE savings, restructures and EBA negotiation savings • Regional collaboration • Surplus asset disposal 	<ul style="list-style-type: none"> • Initiatives continued
Yarriambiack	<ul style="list-style-type: none"> • Reduction in duplication 	<ul style="list-style-type: none"> • Council closed a council office and leased the premises to the community for \$1 per annum.

Delivering the LGA 2018 State Election Agenda: Local Government Reform

February 2018



Delivering the LGA 2018 State Election Agenda: Local Government Reform

Introduction

The Local Government Association's 2018 State Election agenda- *South Australia. Uncapped Potential*- identifies local government reform as a priority for the next state government. This document outlines a plan for sensible change that state and local government can work together to start delivering in the **first 100 days of government** and beyond.

The local government sector is ready for change and is preparing to build on our history of driving our own reform agenda.

The comprehensive *Local Government Financial Sustainability Program*, which commenced in 2005, encompassed legislative and practice reform that has resulted in over a decade of sustained improvement in local government finances and asset management.

The '*Council of the Future*' report released by the Local Excellence Expert Panel in December 2013 has provided a further road map for structural and practice reform in local government to address the challenges facing South Australia over coming decades, including further globalisation, population trends, emerging technologies, climate change, and communities expecting to be more effectively engaged in decision making.

Since the report's release, the LGA has consulted extensively with member councils and has pursued, supported and achieved initiatives such as a State/Local Government Infrastructure Partnership to bring forward investment in public assets, streamlining of local boundary reform processes to improve the independence and transparency of decision making, regionalisation and shared services projects to integrate planning across councils and drive efficiencies, new planning and development legislation to include the option of regionalised planning functions, considered the role of the Auditor General in auditing councils, commenced a council benchmarking program, provided resources to encourage deliberative engagement methods, produced a public lighting business case to reduce costs to councils, developed a new Code of Conduct proposal and carried out an LGA governance review and a review of the LGA Schemes.

The next chapter of local government reform will concentrate on the many things the sector can achieve through continuous improvement programs that strive to meet an always evolving community standards and understanding of best practice.

There are a number of areas of local government operations that can be strengthened without the need for legislative intervention. A prescriptive, legislated approach to reform can often tie the sector to a 'one size fits all' outcome that doesn't suit the circumstances of every council and community, creates additional red tape, quickly becomes outdated and doesn't deliver value for money.

There is however a critical role for the state parliament to ensure that the legal framework within which local government operates remains contemporary and empowers councils with the regulatory tools and resources needed to successfully serve communities.

The Local Government Association and member councils look forward to working with all members of the next state parliament to deliver sensible local government reforms that will benefit South Australian communities.

Local Government Today

Any sensible discussion about local government reform must begin with a thorough understanding of the current framework within which councils operate. Almost all aspects of local government are regulated by the *Local Government Act 1999* or the numerous other State Acts that reference councils.

A high degree of oversight, transparency and accountability is to be expected as councils are responsible for \$22 billion worth of public assets and infrastructure and have a combined annual budget of \$2 billion to provide local services and facilities that are part of everyday life. This is an enormous responsibility- and not one that can be taken lightly.

The current local government framework requires each council to have an audit committee, appoint an external auditor and adopt procedures for decisions to be reviewed. It also allows for investigations by the State Ombudsman, Independent Commissioner against Corruption (ICAC) and the Auditor General. In extreme cases the Minister can exercise powers to dismiss a council and appoint an administrator.

Recommendations from the State Ombudsman, ICAC or the Auditor General are often the catalyst for legislative change. Parliamentary Committees can also undertake inquiries into local government matters and make recommendations for legislative and operational reform.

Ultimately, councils are accountable to the communities they serve. Council elections are held once every four years and approximately 30% of eligible voters participate in the postal voting process, which is consistent with voter turnout for voluntary elections in other states. Once elected, council members must undertake mandatory training and uphold standards of behaviour that are outlined in a Code of Conduct. A Register of Interests, a Gifts Register and an Allowances and Benefits Register must be maintained by each council.

As the sphere of government that is closest to communities, there is a high degree of public interest in local government. Communities are seeking more information about how their council is operating and how their rates dollars are being spent.

The *Local Government Act 1999* provides a detailed list of the documents that must be made publicly available by councils. This includes registers and returns, codes, meeting papers and numerous policy and administrative documents.

Every council is required to adopt Strategic Management Plans (SMPs) to outline the council's objectives for a period of at least four years. SMPs must include a Long Term Financial Plan and Infrastructure and Asset Management Plan, each covering a period of at least 10 years.

The council's long term objectives are required to be summarised each year in an Annual Business Plan, which must outline the measures that will be used to assess performance against those objectives throughout the financial year. There are a number of factors that must be considered by a council in setting an annual plan, budget and rates structure, including the impact on the community.

Performance against the measures outlined in these plans are publicly reported each year through each council's Annual Report. The material that must be included and the numerous matters that must be reported on in the Annual Report are prescribed in Schedule 4 of the Local Government Act, and in other Acts under which councils operate.

The community is invited to participate in all annual and long term planning and budgeting processes. Councils are required to adopt a policy that outlines how the community will be consulted. Representation reviews are required to be carried out at regularly (usually about every 8 years) to

determine if the community would benefit from an alteration to the council's composition or ward structure.

Local Government Tomorrow

The *Local Government Act 1999* currently sets out sound structures in relation to accountability, transparency and engagement, and provides for independent oversight to ensure that councils are meeting their compliance obligations.

However, that does not mean that things can't be improved.

After consulting with member councils, the LGA has developed a sector-driven local government reform agenda that is focussed on these principles:

- Sustainability
- Efficiency
- Local decision making
- Sector consistency
- Simpler regulation

Ultimately change within local government needs to benefit communities and create public value for South Australia. Quick fixes and populist 'solutions' need to be avoided as they will end up costing communities more in the long run. That's why rate capping and forced amalgamations will not be supported by local government.

However, we welcome the opportunity to work with all parties that want to be a part of a sensible continuous improvement program that will deliver long term benefits to communities.

We are pleased to outline our plan for sensible change.

Our Plan for Sensible Change

Sector wide benchmarking program

While there is a considerable amount of information already available to communities about what their council is doing; this information is often spread across multiple documents and platforms, can be difficult to find and is not easy to compare with other councils.

The LGA is working towards developing a more sophisticated performance measurement and reporting framework as a consistent way to promote transparency and accountability. Gathering information about councils and how they are operating is beneficial for a number of reasons, including:

- determining if councils are performing well, being fiscally responsible and are financially sustainable;
- assessing the relative efficiency of the sector and the value for money being delivered to communities;
- measuring and evaluating the outcomes that are being achieved and whether the community is satisfied with what councils are delivering; and
- identifying opportunities for continuous improvement and reform programs to strengthen the sector.

In developing a benchmarking framework, care needs to be taken to reflect that councils are as diverse as the communities they serve. Not all measures will be comparable across all councils and financial information will tell only one side of the story. It is important that this work focusses on a contained suite of meaningful performance measures that build a more complete picture of the financial and governance health of the sector and the public value of the services and programs delivered by councils.

The LGA's State Election Agenda- *South Australia. Uncapped Potential*- calls for the state government to provide \$3 million in 2018/19, and \$1 million a year for the following 3 years, towards the establishment of a sophisticated database of performance measures to support council planning and community consultation to enable local government to continually improve. Early commitment to this funding support would allow this work to be expedited.

Strengthening the Council Members Code of Conduct

Communities have the right to expect high standards of behaviour from the people they elect to represent them- at all levels of government.

The local government sector has acknowledged that the current Code of Conduct system for council members is not working as it should. Local government is keen to see comprehensive reforms introduced for the Code and the LGA has worked with councils to develop a framework of new ideas to achieve meaningful change.

Local government, like all sectors, should be free of bullying and harassment, and further work needs to be done to ensure there are appropriate measures to deal with any isolated examples of serious behavioural issues.

To strengthen the Code and give communities confidence that complaints will be dealt with effectively, the following elements need to come together in a new framework:

- Local government should be trusted to set its own expectations in regards to acceptable behaviour that aligns with community expectations.
- High level matters of misconduct including examples of bullying and harassment should be referred to and dealt with by a body outside of local government. Further work needs to be done to define such a body.
- The majority of lower-level behavioural issues should be dealt with at the local government level, either by council or a local government appointed panel.
- There need to be adequate sanctions for bad behaviour. This should include financial penalties and expulsion from a meeting.
- Mayors require expanded powers to manage behaviour in their chambers to ensure that meetings are not disrupted. This is not intended to be a measure that would stifle robust and respectful debate.

While local government needs to be responsible for its own behaviour, we can't deliver effective change on our own. We will need the support of the next State Parliament to amend legislation and empower councils to quickly and effectively deal with bad behaviour when it arises.

Best practice audit committees

Each council is required to establish an Audit Committee to, among other things, review the financial statements of the council, provide advice on council 's Strategic Management Plan and Annual Business Plan and review the adequacy of council's internal controls and financial management systems.

Since 2007, when an audit committee for each council became required, these committees have become embedded as an important part of local government's financial and governance performance measurement framework.

Many councils have voluntarily expanded the role of their audit committee beyond what is legally required. Each audit committee must have at least one independent member and it is widely acknowledged within the sector that having more than one independent member, including an independent Chair is best practice.

The way in which many councils have established their audit committees demonstrates that a heavy-handed legislative response is not always required to achieve positive change within local government.

The LGA proposes to use a best practice approach to encourage councils to make the best use of their audit committees. A best practice model would include:

- Diversifying the skill sets and knowledge of audit committee members;
- Appointing an independent chair;
- Additional responsibilities such as reviewing draft strategic management plans, rating practices; performance monitoring, the quality of financial management, and the council's use of public resources; and
- Empowering the chair to make public statements on the audit committee's work and findings.

Part of the LGA's work will be to review the availability and costs of attracting qualified and skilled members to council audit committees, particularly in country areas, and to propose solutions that assist all councils to achieve best practice standards. This might include the option of a regional or 'shared service' approach to establishing audit committees in regional areas.

It would need to be acknowledged that there might be barriers in some councils to fulfilling all best practice recommendations, and appropriate exemptions would need to apply.

Standardising external audits

All councils must appoint an external auditor to review and provide an opinion on the council's financial statements and a separate opinion on the adequacy of internal controls to provide reasonable assurance that the financial transactions of the council have been conducted properly and in accordance with law.

In some other states, the external auditing of councils falls within the remit of the state's Auditor General. The LGA has commissioned research and consulted with councils about the option of adopting this model in South Australia. We have found that while it may lead to some greater degree of consistency, the benefits would not outweigh the considerable additional costs to ratepayers.

An alternative approach to achieving greater standardisation would be allowing or requiring the Auditor-General to issue binding interpretations of auditing standards applicable to local government. This would ensure consistency between private sector auditors.

The LGA provides interpretation of accounting standards to the sector through the Model Financial Statements the use of which is mandated in Regulations. However these standards apply to local governments, not to auditors, who have their own professional standards to observe. However in some areas of practice auditors have had varying interpretations of their own standards. Therefore, further work is required by the LGA, in consultation with the SA Local Government Auditors Group and Local Government Financial Management Group to identify opportunities for further improvement, without duplicating existing measures or creating greater uncertainty.

The LGA will confirm its position on this reform option and any action that would be required by the next state government, within the state government's first 100 days.

Introduce a revenue policy

Current legislation requires councils to publicly report broadly on where their revenue comes from. Each council's annual financial statements distinguish revenue from:

- rates;
- statutory fees and charges;
- user charges;
- investments;
- grants;
- reimbursements; and
- "other".

However, councils are not required to adopt a revenue policy describing what mix, of this suite of revenue options, it proposes to adopt for each of its services and why it has made such choices. Such a policy primarily would focus on to what extent (for any given service) the council believes it would be appropriate for the costs of that service to be borne by users of the service, or spread across the broader community.

Such a policy would create a single point of reference to enable the community to understand how a council proposes to pay for each of its services and infrastructure over a period of time, taking into account rates, grants, fees and charges and commercial activities. This would help communities and stakeholders understand the revenue mix in local government and how constraints on one revenue source create pressure for revenue to be generated in other, often less equitable, ways.

Although such a policy would require revision from time to time, it is important that this must not create yet another compliance obligation for councils, as they are already committing considerable resources to preparing all of the plans, policies and documents required by legislation. Introducing a new revenue policy should be accompanied by a review of existing requirements for other policies and reporting requirements to achieve the principle of simpler regulation.

A commitment is sought from the next government that a review will be undertaken to find opportunities to streamline and consolidate existing council obligations to prepare multiple policies and reports.

Diversifying local government revenue

Adopting a revenue policy will not of itself address the issues that councils face in generating the revenue required to maintain and improve standards of services and infrastructure. Local government is always under pressure to reduce reliance on rating revenue to fund community services and infrastructure. While councils must continuously review expenditure to make sure it is as efficient as possible, the settings on revenue side of the equation also need to be addressed, such as the fact that

local government in South Australia historically receive less state government grant funding per capita than local government in other states.

Additional capacity for councils to diversify revenue streams would be assisted by the following actions being undertaken as a priority:

- Conduct a comprehensive review of local government fees and charges regulated by the state government to establish modern price setting principles which promote efficiency, flexibility and fairness in service delivery;
- Review the mandatory rate rebates that councils are compelled to provide;
- Establish service level agreements for the delivery of state services by local government including agreed responsibilities, cost sharing and funding arrangements;
- Joint advocacy between state and local government for South Australia to receive a fair share of federal government funding;
- Review levels of state government grant funding provided to local government and ensure that this level is at or above the national average; and
- Reviewing the legislative settings around council participation in commercial activities, particularly when regional subsidiaries are formed, to ensure they are not unreasonably restricting opportunities for councils and communities.

Best practice service reviews

To build trust, communities require certainty that councils are delivering the right services at the right cost. A best practice program of services reviews with strong community engagement will assist in building community confidence and demonstrating efficiencies.

Councils already undertake regular reviews of key services to ensure they are meeting community needs, being delivered in an efficient manner and not impacting on the long-term financial sustainability of the council. Sometimes difficult and unpopular decisions need to be made about reducing or consolidating services for the sake of greater efficiency and sustainability. It is important that these decisions about the range and level of local services provided remain in the hands of councils and their communities.

While the legislative framework should set our clear expectations regarding continuous improvement and service efficiency, it should not limit the sector to one prescribed approach to, or frequency of service reviews.

It is proposed that the LGA develop a best practice guide to undertaking service reviews. Service reviews should consider service levels, unit costs, community demand, community satisfaction, alternative providers and links to financial sustainability. Standardising the approach to measuring and reporting these factors will assist councils and communities to understand the value of the financial and community value of the services delivered.

A prescriptive approach to undertaking service reviews must be avoided to ensure that efficiency gains are not eroded by additional red tape and compliance costs. There is an opportunity for the joint State-Local Government Simpler Regulation Taskforce established between the LGA and Department of Premier and Cabinet to advise on opportunities to streamline processes.

Supporting new boundary reform processes

The *Local Government (Boundary Adjustment) Amendment Act 2017* was passed by the Parliament in August 2017. While the LGA will not support any push for forced council amalgamations, we supported the passage of this legislation as it will give councils and communities that want to review their boundaries the benefit of a more transparent, rigorous and independent assessment and decision making process.

The new provisions are not scheduled to come into effect until 1 January 2019. However, there is a considerable amount of work required to develop guidelines, procedures and templates to implement these changes.

The next state government must commit adequate resources for the Local Government Grants Commission to progress this work, as a priority, in consultation with councils and communities.

Industry-wide industrial relations framework

The LGA has started looking at opportunities to streamline processes within local government through an industry-wide industrial relations framework which enables a culture of meaningful, open and respectful engagement between employees, management and unions.

Our work to date demonstrates there is an opportunity to align the sector workforce through a modernised industrial relations framework. An aligned workforce will provide individual councils with continued success and simultaneously deliver wellbeing to employees through shared values and commitments; support individual council's strategic and business plans; secure a multi-skilled and engaged workforce; foster flexibility and continuous improvement in the local government sector; enhance productivity and significantly reduce duplicated costs and effort.

The LGA has established a working group to progress this objective and will confirm its position on industrial relations and any support required from the state government within the first 100 days of government.

Review representation reviews

The *Local Government Act 1999* requires councils to carry out "representation reviews" as scheduled by the Minister under the regulations (approximately every 8 years). During these reviews councils must consider options relating to:

- The composition of the council, including the number of council members
- Whether or not the council should be divided into wards
- The size and boundary areas of wards, if they exist

A council may also use this process to change its name, change the name of a ward or change the area of the council.

Based on advice from the Electoral Commission of South Australia (ECSA), the LGA understands that some councils have experienced difficulty obtaining the services of appropriately qualified consultants to assist them with the workload. Some councils have had to undertake multiple public consultation processes as a result of community feedback and changing options. Council members also face the challenge of having to make controversial decisions on potential changes to the composition of a council that might affect their own positions.

Most councils required assistance from ECSA to comply with the extensive technical requirements set out in section 12 of the Local Government Act in order to enable them to achieve certification by the deadline date.

Representation reviews are an important feature of local democracy. Given that ECSA has indicated that it is reviewing the efficacy of current processes and its role in supporting councils to undertake representation reviews, the LGA considers that it is timely and appropriate for a broad review to be undertaken.

The LGA is calling on the next state government to work with ECSA, the LGA and councils to review the technical and process issues and decision-making structures for representation reviews.

Local Government Elections Reform

Local government has participated in a lengthy review of the *Local Government (Elections) Act 1999*, which is yet to result in legislative change being achieved. The LGA and councils have made a number of submissions in relation to technical issues that need to be addressed, as well as more substantive policy matters. As a priority, the Local Government Association is calling on the next state government to introduce amendments to the Local Government Elections Act that achieve, among other things, the following policy outcomes:

- Establish a framework which would enable electronic voting to be used for future elections, should a viable and cost effective system become available;
- Create a 'level playing field' for disclosure of information. In other words, where existing council members are required to disclose information publicly, all candidates for election should be required to disclose the same information during the election process.
- Enable all candidates to have access to electronic copies of the voters roll; and
- Voters should be made aware of whether or not a candidate for election resides in the area of the council for which he or she is standing. This can be achieved by inclusion of 'tick box' to reveal whether or not the candidate resides in the area;

The LGA can supply further details of the raft of more technical matters that also need to be addressed.

A delayed commencement would be required for any reforms that could not feasibly be implemented in time for the council elections in November 2018.

In relation to state elections, the LGA supports and calls for reform that would require council members seeking election to the State Parliament to stand down from their position on council with their allowance suspended throughout the election campaign period.

Delivering Change

Delivering this change agenda would be shared responsibility between the Parliament, state government, LGA and councils.

We believe that local government reform has been held back in recent years by the limited resources allocated to the Office of Local Government. The LGA reinforces the call made through previous budget submissions for expanded capacity within the Office of Local Government to expedite and deliver significant reforms. Consideration should also be given to the potential expansion of the role of the Local Government Grants Commission, as an independent body with a deep understanding of local government, to assist with the implementation of local government reform.

While the full implementation of this program will extend beyond the first 100 days of government, the priority actions that can be achieved with the right level of resourcing are summarised below.

First 100 days Agenda

In their first 100 days, the next Government of South Australia should prioritise the following actions to achieve sensible local government reform:

- Hold a joint 'Leaders' Summit' with the LGA to shared understanding of the challenges and opportunities facing local government over the next four years.
- Commit resources to a sophisticated local government benchmarking framework to be delivered by local government, for communities.
- Work with the local government sector to further develop a proposal for a strengthened Code of Conduct framework and commence consultation with councils on the legislative changes required to implement change.
- Receive and consider the LGA's position on standardising external audits.
- Maintain the State-Local Government Simpler Regulation Taskforce and task it with finding opportunities to reduce red tape associated with compliance processes and the multiple policies and reports required under the *Local Government Act 1999*.
- Conduct a comprehensive review of local government fees and charges regulated by the state government to establish a cross-government modern price setting principles which promote efficiency, flexibility and fairness in service delivery.
- Review the mandatory rate rebates that councils are compelled to provide.
- Review levels of state government grant funding provided to local government and ensure that this level is at or above the national per capita average.
- Commence a review of the legislative settings around council participation in commercial activities, particularly when regional subsidiaries are formed, to ensure they are not unreasonably restricting opportunities for councils and communities
- Commit sufficient resources to the Local Government Grants Commission to commence preparations for the operation of new boundary reform processes.
- Receive and consider the LGA's position on a sector-wide industrial relations framework.
- Commence a review of the 'representation review' processes outlined in the Local Government Act and consult with local government and ECSA on options for positive change.
- Introduce a Bill in the Parliament to amend the *Local Government (Elections) Act 1999*.

LGA of SA Analysis of the Local Government (Rate Oversight) Amendment Bill 2018

The Bill was provided to councils on 18 June 2018. The key elements of Bill were highlighted in the LGA President Newsletter, 19 June 2018, as follows:

- The Essential Services Commission of South Australia (ESCOSA) will be responsible for making rate cap determinations, assessing applications from councils for variations to the rate cap and reporting on the outcomes of the system.
- ESCOSA will determine the basis of the rate cap. For example, whether it will relate to a price or particular index (CPI, LGPI etc) and whether the cap will include any efficiency or productivity component. The details of how the rate cap will be determined will be subject to ESCOSA guidelines that are yet to be developed.
- A cap may be determined for councils generally, a class of councils or individual councils. There is no definition provided of a 'class' of councils.
- The cap will be applied to a 'base standard rate', which is a nominal rate that is arrived at by dividing the total annualized general rate revenue for a council area by the number of rateable properties in that area at the end of a base year (30 June). This model accounts for growth in the number of rateable properties over the course of a year.
- A council may apply to ESCOSA for a variation from the rate cap for a maximum period of up to 5 years. In applying for a variation, councils will need to provide the reasons for the variation application, evidence of community consultation, an assessment of the likely impact on ratepayers.
- Councils will be expected to make efficiencies across their operations before applying for a rate cap and will need to demonstrate they have considered funding priorities and alternative sources of revenue.
- Consistency with long term financial plans and infrastructure and asset management plans will be a critical component of an application for a variation.
- ESCOSA may charge councils a fee for assessing a variation application and applications will need to be lodged by 31 March.
- Further details of the variation process will be provided through ESCOSA guidelines that are yet to be developed.
- Separate rates and service rates and charges are excluded from the rate cap calculation, but a council must inform ESCOSA if they proposed to introduce a separate rate or service rate or charge as this will be taken into consideration when they set the primary rate cap for that council.
- ESCOSA must monitor and review councils' compliance with the system and prepare reports on the effects of rate capping on councils and any trends that may arise as a result of the rate capping scheme.
- The Minister may take action in relation to a council under Section 273 on the basis of a report by ESCOSA. Currently this provision includes ICAC, the Auditor-General and/or the Ombudsman.
- A review of the legislation will be required before 31 December 2023 (five years from the proposed commencement).

LGA of SA Analysis of the Local Government (Rate Oversight) Amendment Bill 2018 – please also refer to the State Government’s accompanying Explanatory Paper.

Summary of the provisions of the Bill as outlined in Explanatory Paper	LGA of SA Secretariat comments	Potential issues for councils/local government
<p>Clause 4—Amendment of section 3—Objects</p> <p>The Bill amends section 3(f) of the Act to clarify that the objects of the Act are to encourage local government to provide appropriate services and facilities to meet the present and future needs of local communities while also ensuring that these are supported by appropriate financial contributions by ratepayers.</p>	<p>There is no further definition or interpretation of what ‘appropriate services’ or ‘appropriate financial contributions’ may mean.</p> <p>This is a subjective issue, one which SA councils currently attempt to balance through public consultation policies that set out the steps councils will take to ensure interested community members are consulted where the act requires.</p>	<p>Councils already consult extensively to seek community views through engagement on annual business plans and budgets, and strategic management plans (long term financial and asset management plans), plus other matters identified in the Act or their public consultation policy.</p> <p>In Section 187(G) the process may require councils to undertake additional community engagement when seeking to apply for a rate cap variation and demonstrate their willingness and capacity to pay rates in accordance with the proposed varied rate cap.</p> <p>This may prove to be difficult for councils to achieve, noting the existing challenges councils face in receiving responses from the community when feedback/input is sought via consultations.</p>
<p>Clause 5—Amendment of section 123—Annual business plans and budgets</p> <p>The Bill amends section 123(2) of the Act to ensure that an annual business plan and budget released by a council states that the council has applied for or has received a rate cap variation for that financial year, if this is the case.</p>	<p>Timing will be a challenge as ESCOSA will publish rate cap by 31 December (or later if it chooses). Councils will need to submit variation requests to ESCOSA by 31 March which includes evidence of the community engagement process that has been undertaken by the council on the proposed varied rate cap.</p>	<p>This means that Council will need to consult on next year’s Annual Business Plan prior to 31 March. However, councils generally consult on these plans in May/June. Moving this timing will mean that Councils are developing Annual Business Plan projects up to 6 months before the completion of this year’s projects.</p>
<p>Clause 6—Insertion of Chapter 10 Part 1A – Rate Oversight</p> <p>The Bill proposes the inclusion of Part 1A to Chapter 10 of the Act — Rates and Charges. It inserts sections 187C–187K of the Bill, which contain most of the detail of the rate oversight (capping) system.</p>	<p>There is no reference in the Bill to any provisions of an automatic review (at any level) of this chapter if there is other legislation / government policy decision that may affect these inclusions or require changes to the legislation. Such a provision would be expected for an issue that has the potential to be affected by a number of policy areas.</p>	<p>Councils need to consider the impact that future state legislation and other policies may have on councils’ ability to perform their functions if rate capping is introduced. Any change in legislation or policy that increases costs for councils could have a greater impact in the future if councils cannot generate additional revenue to adequately fund new responsibilities.</p>

Summary of the provisions of the Bill as outlined in Explanatory Paper	LGA of SA Secretariat comments	Potential issues for councils/local government
<p><i>Sections 187C–187K of the Bill are outlined below</i></p>		
<p>187C – Objects of Part</p> <p>This section states that the objects are:</p> <p>a) to ensure that there is appropriate oversight of the financial contribution of ratepayers for the provision of council services and infrastructure meet the current and future needs of local communities; and</p> <p>b) to ensure that a council has the financial capacity to perform its duties and exercise its powers.</p>	<p>As elected bodies, councils are accountable to their local communities.</p> <p>Having robust processes and legislative requirements for public consultation on council Annual Business Plans and Budgets means that local government already subject to community oversight and is arguably the most transparent sphere of government.</p> <p>The same oversight is not given to state and commonwealth budgets, as their considerations are subject to cabinet-in-confidence.</p> <p>The experience of rate capping systems in both NSW and Victoria is that council debt increases and they have less capacity to deliver services. This has occurred despite the availability of a rate cap variation process being available in both interstate rate capping models.</p>	<p>Placing oversight of financial matters in the hands of ESCOSA and the State Government will ultimately diminish the local decision making of Councils. Decisions about service levels and funding priorities will be referred to an unelected body that is not accountable to ratepayers and the democratic process.</p> <p>It can be inferred that 'perform its duties and exercise its powers' is a reference to the statutory responsibilities of local government. Many of the service provided by councils are discretionary and are provided - following public consultation - to meet the needs of and enhance communities. In some circumstances services are provided by councils because there is no alternative provider within the local community, or other government funding/support has been withdrawn. Some of these services may not meet an independent 'essential service' or 'value for money' test, but they are responding to community need.</p> <p>Through setting a rate cap and determining variation applications, ESCOSA council have more influence than local communities about the services they will receive.</p>
<p>187D – Interpretation</p> <p>This section sets out definitions for the various terms and phrases used throughout the Bill, with particular reference to the definition and formula of 'base standard rate' and 'capped standard rate'</p> <p>Base Standard Rate is the total annual revenue recoverable from general rates as at 30 June in the base year, divided by the number of rateable</p>	<p>These formulas take into account the number of rateable properties in any given year. As such, the rate capping model gives appropriate consideration to residential and business growth within the area of the council.</p> <p>The LGA considers the methodology for 'revenue recoverable from general rates' to be revenue from General Rates (Gross) plus Penalties for late payment minus Discretionary</p>	<p>The relevance of the Base and Capped Standard rates for councils is explained in the following sections.</p>

Summary of the provisions of the Bill as outlined in Explanatory Paper	LGA of SA Secretariat comments	Potential issues for councils/local government
<p>properties in the base year.</p> <p>Capped Standard Rate is the total annual revenue from general rates as at 1 July in the capped year, divided by the number of ratable properties in the capped year.</p>	<p>Rebates, Remissions and Write-Offs, and Mandatory Rebates.</p>	
<p>187E - Primary rate cap determination</p> <p>Refer to the Explanatory Paper for a detailed description of the 'Primary rate cap determination'.</p> <p>The Bill states that a primary rate cap determination may apply to councils generally or a class of councils, or a particular council.</p>	<p>The Bill states that ESCOSA must set a primary rate cap by 31 December before the next capped year, or by another date set by ESCOSA. This means that ESCOSA could potentially specify a date at any point up to 30 June (being the day before the capped year), which would severely limit councils ability to consult on and set an annual business plan and budget.</p> <p>The Bill does not require ESCOSA to use a particular index (CPI or LGPI) as the basis for the primary rate cap. As this is a matter of discretion for ESCOSA, there is no certainty that a consistent or fair and reasonable approach will be taken to setting the cap each year.</p> <p>ESCOSA may consider including an efficiency or productivity component when determining the primary rate cap. Note that the formula used by the Victorian Essential Services Commissioner has a 0.05 per cent efficiency factor for 2017-18 and 0.1 per cent for 2018-19.</p> <p>As there is not detail available about the calculation of an annual cap, it is not currently clear whether there will be a requirement for ESCOSA to consider 'asset renewal gaps' as</p>	<p>Noting the wording of the legislation states that ESCOSA 'may' apply a rate cap determination to councils (generally/class/individual). Given this does not say ESCOSA 'must' apply a rate cap determination, councils may wish to test whether there is scope for no rate cap to be applied based on their previous performance and rate increases.</p> <p>Setting a primary rate cap that recognises growth in rateable properties over the year is a positive intention.</p> <p>However, more relevant for councils will be the index (CPI/LGPI) or other matters ESCOSA takes into consideration when setting a rate cap. This is entirely open to interpretation and the discretion of ESCOSA (subject to any directions provided by the Minister).</p> <p>There is no information available on the criteria to be used by ESCOSA in making these determinations (which could potentially change year-to-year) or the information available to ESCOSA to inform their decisions. This creates a potential risk of significant red tape and duplication of reporting requirements on councils.</p> <p>The conditions that may trigger a primary rate cap to be determined for any particular council may be viewed as a punitive response.</p> <p>There is potentially only five month gap between declaration of current year's budget (July/August) and then having an advanced plan for next financial year (in December of same year when ESCOSA declares rate). This will place pressure on council resources and may result in increased administrative costs. This also</p>

Summary of the provisions of the Bill as outlined in Explanatory Paper	LGA of SA Secretariat comments	Potential issues for councils/local government
	<p>part of their determination.</p> <p>While a primary rate cap determination may apply to councils generally, a class of councils, or a particular council, the Bill outlines that ESCOSA will only make a determination to apply a rate cap to a particular council if there is cause, such as non-compliance with the previous rate caps, or if there is a proposal to change the basis on which rates are assessed against land, if a separate rate is declared or taking into account the level of fees or charges imposed by the council.</p>	<p>reduces ability of CEO to shift/adjust for unexpected circumstances (project overruns or delays/new funding availability/asset failures/force majeure events).</p>
<p>187F – Rate cap variation determinations</p> <p>The Explanatory Paper confirms that “Along with the setting of a primary rate cap, an ability for councils to apply for a variation on a primary rate cap is critical to achieving the objectives of the rate oversight system.”</p>	<p>This section enables ESCOSA to receive and assess council applications for a variation of a primary rate cap from councils. Applications must be received by 31 March of the year before the capped year.</p> <p>Councils may apply for a rate cap variation for 1 or more years up to a maximum of 5 years.</p> <p>Councils subject to an individually determined primary rate cap (see punitive comment above) will not be able to seek a rate cap variation (noting that in these circumstances the relevant council will be consulted before a cap is set).</p>	<p>Although a primary rate cap may apply generally to all councils or to a class of councils (class is not defined) applications for rate cap variations can only be made by an individual council.</p> <p>There is no specification on how long ESCOSA will take to consider applications to vary the rate cap or if the application is denied whether the council has any right of review or appeal.</p>
<p>187G – Rate cap variations determination applications</p>	<p>ESCOSA can set a fee for an application, not in excess of the reasonable costs of determining</p>	<p>While it is not clear, councils would be significantly impacted if they are expected to cover the costs of administering the overall rate</p>

Summary of the provisions of the Bill as outlined in Explanatory Paper	LGA of SA Secretariat comments	Potential issues for councils/local government
<p>The Bill is specific in the detail required in applications, which are also set out in the Explanatory Paper. In summary, councils must specify:</p> <ul style="list-style-type: none"> • Number of financial years • Reasons for variation • Proposed varied rate cap for each specified year (could be different over more than one year) • Community engagement process • Likely impact on ratepayers, their capacity and willingness to pay • Considerations of reprioritising spending measures and alternative funding options – plus explanation of why these are not suitable • How varied rate cap represents value for money • Consistency with council's long term financial management plan. 	<p>the application. There is no further detail on this point, or on the broader issue of how ESCOSA will be funded to administer the rate capping system. In Victoria, these costs were nearly \$3 million in 2016/17.</p> <p>There is no information on when ESCOSA's guidelines for applications to vary a primary rate cap and the community consultation required will be available.</p> <p>There is no indication of what weighting/ importance ESCOSA will place on any criteria when assessing applications for variations.</p> <p>The current criteria appears to place emphasis on 'value for money' however there are some services/infrastructure that Councils provide which it may be hard to justify are 'value for money', Council's provide them essentially as a community service obligation (ie. local government does it because the private sector doesn't). Consideration should be given to expanding the criteria regarding 'How varied rate cap represents value for money' to include a reference to 'and/or achieves increased/ enhanced community/social outcomes'.</p> <p>The Bill does not outline a process for councils to seek a review or appeal ESCOSA decisions on variations. This is a significant issue/omission, insofar as other individuals, industries and requirements set out in the functions of ESCOSA has the legislative right to</p>	<p>capping system. If they are, this would be a further example of cost shifting.</p> <p>It is uncertain if councils will have the ability to apply for any changes to previously approved variations – for example if there is a change in circumstances, events or an unforeseen impact on the council's long term financial management plan.</p> <p>Councils will be disadvantaged by the lack of review and appeal provisions in the Bill.</p>

Summary of the provisions of the Bill as outlined in Explanatory Paper	LGA of SA Secretariat comments	Potential issues for councils/local government
	review and appeal under Part 6 – Reviews and Appeals in the Essential Services Commission Act 2002.	
<p>187H – Ministerial requests and directions</p> <p>The Bill states that the Minister can direct ESCOSA to consider matters relating to:</p> <ul style="list-style-type: none"> • A primary rate cap determinations, including a cap that may apply to a particular council • Applications for a rate cap variation determination <p>While the Bill enables the Minister to request or direct ESCOSA to consider matters, the Explanatory Paper suggests that ESCOSA will maintain its discretion as to whether to act.</p> <p>Section 187H requires ESCOSA to publish copies of any Ministerial request direction on its website, to ensure the appropriate level of transparency.</p>	<p>While transparency of Ministerial direction may be maintained through Section 187H, the Bill provides Ministerial powers that seem to contradict the independent nature of ESCOSA.</p>	<p>Councils and local government will need to be mindful that given the ability for broad ranging Ministerial direction, the determinations of ESCOSA may be more aligned to recommendations to the Minister. This may allow for politically motivated decision making.</p>
<p>187I – Council must notify ESCOSA of certain matters</p> <p>The Explanatory Paper confirms that the proposed rate capping system in the Bill would only apply to general rates revenue. It considers that separate rates and other feed and charges are already restricted under the Local Government Act. This section sets requirements to ensure ESCOSA can set a future rate cap to a particular council if they are of the view that they are using fees and charges unreasonably.</p>	<p>This section restricts council ability to change the basis on which rates are assessed against land, declaring separate rates or imposing a service rate or annual service charge. It requires councils to notify ESCOSA so that they can consider applying an individual primary rate cap to that council. Failure to inform ESCOSA will not affect the validity of rates or changes, but will likely trigger an individual primary rate cap in the following financial year.</p>	<p>As they do now, councils will need to ensure that any review of separate rates, fees and charges are done in a transparent way, in consultation with their community.</p>

Summary of the provisions of the Bill as outlined in Explanatory Paper	LGA of SA Secretariat comments	Potential issues for councils/local government
<p>187J – Compliance with rate cap determination</p> <p>This section requires councils' compliance with any rate cap determination made by ESCOSA.</p>	<p>The Bill states that failure to comply with a rate cap determination does not affect the validity of any income in the financial year in which the failure occurred.</p>	<p>Councils need to be mindful that in the case of non-compliance with a rate cap, the validity of general rate income is only guaranteed for the same financial year.</p> <p>There is the possibility for ESCOSA or the Minister to make a retrospective adjustment the following year through a primary rate cap that applies to that individual council.</p> <p>It is important to note Section 187E (6), which states a primary rate cap determination may be a positive or negative amount. This means a council could technically be required to ensure the general rates revenue for one financial year is actually less than the previous year.</p>
<p>187K – Administration</p> <p>This section provides ESCOSA with powers to perform the functions of the rate oversight system.</p> <p>Additionally, ESCOSA will be required to:</p> <ul style="list-style-type: none"> • Monitor and review councils' compliance with the system; • Assess the effect of rate capping (both the primary rate cap and variations) on councils, and identify any trends that may arise from the application of the rate oversight system across local government. <p>ESCOSA will make a report on these matters to the Minister every two years.</p> <p>Reports received by the Minister from ESCOSA must tabled in Parliament, and may also be published on ESCOSA's website.</p>	<p>Noting that councils are directly accountable to their communities, there is no comment on how will ESCOSA be accountable for the decisions they make that impact local government? Beyond a report tabled in Parliament, who is ESCOSA accountable to?</p> <p>ESCOSA has been given a function to assess the effect of primary rate cap determinations on the provision of services and infrastructure by councils, and the financial sustainability of councils. However, there is no detail on what support or change in approach there would be if these are affected in any significant way or if ESCOSA has serious concerns.</p> <p>Also, there is no detail on how the Government would support ESCOSA to develop a thorough and practical knowledge of local government before they start making decisions on the parameters of the rate capping model and</p>	<p>Councils should note that there is no detail on how much the rate capping system will cost to administer each year or how will this will be funded. There is a potential for further cost shifting from the State Government.</p>

Summary of the provisions of the Bill as outlined in Explanatory Paper	LGA of SA Secretariat comments	Potential issues for councils/local government
	determinations of a preliminary rate cap. Note that the Victorian ESC develops resources for councils and undertakes inquiries, studies and reviews as required.	
Clause 7 – Amendment of Section 273	Refer to comments on section 187J	
Clause 8 – Amendment of Section 303 Amends the Local Government Act to enable regulations to be made to deal with saving or transitional arrangements of the Bill	LGA comments will depend on future regulations.	
Clause 9 – Review Requires that the Minister review the legislation before 31 December 2023 (after 5 years operation)	There is no detail beyond a requirement to review the legislation, which does not appear to be linked to the outcomes of the rate capping system.	There is no sunset clause to the legislation. It is likely to remain in place once passed.

Some key questions - Local Government (Rate Oversight) Amendment Bill 2018

Primary rate cap determinations

- Has the State Government undertaken a Regulatory Impact Assessment, including consultation with relevant stakeholders about any unintended outcomes that may result, any implementation issues, and suggestions on how to monitor the effectiveness of the proposed rate capping model?
- What information would ESCOSA have to make a rate cap determination by December for the following financial year? Will this include up-to-date valuation data?
- What financial modelling has been undertaken to assess the impact of a rate cap on councils, in particular growth councils, smaller and/or regional councils? The LGA and SA councils will not be able to assess the impact of the proposed rate capping system on services and operations until we have specific detail and modelling.
- Will the State Government fund a comprehensive benchmarking program as advocated by the LGA?
- What role would the South Australian Local Government Grants Commission (LGGC) have, noting they are a trusted source of data and have a well-developed understanding of the local government sector?
- How would ESCOSA develop a thorough and practical knowledge of local government over the coming months before they start making decisions that have a significant impact on local government operations?

Variation applications

- When will ESCOSA guidelines be available and what assurances and processes would there be to ensure adequate and timely consultation with councils and the LGA on the guidelines?
- How much additional red tape and administrative costs would be generated by the processes required under the Bill, and are these processes practical and achievable for councils? Has any modelling been done on the costs to ratepayers of administering the system?
- What weighting/importance would ESCOSA give to criteria when assessing applications for variations? How would they treat unique community services that are being provided by councils because there is no one else filling an important need within their community – would these examples meet the test of 'appropriate services'?
- Would councils have the ability to apply for any changes to previously approved variations?
- Would there be a process for councils to seek a review or appeal ESCOSA decisions on variations?

Monitoring and reporting

- How much would the rate capping system cost to administer each year? How will this be funded?
- Councils are accountable to their communities for the decision they make through democratic election processes. How would an independent regulator be held accountable by the community for the decisions they make that impact on local services, infrastructure and facilities?
- How would the State Government report publically on the outcomes of a rate capping system and what opportunity will there be for communities to provide their feedback on these outcomes?

ITEM 6.2 **2018 Aussie Era Salisbury Car Show**

AUTHOR Mark van der Pennen, General Manager City Infrastructure, City Infrastructure

CITY PLAN LINKS 3.4 Be a proud, accessible and welcoming community.
4.1 Strengthen partnerships that enable us to better address our community's priorities.

SUMMARY The Salisbury Business Association (SBA) has submitted a request to hold the Aussie Era Car Show in Pitman Park. The use of Pitman Park was not supported and a deputation was held at the June Council meeting. Council was supportive of the event and requested that staff continue to explore options with the SBA. A proposal by staff to enable approximately 30 cars in Pitman Park was provided to the SBA for consideration by the Board. The Board met on 18 July 2018 and did not endorse the proposal and have sent an amended proposal to retain up to 100 cars on Pitman Park however recognising the need to ensure adequate insurance for the event to cover any remediation costs as a result of their proposal.

RECOMMENDATION

1. Information be received.
2. Council provide in principle support for the event to have up to 100 cars at Pitman Park with full responsibility and costs are being fully borne by the Salisbury Business Association in line with their proposal (Attachment 4, Item 6.2 Council meeting 23 July 2018) with the following amendments/inclusions:
 - The implementation of the strategies for site mitigation are at the cost of the SBA following staff advice to minimise this risk
 - The site layout is developed and provided by the SBA including traffic and pedestrian management as part of the application, including a contingency strategy should the site become inaccessible.
 - Hours of the event are confirmed.
 - Location of the six sponsor marquees and entertainment structures/facilities be identified ensuring no ground penetration for securing, unless agreed by Council staff.

ATTACHMENTS

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

1. SBA Revised Proposal 13 July 2018
2. CoS Response to SBA Revised Proposal 2018
3. CoS Pitman Park Proposal Plan
4. SBA Amended Proposal 18 July 2018

1. BACKGROUND

- 1.1 The request to hold the 2018 Aussie Era Car Show for the Pitman Park venue was first raised at the City of Salisbury and Salisbury Business Association (SBA) Executive Officer monthly meeting with the SBA on 1 October 2017, as an idea which the association was exploring along with a number of other possibilities.
- 1.2 On 16 May 2018 the idea was informally flagged with staff via telephone who indicated that there would be significant issues and a permit was unlikely to be successful. The Executive Officer (EO) of the SBA then raised the proposal with the General Manager Community Development (GMCD) and General Manager City Infrastructure (GMCI) seeking further advice.
- 1.3 At the recommendation of the GMCI, a formal application was submitted on 18 June 2018 for use of the park on Sunday 21st October 2018 for the car show. The application was quite general in nature as the event was at the planning stage.
- 1.4 The application was declined, around four key concerns being, the volume of foot traffic, potential damage to the surface and underlying infrastructure, the capability around the park and the entry and egress to the park itself. The park was not intended for this type of usage, the time of year the event will be held (October) and that potential rainfall could exacerbate the issues due to water ponding on site.
- 1.5 The SBA would be liable for remediation costs and responsible for any additional infrastructure, such as overlay matting. As the remediation costs can't be estimated up front this will be a risk to the SBA.
- 1.6 The concerns were discussed at the SBA Board Meeting held on Wednesday, 20 June 2018 with a subsequent delegation to Council on 25 June 2018.
- 1.7 The EO noted as a result of the deputation to Council, the Elected Members were quite supportive and a large number of ideas were discussed. Staff were requested to continue discussing options with the SBA in support of having the event.
- 1.8 Following a SBA Board Meeting on 18 July 2018, attended by General Manager City Infrastructure, the SBA has submitted an updated proposal on the 18 July 2018 to hold the 2018 Aussie Era Car Show at Pitman Park.

2. CITY PLAN CRITICAL ACTION

- 2.1 Progress the revitalisation of the Salisbury City Centre, including resourcing, place management and activation.

3. CONSULTATION / COMMUNICATION

- 3.1 Internal
 - 3.1.1 Community Development staff
 - 3.1.2 City Infrastructure staff
- 3.2 External
 - 3.2.1 Salisbury Business Association

4. REPORT

- 4.1 After the Council meeting, staff met with the Executive Officer of the SBA on the 27 June 2018 at Pitman Park to discuss the initial request to hold an event for 200+ cars. A further meeting was held on 13 July with the EO of the SBA to discuss this event. Staff discussed an option to hold 20+ cars at the meeting and the SBA discussed a

- revised proposal of 100 cars. A revised proposal was received on 13 July (Attachment 1) confirming the SBA request for a 100 car model.
- 4.2 In relation to the event it is understood by staff and articulated by the SBA working group that the objective of the Aussie Era Car Show is to;
- 4.2.1 Provide benefits to local traders
- 4.2.2 Be an iconic event (this is not a show and shine which is why the location has been proposed)
- 4.2.3 Activate the whole City Centre
- 4.3 A formal response, irrigation site plan and alternate option (Attachment 2) to the proposal dated 13 July 2018 was sent to the EO of the SBA on the 16 July 2018. The response also included 12 options that were considered to hold the event in different locations and comments against the objectives. These options have been canvassed and rejected to date by the SBA working group.
- 4.4 As a result of the meetings held with the SBA EO and the SBA working group, and listening to the importance of the Pitman Park location as fulfilling the iconic objective of the event, staff proposed an alternative option to those presented so far, whilst also considering patrons access to and through the site/event.
- 4.5 This option proposed the use of Pitman Park which acknowledges the strong desire for the iconic event to be held in the preferred location as a point of difference from other car shows, but which also reduces risks to the SBA Board which were identified in our response to the proposal for 100 cars. The option proposed is described in Attachments 2 and 3 including a draft site map for approximately 30 cars.
- 4.6 The GMCI attended the recent SBA Board meeting 18 July 2018 to discuss the latest proposal from staff. The Board confirmed their requirement to host the event with up to 100 cars on Pitman Park as a key requirement of the event. All other options were not acceptable or supported. Remediation costs, traffic requirements, insurance, public safety were also discussed.
- 4.7 As a result of that engagement, and discussions by the SBA Board, a further amended proposal (Attachment 4) for consideration of up to 100 vehicles was received by staff on 18 July 2018.
- 4.8 In the amended proposal the SBA have revisited strategies to address site remediation insurance, traffic management, parking and undulating surface. All of these were concerns were raised in previous staff responses to the SBA.
- 4.9 Reviewing the latest proposal the following require further clarification to include:
- The implementation of the strategies for site mitigation are at the cost of the SBA following staff advice to minimise this risk
 - The site layout is developed and provided by the SBA including traffic and pedestrian management as part of the application
 - Hours of the event are confirmed
 - Location of the six sponsor marquees be identified ensuring no ground penetration for securing.
- 4.10 There remain the following risks
- If remediation is required it could take up to eight weeks to implement. The SBA have also requested an indicative cost for remediation and as the extent is unknown, unit rates can only be provided and the SBA need to assess what level they deem is appropriate.

- Should Pitman Park be inaccessible due to weather and the surface condition eg. water ponding in the low areas it is recommended that the SBA have a contingency strategy.
 - That the proposed number of cars and the required pedestrian movement areas to appreciate the displays may not meet the brief and staff will liaise with the SBA to maximise display layout ensuring community safety.
- 4.11 Staff will also assist with some provision of access from Commercial Road to the existing sealed pathway and marking of critical infrastructure on site to support the event.

5. CONCLUSION / PROPOSAL

- 5.1 Staff have had ongoing discussions with the SBA Working Group and Board to support the event. A number of issues have been raised and the latest proposal by the SBA to hold the 2018 Aussie Era Car Show has confirmed that all public liability and remediation insurance, responsibilities for traffic management and parking and coordination of the event is the responsibility of the SBA.
- 5.2 There remains a number of risks with this event for remediation if required, inclement weather and surface condition of the space and the ability for the site to cater for up to 100 cars. These will be reviewed as part of the application and subsequent permit approval in liaison with the SBA.
- 5.3 It is recommended to support the event on acceptance by the SBA that full responsibility is with the SBA in line with their proposal (Attachment 4) noting further amendments/inclusions are required as per paragraph 4.10.

1. CO-ORDINATION

Officer:

Date:

Revised Proposal

2018 Aussie Era Salisbury Car Show

To alleviate some of the concerns raised by Council staff previously in relation to our 200+ vehicle proposal, we propose the following to allay any fears about damage to surface and infrastructure to our preferred location of Pitman Park.

We are proposing a specific display for Pitman Park to best show off one of Salisbury's premier spaces. We propose a static display of an example of a model from the range for each year of Holden and Chrysler/ Mitsubishi built cars in SA.

The SA only vehicle display is designed to showcase the passion of local workers and enthusiasts alike.

We want to encourage the narrative that we, as locals, as South Aussies have much to be proud of in reflection of the vehicle manufacturing era.

Using the above model, the rough numbers suggest fewer than 100 vehicles in a carefully curated display taking into account and working with council to ensure least disturbance of the natural environment as possible. Our expected attendance would be 5,000+ across the day.

Toilets

The need for event toilets is being considered currently. Should portable toilets be required we will need to discuss plumbing solutions with Council

A toilet block exists in the park area adjacent to the proposed space and Parabanks is adjacent on the other side.

Power

A portable power generation source will need to be brought on site.

Sponsors Area/Mini Car Service Expo

Sponsor 3m x 3m marquees will allow them to promote products and services around car products and services. We expect a maximum of 6 sponsor marquees.

Marshalling

To assist with vehicle management, on-site, we propose that 2 of the Car Show Sub-Committee be responsible for marshalling this area to further mitigate any concerns.

Signage

Directional signage to other areas of the car show – Parabanks and John Street will be provided by the SBA near Commercial Road park entry point and the pedestrian bridge over the Little Para River.

Working with, and on behalf of, the Salisbury City Centre businesses and traders
Events include the Salisbury Food and Cultural Festival, Aussie Era Salisbury Car Show, Salisbury Business Awards
and the Annual Salisbury Community Christmas Parade

Entertainment

Entertainment will be provided in the form of either a band or DJ.

Family Area

A family area will form a rest spot and picnic area enhancing the family friendly nature of the event. Near this space will be children's activities such as a Bouncey Castle and face painting, as well as a community fundraising BBQ conducted by either Rotary Club of Salisbury or the 1st Salisbury Scout Group.

Food Vendors

Fundraising BBQ conducted by either Rotary Club of Salisbury or the 1st Salisbury Scout Group and possible a coffee van.

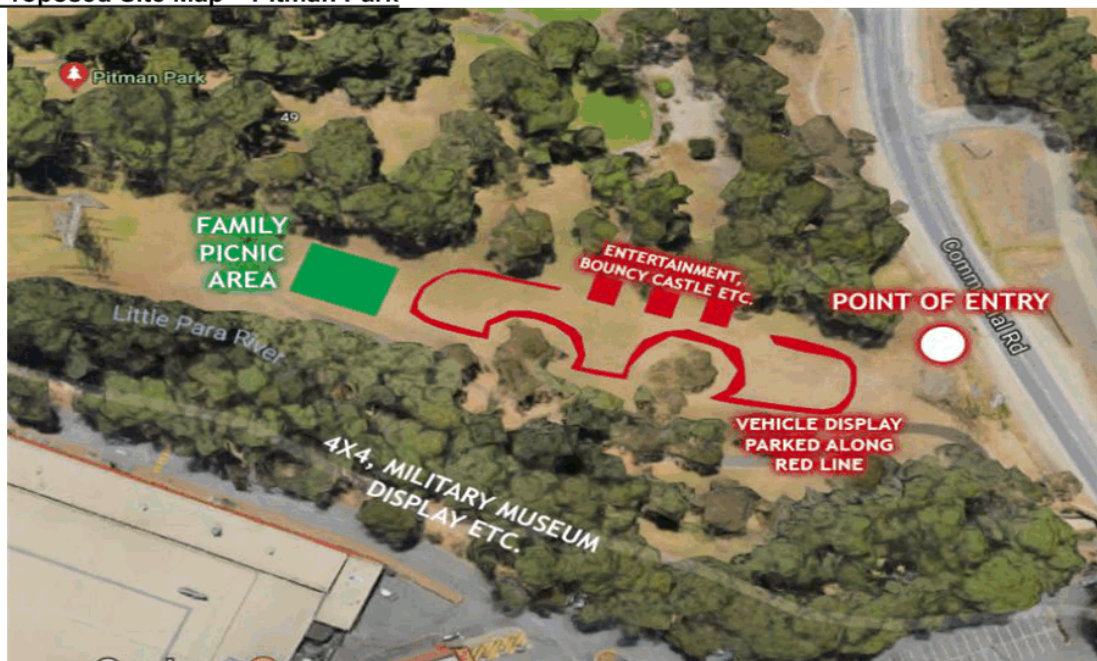
Other components of the Car Show

- 4WD display or Military Museum Vehicle Display other side of Little Para River.
- Show vehicles at the Eastern Mall entrance to Parabanks encouraging people to move through Parabanks to John Street
- SMASA Pit Point in John Street West and John Street Central (Church Street remains open)
- DJ in John Street (near Cash Converters)
- Community

Points requiring further discussion

- Traffic management options for Commercial Road and Bridge Street
- Parking for attendees – discussion with Parabanks Shopping Centre
- Fundraising BBQ conducted by either Rotary Club of Salisbury or the 1st Salisbury Scout Group

Proposed Site Map – Pitman Park



All enquiries to David Waylen, Executive Officer – 0414 813 202 or info@salisburyba.com.au

Working with, and on behalf of, the Salisbury City Centre businesses and traders

Events include the Salisbury Food and Cultural Festival, Aussie Era Salisbury Car Show, Salisbury Business Awards and the Annual Salisbury Community Christmas Parade

City of Salisbury - Alternative Option Encompassing Pitman Park

As a result of the meetings held with the SBA and their working party, and listening to the importance of the Pitman Park location as fulfilling the Iconic objective of the event, we would like to propose an alternative option to those presented so far.

This option would use the existing network of walkways to provide car display from the northern commercial road end of Pitman Park, heading towards the pedestrian bridge. Please refer the PDF attached to this email. Cars could access the site via commercial road and then be displayed along the walkway's closest to Para Banks Car Park, in the eastern area. Family activities could then be located in the flatter areas toward the northern section. This will effectively link the proposed 4x4 vehicles which could be located in and around the trees on Para Banks Land, and provides a family draw card through the area looping people back into Para Banks. The estimated number of cars which could be accommodated is around 30, and this number would not require closure of Commercial road.

This option effectively reduces the risk of damage and cost of the event and provides a natural drawcard through the other displays specifically;

- 4WD display or Military Museum Vehicle Display other side of Little Para River.
- Show vehicles at the Eastern Mall entrance to Para Banks encouraging people to move through Para Banks to John Street
- SMASA Pit Point in John Street West and John Street Central (Church Street remains open) DJ in John Street (near Cash Converters)

This area could be set up with little impact on the existing infrastructure and to reduce the risk to SBA in terms of remediation costs should they eventuate. The City of Salisbury is happy to provide some of the area with matting and sand to assist in keeping the amenity protected for a small area of the Park, in order to facilitate around 30 cars at no cost. The payout plan provides for 29 display sites of 7m x 4m in size, however the vehicle sizes will vary.

In summary the layout proposed ensures;

- iconic nature of the event is provided
- good connectivity to other displays (4x4)
- natural flow of pedestrian traffic across and between display areas
- activity is reduced where there are large trees and exposed roots on the batter north of the overhead lines
- reduced impact on grassed areas, by bitumen shared use path for the access to display locations but still within the Park
- safe access, with the display sites being not too steep and can be accessed from the shared use path
- entertainment zones and family picnic areas are located centrally to the section of the reserve on more level ground so that the space can better function.

From a safety perspective it will be important for SBA to identify the best possible vehicles and pedestrian flows across the site map. There are some steep embankments and the placement of

cars, in addition to the family activities in the catchment. These will need careful consideration to ensure participants safety. Thus a detailed map of the layout/pedestrian times and flow and vehicle movements would be required to formally approve the proposed option.

Insurances would still be required to ensure that SBA does not risk remediation costs.

We would also be interested in understanding better the arrangements for the overall management of the event and the role that SBA is taking in relation to the permissions activation and controls of the other areas proposed for display.

Finally we recognise that this option would also require co-operation of Para Banks to utilise section of their car park to facilitate the 4x4 options and spill over of approximately 70 vehicles (the balance of the proposed 100).

Response regarding the option 2 as presented by SBA (100 Vehicles);

The overall topography of this area of Pitman Park which is public open space that is accessible to local residents has been designed as major drainage system for the catchment of overland flow during significant rainfall events. Because of this function, this public open space which also has a large network of underground sprinklers to irrigate is predominately grassed & landscaped area is not designed as a "trafficable area" for high-volume vehicular activity.

Below is a map of the irrigation design for the area that SBA has identified in their proposal. It is likely that 100 vehicles will do some damage to the area. Damage is likely to be a combination of "rutting", and potential damage to infrastructure.

In particular, the proposal will impact significantly on the irrigation system within this area, especially if the vehicle numbers are reached. There is potential for damage, and in our discussions with SBA it would appear that there is no appetite and/or ability for the Board to absorb the costs associated with remediation of the site. It has been indicated to staff that this would become a costs to council.

It is our understanding that this area identified for the 4x4 clubs display would require Para Banks permission as this is on their land.

Risk mitigation for the site proposed

We are happy to provide as much advice in relation to the car placement of cars within the red zone indicated by the map to reduce the damage costs associated with the event. However it is unlikely, even with the best of intentions that there would not be damage, as the activity proposed does not suit the site.

Impact site remediation

We would also need to look at modifications to any bookings pre and post event to cater for the remediation time for the site, and to allow for rectification of infrastructure. This may mean up to 6-8 weeks restricted access to the site post event. As the site is a natural water course there

is potential for rain to an extent that it may impinge on the speed at which the site recovers, and the overall level of damage which may be incurred.

Traffic

It would be our advice that traffic management may need to be employed if activities are seen to impact on the efficiency of the road corridor. It has been indicated to staff that this costs would also not be covered by SBA as it is currently unbudgeted.

Council would implement localised no parking on the verges of Commercial Rd north of the culvert crossing, so that the efficiency of the road corridor is not impacted by the event.

Commercial Road has an Annual Average Daily Traffic (AADT) Volume of approximately 12,300 vehicles per day, as a result the Event Organisers are responsible for submitting to Council for review & approval a Traffic Management Plan (TMP) for the traffic management of regular 2-way traffic flow and pedestrian activity along this of Commercial Road during this major public event to be held within this area of Pitman Park at Salisbury that will be subject to the following terms & conditions which are:

- This major public event for the “Aussie Era Salisbury Car Show” is to occur between the hours of 9.00 am and 5.00 pm on Sunday the 21st of October 2018 only
- The Event Organisers are to engage a Traffic Management Company, to provide traffic management for this event along the section of Commercial Road located adjacent to this site, which is also to be approved by DPTI’s Traffic Management Centre at Traffic Operations, Norwood
- All work-zone traffic management at this site is to be provided by an experienced & reputable Traffic Management Company which is also to be undertaken trained & qualified traffic management control staff
- Because the traffic management along this section of Commercial Road for this major event may have an impact on timetables for weekend bus services, Council will provide details of this major public event to staff at SouthLink which is the bus service provider for this northern area of Metropolitan Adelaide
- As part of the traffic management for this event, both Council and DPTI would not encourage on-road parallel-parking along the unsealed shoulder/verge area along both sides of the section of Commercial Road which has high-volume 2-way traffic flow. In the interest of pedestrian safety, the majority of the parking activity is to be provided off-road within the oval area for Pioneer Park (which is used as a marshalling area for the Salisbury Christmas Parade). Subject to availability and should the demand for off-street parking be at a premium for this public event, any parking overflow could be catered for within off-road car parking areas for the Parabanks Shopping Centre (subject to permission from the Shopping Centre Management)

Toilets

A plumbing solution for portable toilets is not required as they are self-contained.

Power

Power solutions could be accommodated but may impact on final car configurations.

Sponsor Marquees

As per the commentary above our advice is that there significant challenges in establishment of the site due to the irrigation and sprinkling infrastructure. In order to minimise the impacts a large number of flags/witches hats and other on ground no go zones would need to be established in order to avoid and to minimise damage.

Signage/accessibility of the area

We note that SBA will provide signage to the event. It is unclear how accessible this section of the Park will be for pedestrian traffic as the bridge crossing is quite small, and narrow. This may lead to increased traffic at the commercial road end which will impact on surrounding traffic flows if the predicted numbers are reached.

Family area

This area can be accommodated, and is supported for the type of activity within the Pitman Park area. There is some risk to the park amenity but in the commercial road zone of the location this can be minimised.

Food vendors

This area can be accommodated, and is supported for the type of activity within the Pitman Park area. There is some risk to the park amenity but in the commercial road zone of the location this can be minimised.

Other components

These other components of the Car show fit the objectives which were outlined to staff in a meeting with the working group.

Attachment 1 Irrigation Map – Pitman Park

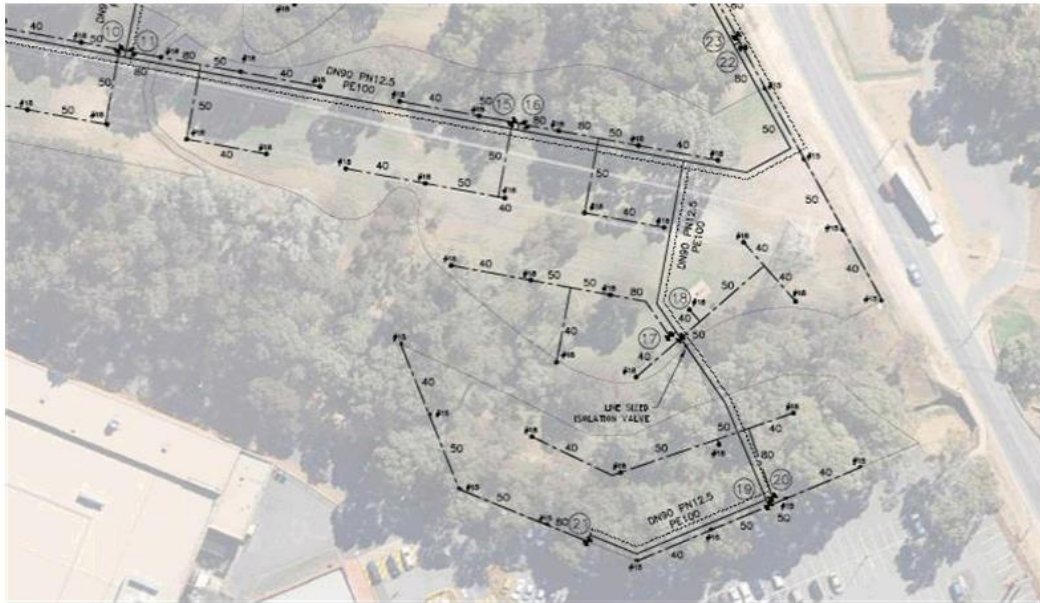


Table 1**Alternative sites considered summary table**

Options Canvassed with SBA working group for the Aussie Ear Car Show (Option 2 Pitman Park and alternative 30 Car Option proposed by CoS in Green)

Objectives as outlined by SBA

- Activate the City Centre
- Provide a unique iconic car show event (this is about geographic location rather than what's on offer)
- Benefit to traders

Location option		Positives against objectives	Negatives against objectives
Judd Street Car Park Combined with John Street Wiltshire Street Car Park	1	Central location activating the City Centre Utilising Lane way's as points of interest Foot traffic movement through the City Centre Allows for iconic car and event features	Not an iconic location
Combined with John Street Wiltshire Street Car Park Para Banks Car Park on Johns Street	2	Central location activating the City Centre Utilising Lane way's as points of interest Foot traffic movement through the City Centre Allows for iconic car and event features	Not an iconic location
Para Banks Car Park larger area towards Pitman Park, and Sextant Car Park and Johns Street	3	Central location activating the City Centre Foot traffic movement through the City Centre Foot traffic movement through the City Centre Allows for iconic car and event features	Not an iconic location
Para Banks car Park at Commercial Road end, Wiltshire Street Car Park and Johns Street	4	Central location activating the City Centre Foot traffic movement through the City Centre Foot traffic movement through the City Centre Allows for inclusion of a large number of other types of vehicles such as military/4x4 Allows for iconic car and event features	Not an iconic location, with the exception that there is proximity to Pitman Park and 4x4's could be placed under the trees with children entertainment within the Park. However access into Pitman Park is via a small pathway and bridge
Para Banks Car park at Gawler street end, plus Johns street and Para Banks section of Pitman Park Corridor	5	Central location activating the City Centre Foot traffic movement through the City Centre Foot traffic movement through the City Centre Allows for inclusion of a large number of other types of vehicles such as	Para Banks access would require some consideration pedestrian egress to be negotiated and/or road closure.

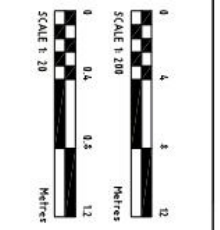
		<p>military/4x4</p> <p>Provides some iconic aspect</p> <p>Allows for iconic car and event features</p>	
12 James street Car Park, plus Sextant and Johns street	6	<p>Central location activating the City Centre</p> <p>Foot traffic movement through the City Centre</p> <p>Foot traffic movement through the City Centre</p> <p>Allows for iconic car and event features</p>	<p>Not an iconic location, SBA claim Sextant is not an option because of the requirement for Cinema Parking on a Sunday, cars a bit hidden in the back car park so would require attraction and/or signage</p>
Pitman Park, Para banks car park at commercial road end, Johns street	7	<p>Park section is an iconic location</p> <p>Note option for 200 Cars was originally proposed, revised to 100 as per proposal.</p> <p>City of Salisbury has identified areas to cater for 30 cars and offers this as an alternative. CoS also confirms family activities can be accommodated.</p>	<p>Event would require draw cards to get foot traffic across the whole area</p> <p>100 cars would present significant potential damage to irrigation infrastructure, would pose potential risk of rutting Bridge street closure. Park would be potentially closed for a period of remediation up to 6 weeks estimate.</p> <p>Alternative option approximately 30 cars located in areas which avoid most damage as per alternative option proposal contained in response to SBA.</p>
Bridgestone reserve	8	<p>Large park close, to public transport, could encourage transport from City Centre via busses</p> <p>Allows for iconic car and event features</p>	<p>Not close to City centre</p> <p>Not an iconic location</p>
Salisbury Oval	9	<p>Large park close, to public transport, could encourage transport from City Centre via busses</p> <p>Allows for iconic car and event features</p>	<p>Not close to City centre</p> <p>Not an iconic location</p>
Carisbrook Reserve	10	<p>Iconic location</p> <p>Large open areas with infrastructure</p> <p>Parking</p> <p>Allows for iconic car and event features</p>	<p>Not close to City centre</p>
Happy Home Reserve, plus Para Banks Car Park	11	<p>Iconic location</p> <p>Large open areas with infrastructure</p> <p>Parking</p> <p>Allows for iconic car and event features</p>	<p>Not close to City centre</p>

Wilshire Street car park, Cash Converters, plus Judd Street and TAFE, lane way to Johns Street	12	Central location activating the City Centre Utilising Lane way's as points of interest Foot traffic movement through the City Centre Allows for iconic car and event features	Not an iconic location
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REVISIONS AND ISSUES		DATE	APPROVED
REV	ISSUE/DESCRIPTION		
A			

DRAWING SHEET DETAILS	
ORIGINAL SHEET SIZE	A1
HORIZONTAL SCALES USED	Horizontal V=1:20
COORDINATE SYSTEM	MGA94
CAD FILE NAME	PITMAN PK HIRE LAYOUT DWG
PR NO.	PR NO.



APPROVED _____
 NAME MANAGER TECHNICAL SERVICES
 DATE _____



DESIGN VERIFICATION		NAME	SIGNATURE	DATE
DESIGN TITLE				
SUPERVISOR				
CHIEF DESIGNER				
TEAM LEADER CIVIL DESIGN & TRAFFIC				
ENGINEER TRAFFIC ENGINEER				
TEAM LEADER LANDSCAPE DESIGN				
LANDSCAPE DESIGNER				
ENGINEER ASSET & PROJECT ENGINEER				
MANAGER CONSULTANTS				

PITMAN PARK
 SBA Site Hire layout
 SALISBURY

PLAN No. PR NO
 SHEET 01
 A

Revised Proposal Draft 2 (18/7/18)

2018 Aussie Era Salisbury Car Show

To alleviate some of the concerns raised by Council staff previously in relation to our 200+ vehicle proposal, we propose the following to allay any fears about damage to surface and infrastructure to our preferred location of Pitman Park.

We are proposing a specific display for Pitman Park to best show off one of Salisbury's premier spaces. We propose a static display of an example of a model from the range for each year of Holden and Chrysler/ Mitsubishi built cars in SA.

The SA only vehicle display is designed to showcase the passion of local workers and enthusiasts alike.

We want to encourage the narrative that we, as locals, as South Aussies have much to be proud of in reflection of the vehicle manufacturing era.

Using the above model, the rough numbers suggest **fewer than 100 vehicles** in a carefully curated display taking into account and working with council to ensure least disturbance of the natural environment as possible. Our expected attendance would be 5,000+ across the day.

Site Re-mediation and Insurance

To offset to Council costs of any damage incurred, subject to Council providing us with an indicative costing, the Association would take out insurance to cover site remediation.

On-site strategies, in conjunction with advice from Council, will be adopted to minimize surface damage, ruts, and irrigation damage through cone markers, event layout, wood chips, boards/planks, etc.

Site layout

We request Council provide an overlay map of their irrigation system to the layout map that they have provided. With the guidance of that map we would then allocate vehicle spaces accordingly.

Layout of vehicles would stretch to the electricity pylon in the centre of Pitman Park.

Traffic Management

The Association would look to engage with a traffic management company re. Commercial Road, especially during the event vehicle bump in and bump out times.

The Association would liaise with Council re. no standing/parking areas along Commercial Road and Bridge Street.

Bridge Street and Commercial Road would both remain open.

Working with, and on behalf of, the Salisbury City Centre businesses and traders
Events include the Salisbury Food and Cultural Festival, Aussie Era Salisbury Car Show, Salisbury Business Awards
and the Annual Salisbury Community Christmas Parade

Patron Parking

Sufficient on and off road parking exists in the precincts and suggested parking areas will be promoted. Parabanks will be included in the parking solution.

Toilets

The need for event toilets is being considered currently. Should portable toilets be required we will need to discuss plumbing (water supply) solutions with Council (if required)

A toilet block exists in the park area adjacent to the proposed space and Parabanks is adjacent on the other side.

Power

A portable power generation source will need to be brought on site.

Sponsors Area/Mini Car Service Expo

Sponsor 3m x 3m marquees will allow them to promote products and services around car products and services. We expect a maximum of 6 sponsor marquees.

Marshalling

To assist with vehicle management, on-site, we propose that 2 of the Car Show Sub-Committee be responsible for marshalling this area to further mitigate any concerns.

Signage

Directional signage to other areas of the car show – Parabanks and John Street will be provided by the SBA near Commercial Road park entry point and the pedestrian bridge over the Little Para River.

We would also provide signage to advise 'pedestrians' of the undulating surface of the park area and to take care whilst navigating the space.

Entertainment

Entertainment will be provided in the form of either a band or DJ.

Family Area

A family area will form a rest spot and picnic area enhancing the family friendly nature of the event. Near this space will be children's activities such as a Bouncey Castle and face painting, as well as a community fundraising BBQ conducted by either Rotary Club of Salisbury or the 1st Salisbury Scout Group.

Food Vendors

Fundraising BBQ conducted by either Rotary Club of Salisbury or the 1st Salisbury Scout Group and possible a coffee van.

Other components of the Car Show

- 4WD display or Military Museum Vehicle Display other side of Little Para River.
- Show vehicles at the Eastern Mall entrance to Parabanks encouraging people to move through Parabanks to John Street
- Balance of Aussie Era Cars in John Street West and John Street Central (Church Street remains open)
- DJ in John Street (near Cash Converters)
- Community

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Points requiring further discussion

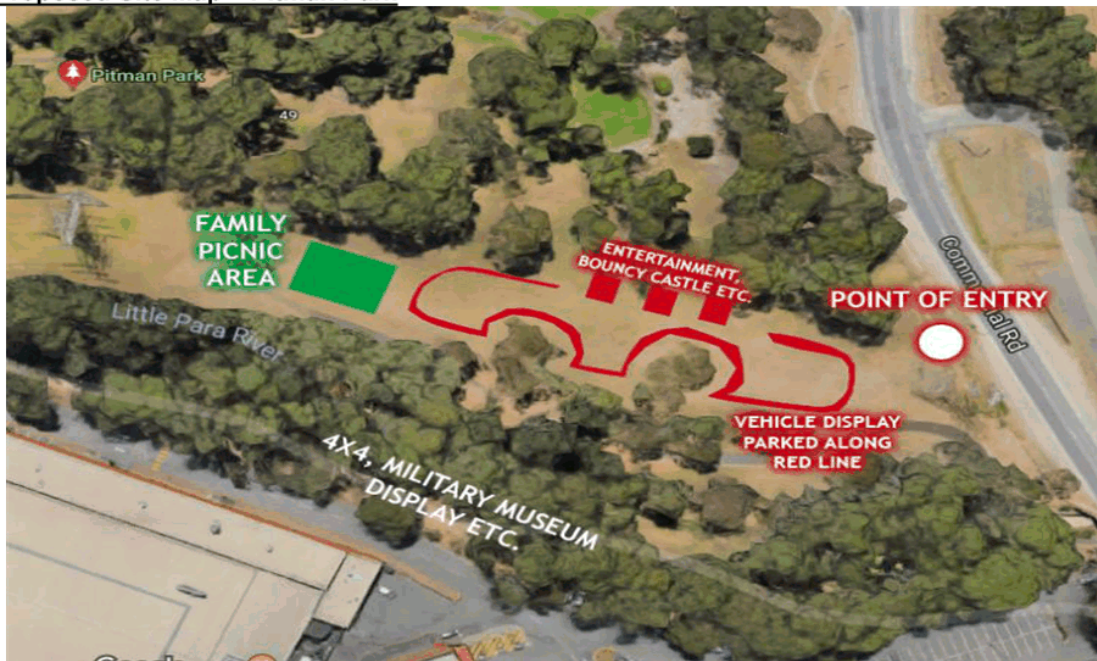
- Traffic management options for Commercial Road and Bridge Street
- Fundraising BBQ conducted by Rotary Club of Salisbury in Pitman Park and the 1st Salisbury Scout Group in John Street/Parabanks.

Costs associated with this site

Increased costs are significant due to remediation insurance, traffic management, infrastructure e.g. toilets and power, entertainment, signage and similar items. Indicative costs \$8,000+ TBC.

Costs will also be incurred with the John Street/Parabanks components of the event for road closures, traffic management, entertainment, signage and similar items. Indicative costs for this component (based on 2017) \$4,500

Proposed Site Map – Pitman Park



All enquiries to David Waylen, Executive Officer – 0414 813 202 or info@salisburyba.com.au

Working with, and on behalf of, the Salisbury City Centre businesses and traders

Events include the Salisbury Food and Cultural Festival, Aussie Era Salisbury Car Show, Salisbury Business Awards and the Annual Salisbury Community Christmas Parade

ITEM 7: MOTIONS ON NOTICE

7.1 Motion on Notice - Basketball Court - Cascade Estate, Mawson Lakes

Cr Beau Brug has submitted the following Notice of Motion:

That a report be brought forward, which investigates the appropriateness and feasibility of establishing a 'half court or full court' basketball court in the Cascade Estate at Mawson Lakes, and other suitable locations within the City of Salisbury.

ADMINISTRATION COMMENT

The existing City Landscape Plan identifies that reserves such as that located at Cascade Estate at Mawson Lakes may be a suitable location for a multi-use half court. Given the location, being bounded by the train line, Salisbury Highway and Elder Smith Drive on three sides, a half-court at this location would improve access to recreation facilities to residents of the surrounding area.

The site at Cascade Estate within the main reserve has a lack of suitable land to construct a half court. The turf area adjacent the existing play space acts as a functional storm water catchment area which limits the ability to install a half court (noting a half court would also take up nearly two thirds of the turf area).

A smaller pad of 7m x 5m allowing for a basketball key and backboard (it could also be used for games like four-square), could be considered as an alternative to fit the available space. This would minimise the impact on stormwater drainage (and vice versa). It would however, require additional maintenance longer term due to the effects of stormwater on the base of the pad. There are examples of these smaller pads located in other Council areas that receive good levels of use by residents and visitors. Such a facility would provide residents and visitors to Cascade Estate with an alternative option at the existing play space. There is no budget for either option in 2017/2018 or proposed in 2018/2019.

CO-ORDINATION

Officer: GMCD
Date: 25/06/2018

7.2 Motion on Notice - Parking in the Salisbury City Centre

Cr Chad Buchanan has submitted the following Notice of Motion:

That:

1. During the conduct of the licence plate recognition trial currently being undertaken in the Salisbury City Centre, Council resolve that the trial is for the purposes of collecting parking data only, and that expiation notices are not issued through the use of the new technology, for cars that overstay the time restrictions.
2. At the conclusion of the licence plate recognition trial, the report that will be provided to Council on the outcomes of the trial also incorporate advice on the implications of the provision of four (4) and or five (5) hour parking areas in the city centre.
3. The Administration work with the Salisbury Business Association, Local Traders, the management of Parabanks, and the Department of Planning Transport and Infrastructure to identify opportunity for developing a multi-deck parking solution for the Salisbury City Centre.

ADMINISTRATION COMMENT

Motion 1

At the April 2018 Council meeting it was resolved to undertake a Licence Plate Recognition (LPR) trial for a period of 6 months (up to 2 days per week) for the Salisbury Town Centre Precinct, and this was to include monitoring of Council public car parks and on street parking.

It was identified in the report that the cost of the trials would be funded from the parking fund contributions and also that it was expected that the trials would generate expiation income which could partially or wholly offset the costs.

The LPR trials are replacing the current foot patrols and not increasing the frequency of patrols, but rather aiming to determine the efficiencies of this technology. Undertaking the trials without issuing expiations would require the existing foot patrols to be continued resulting in a duplication of the service. The inability to issue expiations from the LPR trial will not realise the full efficiencies and identify if the desired outcomes including changed driver behaviours were realised.

Motions 2 and 3

Council have engaged GTA Consultants to undertake a further parking analysis study across the Salisbury City Centre with a view of identifying and understanding the requirements and options for multi deck car parking or other parking options in relation to Council land holdings. It is also considering this in context of the growth in the City Centre and future development in relation to Parabanks, Salisbury Interchange and other private sector investments. The study will also provide assessment of the short, medium and long term parking needs of the City Centre.

CO-ORDINATION

Officer:

Date:

ITEM 8: MAYOR'S DIARY**DATE** 23 July 2018**HEADING** Mayor's Diary**RECOMMENDATION**

1. That this information be noted.

21/06/2018	09:15 AM	SPEECH - Way2Go Bike Ed program
21/06/2018	10:30 AM	Meeting with Basil - Pontians
21/06/2018	11:00 AM	Our Stories' SA Refugee Week 2018 Event [22/06/2018] Briefing
21/06/2018	12:30 PM	David Koo re Community Art
22/06/2018	10:30 AM	"Our Stories" event as part of the SA Refugee Week
22/06/2018	12:30 PM	Meeting with Resident - Marcia Leach
23/06/2018	10:00 AM	Street meeting
23/06/2018	12:30 PM	Adelaide Multicultural Eid Festival
24/06/2018	06:00 PM	Invitation from Resident
25/06/2018	04:30 PM	Meeting with PA - Speeches and signing
25/06/2018	05:00 PM	Mayor's Briefing - Pre Council Meeting
25/06/2018	06:30 PM	Council Meeting
26/06/2018	10:00 AM	Speeches wed breakfast
26/06/2018	02:00 PM	Building Thriving Intercultural Communities
26/06/2018	12 Noon	Media Issues - Regular Catch-up
27/06/2018	07:00 AM	SPEECH - Northern Business Breakfast
27/06/2018	10:30 AM	Meeting with Frank Pangallo - Rate Capping
27/06/2018	06:30 PM	Community Grants Program Cheque Presentation Ceremony
28/06/2018	01:00 PM	Multicultural Open Day at NAMRC
28/06/2018	05:00 PM	Meeting with Resident
29/06/2018	06:30 PM	Salisbury City Rotaract Club Inc - 2018 Changeover Event
30/06/2018	06:00 PM	Resident's 50th birthday .
30/06/2018	12 Noon	Salisbury Football Club - 2018 President's Day.
2/07/2018	06:30 AM	Radio Interview with ABC re Community Hub Ground Breaking Ceremony
2/07/2018	10:00 AM	SAVE THE DATE - The Community Hub Ground Breaking Ceremony.
2/07/2018	02:00 PM	2:00PM - Meeting with the City of Salisbury - Gillian Aldridge, Mayor and John Harry, Chief Executive Officer
2/07/2018	06:30 PM	Lions Club Handover
2/07/2018	06:30 PM	Informal Strategy
3/07/2018	10:30 AM	PBA FM Radio - Spotlight on Salisbury
3/07/2018	11:30 AM	Media Issues - Regular Catch-up
3/07/2018	12:30 PM	Richard Watson – opportunity for the north
4/07/2018	09:30 AM	Marketing
4/07/2018	10:00 AM	Briefing via phone with Development Services
4/07/2018	10:30 AM	Meeting with Resident
4/07/2018	02:00 PM	2pm Special Meeting of the LGA Board
5/07/2018	04:00 PM	Meeting with Mr Piccolo

6/07/2018	11:00 AM	Regular Catchup to Discuss Current/Upcoming Planning/Building Issues
6/07/2018	11:30 AM	Talk to Work Experience Students
6/07/2018	01:00 PM	Meeting with Resident - Flor Lujan
6/07/2018	01:30 PM	Meeting with Resident - Margaret McKenzie
6/07/2018	02:00 PM	Meeting with Resident - Nancy
6/07/2018	12 Noon	Lunch with Work Experience students
7/07/2018	01:00 PM	SPEECH - Indonesian Community event
7/07/2018	06:30 PM	Rotary 2018 Presidential Changeover Dinner
8/07/2018	03:00 PM	Residents meeting
9/07/2018	03:00 PM	Meeting with Residents - Nancy & Daniel
9/07/2018	04:00 PM	OFFICE TIME - Schedule upcoming week/ Signing/Speeches and Resident Enquiries
9/07/2018	05:00 PM	Discussion/Update re Rate Capping
9/07/2018	06:30 PM	Strategic Property Development Sub Committee
9/07/2018	06:30 PM	Sport, Recreation & Grants Committee
9/07/2018	06:30 PM	Innovation and Business Development Sub Committee
10/07/2018	10:30 AM	Meeting with UK-based ABS Group
10/07/2018	11:45 AM	Meet with business owner – development opportunity
10/07/2018	01:30 PM	Meeting with business
10/07/2018	06:30 PM	Audit Committee of Council
11/07/2018	10:00 AM	Mayoral Para Hills Hub Walk Through
11/07/2018	11:00 AM	Mayor/CEO/EA
11/07/2018	12:30 PM	Media Issues - Regular Catch-up
11/07/2018	12 Noon	Meeting with Raj Gohil
12/07/2018	09:00 AM	Business owner
12/07/2018	05:30 PM	Visit to Para Hills West Soccer Club
13/07/2018	09:00 AM	LGA Special General Meeting
14/07/2018	3:00 PM	BAPS Shir Swaminarayan – dancing from Victoria Square to Elder Park
14/07/2018	06:00 PM	Blueprint Ministries Lutheran Church Fundraiser
16/07/2018	11:00 AM	Meeting with Nancy
16/07/2018	04:30 PM	OFFICE TIME - Schedule upcoming week/ Signing/Speeches and Resident Enquiries
16/07/2018	06:30 PM	Standing Committee Meetings
17/07/2018	10:30 AM	PBA FM Radio - Spotlight on Salisbury
17/07/2018	06:30 PM	CEO Review Committee
17/07/2018	12 Noon	Media Issues - Regular Catch-up
18/07/2018	10:00 AM	Meeting with Russell Wortley
18/07/2018	11:00 AM	Mayor/CEO/EA
18/07/2018	12 Noon	Meeting with Jeff Pinney of the NMVM

ITEM 9: ELECTED MEMBER REPRESENTATION ACTIVITIES

ITEM 10: QUESTIONS WITHOUT NOTICE

ITEM 11: QUESTIONS ON NOTICE

QON1 Question on Notice - Collaborative Policy for Community Houses

At the 25/06/2018 Council Meeting, Cr Donna Proleta asked the following question:

Is anything being done toward the collaborative policy for the community houses which should have been done by the end of the financial year, and how long since it has been looked at, and have any meetings been organised with the community centres, and when will this policy be brought up to date?

The questions were taken on notice.

Acting General Manager, Community Development, Vesna Haracic has provided the following response:

Community Centre Chairperson's and Coordinators were advised via email in May 2018 of the upcoming expiry of the current collaboration agreements. This email asked for informal feedback regarding the agreements as points for discussion and to form an agenda for a future meeting. A subsequent email sent on the 13/7/2018 proposes a meeting date of the 29/8/2018, and further to this outlined the process for renewal. The conditions of the prior agreement prevail during this time of renewal. Once the initial meeting is held, and then subsequent discussion and agreement is reached by all parties the decision to renew the agreement would go to Council for endorsement. Once the agreement is endorsed confirmation letters will be sent to all Chairpersons, with Council staff attending management committee meetings to provide overview on the finalised agreement.

QON2 Question on Notice - Wetlands Affected by Edinburgh Air Base

At the 25/06/2018 Council Meeting, Cr Damien Pilkington asked a question in relation to whether anything had been looked at to divert the water before it gets into the contaminated area for capture and storage to the east of the airport?

The question was taken on notice.

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

Staff are currently working with the Department of Defence to consider contamination issues, drainage, flood management and constraints to future development.

For diversion of stormwater around the base, a number of options and issues are being considered under the current Stormwater Management Planning (SMP) process for Greater Edinburgh Parks.

These options are being worked through with the Department of Defence and a full report will be provided to Council once further detail is known

ITEM 12: OTHER BUSINESS / MOTIONS WITHOUT NOTICE

ITEM 13: CONFIDENTIAL ITEMS

13.1 Works and Services Committee - Confidential Recommendations for Council Ratification

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

1. *Pursuant to Section 90(2) and (3)(b)(e)(i) and (ii), and (d)(i) and (ii) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*

- it relates to matters affecting the security of the council, members or employees of the council, or council property; or the safety of any person.

2. *In weighing up the factors related to disclosure,*

- disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations

- Non-disclosure of the matter and discussion of this item in confidence would protect information with respect to Council's security.

*On that basis the public's interest is best served by not disclosing the **Works and Services Committee - Confidential Recommendations for Council Ratification** 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.*

ITEM 13: CONFIDENTIAL ITEMS ... (cont'd)

13.2 Audit Committee - Confidential Recommendation for Council Ratification

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

1. *Pursuant to Section 90(2) and (3)(e) 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 matters affecting the security of the council, members or employees of the council, or council property; or the safety of any person.*
2. *In weighing up the factors related to disclosure,*
 - *disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations*
 - *Non-disclosure of the matter and discussion of this item in confidence would protect information with respect to Council's security.*

*On that basis the public's interest is best served by not disclosing the **Audit Committee - Confidential Recommendation for Council Ratification** 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.*

ITEM 13: CONFIDENTIAL ITEMS ... (cont'd)

**13.3 Budget and Finance Committee - Confidential
Recommendation for Council Ratification**

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

1. *Pursuant to Section 90(2) and (3)(a) of the Local Government Act 1999, the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter because:*
 - *it relates to information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead); and*
 - *matters affecting the security of the council, members or employees of the council, or council property; or the safety of any person.*
2. *In weighing up the factors related to disclosure,*
 - *disclosure of this matter to the public would demonstrate accountability and transparency of the Council's operations*
 - *Non-disclosure of the matter and discussion of this item in confidence would protect information related to the personal affairs of any person (living or dead) and proposed action by Council where the rates for a property have been outstanding for a period of not less than three years.*

*On that basis the public's interest is best served by not disclosing the **Budget and Finance Committee - Confidential Recommendation for Council Ratification** 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.*